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Cities of Refuge

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Introduction

Within the Hebrew Bible/Old Testament there is a provision for six cities of refuge ("cities of intaking" [ערי מקלט]), where someone who has unintentionally committed murder can go and not be subject to blood revenge (Exodus 20:12–14; Numbers 35:9–28; Deuteronomy 4:41–43, 19:1–13; Joshua 20; 1 Chronicles 6). This practice has been described as refuge, asylum, and sanctuary, and the cities have been given all three of these labels, which has resulted in differing understandings of the intention of these cities. The basic legal issue is the distinction between intentional and unintentional killing. For most societies in the ancient Near East, including ancient Israel, the idea of "blood revenge" (an "eye for an eye"; *lex talionis*) was the way in which the killing of a member of your clan or family was avenged (Exodus 21:23). The distinction made in association with the cities of refuge/asylum was how to deal with an individual who accidentally, without intention, killed another (Exodus 21:12–14; Number 35:16–28). Also associated with this idea is the nature of sanctuary or asylum that one can obtain when one reaches a cultic center with an altar (1 Kings 1:50–53; 2:23–24). One should also note that all the cities of refuge are also Levitical Cities (1 Chronicles 6), but it is not clear what the role of the Levites was in such a city of refuge. Among the issues associated with these cities are the following: Did they actually exist, or were they simply a fiction created at a later period of time? If they were real, what was their historical context? Was it premonarchic, the time of David and Solomon, related to the centralization of Josiah, or postexilic? When were the texts composed (a question associated with the previous issue and raising wonderings about different hands in the composition of the texts associated with the idea of asylum cities)? What is the connection between altars of sanctuary and the cities of refuge, and why the apparent replacement of altars with cities? Who and how was the validity of the claim of unintentional killing (Numbers 35:24–25; Joshua 20:4) decided, even if the killer was a "sojourner" (*gēr*) (Joshua 20:9)? What was the consequence of the death of the high priest (Numbers 35:27; Joshua 20:6), and how it was

related to some concept of atonement? What was the relationship between the different biblical presentations of refuge or asylum? What was the connection with the Levites (See *Oxford Bibliographies* in Biblical Studies articles [Levi/Levites](#)) and [Levitical Cities](#)? Finally, what is the relevance to today's society with its issues of sanctuary for immigrants and sojourners?

General Overviews

There are several studies that provide a general overview of the topic of cities of refuge or asylum. Some are stand-alone pieces and others appear in various Bible dictionaries. All will give the reader a good introduction to the topic, issues, and past research. [Dinur 1954](#) is primarily in Hebrew but has a good summary in English and touches upon many of the important issues, especially associated with the question of the entry into a city of refuge. [Greenberg 1962](#) presents a good dictionary article on the cities of refuge. [Schmid 1997](#) helps us to understand the Hebrew term (מקלט; *miqlāt*), which was used to identify a city of refuge. [Haran 1985](#) is more focused on the temples in ancient Israel than simply cities of refuge but provides an important discussion about the relationship of temples and cities of refuge. [Mattingly 1989](#) is concerned to present the issues to a more general, nonacademic audience. Another dictionary article is [Spencer 1992](#), which touches upon the basic concerns associated with cities of refuge. A good summary of past research can be found in [Chen 1998](#). In *The New Interpreter's Dictionary of the Bible*, [Hawk 2009](#) provides an update of the [Greenberg 1962](#) article. [Quant 2015](#) offers a brief summary of the topic and touches upon the associated topic of asylum in contemporary situations.

- Chen, Ching-Wen. "The Asylum Cities: A Reconstruction." *Taiwan Journal of Theology* 20 (1998): 103–122.

  Chen holds that Josiah's reform and the centralization of worship are the bases for the establishment of the cities of refuge. Looks at past scholarship, primarily focusing on materials related to lists of Levitical cities.

- Dinur, B. "The Religious Character of the Cities of Refuge and the Ceremony of Admission into Them." *Eretz-Israel* 3 (1954): 135–146.

  In Hebrew; see pp. vii–ix for an English summary. Dinur sees cities of refuge, which were set up to limit blood vengeance, as a historical reality. The unintentional killer had to sever ties with family and go to a Levitical city, similar to the Levites who had to sever family ties to perform religious duties "which included homicide in the name of god." Argues that Psalm 27 presents steps for person to be admitted to city of refuge.

- Greenberg, Moshe. "City of Refuge." In *Interpreter's Dictionary of the Bible*. Vol. 1. Edited by George A. Buttrick, 638–639. New York: Abingdon, 1962.

  Greenberg provides a good overview of concept of cities of refuge. Sees distinction between views of Deuteronomy and Numbers. Argues Deuteronomy is later and the presentation in Numbers is earlier. Mentions other examples of asylum in ancient Near East.

- Haran, Menahem. *Temples and Temple-Service in Ancient Israel*. Winona Lake, IN: Eisenbrauns, 1985.

  Holds that cities of refuge are also Levitical cities but that neither were "temple-cities." Argues that altar asylum co-existed with asylum in cities. Not all Levitical cities were asylum cities in Bible, but Talmud holds that all Levitical cities offered asylum.

- Hawk, L. Daniel. "Cities of Refuge." In *The New Interpreter's Dictionary of the Bible*. Vol. 1. Edited by Katharine Doob Sakenfeld, 678–679. Nashville: Abingdon, 2009.

  General introduction to topic. Hawk mentions that early idea of asylum at sanctuaries was replaced by cities of refuge. Notes conditions for asylum and how the process handed judicial decision to third party rather than aggrieved. Sees MT (Hebrew text) addition in Joshua 20:4–5 (compared to LXX/Septuagint) as attempt to harmonize Priestly and Deuteronomic legislations.

- Mattingly, Gerald. L. "Israel's Cities of Refuge." *Biblical Illustrator* 15 (1989): 79–83.

  Article is designed to introduce biblical idea to contemporary audience. Good overview but has limited discussion of differences, historical changes, or developments of idea of refuge. Includes a comparison of practice with similar Greek ideas.

- Quant, John F. "Asylum." In *The Oxford Encyclopedia of the Bible and Law*. Vol. 1. Edited by Brent A. Strawn, 32–37. Oxford: Oxford University Press, 2015.

