

MOSHE'S SIN

by Rabbi Yitzchak Etshalom

I MEI M'RIVAH: THE WATERS OF QUARREL

At the beginning of Chapter 20, we are told of a momentous event which took place in the final year of traveling through the desert:

Then came the people of Israel, the whole congregation, into the desert of Zin in the first month; and the people abode in Kadesh; and Miriam died there, and was buried there. And there was no water for the congregation; and they gathered themselves together against Mosheh and against Aharon. And the people quarreled with Mosheh, and spoke, saying, "Would that we had died when our brothers died before Hashem! And why have you brought up the congregation of Hashem into this wilderness, that we and our cattle should die there? And why have you made us come out of Egypt, to bring us in to this evil place? This is no place of seed, or of figs, or of vines, or of pomegranates; nor is there any water to drink." And Mosheh and Aharon went from the presence of the assembly to the door of the Tent of Meeting, and they fell upon their faces; and the glory of Hashem appeared to them.

And Hashem spoke to Mosheh, saying, "Take the rod, and gather the Edah together, you, and Aharon your brother, and speak to the rock before their eyes; and it shall give forth his water, and you shall bring forth to them water out of the rock; so you shall give the congregation and their beasts drink." And Mosheh took the rod from before Hashem, as he commanded him. And Mosheh and Aharon gathered the Kahal together before the rock, and he said to them, "Hear now, you rebels; must we fetch you water out of this rock?" And Mosheh lifted up his hand, and with his rod he struck the rock twice; and the water came out abundantly, and the congregation drank, and their beasts also. And Hashem spoke to Mosheh and Aharon, "Because you did not believe Me to sanctify Me in the eyes of the people of Israel, therefore you shall not lead this congregation into the land which I have given them." This is the water of Merivah, because the people of Israel strove with Hashem, and he was sanctified in them. (Bamidbar 20:1-13)

This depiction of "Mei M'rivah" - the waters of quarrel, where both Mosheh and Aharon were sentenced to relinquish the reins of leadership before entering the Land - is not only a dramatic and

tragic Parashah, it is enigmatic as well. Although the text clearly states that the events "at the rock" directly led to this divine decree, nowhere does the text explicitly define the nature of the sin. Some commentators choose to compare God's command to its fulfillment by Mosheh (and Aharon), noting any one of the differences between them (there are several), as the key to understanding Mosheh's sin. Others prefer to analyze the interaction between Mosheh and the people, identifying one of several indications of "failed" leadership. While some commentators point to what Mosheh said (or did), others point in the opposite direction - at what he failed to say (or do). Yet others maintained that there was no failing here, no sin to speak of - but that both Mosheh and Aharon were punished for other, earlier sins. A variation on this approach views the "Waters of Quarrel" as symptomatic of a larger problem - and that larger problem was the cause of God's fiat. The wide range of comments offered in traditional interpretive literature is so vast that one 19th century commentator noted that he was loath to investigate the issue in depth, fearing that he would find yet another sin to attribute to Mosheh, blackening his reputation even further.

Suffice it to say that the Torah chose to keep the cause of Mosheh's putative guilt in the shade, providing the opportunity (or placing the burden) of enlightenment on the shoulders of the giants of our interpretive tradition, chiefly the Rishonim (medieval commentators).

As dwarfs who sees far only by sitting on the shoulders of those giants, we continue to investigate the matter and, hopefully, shed even more light on the matter at hand. Before suggesting a different angle on understanding Mosheh's "sin", it behooves us to quickly review how the giants of the generations understood this tragi-heroic Parashah. We will then build on their explanations to try to provide additional insight into this enigmatic and puzzling Parashah. Interested readers are encouraged to peruse the comments in the original to see the full argument of each - as well as each one's reason for rejecting earlier alternatives.

