

## The "Waters of Contention"

By Rav Elchanan Samet

### a. STRUCTURE of the story

The story of Mei Meriva, the "waters of contention," has clear boundaries. It opens with the arrival of Bnei Yisrael in Kadesh, in the wilderness of Tzin (20:1), and the story itself describes the events that take place in Kadesh: the death of Miriam and her burial there (1); the lack of water and the nation's complaint in this regard (2-5); the "fleeing" of Moshe and Aharon to the entrance of the Ohel Mo'ed and the appearance of God's glory to them (6); God's command to Moshe (7-8) and the way in which it is fulfilled (9-11); and eventually God's speech to Moshe and Aharon, decreeing their punishment (12). Verse 13 serves as a typical formal conclusion of the biblical narrative - the place is given a new name in light of what happened there, while a hint at the significance of the original name is also included.

"These are THE WATERS OF CONTENTION (Mei Meriva) - for Bnei Yisrael contended (ravu) with God - and HE WAS SANCTIFIED (va-yikadesh) through them."

The conclusion of the story therefore parallels its introduction, and these form bookends to the story:

(1) "And the nation dwelled in KADESH"

(13) "and He was sanctified (VA-YIKADESH) through them"

(3) "And the nation strove (VA-YIREV) against Moshe"

(13) These are the Waters of Contention (MEI MERIVA), for Bnei Yisrael strove (RAVU) with God."

All the events in this story are related to each other in a series of "cause and effect" relationships, with one exception: the death of Miriam and her burial in Kadesh. This event seems to have nothing to do with the rest of the narrative. However, an analysis of the structure of the narrative will help us understand the role of this opening episode. The story is structured as follows:

First half: verses 1-6(a) - the nation's complaint, sending Moshe and Aharon to flee

Central axis: 6(b) - "And the glory of God appeared"

Second half: verses 7-13 - God's reaction, instructing Moshe and Aharon as to how to solve the problem

The parallel between the two halves is clearly chiasmic. In contrast with Moshe and Aharon's "fleeing" from the congregation and their request for Divine guidance at the end of the first half (verse 6), we find God's word guiding their actions at the beginning of the second half (7-8). In contrast with the nation's complaint concerning the lack of water at the center of the first half (3-5), the solution arrives in the form of water gushing from the rock, and the nation drinking, at the center of the second half.

But each half contains an element that is extraneous to this general parallel - and in fact to the subject of the story as a whole, as is clear from the analysis thus far. In the first half the

out-of-place element is the death of Miriam and her burial in Kadesh (verse 1), and in the second half it is the punishment meted out to Moshe and Aharon as decreed in verse 12. This punishment surprises us, and its connection with the subject of the story is unclear.

Let us now compare verse 1, the opening of the story, and verses 12-13 - its conclusion, thereby completing the parallel described above:

1. "And BNEI YISRAEL - all the congregation - came to the wilderness of Tzin in the first month, and the nation dwelled IN KADESH, and Miriam died there and was buried there.

(12) Why did you not believe in Me to sanctify Me (LE-HAKDISHEINI) before Bnei Yisrael?

Therefore you shall not bring this assembly to the land which I have given them.

(13) These are the waters of contention, for BNEI YISRAEL contended against God, and He was sanctified (VA-YIKADESH) through them."

The linguistic connections between the beginning and ending of the story stand out. For example, the nation is called four different names in this story: "the congregation" (ha-edah), "the assembly" (ha-kahal), "the nation" (ha-am), and Bnei Yisrael. The name "Bnei Yisrael" is used only three times here: once in verse 1, and twice more in verses 12-13. Another connection is the root k-d-sh (to sanctify), which appears three times in the story: once in the name of the place "Kadesh," in verse 1, and twice as a verb in verses 12-13.