  A good summary of issues. Presents terms involved in cities of refuge. Discusses individual passages dealing with cities of refuge and the laws of asylum. Looks at practices outside the Hebrew Bible (in the ancient Near East) and at practices since the Bible. Notes that contemporary sanctuary for refugees is not fully supported by laws of asylum in Hebrew Bible.

- Schmid, R. "מקלט, *miqlāt.*" In *Theological Dictionary of the Old Testament*. Vol. 8. Edited by G. Johannes Botterweck and Helmer Ringgren, 552–556. Translated by John T. Willis. Grand Rapids, MI: Eerdmans, 1997.

  A study of the term used to label cities as "refuge" and its use in Bible. The root meaning is "to take up, to harbor." Schmid holds that it is an old tradition found in Deuteronomy and later modified by the Priestly writer. The two traditions were later harmonized. Deuteronomy changed the places of refuge from sanctuaries to cities because of centralization of worship in Jerusalem. Previously published in German: Schmid, R. "מקלט, *miqlāt.*" In *Theologisches Wörterbuch zum Alten Testament*. Vol. 4. Edited by G. Johannes Botterweck and Helmer Ringgren, 1132–1137. Stuttgart: W. Kohlhammer, 1983–1984.

- Spencer, John R. "Refuge, Cities of." In *Anchor Bible Dictionary*. Vol. 5. Edited by David Noel Freedman, pp. 657–658. New York: Doubleday, 1992.

Brief summary of idea of refuge cities. Spencer points out practice in other cultures. In ancient Israel, idea of sanctuary probably existed in time of monarchy and was employed to avoid blood revenge. There was probably some connection between cities of refuge and Levitical cities since all six refuge cities are Levitical.

- Vasholz, Robert I. "Israel's Cities of Refuge." *Presbyterion* 19.2 (1993): 116–118.

  Raises issue of release from city of refuge at the death of the high priest. Draws upon parallel story of Solomon and Shimei (1 Kings 2:36–37). Vasholz then argues that the death of Solomon would have ended a "judicial era" and thus ended the confinement. This is also true for the death of the high priest and a person confined in a city of refuge.

Classic Discussions

These are sources that started the discussion about cities of refuge and to which later commentators and scholars frequently refer. Bissell 1884 is an old analysis of asylum and refuge in both Greek and Israelite contexts. The materials reflect a very dated perspective. An important issue is the larger context of the idea of refuge, which is first addressed by Smith 1972 (first published in 1899). A bit later, there are a series of presentations that started with Pedersen 1926, which seeks to understand refuge or asylum in the social and cultural context of the people of ancient Israel. Shortly thereafter there are two significant pieces in German. Löhr 1930 is often seen as the starting point for thorough discussions of the topic. At the same time, Nicolsky 1930 is an extensive article about the cities of refuge. Albright 1945 mainly focuses on the Levitical cities, but since the cities of refuge were all Levitical cities, Albright addresses them in his article. Greenberg 1959 is concerned with the idea of asylum in general. de Vaux 1961 is a massive study of ancient Israel that presents de Vaux's arguments about asylum and the cities of refuge. Kallai 1986 is concerned with the historical geography of ancient Israel and the role of the cities of refuge. Auld 1979 primarily addresses the textual issues associated with the passages on cities of refuge.

- Albright, W. F. "The List of Levitic Cities." In *Louis Ginzberg Jubilee Volume*. Vol. 1. By W. F. Albright, 49–73. New York: American Academy for Jewish Research, 1945.

  In the midst of his important discussion of Levitical cities, Albright holds that cities of refuge were priestly cities and places of asylum prior to the creation of the lists. He dates the list of Levitical cities to mid-10th century BCE. He does not explicitly date the list of cities of refuge, but, by implication, they would be placed in the same time frame.

- Auld, A. Graeme. "Cities of Refuge in Israelite Tradition." *Journal for the Study of the Old Testament* 4 (1979): 26–40.

  The article is concerned with the textual relationship of the passages dealing with cities of refuge. The primary focus is the relation of Joshua 21 and 1 Chronicles 6. Auld argues that 1 Chronicles 6 is the source for Josh 21 and not reverse. There is also a brief discussion of the meaning of *mqlt* (מקלט).

- Bissell, Allen P. *The Law of Asylum in Israel*. Leipzig: Theodor Stauffer, 1884.

  Early and dated discussion of asylum and cities of refuge. Begins with discussion of asylum in Greek context and then turns to asylum in ancient Israel. Sees laws as seeking to regulate practices of revenge. Dates all materials, except Joshua 20, to time of Moses, seeking to reject the arguments for any kind of documentary hypothesis for the Pentateuch.

- de Vaux, Roland. *Ancient Israel: Its Life and Institutions*. Translated by J. McHugh. New York: McGraw-Hill, 1961.

  De Vaux claims cities of refuge were set up to both legitimate and limit blood revenge. Idea of refuge cities was independent of tribal traditions. Started in time of Solomon but unclear how long practice lasted. Idea of refuge originally tied the sanctuary or altar of the city. However, the changing role of sanctuaries and priests resulted in changes that focused on cities of refuge and elders of town.

- Greenberg, Moshe. "The Biblical Concept of Asylum." *Journal of Biblical Literature* 78 (1959): 125–132.

  Greenberg states that the idea of asylum is old but that the formulation of the idea is later. For Greenberg, Deuteronomist removes sacral qualities of asylum. Dates the Numbers materials to the postexilic period. Discusses idea of high priest expiating guilt, drawing upon the Talmud and Greek materials for parallels.

- Kallai, Zecharia. *Historical Geography of the Bible: The Tribal Territories of Israel*. Jerusalem: Magnes, 1986.

  Kallai presents a general discussion of geographical issues in the Hebrew Bible. Places the lists of Levitical cities (Joshua 21) in time of David and Solomon and rejects any later dating. Places Joshua 20 in same time frame. Sees the lists as describing reality.

- Löhr, Max. *Das Asylwesen im Alten Testament*. Halle, Germany: Max Niemeyer Verlag, 1930.

  This is a classic study of asylum. Löhr delves into discussions of tribe of Levi and *gēr* (sojourner) as well as places of sanctuary in premonarchic times. Wonders if there were asylum cities prior to time of monarchy. Argues that the idea of cities was written about in the time of united monarchy.

