

TORAHSCOPE: Mas'ei (Stages)

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Numbers 33:1-36:13
Jeremiah 2:4-28; 3:4 (A);
2:4-28; 4:1-2 (S)

“The Effects of the Law of Israel”

The final Torah reading of the Book of Numbers is usually coupled with the previous Torah reading, *Mattot* (Numbers 30:2[1]-32:42), for the purposes of study and reflection. In many respects *Mas'ei*, just like *Mattot*, delivers a series of final instructions to the Israelites, prior to their invasion of the Promised Land. As *Mas'ei* begins, a summary of the forty-two stages or encampments of the Israelites is catalogued by name,¹ with details on how to rout Canaan of its current inhabitants.² The physical boundaries of Israel are described,³ with the names of the leaders of the tribes recorded for posterity's sake.⁴ Some definition about how the Land should be organized is conveyed, especially as it regards cities for the Levites⁵ and specific cities of refuge to be available as safe places when someone has committed unintentional manslaughter.⁶ Our *parashah* ends with some inheritance injunctions, on what was to be done in Ancient Israel when no male heirs were born into a family.⁷

All of what is seen in *Mas'ei* is important, because very steadily Israel is preparing to transition from being a desert-bound group of wandering “nomads,” to an established nation-state within determined borders. The jurisprudence of what it means to be an actual “country,” is being spoken into the hearts and minds of the Israelites. Of all the instructions that God delivers, He is most concerned about the Israelites being loyal to Him, and in the pagan idolatry of Canaan being routed as they enter into their inheritance:

“Then the LORD spoke to Moses in the plains of Moab by the Jordan *opposite* Jericho, saying, ‘Speak to the sons of Israel and say to them, “When you cross over the Jordan into the land of Canaan, then you shall drive out all the inhabitants of the land from before you, and destroy all their figured stones, and destroy all their molten images and demolish all their high places; and you shall take possession of the land and live in it, for I have given the land to you to possess it. You shall inherit the land by lot according to your families; to the larger you shall give more inheritance, and to the smaller you shall give less inheritance. Wherever the lot falls to anyone, that shall be his. You shall inherit according to the tribes of your fathers. But if you do not drive out the inhabitants of the land from before you, then it shall come about that those whom you let remain of them *will become* as pricks in your eyes and as thorns in your sides, and they will trouble you in the land in which you live. And as I plan to do to them, so I will do to you”’” (Numbers 33:50-56).

Here the instructions are very detailed: completely eliminate the inhabitants and then let the lot determine who gets what parcels of land. After seeing a great victory over the Midianites with not a single soldier lost (Numbers 31), this sounds fairly basic. This remarkable victory allowed the Israelites to understand that the Lord is on their side, and that taking the Promised Land was only a simple matter of obeying His instructions. All God asks for in return is loyalty and fidelity to Him, as their job is to see the Canaanites' idols removed.

¹ Numbers 33:1-49.

² Numbers 33:50-55.

³ Numbers 34:1-15.

⁴ Numbers 34:16-29.

⁵ Numbers 35:1-5.

⁶ Numbers 35:6-34.

⁷ Numbers 36:1-9.

Cities of Refuge

One of the most important aspects of what it will be like to live in the Promised Land, with God's Torah enforced as the law, is the establishment of cities of refuge. There were to be a total of forty-eight cities in Israel, specifically for the Levites (Numbers 35:7), with six of the cities being designated as cities of refuge or *arei ha'miqlat* (עָרֵי הַמִּקְלָט; Numbers 35:6). These cities of refuge were to be spaced between the eastern and western sides of the Jordan, three on the east and three on the west (Numbers 35:14), with the other forty-two cities sprinkled among the tribal territories.

The cities of refuge were designed to be places where those who committed unintentional manslaughter could come to avoid anyone seeking revenge, who probably had the assignment to avenge the death of a family member:

“These six cities shall be for refuge for the sons of Israel, and for the alien and for the sojourner among them; that anyone who kills a person unintentionally may flee there” (Numbers 35:15).

These instructions begin to formalize a code of justice on how Ancient Israel was to handle homicide, voluntary manslaughter, involuntary manslaughter, and accidental death. The establishment of various cities of refuge—safe places where people could go when there had been a homicide—is about as close as we see in the Torah to there being any kind of “prison system.” While every community would have had some kind of jail, not everyone who is sent to jail is an accused murderer, as many are jailed as a penalty for unruly behavior or failure to pay a debt or for violating some kind of local ordinances. Here, the cities of refuge accomplish the role of some of today's maximum security prisons, where not only criminals can be held until trial, but where the state is supposed to keep them safe and unharmed until trial.

Mas'ei details how the cities of refuge were to function, in the determination of whether a homicide was intention or unintentional, laying out some examples that would need to be considered in judging the accused:

“But if he struck him down with an iron object, so that he died, he is a murderer; the murderer shall surely be put to death. If he struck him down with a stone in the hand, by which he will die, and *as a result* he died, he is a murderer; the murderer shall surely be put to death. Or if he struck him with a wooden object in the hand, by which he might die, and *as a result* he died, he is a murderer; the murderer shall surely be put to death. The blood avenger himself shall put the murderer to death; he shall put him to death when he meets him. If he pushed him of hatred, or threw something at him lying in wait and *as a result* he died, or if he struck him down with his hand in enmity, and *as a result* he died, the one who struck him shall surely be put to death, he is a murderer; the blood avenger shall put the murderer to death when he meets him. But if he pushed him suddenly without enmity, or threw something at him without lying in wait, or with any deadly object of stone, and without seeing it dropped on him so that he died, while he was not his enemy nor seeking his injury, then the congregation shall judge between the slayer and the blood avenger according to these ordinances” (Numbers 35:16-24).