II

COMPARING THE COMMAND WITH ITS IMPLEMENTATION

When we compare the Divine command:

"Take the rod, and gather the Edah together, you, and Aharon your brother, and speak to the rock before their eyes; and it shall give forth his water, and you shall bring forth to them water out of the rock; so you shall give the congregation and their beasts drink" with its performance:

And Mosheh took the rod from before Hashem, as he commanded him. And Mosheh and Aharon gathered the Kahal together before the rock, and he said to them, "Hear now, you rebels; must we

fetch you water out of this rock?" And Mosheh lifted up his hand, and with his rod he struck the rock twice; and the water came out abundantly, and the congregation drank, and their beasts also, we note several differences, each of which may be significant.

First of all, God told Mosheh to "speak to the rock" - but Mosheh struck the rock. Rashi (Bamidbar 20:12) highlights this difference and sees it as the key to understanding Mosheh's sin. Many Rishonim are bothered by this approach, since, as Ramban (ibid. 20:1) argues, since God had commanded to take the rod, it implies that he was to strike the rock. Ramban's own approach is outlined below.

Second, even if we accept the notion that Mosheh was to hit the rock, his striking it twice seemed to violate the Divine command - this is a piece of Ibn Ezra's explanation (20:8).

Further, we note that whereas Mosheh was commanded to assemble the "Edah" (group), he assembled the "K'hal" (congregation), implying a much larger assemblage.

Finally, as some commentators point out, Mosheh was to speak to the rock - and instead, he spoke to the people (this is how some understand Sifri, Matot #5).

III

SINS OF COMMISSION

Many Rishonim, instead of comparing the command with its performance, point to particular "failings" on the part of Mosheh which can be independently found within the implementation.

One of the earliest comments we have is that found in the Pesikta (approx. 8th century):

[God] told [Mosheh] not to refer to His children as "rebels" and here, you called them "rebels"; therefore "you shall not lead this congregation into the land..." (Pesikta d'Rav Kahana 14:5).

In a somewhat similar vein (following the more conventional understanding of Sifri Matot #5), Rambam (Introduction to Commentary on Mishnah Avot, Ch. 4) notes that Mosheh's anger in speaking to the people was a serious failing and was the essential sin in this context. Ibn Ezra's "double-striking" is also built on this approach, as he maintains that (as the Midrash [Bamidbar Rabbah 19:9] says), when Mosheh hit the rock the first time, only a few drops came out, necessitating a second "strike. Ibn Ezra's understanding of the reason that only a few drops came out was that, due to his anger, Mosheh had interrupted his communion with God and needed to "refocus".

Ramban (Bamidbar 20:1) quotes this comment and takes issue with it, preferring Rabbenu Chananel's

approach that it wasn't how he spoke, rather what he said: "... must WE fetch you water...", placing the emphasis on his (and Aharon's) ability to extract water from the rock, as opposed to Divine intervention.

IV

SINS OF OMISSION

Abarvanel cites an unnamed authority who comments that Mosheh and Aharon should have led the people in song (see Bamidbar 21:17-18).

R. Yosef Albo (Sefer halkkarim) notes that the failure of Mosheh to speak to the rock prevented God's Name from being sanctified.

V

ABARVANEL

Don Isaac Abarvanel takes an entirely different approach (one which is, as far as I can tell, unmatched among the medievalists). Part of the difficulty in any of the earlier approaches is Aharon's inclusion in the sentence. There would be every reason, following any of the other approaches, to fully exonerate Aharon (he is only mentioned as a bystander), or, at best, to view him as an "accomplice" in whatever sin was committed here. Why were they equally sentenced to relinquish their leadership over the people?

Abarvanel's approach is innovative, although problematic from a purely textual perspective. He maintains that both Aharon and Mosheh were punished for earlier sins - Aharon for his role in the Golden Calf episode and Mosheh for his part in the sin of the scouts. Although his approach is fascinating - and helps explain a puzzling verse in D'varim (1:37), it is still difficult to read the Mei M'rivah incident as merely an "opportunity" to punish these two great leaders.