- Nicolsky, N. M. "Das Asylrecht in Israel." *Zeitschrift für die alttestamentliche Wissenschaft* 48 (1930): 146–175.

  One of the earliest, extensive discussions of cities of refuge (asylum cities). Nicolsky puts the creation of the cities in the time of Josiah but allows that the idea of asylum was

earlier. Notes the distinction between Deuteronomic and Priestly (P) discussions and argues that formalization and justification of cities belong to the P writer.

- Pedersen, Johs. *Israel: Its Life and Culture*. 4 vols. London, UK: Oxford University Press, 1926.

  Compares separation of intentional and unintentional killing to practices in Hittite codes. Links establishment of cities of refuge to the centralization of worship under Josiah. Cities were the first step to limit blood revenge. Sees Jubilees 2:19–20 as totally ending the idea of blood revenge.

- Smith, William Robertson. *The Religion of the Semites: The Fundamental Institutions*. 2d ed. New York: Schocken, 1972.

  Very early discussion of asylum (first published in 1899). Not lengthy but puts idea in context of other cultures in the Semitic world (Phoenicia, Syria, and Arabia) and compares how different cultures handled idea of asylum. Claims that for Hebrew Bible it was only applicable for involuntary murder. Originally one could go to any sanctuary, but with centralization only certain cities could offer asylum, limiting the ancient custom.

Refuge and Asylum in the Larger Ancient Near Eastern World

Many scholars and articles mention in passing that the idea of asylum or refuge is not confined to the presentations in the Hebrew Bible. The materials in this section focus more directly on the concept of refuge in the ancient world outside of Israel. Greenfield 1991 is about asylum or refuge and sanctuaries in non-Israelite contexts. Both the ancient Near East and Greece are the focus of Auffarth 1992 and includes a discussion of strangers. A similar focus is in Weinfeld 1995 although Weinfeld touches more on Israel. Westbrook 2008 addresses the status of exiles, whether forced or by choice, and the uniqueness of cities of refuge in Israel. Feder 2011 goes beyond the focus on cities of refuge and looks at how issues associated with shedding of blood are connected with such cities. Bartor 2015 has a similar area of concentration but expands the discussion beyond just the Hittite materials.

- Auffarth, Christoph. "Protecting Strangers: Establishing a Fundamental Value in the Religions of the Ancient Near East and Ancient Greece." *Numen* 39.2 (1992): 193–216.

  Auffarth mostly focuses on the ways cultures provided protection for a stranger, whether in a home, temple, or city. Looks briefly at examples in ancient Israel. Sees accessibility rather than sacredness as basis for protection. Rejects idea that centralization of worship caused establishment of cities of asylum in Israel.

- Bartor, Assnat. "Bloodguilt and Blood Feud." In *The Oxford Encyclopedia of the Bible and Law*. Vol. 1. Edited by Brent A. Strawn, pp. 64–68. Oxford: Oxford University Press, 2015.

An examination of role of "spilled" blood and the revenge associated with it in ancient Near East and the Bible. Looks at cities of refuge as way to limit spread of blood revenge and blood feuds. Notes distinction between intentional and unintentional killing.

- Feder, Yitzhaq. *Blood Expiation in Hittite and Biblical Ritual, Origins, Context and Meaning*. Atlanta: Society of Biblical Literature, 2011.

  Primarily a discussion of how spilling of blood was handled in Hittite and biblical materials, but does touch upon issue of cities of refuge and their development. Notes there is no option for a ransom for premeditated murder in biblical materials.

- Greenfield, Jonas C. "Asylum at Aleppo: A Note on Sfire III, 4–7." In *Ah, Assyria: Studies in Assyrian History and Ancient Near Eastern Historiography Presented to Hayim Tadmor*. Edited by Mordechai Cogan and Israel Epha'l, 272–278. Scripta Hiersoloymitana 33. Jerusalem: Magnes, 1991.

  This is primarily a study of refuge in places other than ancient Israel. Most were sanctuaries that offered asylum or cities that offered the same. The practice is not known in the second millennium but did exist most of the first millennium BCE. Greenfield sees a revival in Hellenistic period.

- Weinfeld, Moshe. *Social Justice in Ancient Israel and in the Ancient Near East*. Jerusalem: Magnes, 1995.

  Weinfeld provides a discussion of specific examples of asylum in ancient Near Eastern and Greek cultures. Shows how ancient Israel fit into that pattern. Association of refuge with religious status of city was important. Mentions role of death of high priest and that Jerusalem may have been a city of refuge.

- Westbrook, Raymond. "Personal exile in the ancient Near East." *Journal of the American Oriental Society* 128.2 (2008): 317–323.

  Concerned with accounts (such as Sinuhe in Egypt) from ancient Near East that discussed the voluntary exile of individuals. Some individuals received asylum and some did not. He states that the cities of refuge in the Old Testament are unique, "not attested elsewhere" in ancient Near East.

Cities of Refuge and the Biblical Laws

While other materials touch upon the legal aspects of the cities of refuge, there are some studies that address these aspects directly. Often these discussions are within the context of the larger issue of homicide in ancient Israel. McKeating 1975 sees the creation of cities of refuge as a product of the development and maturation of a society. The laws associated with the holiness of the sacred precincts is the focus of Milgrom 1981. Although the main concern of Rosenbaum 1984 is not on a passage that addresses the cities of refuge, the author touches on the role of those cities in dealing with "enmity" between parties. Rofé 1986 examines the relationship

between the legal statements of the Priestly and Deuteronomic passages about cities of refuge. [Burnside 2010](#) is a more recent article and raises a unique question about how a totally innocent person is to be treated when accused of homicide.

- Burnside, Jonathan. "A 'Missing Case' in the Biblical Laws of Homicide and Asylum?" *Vetus Testamentum* 60.2 (2010): 288–291.

  Burnside considers the issue of what happens when an innocent person is accused of homicide and seeks asylum. Cities of refuge only deal with a person who has actually committed homicide, and issue is whether it was murder or unintentional killing. As an example of the "missing case," he claims the Israelites were innocents seeking asylum after fleeing Pharaoh (Exodus 14–15).

- McKeating, Henry. "The Development of the Law on Homicide in Ancient Israel." *Vetus Testamentum* 25.1 (1975): 46–68.

