

A Road Wide Enough for Compassion

Senior sermon · February 2022

[Watch the senior sermon on Vimeo \(begins at approximately 45:00\)](#)

Almost exactly a year ago, my then-fiancée and I went for a hike on a typical winter day in the Berkshires.

After a beautiful three hours on the mountain, while making our way back to the trailhead parking lot, something terrible happened.

At the base of the mountain runs a small highway. To get to our car, we had to walk alongside it. We were walking parallel to the reasonably busy road, headed north, when suddenly a Subaru sedan pulled out of a road across from us, turning south.

The screech of the brakes. The wail of the oncoming car's horn. The thunder of metal on metal. The crunch of the pickup truck as it hit the tree right in front of us.

There I am, standing at the driver's-side door. I've broken the window, and now I'm trying to calm this 28-year-old new mom. She's coming in and out of consciousness.

"You're okay, sweetheart. You're okay. It's gonna be okay. I'm right here. The paramedics are on their way. No, don't move. Don't move. We have to keep your neck steady. No, no, someone pulled out in front of you. Don't worry about that right now, though. What's your name?"

"Sam?"

"Sam, can you tell me what day it is?"

The other driver—the one who was struck and killed after pulling out of "Lover's Lane," we later learned—was a 92-year-old great-grandmother.

Sometime afterward, I got to read a little bit about the old woman I saw lying in the leaves in front of Sam's car.

You see, Ruth wasn't wearing her seatbelt. When Sam's pickup truck broadsided Ruth's sedan, Ruth's car spun 360 degrees. The force ejected Ruth from her car. She landed directly in front of the place where Sam's car eventually came to a stop, right in front of us.

Holding Sam as she cried and said, "Oh my God, what's happening? Who is that?"—catching a glimpse of the body lying just in front of her car—"Don't worry about it," I said. "She is being taken care of."

I said...

The *New York Times* ran an obituary on Jan. 10, 2021. Ruth Houghten is remembered as a passionate gardener, an adoring mother and grandmother, and a steadfast, loyal friend. She is survived by a sister, Maude; her children, Amory III, Robert, Sarah, and Quincy; nine grandchildren; and two great-grandchildren.

Sam had not been driving at a speed unusual for the area. She had done everything in her power to avert the collision. She was wearing her seatbelt. Her phone was in her jacket pocket, and she wasn't under the influence of any substances.

Still, Ruth was dead—an irreversible, inescapable fact.

Since that day, I have often wondered how Sam is doing. How her young child is. How happy her husband must have been to have her back. I've also wondered how Ruth's family is doing. How shocked and pained they must have been. No one's bubby or zeidie should have to die like that.

Yet the Talmud, in Bava Batra 100b:1, teaches:

דרך הרבים שש עשרה אמות. דרך ערי מקלט שלשים ושתיים אמות.

The standard width of a public thoroughfare is sixteen cubits—about 25 feet. A road leading to one of the cities of refuge must be at least thirty-two cubits—at least 50 feet wide.

The roads to cities of refuge must be twice as wide as even the widest boulevard.

Not only that, the Talmud also tells us these roads must be perfectly straight. If there is a river, build a bridge. If there is a mountain, carve a tunnel. Line the way with signs that say, “This way to shelter!”

We must pave the way for them. Make their journey back from guilt and suffering—and from causing others unintentional harm—easier.

What I love so much about Torah is that it is a deeply human book.

It depicts both our most laudable aspirations and our darkest realities.

As the People of the Book, we turn through the pages of Tanakh and Chazal, looking for ourselves, searching amidst the black ink and blank spaces.

Often, the Torah blesses us with a lesson about compassion, reminding us of our potential as beings created in the image of God, *b'tzelem Elohim*.

Just last week, we read the Ten Commandments. They call out to us with their timeless, holy teachings!

But while the Torah often gives us these lessons of compassion and justice, there are times when we turn to the spring that nourished our ancestors and find a bitter taste.

Here, inscribed in Mishpatim, is the brutality of an eye for an eye, the injustice of slavery, the misogyny of women being sold like chattel.

Yet, amongst this bitterness, we also find a deeply, troublingly human teaching.

Namely, that while all types of death are painful, and the death of a close loved one can be monumental, destructive, and even world-shattering, accidental deaths leave wounds of a different nature.

They can be slower to heal and are all too easily reopened by the passing of a car, or the flutter of a butterfly, or the words of a sermon.

The verses of Mishpatim, which Iris just chanted for us, declare:

מכה איש ומת מות יומת
<i>Whoever fatally strikes another shall be put to death.</i>
ואשר לא צדה והאלהים אנה לידו ושמתי לך מקום אשר ינוס שמה
<i>But if they did not do it by design, I will assign a place for them to flee.</i>

These back-to-back verses teach that while the intent is different between murder and manslaughter, the effect is the same.

Someone has been killed. An entire world has been blotted out. A whole family has been forced into mourning.

Recognizing the tremendous suffering the family goes through, in Mishpatim the Torah designates cities of refuge to get those involved in the death away from the family.

After a death, the bereaved take center stage. Their feelings of anger, pain, and exacerbation must be honored.

Yet the text begs for compassion for the manslayer, too!

In fact, the Torah finds this need for compassion so compelling that it appears in every book other than Bereshit. It appears in the book of Joshua, too.

Why would the Torah spill so much ink enshrining the rights of manslaughterers?

Consider this:

Mishpatim and subsequent chapters tell us the manslayer must flee and stay in exile until the death of the High Priest, *haKohen haGadol*.