[Interested readers are directed to the Ramban and Abarvanel, each of whom surveys some earlier approaches and delineates reasons for rejecting them before presenting his own understanding.]

VI

A MORE CAREFUL READING...

If we look carefully at the "sentence" imposed by God, we see that, unlike the generation of the Exodus who were condemned to die in the desert, Mosheh and Aharon were only sentenced to relinquish their leadership. As the Midrash states:

"Mosheh said to God: Master of the World, let Yehoshua take my crown, and I shall live. God said to him: Act with him as he has acted with you. Mosheh immediately went to the house of Yehoshua... They went out, and Mosheh walked on the left of Yehoshua... At that time, Mosheh cried and said: Better a thousand deaths than one jealousy." (Devarim Rabbah 9:19).

In other words, Mosheh was not condemned to die in the desert - rather that he could not be the leader of the people in the Land. He had the opportunity to enter the Land as a "citizen", but preferred death to the jealousy of living under Yehoshua's rule.

We now need to understand, instead of why Mosheh was "punished" as a result of the events at Mei M'rivah, why this "quarrel" signaled the impending end of his term as leader.

VII

R. MEIDAN'S EXPLANATION

R. Yaacov Meidan (of Yeshivat Har Etzion and Machon Herzog) has written several beautiful essays on the relationship between the sin of the M'raglim (scouts) and Mei M'rivah. His goal is to resolve the apparent contradiction between our selection, where Mei M'rivah is indicated as the cause of Mosheh's losing the reigns of leadership, and Mosheh's autobiographical statement in D'varim where the events of 38 years earlier, the story of the scouts, is depicted as the cause. [Note that the events at Mei M'rivah are presented as the reason for Mosheh's early removal from leadership in two other verses in the Torah: Bamidbar 27:14 and D'varim 32:51.]

R. Meidan sees a continuum between the two events, both demonstrating a shortcoming in Mosheh's leadership:

"[in the story of the scouts] Mosheh, facing the sin of the M'raglim, appears...bereft of any signs of leadership...Mosheh's reaction to the outrageous demand to return to Egypt was, 'And Mosheh and Aharon fell on their faces before the entire assembly of the congregation of the Jews' (14:5). This was not the required act of leadership. In the vacuum created by Mosheh's paralysis, Calev and Yehoshua attempt to enter the breach, coming close to endangering themselves. But they are unable to supplant Moshe and Aharon, and the situation is about to completely deteriorate, saved only by the direct appearance of the presence of God. Now is the time, I believe, that Calev and

Yehoshua assume the leadership that will eventually lead to their bringing the Jews into the Land, instead of Mosheh and Aharon.

"Mosheh is denied entry to the Land, not because of a particular transgression, but because he is no longer the leader who can accomplish the entry into the Land. It is not so much a matter of punishment as the natural consequence of his shortcomings as a leader. The advantage of this explanation is that it explains the connection to the oft-repeated reference to Merivah as the cause of Mosheh's exclusion from the Land. We are not explicitly told what was the sin of Mosheh and Aharon at the waters of Merivah. (There are at least sixteen different explanations in the commentators!) For our purposes, we may follow the Ibn Ezra. On the verse, 'Mosheh and Aharon came to the entrance of the Ohel Mo'ed (Tent of Meeting) from before the congregation and fell on their faces' (20:6), the Ibn Ezra comments: 'Mosheh and Aharon came - as ones who flee.' Compare this to the similar problem at Refidim, where the people complained of thirst, and Mosheh remonstrates with them: 'Why do you argue with me, why do test God?' (Shemot 20:6). There, Mosheh struggled with the complainers, trying to return them to the proper path. Here, at the waters of Merivah, he is silent, falling on his face, actually fleeing, according to the Ibn Ezra, before his people. Waiting for God's answer is not true leadership. Mosheh's fate is originally decreed at the time of the spies, as stated in Devarim 1, but he is given another chance 38 years later, at Merivah. When challenged a second time, his fate was sealed."