  Primarily a discussion of how homicide is dealt with in the Old Testament but considers the role of cities of refuge in changing the understanding of homicide and moving asylum from altars to cities. The city of refuge structure was designed to legislate and limit blood revenge not eliminate it. This change reflective of move to a settled community from a clan-based society.

- Milgrom, Jacob. "Sancta Contagion and Altar/City Asylum." In *Congress Volume*. Supplements to Vetus Testamentum 32. Edited by J. A. Emerton, 278–310. Leiden, The Netherlands: Brill, 1981.

  Milgrom is concerned with the ritual and legal sanctity of the temple and altar. Claims asylum cities created in time of Solomon to replace an altar/sanctuary asylum system. The reason for the change is that Solomon and priests wanted to keep temple holy. This perspective is found especially in the Priestly legal materials.

- Rofé, Alexander. "The History of the Cities of Refuge in Biblical Law." In *Studies in Bible 1986*. Scripta Hierosolymitana 31. Edited by Sara Japhet, 205–239. Jerusalem: Magnes, 1986.

  Rehearses past studies of cities of refuge. Sees Deuteronomic school as moving "sanctuary" from altar to city of refuge. Discusses differences and relationship between Priestly and Deuteronomic legal presentations of cities of refuge. Places creation of cites in context of centralization under Josiah.

- Rosenbaum, Stanley N. "Israelite Homicide Law and the Term 'Enmity' in Genesis 3:15." *Journal of Law and Religion* 2.1 (1984): 145–151.

  Article is mostly concerned about "enmity" and the snake in Genesis 3:15. However, Rosenbaum mentions cities of refuge and importance of distinguishing premeditated and accidental murder. Dates Numbers 35 to time of Jehoshaphat (9th century BCE).

Discussions of Passages in the Hebrew Bible

There are six passages in the Hebrew Bible that mention the idea of cities or places of refuge (Exodus 20:12–14; Numbers 35:9–28; Deuteronomy 4:41–43, 19:1–13; Joshua 20; and 1 Chronicles 6). The last of these (1 Chronicles 6) will not be presented separately since there is little direct discussion of cities of refuge in relation to this passage. Suffice it to say that 1 Chronicles 6 clearly labels all cities of refuge as Levitical cities. Specific discussions of the first five passages will be found in the subsections of this section. In addition, there are materials that do not primarily focus on only one of these passage and will be dealt with in this main section. Delekat 1967 is concerned with "complaint psalms" and sees a connection with practice of seeking refuge. Houtman 1996 looks at Exodus 21 and its relation to the idea of altar sanctuary in 1 Kings 1–2. Schmidt 2002 explores the relationship between Numbers 35 and Joshua 20. A comparison of Numbers 35 and Deuteronomy 19 is the focus of Barmash 2005. Exodus 21 and Deuteronomy 19 are the pair of passages examined by Stackert 2006. The differences between Numbers 35 and Deuteronomy 19 are the concern of Hadad 2017. Mattison 2018 provides another, somewhat similar, comparison of Deuteronomy 19 and Numbers 35.

- Barmash, Pamela. *Homicide in the Biblical World*. Cambridge, UK: Cambridge University Press, 2005.

  Argues Numbers 35 (P) and Deuteronomy 19 (D) developed independently and each reflects the particular theology of the author. P focused on purity and the link to Levitical cites. D was concerned with the social aspect of law. Barmash does not see the creation of cities as an innovation of the Josianic reform. Joshua 20 tried to reconcile differences between Numbers and Deuteronomy.

- Delekat, L. "Die Asylstaedte." In *Asylie und Schutzorakel am Zionheiligtum: Eine Untersuchung zu den privaten Feindpsalmen*. By L. Delekat, 290–320. Leiden, The Netherlands: Brill, 1967.

  In his discussion about "complaint psalms," Delekat argues that they are connected with individuals who had committed a crime and sought asylum in a sanctuary. In the midst of this discussion, he spends a chapter on cities of refuge. He sees Jerusalem and its temple as a prime "city of refuge."

- Hadad, Eliezer. "'Unintentionally' (Numbers 35:11) and 'Unwittingly' (Deuteronomy 19:4): Two Aspects of the Cities of Refuge." *AJS Review* 41.1 (2017): 155–173.

  Hadad looks only at Numbers 35 (P) and Deuteronomy 19 (D) and details the differences between them in regard to the cities of refuge. For example, he argues that the manslayer is considered guilty until a trial in P and innocent until proven guilty in D. Numbers sought to remove manslayer from land and D sought to protect manslayer from blood revenge.

- Houtman, Cornelis. "Der Altar als Asylstätte im Alten Testament: Rechtsbestimmung (Ex. 21:12–14) und Praxis (I Reg. 1–2)." *Revue Biblique* 103.3 (1996): 343–366.

More concerned with "places" of asylum than cities of asylum/refuge. Looks at Exodus 21:12–14, which calls for a place of asylum associated with an altar and not a city (as in Deuteronomy 19). Actual application of Exodus 21 in Bible is rare and found only in 1 Kings 1–2 with Joab and Adonijah.

- Mattison, Kevin. "Contrasting Conceptions of Asylum in Deuteronomy 19 and Numbers 35." *Vetus Testamentum* 68.2 (2018): 232–251.

  Catalogues the differences between the Deuteronomic Laws (Deuteronomy 19) and the laws of the Holiness Code (Numbers 35). Deuteronomic Laws seek to protect the unintentional killer. Holiness Code seeks to protect the land from blood pollution.

- Schmidt, Ludwig. "Leviten- und Asylstädte in Num. XXXV und Jos. XX; XXI 1–42." *Vetus Testamentuum* 52 (2002): 103–121.

  Uses Numbers 35 and Joshua 20 and 21 to analyze dating of cities of refuge list. Argues that Numbers 35 presupposes the account in Joshua 20 (which he sees as postexilic). A later editor harmonized Joshua 20 and Numbers 35 and created Joshua 21. Since texts are all postexilic, no cities of refuge ever actually existed. Holds that the theory of the refuge cities is dependent on the laws in Deuteronomy.

- Stackert, Jeffrey. "Why Does Deuteronomy Legislate Cities of Refuge? Asylum in the Covenant Collection (Exodus 21:12–14) and Deuteronomy (19:1–13)." *Journal of Biblical Literature* 125 (2006): 23–49.