But the most important parallel is thematic rather than linguistic: the parallel between the end of verse 1 and verse 12. Miriam dies in Kadesh, close to the land of Edom, and does not merit to enter the land. It is decreed in Kadesh that her two brothers, Moshe

and Aharon, will likewise die in the desert and will not merit to bring Bnei Yisrael to the promised land; this will happen in the same year that Miriam died. Hence our story recounts the demise of the three children of Amram - Moshe, Aharon and Miriam - who have led Bnei Yisrael for forty years.

What is the significance of this parallel for our understanding of the story as a whole? And how do these events, described at the beginning and the end, fit in with the body of the story - verses 2-11?

#### b. Refidim and Kadesh

There are two places in the Torah where we find a concentration of stories about complaints by Bnei Yisrael during their desert travels: in parashat Beshalach in Sefer Shemot, and in parashot Beha'alotkha, Shelach, Korach and Chukat in Sefer Bemidbar. There is a very great difference in the way God relates to these complaints in the two places. In Sefer Shemot (parashat Beshalach), we find the nation just a few weeks after the exodus from Egypt. Starting out into the wilderness involved a radical change in lifestyle, and some of their problems were genuine ones, requiring solutions. For this reason, even when their reaction is formulated as self-pitying complaint and is regarded as a sin on their part, God does not punish them for their complaint. On the contrary, He answers them mercifully and provides whatever they need.

The complaints in Sefer Bemidbar, on the other hand, come immediately after the departure from Har Sinai "in the second year, in the second month, on the twentieth of the month" (10:11), with the nation having spent almost a year in the desert and already accustomed to desert life. During that first year in the desert, the nation lived through some important formative experiences: the revelation at Sinai at the beginning of that year; the construction of the Mishkan and its dedication; instruction in many of the mitzvot (included in Sefer Vayikra) addressing various spheres of life; and various preparations for the desert journey, described at the beginning of Sefer Bemidbar. The

problem of food was solved long ago by the miracle of the manna. Now their unjustified complaints arouse God's anger, and they bring about one punishment after the next. Thus, the stories of complaints in Sefer Bemidbar become stories of sin and punishment.

The story of "mei Meriva" would seem to belong to the stories of complaint of Sefer Bemidbar: it is, after all, located in this Sefer. Upon closer examination, however, it appears very similar to what took place in Refidim, just a short time after the Exodus (Shemot 17:1-7). Six consecutive stages are common to both stories, creating a considerable degree of similarity between them:

- a. Description of Bnei Yisrael's arrival at some station in their desert journey (Refidim; Kadesh).
- b. The text's assertion that there was no water, and the quotation of the nation's complaint in this regard ("And the nation quarreled with Moshe, and they said..." in both places).
- c. Moshe turns to God out of fear of the nation (verbal address; falling upon his face).
- d. God's command that Moshe take his staff and provide water for the nation (from the stone; from the rock).
- e. Moshe performs God's command (no details; details of his actions and his words).
- f. The place is named after the event ('masa u-Meriva'; 'mei Meriva' - with a similar explanation in both places).

The striking similarity finds expression in the words and phrases that appear in both stories at parallel stages.

What is special about our story, that is lacking from the parallel narrative in Sef Shemot? Two things: Miriam's death, and the punishment of Moshe and Aharon. Once again, we have returned to the same two special elements that stand out in our story and serve as its framework - but we have not yet explained their connection to the theme of the story.

It is of great significance that our story is a repeat of an event that happened several years previously - a complaint about a lack of water. It would appear that the repeat of the complaint for a second time, after seeing all of God's miracles in the desert - including provision of water the last time they had none - makes their complaint this time an even more severe transgression. This explains Moshe's attitude towards the complainers in our parasha:

(10) "And he said to them: Hear, now, you rebels - shall we bring forth water for you from this rock?"

These words are spoken to the nation in great anger; we find no similar outburst in the story in Sefer Shemot. The reason for the difference is that Moshe despairs at this repetition of the old complaint; it is as though everything that had transpired from the time of the first complaint about water, just after leaving Egypt, to this moment at the beginning of their fortieth year in the desert, has had no effect on the nation at all.