Although R. Meidan's approach has much to recommend it, it still leaves us with the "Aharon-problem". As much as Aharon stood at Mosheh's side during both of these crises, that does not mean that we could expect him to act as a leader in the presence of Mosheh. Our Rabbis often point out that Aharon, although three years his senior, recognized his own position as "second-in-command" to Mosheh and was unwilling to assume any directorial position in his presence - or even in his absence (witness the Golden calf episode). How then can we understand Aharon's "removal from office" as a result of Mosheh's "failed leadership"?

I would like to suggest that we need to consider the change in leadership, effective from just before the people enter the Land, from a different perspective - one which takes us back to the monumental events recorded in Bamidbar 11 (Parashat B'ha'alot'kha).

VIII

TWO MODES OF LEADERSHIP

In the aftermath of the episodes of the complainers (Mit'onenim) and the voluptuaries (Mit'avim), Mosheh spoke with a heretofore unheard-of despondence and resignation:

"Why have you treated your servant so badly? Why have I not found favor in your sight, that you lay the burden of all this people on me? I am not able to carry all this people alone, for they are too heavy for me. If this is the way you are going to treat me, put me to death at once if I have found favor in your sight and do not let me see my misery." (Bamidbar 11:11-15)

In response to Mosheh's "I am not able to carry all this people alone", God designed a new form of leadership; shared "assumption of the burden" under the leadership of Mosheh:

"Gather to me seventy men of the elders of Israel, whom you know to be the elders of the people, and officers over them; and bring them to the Tent of Meeting, that they may stand there with you. And I will come down and talk with you there; and I will take of the spirit which is upon you, and will put it upon them; and they shall carry the burden of the people with you, that you carry it not yourself alone." (ibid. vv. 16-17).

Unlike the earlier "delegation of authority" suggested by Yitro (Sh'mot 18), which was for practical purposes of adjudication, this delegation was one of shared leadership, sharing the burden of dealing with the people and their complaining nature. Instead of the one leader (Mosheh) who had single-handedly guided the people, chastising them while pleading their case (the pinnacle of Mosheh's leadership, as Rabbi Soloveitchik points out, was in the aftermath of the Egel tragedy), we now have a leadership by consensus. At least - that's how it should be. Mosheh goes on to demonstrate an even greater willingness to share the burden - and the power - of leadership, when Eldad and Meidad prophesy without benefit of his presence. (Note: the Divine directive was to have the seventy elders only capable of prophesying in Mosheh's presence, as a sort of reflection of Mosheh's prophecy.) When Yehoshua, his servant, demanded that they be locked up (assumedly for threatening Mosheh's leadership by prophesying independently), Mosheh responded:

"would that all the Lord's people were prophets, and that the Lord would put his spirit upon them!"

As we know, the thirty-eight years between the decree of the forty years and the final year in the desert are blank pages in the T'nakh - we have little information about the development of the nation during this time. When we meet them near the end of the forty years, we see a "finished product" - and can only surmise and theorize about what happened during that time, including how leadership may have developed. Since the events of Mei M'rivah took place during the fortieth year (according to almost all Rishonim - note the B'khor Shor's dissent), we have to view the episode at Mei M'rivah against the expected result of nearly forty years of "shared leadership".

IX

WHAT SHOULD HAVE BEEN...AND WHAT WAS

Note that God's antidote to Mosheh's despondency (Bamidbar Ch. 11) is not to appoint one, two or three "co-leaders" (such as he apparently had during the war against Amalek); rather, God asked Moshe to call together tribal representatives who would be imbued with the spirit of prophecy via Mosheh. What this meant was that, instead of a single leader, who would lead, defend, chastise and teach the people, each tribe would have its own representatives among the leadership.