  Primarily a study of the literary relationship between Exodus 21 and Deuteronomy 19. Claims Deuteronomy 19 is dependent on Exodus 21 and that the author of Deuteronomy 19 did not change the language from "place" of refuge to "city" of refuge because of any centralization of worship under Josiah. Spends considerable time arguing against stance of Barmash 2005.

Exodus 21:12–14

Exodus 21:12–14 is frequently considered the earliest and most generic of the statements about a place of refuge or asylum. It is brief, differentiates between premeditated and unintentional killing, and sets aside a "place," often argued to be an altar or sanctuary, to which the killer can flee. It does not mention a city or set of cities for refuge. In the author's commentary on Exodus, Noth 1962 raises the question of the originality of the passage. Childs 1974 argues that passage was the justification for setting up asylum places to limit blood revenge. Propp 1974 is concerned with origin and development of the idea of a place of asylum and the role of God in any homicide. While the major concern of Jacob 1992 is linguistic analysis of Exodus, Jacob does discuss the relation of Exodus 20:12–14 with the cities of refuge. Houtman 2000 primarily focuses on Exodus but also compares it with Numbers and Deuteronomy. The emphasis of Jackson 2006 is on issue of justice in Exodus 21, which includes a consideration of the relation of homicide and the cities of refuge. Burnside 2010 connects narratives about asylum with the emphasis on homicide in discussion of cities of refuge.

- Burnside, J. P. "Exodus and Asylum: Uncovering the Relationship between Biblical Law and Narrative." *Journal for the Study of the Old Testament* 34.3 (2010): 243–266.

  Argues there is a link between the narratives about asylum (i.e., Moses seeking asylum in wilderness from Pharaoh and Israelites escaping from Pharaoh in Exodus) and the biblical laws on asylum. Avoids varying claims about dating cities of refuge but suggests that cities of refuge focus on homicide since Moses and Israelites both fled because of homicide.

- Childs, Brevard S. *The Book of Exodus*. Philadelphia: Westminster, 1974.

  Limited discussion of places of refuge in Exodus 21. Israel used asylum places to limit blood revenge in Israel, while in other communities it was often the central government that limited vengeance. Childs suggests practice in Israel was early.

- Houtman, Cornelis. *Exodus*. Translated by Sierd Woudstra. Leuven, Belgium: Peeters, 2000.

  Extensive discussion of Exodus 21:12–14 and its implications. Notes differences with Numbers 35 and Deuteronomy 19 as they wanted to "legalize" cities of refuge. Deuteronomy 19 "desacralizes" practice and Numbers 35 seeks to connect cities with the sacred since they are Levitical cities. Considers the implications of "act of God" in Exodus 21:13.

- Jackson, Bernard S. *Wisdom-Laws: A Study of the Mishpatim of Exodus 21:1–22:16*. Oxford: Oxford University Press, 2006.

  Chapter on homicide includes a discussion of asylum and cities of refuge. He asks about the intentional but unpremeditated murder, discusses places of asylum (altars and cities), and considers who will adjudicate the right of someone to be in a city of asylum. Sees a chronological development from unrestricted blood revenge, to places of asylum, to institution of cities of refuge.

- Jacob, Benno. *The Second Book of the Bible: Exodus*. Translated by Walter Jacob. Hoboken, NJ: KTAV, 1992.

  Author focuses on language and grammar of Exodus 21:12–14. Touches upon other passages that deal with cities of refuge. Argues that the distinction between intentional and unintentional homicide predates the Torah.

- Noth, Martin. *Exodus: A Commentary*. Philadelphia: Westminster, 1962.

  A short reference to the place of sanctuary in Exodus 21. Notes style change in verses 12–14. Argues that places of refuge were altars of Yahweh, which made Yahweh the protector of the accidental killer.

- Propp, William H. C. *Exodus 19–40*. New York: Doubleday, 1974.

  Concern of Exodus 21:12–14 is with killer not blood avenger. "Place" of asylum should be understood as a "holy place" or "high place" and derives from sense of hospitality. With centralization, asylum cities were no longer temples. Discusses role of God in killings since "bad things happen only to bad people." Imagines a race between killer who tries to get to asylum city and avenger who seeks to catch killer first.

Numbers 35:6–28

Numbers 35:6–28 is a key passage because it lays out in detail the cities of refuge. There is the authorization from God through Moses, the designation of six cities, the distinction between intentional and unintentional murder, several examples of the distinction, the provision for a trial, and the reference to the unintentional killer staying in the city of refuge until the death of the high priest. Gray 1920 articulates the key changes in the practice of blood revenge that this passage makes. Noth 1968 has a brief discussion and wonders who was supposed to oversee the trial. Milgrom 1990 holds to the antiquity and reality of the idea of cities of refuge. In the author's commentary on Numbers, Levine 2000 argues that the cultic character of the cities was added by the Priestly writer of Numbers. Peters 2000 indicates the mixed character of cities of refuge—both a place of refuge and of exile—and wonders about modern equivalents. Whitekettle 2018 focuses on issue of release of killer from city of refuge at death of priest, as found in Numbers 35.

- Gray, George Buchanan. *A Critical and Exegetical Commentary on Numbers*. New York: Scribner's, 1920.

  Gray holds that the cities of refuge made three changes in the ancient culture: revenge was only possible if murder was willful; revenge could be done on murderer only (not family); and there was no possibility of money as ransom. This modified and regulated blood revenge but did not eliminate it. Community where killing took place decided if killing was willful or not.

- Levine, Baruch A. *Numbers 21–36*. Anchor Bible. New York: Doubleday, 2000.

  Idea of asylum was first institutionalized in Exodus 21, where "places" of asylum were indicated, probably cultic places or altars. Centralization of cult by Deuteronomy required that cities of refuge had no necessary cultic association. Priestly writer in Numbers 35 added back a religious connotation by making asylum cities also Levitical cities. Finally, 1 Chronicles 6 set out thirteen cities of refuge for the descendants of Aaron.

- Milgrom, Jacob. *The JPS Torah Commentary: Numbers*. Philadelphia: Jewish Publication Society, 1990.

  Milgrom places creation of cities of asylum in time of Solomon. Idea of asylum altars and places preceded that time. Priestly writer gave practice concrete substance, which was

later borrowed and slightly modified by the Deuteronomist. Milgrom rejects idea that creation of refuge cities tied to centralization in time of Josiah.

