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PARASHAT BESHALACH

The Wanderings of *Benei Yisrael* in the Desert

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INTRODUCTION

A review of several biblical sources (*Devarim* chapter 8; *Yirmiyahu* 2:2; *Hoshea* 2:16-22, and others) indicates that the wanderings of *Benei Yisrael* in the wilderness had additional significance, aside from the need to circumvent the land of the *Pelishtim* (13:13-14) and apart from the punishment decreed on the nation as result of the sin of the spies (*Bamidbar* 14:28-35). These sources mainly point to another message: the wilderness is a place with no means of subsistence. It is there that *Benei Yisrael* learns that it is God Who feeds and sustains them - whether with manna, with quails, or with water. The precise significance of this message differs from one source to the next. Some emphasize that our food comes from God, and we must therefore not become arrogant and forget Him when we have plenty of everything, in *Eretz Yisrael* (*Devarim* 8:14-18); elsewhere the emphasis is that our hearts should not be tempted to believe that the foreign gods of the land are the source of our sustenance (*Hoshea* chapter 2); yet another source notes the loyalty of the nation that believed in God in an unsown land with no food (*Yirmiyahu* 2:2).

Of all of these, we choose here to discuss the wandering in the desert as depicted in the prophecy of *Amos* (2:9-12; 5:25), who describes the trek entirely from a social perspective, in terms of justice and righteousness:

"Let justice roll down like water, and righteousness like a mighty stream. Did you offer sacrifices and offerings to Me in the desert for forty years, O House of Israel?" (*Amos* 5:24-25)

Wandering in the desert, with the threat of starvation, served to transform the rag-tag group of slaves that left Egypt into a nation that bears the standard of righteousness, justice, and social equality, concerning which the nations of the world are destined to comment:

"Which nation is so great that it has statutes and judgments so righteous as all of this Torah which I place before you today" (*Devarim* 4:8).

A. LAW AND JUDGEMENT

A review of the story of "*Mei Meriva*" (15:22-26) demonstrates that the water that Moshe sweetened was meant to do more than merely quench the thirst that had built up over three days:

"He called out to God, and God showed him a tree; he cast it into the water and the water was sweetened. There He made for them "*chok u-mishpat*" (a statute and a judgment), and there He tested them" (*Shemot* 15:25).

The Torah gives no indication of what the "test" was, but from the context we may conclude that it was related to the "statute and the judgment" mentioned together with it. We must clarify, then, which "statute and judgment" were given at Mara.

In the *midrashim* of *Chazal* we find different opinions on this question. The *Gemara* (*Sanhedrin* 56b) mentions laws (*dinim*), *Shabbat*, and honoring parents, and explains: "*dinim*" – "There He made for them *chok u-mishpat*"; *Shabbat* and honoring parents - because in the Ten Commandments in *Sefer Devarim*, both of these commandments mention the words, "as the Lord your God commands you" (*Devarim* 5:11,15); hence we deduce that *Benei Yisrael* were given these commandments prior to the Revelation at Sinai.

But what is the "statute" that is referred to as having been given at Mara? To our understanding, the word "statute" (*chok*) is meant here as a specified measurement - particularly, a specified ration of food. When the waters of the well were sweetened, God established a "*chok*" - a ration, or measure - as to how much water each person was entitled to draw for himself, for his family, and for his cattle. If no ration were determined per person from the waters of the well, it is difficult to describe the chaos that would have ensued when 600,000 thirsty people, after three days of wandering in the desert, were to grab water for themselves, their families, and their cattle. The "*chok*" (= ration) required "*mishpat*" - i.e., an actual rule as to the ration of each family. At Mara, the group of slaves who had just been freed and who did not recognize each other and their rights, faced their first test of mutual respect, consideration for others, and - especially - discipline. All of these are fundamental, elementary concepts on the road to building a properly-run society and nation; they are elementary concepts on the road to freedom. The test of freedom is not whether a person is able to do whatever he wishes, but rather whether he is able to act in accordance with his will, out of free choice, but at the same time - to remain a human being, in the moral and cultural sense of the word. Therefore, this is also the test of a free society and of a free nation.

The "statute and judgment" concerning the water are themselves the test of "there He tested them," as the continuation of the story proves. When *Benei Yisrael* reach the wilderness of Sin, their bread runs out. In their hunger, they complain against Moshe and Aharon. And just as God sweetened the water for them at Mara, so too He rains down food for them from heaven - the manna. Again, the manna is given at the price of a test:

"Behold, I rain down for you bread from the heavens, so that the people can go out and gather each day's rations, in order that I may test them as to whether they will follow My Torah or not" (16:4).