#### c. Our story vs. previous complaints in Sefer Bemidbar

The structure of our story is very similar to that of three previous stories of complaint in Sefer Bemidbar: the sin of the spies in parashat Shelach; the rebellion of Korach; and the appendix to that story - the nation's complaint on the following day that "You have put God's nation to death" (17:6-16). In each of these three instances, the first part of the story recounts the nation's complaint, which is regarded as a grave sin, and at that low point God's glory appears in the Ohel Mo'ed, before the entire nation, announcing God's active intervention in the event. The second half of the story starts immediately with God's words, decreeing the nation's punishment.

But there is a fundamental difference between our story and the three preceding ones: in our story, God's words to Moshe make no mention of any punishment for the nation for quarreling with Moshe. In fact, quite the opposite: He commands Moshe to effect

a great miracle, to bring forth water from a rock, and further commands him to water the nation and their flocks himself!

I mentioned previously that our story is similar in character to that of the "complaint and its acceptance" in the parallel narrative in Sefer Shemot. But, in fact, in our story the complaint is more than just accepted. A comparison of God's words in our story to those in the parallel story in Shemot highlights God's love for those who argue with Moshe in our parasha. In God's words there is a noticeable demand that Moshe relate to them in a personally supportive manner. No such covert message exists in the story of Masa u-Meriva.

SHEMOT:

(5) "Pass before the nation and take with you [some] of the elders of Israel...

(6) And you shall strike the rock, and water shall emerge from it, and the nation SHALL DRINK."

BEMIDBAR:

(8) "Gather the congregation, you and Aharon your brother,

and speak to the rock BEFORE THEIR EYES

and it shall give its water, AND YOU SHALL BRING FORTH WATER FOR THEM from the rock,

AND YOU SHALL WATER the congregation and their cattle."

At the end of section C., we arrived at the conclusion that the fact that the complaint in our parasha is a repeat of a similar complaint that was voiced many years previously, makes the

current complaint a very serious transgression. As proof of this we cited Moshe's angry response: "Hear now, you rebels," which has no parallel in the earlier story. But now we have reached the opposite conclusion: God's response to the nation's complaint in our story comes with a smiling countenance and with great mercy - even more than God showed at the time of the complaint at Masa u-Meriva! Is their complaint more justified this time, or less? Why does their complaint arouse Moshe's anger and God's compassion?

Clearly, there is tension between God's response to the nation's complaint and Moshe's response to them. Thus, we finally begin to approach the issue of Moshe's sin. Yet, Moshe's response seems justified, since they are repeating a previous complaint, while it is God's empathic response that requires clarification.

d. The key to understanding the story

Several questions raised above still lack answers. The key to understanding the story is its timing: it takes place at the beginning of the FORTIETH YEAR. The nation that complains here is a generation that has never known slavery. They have grown up in the desert as free people, their gaze is turned towards the promised land, and now - with the beginning of the fortieth year - they begin anxiously awaiting the moment of finally entering it.

Finally they reach Kadesh, a city on the border of Edom, close to Eretz Yisrael. They must surely view this stop as the last, or the next to last, in their long journey. Upon reaching Kadesh, Moshe sends messengers to the king of Edom, requesting permission to cross through his land, for this is the shortest route to the plains of Mo'av - the end point of the journey and the beginning of the conquest of Eretz Yisrael. Had the king of Edom allowed Israel to pass through his land, their wanderings would indeed have concluded within a very short time.

Two signs would seem to indicate that the journey is at its end. Miriam's death just as the nation reaches Kadesh, in the first

month of the fortieth year, hints at the beginning of the demise of the "old guard," the leadership of the generation that left Egypt. Furthermore, the lack of water testifies that the miracles of the desert have ceased, and it is now time to enter the land in which water is obtained from natural sources.