- Noth, Martin. *Numbers: A Commentary*. Philadelphia: Westminster, 1968.

  Limited discussion of cities of refuge. Sees Numbers 35 as dependent on Joshua 20. Questions role of congregation as unrealistic and argues it is more likely that elders of city were to decide right to asylum for the killer.

- Peters, Mark. "Numbers 35:9–34." *Interpretation* 54.1 (2000): 60–66.

  Brief discussion of cities of refuge that were designed to both protect unintended murderer and to exile him. Peters notes ambivalence toward cities—safety and threat. Raises questions about how people are treated today when they come to cities and seek refuge.

- Whitekettle, Richard. "Life's Labors Lost: Priestly Death and Returning Home from a City of Refuge in Ancient Israel." *Harvard Theological Review* 111.3 (2018): 333–356.

  A thorough analysis of the practice of releasing an inadvertent killer from a city of refuge upon the death of the high priest (Numbers 35:9–34). Rejects six traditional explanations of why killer could leave city after death of priest. Rather, argues that death of priest arbitrarily matches supposed natural death of victim and thus compensates victim's clan.

Deuteronomy 4:41–43, 19:1–13

There are the two passages in Deuteronomy that deal with cities of refuge. Deuteronomy 4:41–43 is very brief and identifies the three cities of refuge that were located east of the Jordan and authorized by Moses. Deuteronomy 19:1–13 is more extensive and is similar to Numbers 35. There is the initial setting aside of three cities of refuge, to be equally dispersed in Israel. When land east of the Jordan is conquered, three more cities are to be added. As in Numbers, there are details and examples of intentional and unintentional killing, but lacking is a discussion of a trial and the role of the death of the high priest. The latter absence has led some to see Deuteronomy's presentation as less cultic in nature and a product of the state. Driver 1895 mentions the similarity with Numbers 35 and notes that Deuteronomy did not use the phrase "cities of refuge." For von Rad 1966, the development of cities of refuge or asylum is associated with strengthening of the central government and centralization of worship practices. Weinfeld 1972 is a broad discussion of the Deuteronomic school and outlines the changes in the cities of refuge that made the practice more secular. Milgrom 1973 is a nice follow-up to Weinfeld 1972 in that it is an extended review of Weinfeld 1972 and presents some differing perspectives. Weinfeld 1991 returns to the topic in his commentary on Deuteronomy 1–11 but only deals with the passage in Deuteronomy 4. Tigay 1996 sees a key change in Deuteronomy, moving the judgment of a killer out of the hands of a family or tribe and into those of the larger community. Brueggemann 2001 continues Brueggemann's concern with social justice in his analysis of the cities of refuge in Deuteronomy 19. Like others, Nelsen 2002 sees the changes by Deuteronomy as the result of centralization and secularization. A different approach to discussing Deuteronomy 19 is

Dennison 2004, which provides a structural analysis of the passage and wonders about the relevance of cities of refuge to today. Lundbom 2013 is a recent commentary that briefly touches on the issues related to the cities of refuge.

- Brueggemann, Walter. *Deuteronomy*. Nashville: Abingdon, 2001.

  Sees the setting up of cities of refuge as a way to break the cycle of revenge and violence and to protect the innocent. Cities of refuge were established by Yahweh as safe places to restrict the destructive forces of life.

- Dennison, James T., Jr. "Deuteronomy 19: Chiasms and Cases." *Kerux* 19.1 (2004): 53–65.

  Discusses the chiastic structure of Deuteronomy 19. Seeks to understand how to apply rules of Deuteronomy 19 to today, when we do not live in the theocracy, as was true of the Old Testament, and do not have cities of refuge.

- Driver, S. R. *A Critical and Exegetical Commentary on Deuteronomy*. 3d ed. Edinburgh, UK: T & T Clark, 1895.

  Argues Deuteronomy 19 is a later expansion of Exodus 21. Deuteronomy fixed appointed cities and agrees with Numbers 35. Notes that Deuteronomy did not use the term "city of refuge." The death of a murderer removed a stain from land. One cannot ransom the life of a willful murderer.

- Lundbom, Jack R. *Deuteronomy: A Commentary*. Grand Rapids, MI: William B. Eerdmans, 2013.

  Rehearses content of Deuteronomy 19:1–13. Notes this is only part of Deuteronomy laws (chapters 19–25) that has parallels in Covenant Code. Cities of refuge are Levitical cities that existed early but not at time of Josianic Reform. Cities were to prevent the shedding of innocent blood that defiles the land and inhabitants.

- Milgrom, J. "The Alleged 'Demythologizations and Secularization' in Deuteronomy." *Israel Exploration Journal* 23 (1973): 156–161.

  Essentially an extended book review of Weinfeld 1972. Challenges some of Weinfeld's assumptions, especially about cities of refuge having sanctuaries and idea that death of high priest played a role in Deuteronomy.

- Nelsen, Richard D. *Deuteronomy: A Commentary*. Louisville, KY: Westminster John Knox, 2002.

  Presentation in Deuteronomy 19 is part of the larger centralization project of author of Deuteronomy. In earlier times asylum was available at any altar, but asylum cities

replaced altars and became nonsacral places of asylum. Cities were important because of their location not their sacredness.

- Tigay, Jeffrey. *The JPS Torah Commentary: Deuteronomy*. Philadelphia: Jewish Publication Society, 1996.

  Many ideas of asylum in ancient Near East, but they did not differentiate between intentional and unintentional killing. Laws in Deuteronomy prevented blood revenge prior to a trial by elders of community, not clan or family. Confining person to city of refuge provided safety and also played a "punitive and expiatory role." Joshua combined details of Numbers and Deuteronomy. Tigay questions claim that cities of refuge were created in time of Josiah.

- von Rad, Gerhard. *Deuteronomy: A Commentary*. Philadelphia: Westminster, 1966.

  Deuteronomy 19 sought to limit blood revenge not eliminate it. In many ancient societies, it was the state that limited revenge. Sees laws about cities of refuge arising in association with centralization of worship. Not sure that idea was created by Deuteronomy.

- Weinfeld, Moshe. *Deuteronomy and the Deuteronomic School*. Oxford, UK: Clarendon, 1972.