In the *parasha* dealing with the manna, an explicit commandment is given, and this itself turns out to be the test:

"This is the thing that God commanded: Gather of it each person according to his eating, an *omer* per person according to your numbers; each person shall take for those who are in his tent" (16:16)

Benei Yisrael succeed in this test:

"They gathered; some more and some less. And when they measured the *omer*, he who had taken more had none left over, and he that had gathered less was not lacking; they gathered - each according to his eating." (16:17-18)

We do not know how much manna descended each day, but even if there was a great abundance - no one could know in advance what quantity would be needed to feed millions of hungry mouths with manna. Clearly, the manna had to suffice for everyone. People who took more than they needed would cause their neighbors to suffer a shortage. Again, this was a test of respect presented to free people who were not receiving their set rations from their masters, but rather were able to gather it themselves, and could - were it not for the commandment, and had they so wished - take more for themselves.

We may add further: the test of gathering a set measure of manna was not an easy one. In two separate places the Torah praises the taste of the manna: "Its taste was like a wafer with honey" (16:31); "its taste was like an oil cake" (*Bamidbar* 31:8). At the same time, the Torah states: "He afflicted you and made you hungry, and fed you with the manna, which you had not known" (*Devarim* 8:3). A comparison of the sources leads us to conclude that although manna was good and tasty, it was provided in small measure, which was enough for survival but not enough to fill one's stomach; it did not give a feeling of satiety. If we add to the sense of hunger - which was experienced also by the elderly, the children, and the sick - the fact that it was forbidden to keep any of the manna aside even for emergencies, we may begin to understand the extent of the test involved in "gathering by measure." The purpose of this measure was "statute and judgment": to enable everyone to gather and to eat in equal measure, not to allow a situation in which "may the best (strongest) man win."

B. SHABBAT

As mentioned above, two additional commandments were given at Mara: Shabbat and honoring parents. Therefore, concerning these commandments - as they appear in the Ten Commandments in *Sefer Devarim* - we are told, "as the Lord your God commanded you." Let us devote some discussion to the commandment of Shabbat in this context.

Two main reasons are given for the commandment of Shabbat. Firstly, Shabbat is a testimony to the fact that God created the heavens and the earth within a given time (20:10); secondly, "in order that your manservant and maidservant shall rest like you, and you shall remember that you were a servant in the land of Egypt" (*Devarim* 5:13; *Shemot* 23:12). These two reasons may be viewed as addressing the two focuses of our faith - the Creation of the world and the Exodus from Egypt. Here we shall emphasize the first reason: the Creation *ex nihilo*, and the continuation of the world's existence by virtue of justice and righteousness.

The *Gemara* mentioned above (*Sanhedrin* 56b), as well as Rashi on *Devarim* (5:11) assume that Shabbat, as commanded at Sinai, is a sign of the Creation, while Shabbat as commanded at Mara (and as mentioned in the Ten Commandments in *Sefer Devarim*) is a remembrance of the Exodus from Egypt, and "in order that your manservant and maidservant shall rest like you." This assumption fits what we said above - that the crux of the commandment at Mara concerned the "*chok u-mishpat*": the emphasis is on equality, on the "like you." "Like you" in resting on Shabbat, "like you" in the ration of water from the well, and - later on - "like you" in the *omer* measure of manna.

Let us explain further. The *Gemara* provides no details as to which of the laws of Shabbat were commanded to *Benei Yisrael* at Mara. It is difficult to imagine that all of the 39 categories of *melakha* were taught there, since these are derived from the *melakhot* performed in the *Mishkan*, while the stop at Mara preceded the commandment to build the *Mishkan*. Moreover, the logical deduction of the prohibited categories of *melakha* from the categories of work performed in the *Mishkan* arises from the juxtaposition of the parshiyot discussing the *Mishkan* and Shabbat respectively, in chapters 31 and 35. Since the connection is based on a juxtaposition that appears only later on, *Benei Yisrael* could not have received this commandment at Mara. It seems, therefore, that *Benei Yisrael* were commanded concerning the 39 categories of *melakha* as an explanation for the *mitzva* of Shabbat given at Sinai. The categories of creative *melakha* associated with the *Mishkan* are a remembrance of the creative *melakha* of Creation, and the cessation from such *melakha* on Shabbat is a remembrance of the Shabbat of Creation, as stated in the Ten Commandments as they appear in *Sefer Shemot*, and in the Shabbat command in the context of the *Mishkan*: "For in six days God made the heavens and the earth, and on the seventh day He ceased and rested" (31:17).

The *mitzva* of Shabbat that was given at Mara consisted, to our view, in one single prohibition of *melakha* - a category of *melakha* whose connection with the work of the *Mishkan* is weak: the act of carrying from one sort of domain ("*reshut*") to another. This *melakha* is mentioned in the *parasha* of Shabbat in the wilderness of Sin, and from the rebuke over the breach in Shabbat observance it appears that this prohibition was not given there for the first time, but rather was already known to them. Apparently, then, *Benei Yisrael* were commanded in this regard at Mara.

According to Rashi's understanding, the Shabbat commandment given at Mara is the Shabbat mentioned in the Ten Commandments in *Sefer Devarim*, whose essence is a remembrance of the Exodus from Egypt, social justice, equality between the master and slave in rest and in the rations of water and manna whose essential command concerns the *melakha* of carrying from one "domain" to another. The Shabbat

commanded at Sinai, on the other hand, and mentioned in the Ten Commandments in *Sefer Shemot*, reminds us of the Creation of the world within a set time; this is the Shabbat mentioned in connection with the work of the *Mishkan*, and whose essence is the commandment concerning the 39 categories of *melakha*.