But, as we know, this is not what happens: the king of Edom refuses to allow Israel to pass through his land, and they are forced to backtrack "via the Reed Sea, to circumvent the land of Edom" (21:4). Thus a new journey begins into the wilderness, where once again they will be dependent on the miracles of the desert. It therefore turns out, retroactively, that Miriam's death and the lack of water did not signify any real turning point in the nation's situation. Bnei Yisrael still need the water provided for them miraculously, and they are still in need of the leadership of Moshe and Aharon, since the fortieth year is apparently not going to mark the end of their journey. At least for its first half, this year will be one of wandering in the desert, like the thirty-nine years that preceded it, and Bnei Yisrael will therefore be just as dependent on the desert miracles as they have been in the past. Only in the second half of the year will they reach the plains of Mo'av and encamp for a few months at this point of departure for the entry into Eretz Yisrael.

This is the background to our story, and in light of this we may redefine the story's subject: it is a story of the outburst of frustration of the generation that is to enter the land, because this entry is being delayed so long. Both the beginning of the story and its end deal with the deaths of the three people who were prominent leaders of the previous generation, demonstrating that this generation is about to enter a new era, with a new leadership that will bring it into the land. Miriam's death occurs in a natural manner: "And Miriam died there." The death of Moshe and Aharon is decreed only after it has been demonstrated that they are not able to continue leading this generation, for they do not understand it.

As noted, a comparison of the complaint in our parasha with that of Masa u-Meriva reveals great similarity. The previous

generation said ([Shemot 17:3](#)), "Why then have you brought us up from Egypt," while here we find almost exactly the same words (verse 5). However, very careful analysis shows that the intention is not the same - perhaps even the opposite.

The nation's complaint at Masa u-Meriva concluded with a question: "Why, then, have you brought us up from Egypt, to kill and my children and my cattle with thirst?" What they mean here is it would have been preferable to remain in Egypt and never leave. This claim characterizes every complaint of the generation that left Egypt.

The complaint of the next generation, in Kadesh, comprises two claims. The first is:

(4) "And why have you brought God's congregation to this wilderness, to die there - we and our cattle?"

There is no expression here of any wish to return to Egypt - which this generation never knew. The meaning here seems to be, "Why have you brought us to this wilderness, AND NOT TO ERETZ YISRAEL?"

The second claim is:

(5) "And why have you brought us up from Egypt to bring us to this bad place; not a place of sowing and figs and grapes and pomegranates, and where there is no water to drink?"

Here, again, the meaning seems to be: Why have you brought us up from Egypt to this bad place, AND NOT TO ERETZ YISRAEL? Proof of this lies in the fact that their description of the wilderness - "this bad place" - is a clear contrast to Eretz Yisrael, rather than to the land of Egypt.

It must be emphasized again that Israel's complaint at Kadesh arose from their frustration at the fact that the entry into the land, so tantalizingly close, was not happening. Once again, they were being forced to go back and deal with the difficulties of the desert at a time when they had believed them to be over. The beginning of the fortieth year and the disappearance of the generation of those who left Egypt, the death of Miriam and the encampment at Kadesh, close to Eretz Yisrael - all of this had created the impression that they were about to enter the land. But now it appears that "there is no water to drink." The stay in Kadesh is dragging on, and the entry into the land is being postponed. Therefore, the complaint of this generation is the OPPOSITE of that of their fathers. They desire with all their heart to enter the land, because they have had enough of desert life. This is not a serious sin; it even has a meritorious side to it.

God understands their feelings, and therefore commands, in His great mercy and in an accepting manner, that their needs be taken care of. Moshe and Aharon, in contrast, do not understand the nation's frustration, for they judge this generation by the standards of their fathers, and regard the renewed complaint about the lack of water as a return to the sins of the previous generation - and therefore as an even more serious sin.

Let us now look at the way in which Moshe and Aharon fulfill God's command, which showers mercy upon the nation - a command that so surprises them. We shall compare the command with the description of its fulfillment, stage by stage:

GOD'S COMMAND (verse 8):

- i. "Take the staff
- ii. and gather the CONGREGATION, you and Aharon your brother
- iii. AND YOU SHALL SPEAK TO THE ROCK before their eyes

iv. and it shall give OF ITS WATERS

v. AND YOU SHALL BRING OUT WATER FOR THEM FROM THE ROCK

vi. AND YOU SHALL WATER the congregation and their cattle."

