

A Daily Bread

Date: 6 Tammuz 5785 (July 2, 2025)

Torah Portion: Chukat

Topic: An Unaccepted Argument

It is written (Num. 20:12), "Because you did not believe in Me." We learned that Aharon did not actually sin in the incident of the Golden Calf, but he was incriminated nonetheless. What was he incriminated with? It is said (Eccl. 8:14), "There is a futility that takes place on earth: Sometimes there are righteous men who are treated as [if they had done] the deeds of the wicked; and there are wicked men who are treated as [if they done] the deeds of the righteous. I declared: This, too, is vanity." Thus, we find that when Elohim cursed the serpent (Gen. 3:14), He did not allow the serpent to plead anything on its own behalf.

With regard to Adam and Chava, Elohim did not punish them forthright, but gave them opportunity to explain themselves (Gen. 3:9-13). However, with regard to the serpent, Elohim did not enter into a discussion with it, but pronounced judgment immediately.¹ This is based on the rule that when one is accused in court of incitement (attempting to persuade another person to sin), we do not seek grounds to exonerate him. What is the reason for this? The serpent could have argued the following: "You told Adam, 'But do not eat of the tree of knowledge of good and evil' (Gen. 2:17). But I told him, 'Eat of it.' Why then are you cursing me? He should have listened to You and not to me!"

Likewise, Aharon could have argued, "I did not transgress Your words. So why must I die?" Elohim did not give him an opportunity to plead on his own behalf. Although, Aharon was judged summarily, he was silent by choice and was therefore praised for his silence for not questioning Elohim's judgment after it had been pronounced. This is a fulfillment of the verse, "Sometimes there are righteous men who are treated as [if they had done] the deeds of the wicked." This phenomenon is one of the hidden ways of YHWH that cannot be fathomed by man, as we see that it eluded even Shleomo.

As for Moshe's admonishment by Hashem, he could have argued that he did not transgress Elohim's words. The question is: How could Moshe have argued that he did not transgress Elohim's words, when the verse states that he did sin, as He said to him, "Because you did not believe in Me, etc.?"

Akeidas Yitzchak explains that it is true that in striking the rock, instead of speaking to it as Elohim had commanded him, Moshe committed an error, and that this error resulted from his anger at the Yisraelites. However, the one truly responsible for Moshe's angry reaction was not he, as it could not have been expected of him to remain impassive in the face of the provocation to which he was subjected. It was the Yisraelites, through their unjustified complaints, who were truly guilty, for they caused Moshe to take offense against them. Thus, the Scripture states (Psa. 106:32-33), "They proved at the Waters of Strife, and Moshe suffered because of them, because they acted contrary to his spirit, and he pronounced with his lip." I.e., it was the people of Yisrael who was responsible for Moshe's censuring them the way he did. Thus, Moshe could have indeed argued before Hashem that he was not responsible for transgressing His word.

However, Hashem did not give Moshe the opportunity to defend himself. The truly righteous are judged far more stringently than ordinary people, as the Gemara teaches in Bava Kamma 50a. Moshe was held accountable for taking offense even in the face of such provocation, both because Elohim demanded more from him based on his great level, and because of the consequences of his anger, as his ensuing error resulted in a diminishing of the miracle's effect and of the sanctification of YHWH's Name.

Just as the primordial serpent was not given the opportunity to claim innocence by casting the blame on Adam, as this argument was considered too feeble for consideration, so was Moshe not given the opportunity to cast the blame on those who were truly guilty. For according to the standards by which Hashem judges the truly righteous, this argument

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was too feeble for consideration. Thus, we have an example of the righteous being treated as if they had done the deeds of the wicked, as Moshe, because of his great righteousness, was given no opportunity to argue on his own behalf, just as the serpent was not given the opportunity to defend itself because of the great wickedness of its deeds.

Shalom.