Let us now elaborate a little on our hypothesis that at Mara *Benei Yisrael* were commanded only concerning transfer from one domain to another, while at Sinai they were commanded concerning all 39 categories of *melakha*. It seems that this change is connected to another change that *Benei Yisrael* underwent at the foot of Mount Sinai: a transition from being a group of nomads, lacking any permanent home or place, a society entirely involved in journeying or preparing for journeying, into a nation dwelling in a permanent place, at the foot of Mount Sinai, its life revolving around creativity and building - the establishment of God's *Mishkan*. The establishment of the *Mishkan* required that the nation involve itself in all 39 categories of *melakha* - from agricultural activities required for *Mishkan* materials to textile work, hunting, leatherwork, metal refinement, construction, assembly, and dismantling. Even if not everyone in the nation was actively involved in these activities, there can be no doubt that the establishment of the *Mishkan* was the focus of national attention and the center of national life.

It was there, at Sinai - specifically because of the joy of creativity and the feeling that mortals were establishing a "home" for the God of the heavens - that *Benei Yisrael* were commanded to place limits on the sense of doing. There they were commanded to rest on Shabbat from all sorts of work in general, and from the work involved in the *Mishkan* in particular; to remember that God created the entire universe - man dwells in the domain of the Creator, not the opposite.

At Mara and in the wilderness of Sin, until God revealed His glory to them and until they were commanded with regard to the essence of faith, the problem was a different one: there, as we have said, *Benei Yisrael* were not engaged in action and creativity, and their food was available to them without their having to exert much effort. They found a desert oasis with streams and date palms (*eilim*), or they obtained food miraculously - in the form of the manna or the quails in the wilderness of Sin and at the wells of Mara and Refidim.

It appears, then, that the main occupation of those who left Egypt during this period was commerce. Basic nourishment was provided to all from on High, but when it came to other requirements - such as vessels and clothing - they must have traded amongst each other, or with foreign caravans that they encountered along the way. Many of them owned assets that they took from the Egyptians when they borrowed their vessels and from the booty seized at the Red Sea. The water and manna could have served as additional property for trade and an additional factor in the accumulation of capital, had it not been for the explicit prohibition against gathering more than the requirement for each individual.

At Mara - and specifically there - the Torah comes to place limits on commercial activity and the efforts to accumulate capital. This is done in two ways. a) By placing a "*chok u-mishpat*," essentially a setting down of the ration of water for each family and each individual, as in the case of the manna later on. At the same time, the other rules of "*chok u-mishpat*" were set down: the concepts of uprightness, loyalty, and

justice in national life in general; "there He gave them *chok u-mishpat*, and there He tested them." b) Through the *mitzva* of Shabbat, given at Mara, as stated, the creative *melakha* that was prohibited in this command concerned carrying from one domain to another - the only category of *melakha* whose connection with the creative work of the *Mishkan* is weak.

The unique character of the category of *melakha* that involves carrying between domains, and its associated prohibitions, is emphasized not only in the *parasha* of Shabbat in the wilderness of Sin, and in the source for Shabbat at Mara (as explained above). Nechemia introduced Shabbat enactments specifically concerning carrying:

"In those days I saw, in Yehuda, people treading the winepress on Shabbat, and bringing in sheaves of corn, and loading donkeys even with wine, grapes, figs, and all kinds of burdens, and bringing them to Jerusalem on Shabbat. I warned them on the day when they sold produce. were people of Tzor who lived there, who brought fish and all sorts of wares, and sold them on Shabbat to the inhabitants of Yehuda and in Jerusalem... It happened, when the gates of Jerusalem grew dark before Shabbat, I commanded that the gates should be shut, and I commanded that they should not be opened again until after Shabbat, and I posted some of my servants at the gates so that no burden should be brought in on the Shabbat day. So the merchants and sellers of all kinds of wares lodged outside Jerusalem once or twice. I warned them and said to them: Why do you lodge around the wall? If you do this again I will lay hands on you. From that time onwards they did not come on Shabbat. I told the *Levi'im* that they should purify themselves as guards to the gates, to sanctify the Shabbat day..." (Nechemia 13:15-22)

Nechemia also makes mention of the other sorts of *melakha*, but his principal objection concerns carrying (bringing produce into the city on Shabbat). Concerning these verses in Nechemia, the *Gemara* (Shabbat 123b) teaches that the strict enactment concerning vessels was reinforced at Nechemia's time; it was forbidden to carry anything other than cups, bowls, and the three household items mentioned in the *beraita*. Only in later periods did halakhic authorities gradually allow carrying certain vessels. This enactment was introduced as a strict protective fence around the *melakha* of carrying.