Typically, the Torah sets specific time requirements. Touch a dead body? Impure till morning. Fall into the injustice of slavery? Go free after the sixth year!

Yet here, in the case of an accidental death, the time frame is nebulous.

Until the High Priest dies—perhaps a year, perhaps seventy? No one can know for sure.

How long does it take for a family to heal after an accidental death? Do the trauma, guilt, and pain of accidental murder ever pass?

No one can know for sure.

Have you ever done something and found the effect was the opposite of what you intended?

I have.

Have you ever hurt someone inadvertently, or watched it happen?

I have.

Have you ever hurt someone by mistake and then felt indignant that they misunderstood you?

I have.

Have you ever wished, especially after you've royally screwed things up, that the road leading to safety and confidence was freshly paved for you?

Oh, how I have.

The different ways the subject of accidental murder has been presented throughout the Bible reflect its lingering, amorphous effects and also the compassionate need to give the manslayer a place to live.

Exodus 21 says: assign a place where the manslayer can flee.

Chapter 35 of the book of Numbers adds further scenarios and new designations.

In Exodus 21, the term for unintentional murder is *lo tzadah*. Numbers 35 adds the terms:

	בשגגה
<i>In error</i>	
	בלא ראות
<i>Without seeing</i>	
	לא מבקש רעתו
<i>Who does not seek their harm</i>	

Because there are so many ways that accidents happen, and so many consequences, and also so many reasons why murder should not beget more murder.

When describing the person who was killed in error, the Torah first says *makkah ish* in Exodus 21, then *makkah nefesh* in Numbers 35, and finally, in Deuteronomy 4, it says *ratzach et re'ehu*.

Struck down a person.

Struck down a soul.

Killed a neighbor.

The Gemara in Sotah 3a teaches that, according to the school of Yishmael, every repetition in the Torah teaches something new, whereas the school of Akiva holds that each repetition serves as an intensification of the obligation.

In the case of the cities of refuge, both Yishmael and Akiva teach important truths.

Yishmael, who teaches the significance of each repetition, prods us to ask:

How would we react if we killed a random stranger by accident?

A soul? A world unto itself.

A family, a job, a purpose.

What if we killed a friend?

And from the great Rabbi Akiva comes the obligation and challenge of radical empathy—not just for the victim, but for the accidental murderer, too!

For he, too, is a *re'a*: a neighbor, a friend.

As the same Rabbi Akiva says in Bereshit Rabbah 24:

ואהבת לרעך כמוך, זה כלל גדול בתורה
<i>Love thy neighbor as thyself. That is the greatest principle in the Torah.</i>

In Makkot 10a, Rabbi Yochanan notices something beautiful.

In Deuteronomy 4, immediately after enumerating the various cities of refuge, the Torah says:

וזאת התורה אשר שם משה לפני בני ישראל
<i>And this is the Torah Moses placed before the Israelites!</i>

Treating the manslayer with compassion is the Torah of Moses and Israel.

On this same topic, further on the same *daf*, Rabbi Tanchum bar Chanilai says:

For what was Betzer, the city entrusted to Reuben, privileged to be mentioned first among the cities of refuge?

The tribe of Reuben was honored to be listed first in the list of cities of refuge because Reuben spoke up first when his brothers conspired to kill Joseph and helped save his life.

Consider this: even though being a city of refuge means being burdened with the safety and wellbeing of others—and not just any “others,” but accidental murderers, people who caused unintended but irreparable harm, people who feel guilty, who think the world is out to get them, who are shaken to their very core—it is an honor to be their city of refuge.

It is an honor to be a city of refuge.

The Torah is the most human book, and it speaks to the challenging reality that is being human.

In *Hilchot Rotzeach U'Shmirat Nefesh*, the Laws of the Murderer and the Preservation of Life, the Rambam, drawing from Deuteronomy 19:8, declares:

That in addition to the three cities on the Eastern Bank of the Jordan and the three on the Western Bank:

בימי המלך המשיח מוסיפין שלוש ערים נוספות על השש

In the days of the Moshiach, three more cities will be added to the six.

What?!

You mean to tell me that even in the Messianic age, people will still be killed in accidents?

That people will still be bloodthirsty and vengeful?

That people will have to flee because they inflicted unintended harm?

Yes.

That is exactly what the Rambam, and I believe the Torah, is telling us.

We are human. We always will be.

We are vengeful and prideful, and often unforgiving.

The difference between the Messianic age and now is that, while these days we struggle to find a way to support each other, even when we are at our best, in the future the roads to safety—the roads to comfort in the face of life's real, inescapable brutality—will be paved twice as wide.

They will be well maintained.

And we will all know that there is a safe place for us, a place where we can rest, close at hand, even with our scars, or guilt, or baggage.

About those days yet to come, the prophet Isaiah has this to say:

ואזניך תשמענה דבר מאחריך לאמר זה הדרך לכו בו כי תאמינו וכי תשמאלו

And, whenever you deviate to the right or to the left, your ears will heed the command from behind you: "This is the road; follow it!" — Isaiah 30:21

This is the road—the road of compassion.

Follow it!

God, sustainer of the universe, place us on the roads which lead to compassion.

For this is the Torah.

Thank you.

Transcription note

This web version preserves the original sermon's wording and sequence. Changes are limited to spelling, grammar, punctuation, spacing, capitalization, restoration of readable Hebrew after PDF extraction, and the owner-directed change from "my now fiancée" to "my then-fiancée." No names, accident details, obituary details, examples, claims, or repetitions were intentionally removed.