  Originally, asylum was available at an altar or sanctuary (Exodus 21). This was replaced by "temple cities" in which Levites resided (Number 35; Joshua 20) and where an accidental murderer lived in exile as punishment. Deuteronomy, as part of centralization, removed asylum city from category of sacral city. Now asylum based on rational and geographic considerations. In addition, asylum was now place of protection rather than punishment.

- Weinfeld, Moshe. *Deuteronomy 1–11*. New York: Doubleday, 1991.

  Discussion of Deuteronomy 4:41–43. Sees passage as intrusion by later writer who saw reference to cities of asylum missing in Moses's speech. Passage has language of Deuteronomy and not Priestly writer who is also contributor to Joshua 20. Deuteronomy 19 presupposed that cities were set apart as indicated in Deuteronomy 4.

Joshua 20

Joshua 20 is a short chapter and is entirely focused on the cities of refuge. It lays out the rules and expectations associated with a city of refuge, names the six cities of refuge, requires a trial before the community to decide the fate of a killer, mentions the role of the death of the high priest, and includes the "alien" or "sojourner" (*gēr*) among those who can seek refuge in the cities. Most scholars touch upon the issue of the literary relationship between this chapter and Numbers 35 and Deuteronomy 19. In addition, there are important differences between the MT (Hebrew text) and LXX (Septuagint – Greek text) versions of this chapter, which have led to discussions about late additions to the chapter. Noth 1953 (first published in 1937) considers the

relationship between various cities of refuge texts and notes the issues associated with LXX version of the chapter. David 1951 also discusses many of the basic issues with Joshua 20. A brief discussion is found in Soggin 1972 where the author wonders about the relationship between texts and the issue of the centralization of the cult under Josiah. Boling 1975 is concerned with issues of the reality and antiquity of the practice of cities of refuge. The arrangement for a trial and the death of the high priest are the major issues for Fishbane 1980. Rofé 1985 provides a detailed literary analysis of the construction of Joshua 20. Svensson 1994 is concerned with the relationship of the various passages and the late MT insertions into the chapter. The variation in textual versions of Joshua 20 and their dating is the subject of Nelson 1997. Butler 2014 provides a good overview of the issues associated with Joshua 20.

- Boling, Robert G. *Joshua*. Garden City, NY: Doubleday, 1975.

  Sees the list of cities of refuge as from the time of united monarchy but that the practice ended by the 7th century. Cities of refuge were created to avoid personal vengeance when there was an accidental killing and as a replacement for practice of receiving sanctuary at an altar. Boling links cities of refuge with Levitical cities.

- Butler, Trent C. *Word Biblical Commentary: Joshua 13–24*. 2d ed. Grand Rapids, MI: Zondervan, 2014.

  Looks as cities of refuge in Joshua 20 and compares presentation with that in other passages. Discusses positions of many previous scholars. Holds that idea of refuge is old and that Joshua 20 represents the movement of idea from tribal to urban sociological context.

- David, M. "Die Bestimmungen über die Asylstädte in Josua XX." *Oudtestementische Studien* 9 (1951): 30–48.

  Study of Josh 20:1–9. Focuses on problems with trial by community (20:6), added cities (20:7), and inclusion of sojourners or aliens (*gēr*; 20:9). Sees the cities of refuge as a result of the centralization of the cult under Josiah.

- Fishbane, Michael A. "Biblical Colophons, Textual Criticism and Legal Analogies." *Catholic Biblical Quarterly* 42.4 (1980): 438–449.

  Only secondarily concerned with refuge for manslayer. Discusses Joshua 20, especially in regard to the trial of the accused and the significance of the death of the high priest. Notes how Joshua was changed to make it consistent with Numbers 35.

- Nelson, Richard D. *Joshua: A Commentary*. Louisville, KY: Westminster John Knox, 1997.

  Analyzes differences between LXX and MT texts on Joshua 20 and argues that LXX was earlier and MT added materials. Numbers 35 dependent upon "unrevised" text (LXX). Revisions (additions to LXX) made Joshua more like Deuteronomy 19. Sees list of cities

of refuge as "artificial" and a "literary construction." Asylum originally connected with the sanctity of an altar at a cult location. This changed with centralization.

- Noth, Martin. *Das Buch Josua*. Handbuch zum alten testament 7. 2d ed. Tübingen, Germany: J. C. B. Mohr, 1953.

  The first edition of this work was in 1937. It is a brief discussion of asylum cities and how they were used to stop blood vendettas. Notes differences with Priestly and Deuteronomic presentations and between "appointed" cities and "intaking" cities. Also identifies later additions (Joshua 20:3–6) to text. Sees Numbers as dependent on Joshua 20 and Deuteronomy 19.

- Rofé, Alexander. "Joshua 20: Historico-Literary Criticism Illustrated." In *Empirical Models for Biblical Criticism*. Edited by Jeffrey Tigay, 131–147. Philadelphia: University of Pennsylvania, 1985.

  Focuses on development of Joshua 20. See it basically as "priestly" material that has been supplemented by a late "deuteronomistic" hand. In part, Rofé bases this on a study of LXX text of Joshua. Sees the idea of cities of refuge as late, not from time of monarchy.

- Soggin, J. Alberto. *Joshua*. Old Testament Library. Philadelphia: Westminster, 1972.

  In a brief discussion, Soggin holds that there is an historical basis for idea, since cities east of Jordan not part of Judah in later periods. Joshua 20 is basically "Deuteronomic" with later redaction by Priestly writer. Claims idea of cities of refuge is "without parallel." Acknowledges that the move from sanctuaries to cities may have been due to centralization under Josiah.

- Svensson, Jan. *Towns and Toponyms in the Old Testament with Special Emphasis on Joshua 14–21*. Coniectanea Biblica, Old Testament Series, 38. Stockholm: Almqvist & Wiksell International, 1994.

  Sees chronological sequence of composition as Numbers 35, Deuteronomy 19, and then Joshua 20. Idea of asylum cities probably developed in time of Josiah. Notes Joshua 20:4–6 MT includes a reference to high priest that is not in LXX and suggests this was added in 3rd century.

Levinas, Derrida, and Others on Cities of Refuge

One of the unusual approaches to the cities of refuge is the focus on the issues of Zionism, rabbinic writings, and immigration. It starts with Levinas 1994 when Levinas seeks to link these three issues with the contemporary status of Jerusalem. The first, and major, response is by Derrida 1999. Derrida challenges many of the arguments and assumptions of Levinas 1994. This is followed by Eisenstadt 2003 who questions the discussions of both previous authors and their considerations of a real and ideal city of refuge, again associated with contemporary Zionism.