The reason for the widespread violation of Shabbat specifically in the area of carrying is clear from Nechemia's testimony; it relates to commercial life in Jerusalem. Those who brought merchandise into Jerusalem were non-Jews. Merchants from Tzor and, apparently, also from Shomron, dictated the city's commerce; they chose business days that were convenient for them. The inhabitants of Jerusalem had very little possibility of engaging in agriculture and industry, and the pressures exerted by their non-Jewish environment made things no easier for them. The Jews were a minority living in cities, while most of the fields were in the hands of non-Jews who had settled there before the return of the exiles from Babylon. The Jews, then, were forced into adopting an urban lifestyle; they bought their agricultural produce from the non-Jews. Commerce occupied an important place in their lives, and when the business day was set by the non-Jewish merchants as Shabbat - the violation of Shabbat concerned

mainly the *melakha* of carrying. Jerusalem, surrounded by a wall with gates that were locked at night (see *Eruvin* 6b), was "private domain," and any commercial activity that took place within the city involved importing from the "public domain" outside the walls into this "private domain" inside the walls. Nechemia took steps to halt the phenomenon: he chased the merchants away from the gates of the city and enacted the prohibitions of carrying from one sort of domain to another in order to reinforce this specific aspect of Shabbat observance. Since then, carrying from one domain to another is the Shabbat activity with the greatest number of protective enactments.

The situation towards the end of the First Temple Period, in the days of Yehoyakim ben Yoshiyahu, when *Yirmiyahu's* prophecy (quoted above) was uttered, was no better:

"The cities of the Negev will be shut up, with none to open them"
(*Yirmiyahu* 13:19)

"...A leopard will lie in wait over their cities; anyone who goes out from them will be torn apart" (*Yirmiyahu* 5:6)

"God set against him the bands of Kasdim and the bands of Aram and the bands of Moav and the bands of the children of Amon..."
(*Melakhim* II 24:2)

Most of all, the situation is summed up in the story of the children of Rekhev, tent-dwelling shepherds who tell *Yirmiyahu*, in the days of Yehoyakim:

"It happened, when Nevukhadretzar, King of Babylon, came up to the land, we said: 'Come, let us go to Jerusalem for fear of the army of the Kasdim and for fear of the army of Aram' - and so [now] we dwell in Jerusalem." (*Yirmiyahu* 35:11)

This being the situation, it is no surprise that most of the produce was in non-Jewish hands, while the inhabitants of Jerusalem engaged mainly in buying the produce from non-Jews who dictated the business calendar. The main warning against this violation of Shabbat was applied specifically to carrying burdens of wares and produce through the city gates, as *Yirmiyahu* declares:

"Thus said God to me: Go and stand at the gate of children of the nation, by which the kings of Yehuda enter and by which they leave, and at all the gates of Jerusalem. Say to them: 'Hear the word of God, O kings of Yehuda, and all of Yehuda and all the inhabitants of Jerusalem who enter these gates: So says God: Guard yourselves lest you bear a burden on the Shabbat day and bring it into the gates of Jerusalem. Nor shall you carry a burden out of your houses on the Shabbat day, nor shall you do any *melakha*. You shall sanctify the Shabbat day as I commanded your ancestors... and it will be, if you listen to Me, promises God, and not bring a burden into the gates of this city on the Shabbat day, and you sanctify the Shabbat day and not perform any *melakha* on it, then through the gates of this will enter kings and princes who sit upon the throne of David, riding in chariots

and on horses, they and their princes, the men of Yehuda and the inhabitants of Jerusalem, and this city shall remain forever... But if you do not listen to Me, to sanctify the Shabbat day and not to carry burdens, and you come into the gates of Jerusalem on the Shabbat day, then I shall kindle a fire in its gates, and it will devour the palaces of Jerusalem, and it will not be extinguished." (*Yirmiyahu* 17:19-27)

From Yirmiyahu's prophecies we see a further development. The decline of artisan work and the conversion of the inhabitants of Jerusalem into a community of merchants brought in their wakes another obstacle:

"So says God: Go down to the house of the king of Yehuda, and say there this word, and you shall say: Hear the word of God, O king of Yehuda, sitting upon the throne of David - you and your servants and your people who enter these gates: So says God: Perform judgment and righteousness, save the robbed from the hand of the oppressor; do not wrong or oppress the stranger, the orphan and the widow, and do not spill innocent blood in this place. For if you do this thing, then into the gates of this house will enter kings who sit upon the throne of David, riding in chariots and on horses - he and his servants and his people. But if you do not hear these words, I swear by Myself, says God, that this house shall become a desolation." (*Yirmiyahu* 22:1-5)

The structure of the prophecy and its style point to a connection between it and the prophecy concerning bearing burdens on Shabbat. The commands given to those who enter the gates - the gates of the city and the gates of the king's palace - are the prohibition against carrying on Shabbat, and guarding the rights of the robbed, the stranger, the orphan and the widow.

