

## Who should drink first, the animals or the people? – Dr Avi Lerner

יב תמוז תש"פ – July 2020 4<sup>th</sup> – שבת פ' חקת-בלק

פרשת חקת describes a pivotal moment in משה רבינו's life and his mission to lead the Jewish people from the misery of Egypt to the giving of the תורה and finally to ארץ ישראל. The פרשה grapples with מי מריבה, one of the most enigmatic and difficult to understand episodes of the תורה and describes Hashem's command to משה and אהרן, their subsequent actions and the punishment they receive because of these actions. The Rabbinic literature is full of approaches aimed at understanding what משה רבינו's error or misunderstanding was.

The Or HaChaim Hakodosh, in his classic style, provides an extensive discussion aimed at elucidating an understanding of משה's error. He sources ten different approaches to משה's actions, his objections to these approaches and finally provides his own explanation of the events. Interestingly, during his lengthy discussion of the exact nature of משה and אהרן's actions at מי מריבה, the Or HaChaim abruptly pauses to touch upon a seemingly unimportant and unrelated topic of animal welfare before continuing his explanation.

The פוסק says "והוצאת להם מים מן הסלע והשקית את העדה ואת בעירם" - and you shall bring forth water from the rock and give to drink to the assembly and to their animals". The Or HaChaim points out it was necessary to mention the assembly *and their animals* rather than just say assembly and assume it to include the animals, in order to establish that the assembly should drink before the animals.

The reason this clarification is needed is that here, the people were to drink first even though the תורה states in דברים (11:15) "נתתי עשב בשדך לבהמתך ואכלת ושבעת" - I shall provide grass in your field for your cattle and you will eat and be satisfied". The גמרא in ברכות (40a) teaches us that the פוסק mentions animals before people to teach us that one must first feed his animals, and only then may he feed himself. The Or HaChaim felt it was critical to point out this apparent lack of טעם and even interrupt the important narrative of מי מריבה to provide an explanation as to why things must have been different at this time. He explains that the requirement to feed one's animal first is when there is no danger involved in waiting. Here, when there was an actual danger to life, and the Jewish people were in a situation of extreme thirst, it was correct for the people to drink before feeding their animals.

The Or HaChaim provides a similar rationale in פרשת חיי שרה when רבקה gave אליעזר and his camels to drink. The פוסק (24:19) says "ותכל להשקתו ותאמר גם לגמליך אשאב עד אם כלו לשתת" - When she finished giving him to drink, she said, I will draw water even for your camels until they have finished drinking". The Or HaChaim points out that you would have expected the פוסק to have written "when *he* finished" and not "when *she* finished". He explains this terminology in light of the above mentioned פוסק in דברים and the גמרא in ברכות that one must first feed his animals, and only then may he feed himself.

However, here, when אליעזר was in distress after travelling in the desert, it was correct for him to drink first. רבקה therefore provided him with *enough* water to elevate this distress but then *she* finished giving him to drink and immediately followed up with "I will draw water even for your camels until they have finished drinking". Once אליעזר was out of danger the obligation to first feed one's animals come into play.

The iconic story of משה רבינו and מי מריבה is so dramatic and nuanced. Yet, the Or HaChaim's decision to stop his narrative and take the opportunity to showcase the primacy of טעם highlights just how important the תורה values this trait.