THE ACTIONS OF MOSHE AND AHARON (not in order):

i. (9) "And Moshe took the staff before God as He had commanded him.

ii. (10) And Moshe and Aharon gathered the ASSEMBLY facing the rock...

iii. (11) And Moshe lifted his hand AND STRUCK THE ROCK with his staff twice,

iv. and MUCH WATER came out...

v. Hear, now, you rebels: SHALL WE THEN BRING OUT WATER FOR YOU FROM THIS ROCK?

vi. And the congregation and their cattle DRANK."

Moshe, surprised by God's unexpected response, does act formally - in a general sense - in accordance with the command. However, by his deeds and his words he reveals that he does not identify internally with the implications of the command. Dr. Yehuda Moriel (Iyyunim Ba-Mikra, Bemidbar, 102-113) analyzes Moshe's words and actions:

"And Moshe took the staff, as He had commanded him' - the concluding words, 'as He had commanded him,' specifically at this point [rather than at the end of his actions]...

come to teach us: Moshe performed THIS action as God had commanded him, but thereafter [he did not].

'And Moshe and Aharon gathered the assembly in front of the rock and he said to them: Hear, now, you rebels! Shall we bring forth water for you from this rock?' - a simple, literal reading of the text leaves no doubt that these are angry words, spoken with great fury. The striking of the rock was no more than a result of the anger, and so we must seek the key to understanding the reason for the fury within the angry words themselves. In my view, it is to be found in the word that addresses the nation as the subject of the anger - the word 'lakhem' (for you). Let us compare the parallel expressions [in God's command and in Moshe's words to the nation]: 'And you shall bring forth water FOR THEM (lahem) from the rock,' vs. 'Shall we bring forth water FOR YOU from this rock?' The comparison shows that God's word ['for you'] showers love and mercy [upon the nation] – but that very word is transformed by Moshe into a harsh question, bursting forth from his anger at these 'rebels.' In the word 'lakhem' (for you) we seem to discern the full meaning of the question: Are you truly deserving of Divine mercy? Are you any better than your fathers were? The words that your mouths utter are an exact repetition of the sins of your fathers, so how then will YOU merit more than they did?"

We may add two comments:

1. Even within Moshe's angry actions we discern God's positive attitude towards the nation, aimed at repairing what Moshe has damaged by his anger. While in the command

God said, "And you shall bring forth WATER for them," in actuality we are told "And MUCH WATER came forth."

2. Despite this, Moshe's alienated attitude towards the congregation remains the same. He was commanded, "YOU SHALL WATER the congregation and their cattle," but then we are told "and the congregation and their cattle DRANK." Moshe, it seems, suffices with the knowledge that he has fulfilled the basic command to bring forth water from the rock, and from that point assumes that the nation is capable of "managing" without him.

#### e. Generation gap

In the parasha of Mei Meriva it becomes clear that the generation gap between Moshe, God's emissary to bring Israel out of Egypt and to lead them in the desert, and the generation of the children, about to enter the land, cannot be bridged. In leading the older generation, Moshe became accustomed to taking care of them and their problems. Faced with the first display of dissatisfaction on the part of the next generation, he reacts with severity and with great disappointment. But his reaction is inappropriate in light of the spiritual and historical circumstances that gave rise to the complaint. Moshe perceives the behavior of the children as a continuation of that of the parents, and he expects that God's treatment of them will be as it was in the past. But God, Who understands the difference between the generations, knows their thoughts and treats them with mercy, forgiving them. Moshe is unable to update his psychological attitude towards this generation in line with God's treatment of them, and it therefore becomes clear that he is no longer able to lead them.

The punishment meted out to Moshe and Aharon is the inevitable result of what has been revealed in the episode of Mei Meriva. Their leadership was suited to the generation that left Egypt, but is not adapted to the generation that is about to enter Eretz Yisrael.

(Translated by Kaeren Fish)