Shabbat, as it relates to the place of business, does not come to testify to God's creation of the world in six days. The cessation of the *melakha* of carrying does not involve cessation from creative *melakha*, since it involves no creativity. The Shabbat of the workplace is not meant to stop productivity and development; it is meant to halt the unending pursuit of money which is related to commerce. The greatest danger in this pursuit of money is the overt and covert deceit, the villainy which may technically be permissible or may not. All of these involve the same result: injustice towards the weak and the innocent.

For one day in the week God commands that a person halt his battle for survival, his desire for riches. For one day in the week a person must remember the waters of the well at Mara and the manna, by which Shabbat was sanctified and blessed (see *Rashi, Bereishit* 2:3). In this way he will recognize that his sustenance comes from God, and it is God Who determines how much he will receive. He will recognize that we borrow from Him and He gives - that all eyes are turned to Him, and He gives them food at the proper time. Throughout the forty , beginning with the Shabbat at Mara and the Shabbat in the wilderness of Sin, all those who left Egypt, and their children ate the same food and in equal quantities. Together they quenched their thirst and together they suffered hunger. A merchant who thinks to himself, "When will the New Month be over, that we may sell corn, and Shabbat - that we may set forth wheat," making the *'efa'* small and the shekel great, falsifying their deceitful balances"

(*Amos* 8:5), will remember, when commerce is postponed on the seventh day, that all of God's children are equal in His eyes, and He opens His hand to feed all of them. No amount of effort on man's part will achieve anything unless his Father in heaven sets aside sustenance for him. He Who redeemed him from the slavery of Egypt, and also from the fleshpot there, is the same One Who promises to provide food for him and for his family; He asks only one thing: "That your manservant and your maidservant shall rest like you" (*Devarim* 5:14).

Before we conclude our discussion of Shabbat, we must mention the parallel between the two Shabbats - the Shabbat of Mara and of the wilderness of Sin (mentioned in *Sefer Devarim*) and the Shabbat of Sinai (mentioned in the Ten Commandments in *Sefer Shemot*) and the commandment to let the land lie fallow in the seventh (*shemitta*) year. The subject of *Shemitta* is clearly divisible into two separate commandments:

One is: "For six years you shall sow your field, and for six years you shall prune your vineyard and gather all of your produce. But in the seventh year there shall be a Shabbat of Shabbats for the land, a Shabbat to God. You shall not sow your field, nor shall you prune your vineyard. You shall not reap what grows by itself of your harvest, nor shall you gather the grapes of your undressed vine; a Shabbat of Shabbats shall there be for the land." (*Vayikra* 25:3-5)

The reason for this command is reflected in the explanation for the commandment concerning the '*yovel*' (jubilee) year which follows immediately afterwards: "For the land is Mine; you are strangers and sojourners with Me" (verse 23). The nation that reaches its land and inherits it may be mistaken into thinking that they own it, believing that they till it by virtue of their ownership of it. In the seventh year, every supposed landowner is required to abandon work on his land and to commemorate a Shabbat for God, thereby declaring as the prophet Yirmiyahu did: "I [God] formed the land... By My great strength and by My outstretched arm I give it to whomever is upright in My eyes" (*Yirmiyahu* 27:5).

It is not the nation that hosts the *Shekhina* in their land, but rather the opposite - "You are strangers and sojourners with Me." That which is said of the *Mishkan* on the seventh day is said also of the entire land in the seventh year.

A second commandment in this *parasha*, with no direct connection to the prohibition of *melakha* in the seventh year, is:

"The produce of the land in the seventh year shall be food for you, for you and for your manservant and for your maidservant, for your hired servant and for the stranger that dwells with you, and for your cattle and for the beasts that are in your land shall all its produce be, for food." (*Vayikra* 25:6)

The Sages explain: "'for food' - but not for merchandise" (*Avoda Zara* 62a). The Torah here is not prohibiting work, but rather commerce. The purpose of this prohibition is to achieve equality between the landowner and the stranger who has no

land. For one out of every seven years, man halts his pursuit of money. Together with his neighboring stranger, he eats a sort of "manna," from the Table on high:

"If you will say: What shall we eat during the seventh year, for we shall not sow nor shall we gather our produce?" - I command My blessing to you in the sixth year, and its produce will suffice for three years" (*Vayikra* 25:20-21)

Again - the landowner's obligation concerning food for the stranger and for his servants is the Master of the Universe's own obligation concerning food for His children and His servants, food for His nation dwelling in His inheritance as "strangers and sojourners." The acceptance of His mastership and ownership of the land is the Shabbat described in the Ten Commandments in *Sefer Shemot*; it is the Shabbat of the land and its prohibition of agricultural *melakha*. The faith that the Master of the Universe and the God of the land will sustain us from His open hand, and that He alone determines our sustenance, rather than our unceasing efforts - that is the Shabbat of Mara, of the wilderness of Sin and of *Sefer Devarim*, and this is the *Shemitta* of the land for the stranger and for the sojourner: "for food - and not for commerce."