It is notable that here we see a real example of the Torah functioning as the Law. As serious as human death might be, with various examples of how object instruments can be used to murder, the ultimate judgment for guilt or innocence might still fall with a community's leaders. It is stated how “the assembly must judge” (Numbers 35:24, NIV). But more important than this is how the principle of convicting a murderer must have multiple witnesses:

“These things shall be for a statutory ordinance to you throughout your generations in all your dwellings. If anyone kills a person, the murderer shall be put to death at the evidence of witnesses, but no person shall be put to death on the testimony of one witness” (Numbers 35:29-30).

As you read Numbers 35, you should be able to easily discern how these verses have significantly influenced the Western legal tradition until our very day. The need to be able to not only read the Scriptures, but do so with a discerning mind, can be very important to see them applied properly.

Inheritance Laws

As the Book of Numbers finishes, some information about the inheritance of property is detailed. Again, while Twenty-First Century people might think that these instructions seem a bit archaic, as they might be viewed as promoting a male-exclusive transference of property across the generations—with a few exceptions—what the Torah says must be viewed within the overall context of how property was kept in families in the larger Ancient Near East. The issue that Moses and Eleazar had to rule upon (Numbers chs. 26-27) allowed the daughters of Zelophehad to inherit from their father's estate, even though they were female:

“They stood before Moses and before Eleazar the priest and before the leaders and all the congregation, at the doorway of the tent of meeting, saying, ‘Our father died in the wilderness, yet he was not among the company of those who gathered themselves together against the LORD in the company of Korah; but he died in his own sin, and he had no sons. Why should the name of our father be withdrawn from among his family because he had no son? Give us a possession among our father's brothers.’ So Moses brought their case before the LORD. Then the LORD spoke to Moses, saying, ‘The daughters of Zelophehad are right in *their* statements. You shall surely give them a hereditary possession among their father's brothers, and you shall transfer the inheritance of their father to them. Further, you shall speak to the sons of Israel, saying, “If a man dies and has no son, then you shall transfer his inheritance to his daughter. If he has no daughter, then you shall give his inheritance to his brothers. If he has no brothers, then you shall give his inheritance to his father's brothers. If his father has no brothers, then you shall give his inheritance to his nearest relative in his own family, and he shall possess it; and it shall be a statutory ordinance to the sons of Israel, just as the LORD commanded Moses”’ (Numbers 27:2-11).

Later in *Mas'ei*, additional rulings are delivered. The Manassehites, recognizing how the daughters of Zelophehad inherited from their father's property, were concerned that they might marry Israelite men outside of their tribe of Manasseh. In doing so, the inheritance for the entire tribe might be jeopardized. After explaining the dilemma, Moses clarifies what actions should be taken:

“Then Moses commanded the sons of Israel according to the word of the LORD, saying, ‘The tribe of the sons of Joseph are right in *their* statements. This is what the LORD has commanded concerning the daughters of Zelophehad, saying, “Let them marry whom they wish; only they must marry within the family of the tribe of their father.” Thus no inheritance of the sons of Israel shall be transferred from tribe to tribe, for the sons of Israel shall each hold to the inheritance of the tribe of his fathers. Every daughter who comes into possession of an inheritance of any tribe of the sons of Israel shall be wife to one of the family of the tribe of her father, so that the sons of Israel each may possess the inheritance of his fathers. Thus no inheritance shall be transferred from one tribe to another tribe, for the tribes of the sons of Israel shall each hold to his own inheritance”’ (Numbers 36:5-9).

Even though the daughters of Zelophehad affectively were treated like males, in being able to inherit from their father's estate—here we see that the need to maintain tribal distinctions was very important for the Ancient Israelites, *still yet to enter into the Promised Land*. It was ruled here that if any daughters had to inherit their fathers' property, that they could only marry within their tribe. But the issue here probably had more to do with tribal integrity within the Promised Land, than it had to do with women's' rights. Much of the property that would be inherited would not be in the form of a bank account, stock portfolio, or investments in a corporation—but rather in real estate within a tribe's territory and in agricultural assets. You cannot have a tribe of Israel within set boundaries, with all of the land within such boundaries actually owned by (absentee) people from another tribe. This is an excellent example of how the Torah's original setting and the needs of Ancient Israel have to be considered in our reading of the text, because presumably if a woman married outside of her tribe she would forfeit the right to having any inheritance which would pass into the family of another tribe. Allen observes,

“[T]he issue is not antiwoman but a concern for the integrity of the land....[But] women were still not considered as independent entities within the community; their definition continued

to be in connection with their husbands (and sons)....Nonetheless, this sequence of events (chs. 27-31) is a significant entry in the history of women's issues. It is two steps forward and one step back; but there is movement forward—a countercultural thrust that has the blessing of God.”⁸

The Torah gives us a glimpse into the legal process of ancient people who were chosen to be vessels of the Creator God, and *Mas'ei* has certainly given much for various rabbis, theologians, scholars, and lawyers to discuss and debate for several millennia. Applying these instructions in a modern setting might be a little difficult, as the modern world has a different kind of economy than did the ancient world. But these instructions can definitely inform us, as some of the first legal precedents sets in the Bible. By reading and meditating upon them, we make sure that these instructions continue to have an influence on our reading of the Scriptures, being relevant to men and women of faith—even if just in the sense of being Biblical history. Even if we cannot follow everything in the Torah, because we do not live in the Ancient Near East, meditating on the Word of God will still teach us things about His character and dealings with people!

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Unless otherwise noted, Scripture quotations are from the *New American Standard, Updated Edition* (NASU), © 1995, published by The Lockman Foundation.

⁸ Allen, in *EXP*, 2:1006.