Based on this Divine response and how Mosheh handled the new form of leadership, we should have expected to find a government made up of representative leadership from each of the tribes. Note that Mosheh seems to accept this form of shared, representative leadership quite well; when it comes time to send scouts into the land (Ch. 13), Mosheh selects one representative from each tribe (excluding Levi, who would neither go to war nor inherit; see our shiur on Parashat Sh'lach). [We could even suggest that this expansion of leadership and power presented Korach and his followers with the opportunity they needed in order to argue for full investiture of everyone as Kohanim.]

Whether or not this diffusion of leadership was ideal is unclear; what is clear is that at the point when the our window into the history of Am Yisra'el closes for thirty-eight years, this is the mode of government in the Mahaneh Yisra'el.

As the window opens again, beginning with the tragedy of Miriam's death (which, following the Midrash, was the direct cause of the thirst at M'rivah), we find the people complaining to Mosheh about thirst. This is not unusual for the B'nei Yisra'el - or so we suspect. Throughout Parashat B'shallach the people complain about hunger and thirst (see Sh'mot 15:22-17:7) - so we aren't surprised to hear:

"And there was no water for the congregation; and they gathered themselves together against Mosheh and against Aharon. And the people quarreled with Mosheh ..."

Mosheh and Aharon respond as leaders - with trepidation ("And Mosheh and Aharon went from the presence of the assembly to the door of the Tent of Meeting, and they fell upon their faces..."), then with words of chastisement ("Hear now, you rebels..."). But the basic question must be asked: Why are Mosheh and Aharon responding alone; indeed, why are the people congregating against Mosheh and Aharon? Where is the rest of the "government"? Why aren't the people complaining to their tribal representatives?

We must draw the conclusion that neither form of leadership was fully successful. Whereas Mosheh complained about his bearing the load alone, conversely, the notion of shared leadership never really took hold. The B'nei Yisra'el continued to come directly to Mosheh and Aharon - "just like in the old days" - and they responded as the only fully invested leaders of the people.

In other words - neither model of leadership had been fully successful. The entire nation was too much of a burden for even Mosheh to bear; yet this "Omein" (nursemaid - see Bamidbar 11:12) was not able, over thirty-eight years, to wean the nation. As R. Meidan points out, the decree was not that Mosheh would die in the desert - but that neither Mosheh nor Aharon (who was Mosheh's constant support as leader) could lead the people into the land, where they would be settling onto tribal soil. Central leadership, too much for even the greatest of men while traveling, would be impossible after settlement. Delegated leadership was the vision (at least, after the events in Bamidbar 11); but, clearly, that never developed.

Parenthetically, this approach helps to resolve an apparently minor inconsistency between the various accounts of the events at Mei M'rivah as presented in the Torah. In the two occurrences in Sefer Bamidbar (20:12, 27:14), Mosheh is accused of failing to sanctify God "L'eini B'nei Yisra'el" - in front of the eyes of the people. Conversely, in D'varim (32:51), Mosheh's sin is described as failing to sanctify God "b'Tokh B'nei Yisra'el" - in the midst of the people. How do we understand this textual variation?

In several places, our Rabbis understand "the eyes of the people" to be a reference to the Sanhedrin - i.e. the representative and delegated leadership of the people, whose formation begins in the events chronicled in Bamidbar 11. (see, e.g., Shir haShirim Rabbah 4:2, Eikhah Rabbah 2:8, JT Horayot 1:4). In Sefer Bamidbar, the shortcoming which stands out is Mosheh's inability to maintain and develop the representative government which he had requested of the Almighty. In Sefer D'varim, with a "longer view" at Mosheh's life, he stands accused of not carrying the burden alone - of not sanctifying God "in the midst of the people", as their one and only leader.

We now understand why both Mosheh and Aharon were relieved of the leadership of the people before entering the Land - it was due to the overwhelming sense of dependence that the B'nei Yisra'el felt towards them that prevented a more practical mode of leadership from developing, one which would be necessary throughout the period of settlement in the Land.

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