C. HONORING ONE'S FATHER AND MOTHER

At Mara, in addition to the *mitzva* of Shabbat, *Benei Yisrael* was also commanded as to honoring parents. So far we have explained the connection between Shabbat and the "*chok u-mishpat*" at Mara; we must now explain the *mitzva* of honoring parents and its connection to the "*chok u-mishpat*" of Mara. This *mitzva* is a multi-faceted one. We shall relate here only to that issue that appears to us to be related to our discussion.

One of the parshiyot that is most obviously connected to the *mitzva* of honoring parents is the matter of the rebellious and wayward son:

"If a man shall have a wayward and rebellious son - he does not listen to his father and to his mother, and they punish him but he does not listen to them - then his father and his mother shall take hold of him and bring him out to the elders of his city, and to the gates of his place. They shall say to the elders of the city: This son of ours is wayward and rebellious, he does not listen to us; he is a glutton and a drunkard." (*Devarim* 21:18-20)

The only sin that is explicitly mentioned in connection with the rebellious son is that he is a "glutton and a drunkard." In halakha, too, only this issue is addressed in details:

"From what point is he deserving of death? When he eats a '*tartemar*' [a certain measure] of meat and drinks a half a '*log*' of Italian wine. R. Yossi says: a full measure of meat and a '*log*' of wine." (*Mishna Sanhedrin* 70a)

But the *Gemara* itself expresses surprise at this sole halakha defining the law of the wayward and rebellious son:

"R. Yossi ha-Gelili says: Is it then because this boy ate a 'tartetmar' of meat and drank a half-'log' of Italian wine that the Torah commands that he be taken out to the *Beit Din* to be stoned? [Surely not]; rather, the Torah understands the full depth of the rebellious son's mind: ultimately he will squander all of his father's assets, he will seek his habit (meat and wine) and not find it, and so he will go out to the crossroads and rob the passersby. So the Torah says: Let him rather die innocent, rather than waiting for him to die guilty." (*Sanhedrin* 72a)

The explanation that R. Yossi ha-Gelili provides removes the *parasha* of the rebellious son altogether from the issue of honoring parents, and moves it to the sphere of robbery and violence. It is somewhat difficult to reconcile his opinion with the literal text of the Torah. In fact, the connection between a rebellious son and a glutton and drunkard is interpreted in *Sefer Mishlei*, in the words of the leech:

"The leech has two daughters: "Give, give!" Three things are never satisfied; four never say it is enough: Sheol, and a barren womb, the earth that is never sated with water, and the fire that never says it is enough. The eye that mocks its father and scorns to obey its mother - the ravens of the wadi shall pick it out and the young eagles shall eat it." (*Mishlei* 30:15-17)

The leech (or "stockpiling") describes those who are never satisfied and never say "enough!" to their accumulation of wealth. Two of them are never satisfied in a positive moral sense: the barren womb, wishing to absorb seed in order to perpetuate life, and the dry earth that desires water in order to produce vegetation. The other two are negative moral phenomena: Sheol, which is never satisfied from swallowing the dead, and fire, which burns and destroys.

But worse of all is man, who never fulfills all of his desires:

"Sheol and Avado will never be satisfied, nor will man's eyes ever be satisfied." (*Mishlei* 27:20)

In the metaphor of the leech, man is the son who knows no satisfaction for his desires. His parents are limited in their ability to satisfy the son's unbridled appetites, and he repays them with an attitude of scorn: "The eye that mocks its father and scorns to obey its mother." The glutton and drunkard who knows no satisfaction and never says "enough" - he will eventually scorn and mock his parents, who do not fulfill all of his wants. But this is not the full extent of his sin.

"There is a generation that curses its father and does not bless its mother. There is a generation that is pure in its own eyes, but is not washed from its filth. There is a generation - how lofty are their eyes; their eyelids are lifted up. There is a generation whose teeth are swords and their molars like knives, to devour the poor from off the land and the destitute from mankind." (*Mishlei* 30:11-14)

From scorn and mocking... to cursing. He scorns the elderly generation of his father, earning its meager bread honestly. He is pure in his own eyes, and his way of filling his belly is simple and easy. His sharp teeth and grinding molars, which lead his desires down to his stomach, are the swords that oppress the poor and the destitute. The Torah understands the full extent of the rebellious son's thinking: he does not find what he wants coming from his father, so he stands and robs passersby.

Let us now return to Mara and to the wilderness of Sin. The topic of our discussion here is "*chok u-mishpat*" the fair distribution of resources - food and water - during the desert wanderings. Let us note that so far the Torah has not insisted that every individual must take exactly the same amount as his fellow does. Thus far, the Torah has enforced equality only on the family level:

"Gather of it each person according to his eating; an *omer* per person, according to the number of you; each person shall take for those who are in his tent" (16:16)

Every person took for the number of people in his household, and the Torah relies on the natural system of distribution within the family. Within the family there is certainly no reason for concern as to an unjust distribution, for it is impossible that when it comes to doling out food, the parents will favor one child over the others.

