

ENGLISH SUMMARY

The cultural and legal goal of the cities of refuge was to prevent as many kinds of murder as possible and also to curtail the possibilities of blood feuds. The cities of refuge were solely for inadvertent murderers (slayers). The cities of refuge were tied to exile as a form of punishment. It meant the murderers had to leave the territory of their tribes, their families and their homes, to live in the city of refuge.

The time period of the punishment was, in all cases, correlated with life of the chief prelate of the city of refuge. As long as the chief prelate lived, the punishment continued. When the chief prelate died, the punishment ended.

Leaving home was a serious punishment itself for the fleeing slayer and at the same time it was an obvious legal restriction for those seeking revenge (revenges), as the slayer was separated from the “revenges” by the scope of authority of the cities of refuge.

If the inadvertent murderer could not be accused of any form of willfulness in relation to causality regarding the crime, then the court acting in the cities of refuge acquitted the defender and ensured refuge for him, in other words, he had to be accepted by the „*goel*“. Acquittal meant that the slayer could stay in the cities of refuge and the avengers could not kill him.

The legal regulation invoking the cities of refuge stopped all kinds of abuse in relation to vendettas (blood feuds). At the same time we can remark here that the slayer could continue his life with the possibility of this legal defense; if he physically got into one of the cities of refuge in an acceptable manner. However, if he was overtaken or caught during his flight to safety the avengers could kill him, due to the ancient law, which was the “blood for blood” approach.

We point out, reflecting upon the connection through the later administration of Roman law, that the witness was very important in the Israeli adjudication, and also in relation to the cities of refuge. The scope of Deut 19:15-21 definitely talks about inquisition to prove out witnesses who bear false witness and who mislead the judges in trial procedure.

In the case of two or three concordant serious testimonies, even a death penalty could be brought. That's why a false witness could throw off the safeguards of the whole adjudication, and the judge could have no other possibility but to bring the most serious verdict. The Bible asks for a thorough inquiry out of Leviticus, requiring inquisition from the ministers in the case of witnesses.

The fundamental principal of the Israeli criminal law was the "ius talionis", which meant, in practice, that whosoever committed a crime in something, he was likewise punished by that crime in some way.

The severe consequences and deliberative judicial process in relation to the asylum law eliminated all kinds of abuse. However, the cities of refuge could not be a refuge place for willful murderers.

In all other ways the cities of refuge belonged to the cities of Leviticus in religious, legal and cultural aspects.

The shelter provided by the cities of refuge can be understood as a personal captivity, not outside Israel, but inside the country.

As in the "galut" (exile), the Jews always longed for the homes they left behind, and so likewise, the inadvertent murderers yearned for their own homes.

The final close (judgment) of a matter of refuge was based not only on the decision of the judges but also upon the person of the prelate.

Israel had already passed on certain principals of "mispat" (equity) to the Romans, prior to its complete devastation by the Romans in AD 135. The Roman Empire readily absorbed the concept of refuge and subsequently spread it to the entire human intellectual world through the jurisdiction of the continental (Roman) law.

It is perhaps more realistic today than ever before to consider the thought of the cities of refuge, as in our world violent death is taking its victims all the time. In our time, hundreds and millions of people flee from civil wars and humanitarian catastrophes. Without any place of refuge, these masses of human beings would die. The Biblical concept of the cities of refuge is also about mankind's ever present minorities; the fugitives of our kind have fundamental human rights.

The concept of refuge was familiar to the tribes of the Near East, but Israel excelled among them, as Israel's solution differed in many ways from the solutions of other tribes. Its importance cannot be taken away because it can be seen that it is still practiced and known in the modern world. Consulates, embassies, churches and other sacred places acting under international law are places of refuge based upon this concept.

What can we – 21st century people – do in relation to this old Jewish Biblical Law? At least we can assure the rights of minorities in their environments, or in other words, not being fully persuaded by the majority alone, we try to assure our personal influence by using Biblical principles to assure the fundamental rights of the oppressed and the disadvantaged.