Most recently, Dausner 2016 seeks to link Pope Francis, Levinas 1994, Derrida 1999, and contemporary issues of immigration.

- Dausner, Rene. "Asylstädte: Flucht und Migration als theologische Herausforderung." *Stimmen der Zeit* 234.9 (2016): 579–588.

  Discusses the contemporary issue of migration. Looks at stance of Pope Francis and the church on the issue, turns briefly to a discussion of the biblical materials, and then rehearses the positions of Levinas and Derrida on the issue of migration.

- Derrida, Jacques. *Adieu to Emmanuel Levinas*. Translated by Pascale-Anne Brault and Michael Naas. Sanford, CA: Stanford University Press, 1999.

  A tribute on the death of Emmanuel Levinas. Re-presents much of Levinas 1994 and Levinas's argument about cities of refuge, Zionism, and humanity. Raises questions about the viability of Levinas's arguments.

- Eisenstadt (Ajzenstat), Oona. "The Problem of the Promise: Derrida on Levinas on the Cities of Refuge." *Cross Currents* 52.4 (2003): 474–482.

  Looks at the writings of Levinas 1994 and Derrida's critique of Levinas (Derrida 1999) and does an analysis of both. The issue is the relationship between real and ideal senses of a city of refuge and how all fall short of their aims.

- Levinas, Emmanuel. "Cities of Refuge." In *Beyond the Verse: Talmudic Readings and Lectures*. Translated by Gary D. Mole, 34–52. Bloomington: Indiana University Press, 1994.

  A consideration of cities of refuge in relation to discussion by rabbis in the Talmud. Argues that civilized cities, such as Jerusalem, actually do provide refuge and that the refuge should be for a full life.

Contemporary Applications of Cities of Refuge and the Idea of Asylum

The biblical presentations of cities of refuge or asylum lead to numerous attempts to connect those presentations with contemporary issues of sanctuary, asylum, refuge, refugees, migration, and immigration. Kellerman 1983 wants to link the idea of sanctuary for individuals to the biblical materials on asylum and cities of refuge. A similar approach is taken by McConnell and Golden 1984 as the authors address the treatment of the "sojourner' or "resident alien" (*gēr*). Gonzalez 1986 also addresses the biblical material, with the added concern for refuge for the sojourner. The sanctuary movement in the United States and its biblical basis is the focus of Ryan 1987. While the issue is still immigration, Reardon 2001 advocates a rational rather than emotional approach to the issue. Cazabonne 2007 sees allegorical links between cities of refuge and the spiritual exercises of monks. Marfleet 2011 is another treatment of the modern issue of

refuge or asylum in light of the biblical materials. [Theocharous 2017](#) is concerned with the treatment of slaves and those who seek asylum in contemporary society. Sanctuary for immigrants in today's society is the focus of [Beck 2018](#).

- Beck, Chad Thomas. "Sanctuary for Immigrants and Refugees in Our Legal and Ethical Wilderness." *Interpretation* 72.2 (2018): 132–145.

  Beck primarily examines treatment of immigrants in contemporary United States. Draws upon biblical ideas of the treatment of the sojourner (*gēr*) and cities of refuge in Numbers 35 to argue for providing "sanctuary" to immigrants.

- Cazabonne, Emmanuel. "Aelred of Rievaulx and the 'Cities of Refuge.'" *Cistercian Studies Quarterly* 42.3 (2007): 267–298.

  Cazabonne looks at how Aelred of Rievaulx used the idea of the cities of refuge in his religious life. Aelred saw the six cities of refuge as allegories for the six exercises of the Cistercian monks. Furthermore, Aelred argued that one should use these exercises when one is tempted by the devil or one's cravings. Cazabonne also discusses other examples of writers using idea of cities of refuge.

- Gonzalez, Justo L. "Sanctuary: Historical Legal and Biblical Considerations." *Engage/Social Action* (January 1986): 12–20.

  Rehearses biblical materials and their presentations. Gonzales says the cities were instituted to reduce blood revenge. Today, we do not need cities since we have legal means to protect accused and to provide protection for "sojourner" or "resident alien" (*gēr*).

- Kellerman, Bill. "The Hospitality of God: The Theological and Historical Meaning of Christian Sanctuary." *Sojourners* 12.4 (1983): 26–28.

  Kellerman primarily discusses history of idea of sanctuary for individuals and looks at the contemporary revival of idea. Bases idea of asylum on biblical texts and the practice of cities of refuge.

- Marfleet, Philip. "'Understanding 'Sanctuary': Faith and Traditions of Asylum." *Journal of Refugee Studies* 24.3 (2011): 440–455.

  Mainly a look at modern sanctuary movements and places of "sanctuary." Explores history of such from biblical times to present. Notes change from place for those guilty of manslaughter (in Bible) to places for immigrants and protestors in contemporary society.

- McConnell, Michael and Renny Golden. "A Theology of Sanctuary." *Engage/Social Action* (February 1984): 4–8.

Addresses contemporary issue of sanctuary for immigrants. McConnell and Golden draw upon biblical ideas and note that the cities of refuge were not just for Israelites but also for the stranger and sojourner (*gēr*).

- Reardon, Patrick Henry. "The Cities of Refuge." *Touchstone (US)* 14.8 (2001): 21.

  A very brief overview of cities of refuge and practice of sanctuary now and in the past. Reardon sees creation of cities of refuge as trying to control passions. He focuses on the importance of reason over passion and argues that timely patience limits impulsive and rash actions.

- Ryan, W. C. "The Historical Case for the Right of Sanctuary." *Journal of Church and State* 29 (1987): 209–232.

  Ryan's article is mainly about the modern "sanctuary movement" but traces history of movement from its biblical roots to its contemporary use in United States.

- Theocharous, Myrto. "Refugee Asylum: Deuteronomy's 'Disobedient' Law." *Studies in Christian Ethics* 30.4 (2017): 464–474.

  Never directly mentions cities of refuge but does discuss that one should not return a slave to owner (Deuteronomy 23:15–16). Theocharous is concerned with how that slave received asylum or refuge, and how asylum for a slave or refugee is relevant to today.