But when the family includes a son who is rebellious, a glutton and a drunkard - a son who appropriates all of the family's food for himself and has no consideration for his siblings, a son whose rations consist of a '*tartemar*' of meat and a half-*log* of wine - then how can the rationing of an *omer* per person remain justified? And if the son has no concept of fair rationing even between himself and his siblings, how is he going to act towards his neighbors, towards everyone else? Will he really keep himself to taking an *omer* and no more? And how will he treat his parents, who provide him with only an *omer* instead of a '*tartemar*'; the same *omer* concerning which it is written, "He afflicted them and made them hungry" (*Devarim* 8:3)?

When those who left Egypt stood in line next to the well at Mara, when God gave them a "*chok u-mishpat*," the Torah also commanded the honoring of parents. This is honor which means - first and foremost - a son's respect for the parents' right to distribute food among their children according to their best judgment and in keeping with their sense of fairness.

D. REFIDIM

Refidim brought the first major crisis. There *Benei Yisrael's* sin was memorialized in the name of the place - Masa U-Meriva - and there they were punished for the first time, in the battle against Amalek.

In the simplest terms, their sin was a dual one: '*masa*' and '*meriva*': "For the quarrel (*riv*) of *Benei Yisrael*" - the quarrel against Moshe (as we read, "The nation quarreled with Moshe"; "why do you quarrel with me?"), and for their challenging (*nasotam*) God, saying: Is God in our midst or not?" (17:7) - a challenge to God (as Moshe says: "Why are you testing God?"). We tend to view them as a single sin, encapsulated in their words to Moshe, "Why then have you brought us up from Egypt" (17:3). This

was a quarrel with Moshe who, they claimed, had brought them on his own initiative out of the land of the Nile to a wilderness with no water; it was a challenge to God in that they ignored the fact that He had brought them out of Egypt, and in their declaration which implied that God was not amongst them.

But if this was their whole sin - how could God accede to their complaint and provide water in a miraculous way and with a revelation at Chorev, even making the elders witness to the miracle and to the revelation? And why does God then immediately punish them, with no additional sin? The only comparable example that we have of such a chain of events - the story of the quails, at Kivrot Ha-ta'ava - actually serves to contradict our hypothesis: there, although God provided them with quails, and while the meat was still between their teeth He struck the nation with a plague (*Bamidbar* 11:33), prior to that He had provided the meat in anger and with rebuke. He tells them explicitly, "Because you despised God Who is in your midst..." (*Bamidbar* 11:20).

Moreover, in the *parasha* that parallels the story of Refidim - the *parasha* of *Mei Meriva* at Kadesh (*Bamidbar* 20:1-13), the complaint of the nation was the same as that at Refidim, but we find no punishment meted out to them.

The principal difference hinted to in the verses between *Benei Yisrael's* behavior at Refidim and their behavior at *Mei Meriva* Kadesh concerns the words they spoke at Refidim: "Why then have you brought us out of Egypt to kill us and our children and our cattle [all written in the singular: me and my children and my cattle] with thirst" (17:3). This style is somewhat unusual, hinting at the fact that the nation was concerned not for the collective, but rather each man for himself, his own family and his own cattle.

We assume that when Moshe was commanded to pass before the nation and to go with the seventy elders to the rock at Chorev, which was located at some distance (*Benei Yisrael* undertook a whole journey from Refidim to Mount Sinai), the battle broke out over the water, which was not being distributed according to the order of "*chok u-mishpat*" which Moshe had established at Mara. Let us explain this picture more clearly: God's revelation was, as we have said, at the rock at Chorev, the place where the Ten Commandments would eventually be given. Moshe cast the ashes of the golden calf into the "stream that came down from the mountain" (*Devarim* 9:21), sprinkling it over the water in the middle of summer - on the seventeenth of Tammuz (see *Shemot* 32:20). It is impossible for there to have been a running stream on that date in the middle of the wilderness of Sinai. We must therefore conclude that the stream was created miraculously - meaning that the rock at Chorev, where the water emerged, was at Mount Sinai rather than at Refidim.

No elaboration is needed for the reason why the place of the revelation concerning the water was at the place of the *Shekhina* - the place where the Torah was to be given. The same pattern had played itself out at Mara - with the "*chok u-mishpat*" being given over water, and likewise also the rock of Chorev. Still, we must ask why the miraculous emergence of the water from the rock was not performed before the entire nation, but rather only in the presence of the elders:

"God said to Moshe: Pass over before the nation, and take with you some of the elders of Israel" (17:5)

This was a contrast to what had happened at Mara, at *Mei Merivat Kadesh*. The miraculous flow of water at Chorev was similar, in this respect, to the plague bringing death to the firstborn in Egypt, where *Benei Yisrael* were commanded, "You shall not come out, any one of you, from the entrance to your houses until the morning. And God passed over to strike Egypt with the plague..." (12:22-23). It does not resemble the parting of the Red Sea, where we read: "Stand and you will see God's salvation" (14:13); "Israel saw the Egyptians dying at the sea shore" (14:30); leading to "The nation fGod and believed in God and in Moshe, His servant" (14:31). The fact that the miracle of the water was performed in this way, such that *Benei Yisrael* did not witness the splitting of the rock, but rather only the water which flowed to them at a great distance from the rock - must certainly have been a result of their sin; they were not worthy of the miracle. The result - water flowing through the camp while the *Shekhina* was not in the camp and Moshe and the elders of Israel were also absent - can only be imagined. Two facts are known to us: a) no song of praise was sung there, in contrast to the song of the well during the fortieth year; and b) no "*chok u-mishpat*" were given from the moment that the water emerged until *Benei Yisrael* arrived, in complete *teshuva* (see *Mekhilta*, "in the third month," *parasha* 1; *Rashi* 19:2), at Mount Sinai.

We shall leave the description of the scramble over the water, the shouts of "Me!," "My children," and "my cattle," to the reader's imagination, and meanwhile turn our attention to the war with Amalek.

E. AMALEK

The subject of the war against Amalek, the commandment to wipe them out, and the conflict between *Benei Yisrael* and them for all generations, is of immense scope; with God's help we shall address it at a different opportunity (see Y. Medan, "Amalek," in "*Al Derekh ha-Avot*," the anniversary publication of Herzog College). In this chapter we shall address only a few details of that war that are pertinent to our discussion here.

According to the literal account, it would appear that Amalek arrived at Refidim when they heard about the water flowing there (although the generally accepted understanding follows the opinion of the Ramban, that Amalek "came pursuing a quarrel that was not theirs"). We must keep in mind that this battle took place towards the end of Iyar (they were in the wilderness of Sin on the 15th of Iyar [16:1], and moved to Mount Sinai on the 1st of Sivan [19:1]; between the wilderness of Sin and Refidim they passed two more stops [*Bamidbar* 33:12]), at the beginning of the summer. As desert dwellers, Amalek claimed ownership of the water, and it was over this that the war broke out. Perhaps their daring in storming the camp arose from the disorderly allocation of water that was happening there, with the fighting on all sides in the absence of the leadership and with the people's short temper. The mighty blow that Amalek delivered to the nation - despite the fact that *Benei Yisrael* were undoubtedly more numerous, and even though Aharon and Hur held Moshe's arms up - is explained, to our view, by the fact that on the day when Amalek struck, the nation's entire leadership - Moshe, his disciple Yehoshua (as we may deduce) and the seventy elders - was at the rock in Chorev. Amalek had no difficulty attacking a nation divided against itself with no leaders.

As soon as Moshe found out what was going on, he immediately sent Yehoshua to the camp, to Refidim, to select soldiers. Moshe remained at Chorev (according to Ibn Ezra, the "rock" which he had struck was Sinai), where he raised his arms and his staff of God. Therefore *Benei Yisrael's* counter-attack was delayed by a day, as we read: "Tomorrow I shall stand..." (17:9), and this is what allowed the catastrophe to happen.

To our understanding, the selection of the soldiers might also have had something to do with the situation:

"Moshe said to Yehoshua: Select men for us and go out to fight against Amalek" (17:9)

Who were the soldiers selected for this battle? Let us compare this battle against Amalek and their neighbors, Midyan (see *Shoftim* 6:33), with the battle waged by Gidon against Midyan and Amalek many generations later. There, too, Gidon was commanded to select men:

"God said to Gidon: Those who lap with their tongue from the water, as a dog laps, shall you set apart, and likewise those who bend down on their knees to drink" (*Shoftim* 7:5).

The uncontrolled scramble for water, in which Gidon's potential soldiers throw their weapons upon the ground, is the same drive that leads *Benei Yisrael* in Refidim to drink with no thought of quantity, with no consideration for others, with no fair allocation, and this is what brings Amalek to the camp. The minority who did not behave in this manner are the soldiers who defeated them. When *Chazal* discuss the sin that brought in its wake the war against Amalek, they note the juxtaposition of parshiyot in *Sefer Devarim*:

"You shall not have in your bag diverse weights, great and small. You shall not have in your house diverse measures - great and small. [Rather,] you shall have one perfect and just weight, one perfect and just measure, in order that your days may be lengthened upon the land which the Lord your God gives you. For all those who do this, all those who perform injustice, are an abomination to the Lord your God. Remember what Amalek did to you on the way, when you came out of Egypt" (*Devarim* 25:13-17).

Chazal comment:

"If you are dishonest with measures and weights, then beware of enemy attacks. For it is written, "Deceitful weights are an abomination to God," and it is also written "Where there is malice, there will also be disgrace" (*Rashi Devarim* 25:17) (*Tanchuma Ki Tetze* 8, and *Pesikta de-Rav Kahana, Zakhor*).

The fair allocation of resources and the entire *parasha* of measures and weights are founded on the "*chok u-mishpat*" of Mara. *Benei Yisrael* passed the test of the water at

Mara and the manna in the wilderness of Sin, but failed at the water of Refidim - and it was then that Amalek attacked.

We shall, with God's help, elaborate on this matter next week.

Translated by Kaeren Fish

This shiur is abridged from the Hebrew original. The full shiur can be accessed in Hebrew at: <http://www.etzion.org.il/vbm/parsha.php>.