

CHAPTER 7, LAW 6(A) - TUNNEL VISION, PART I

by Rabbi Dovid Rosenfeld

All such people [discussed above] are [considered] speakers of lashon hara (malicious gossip) in whose neighborhood it is forbidden to dwell, and certainly [it is forbidden] to sit among them and listen to their words. The [heavenly] decree against our forefathers in the desert was sealed only on account of lashon hara.

For the past several weeks the Rambam has been discussing the transgression of lashon hara, of speaking malicious gossip. This is the Rambam's final law on the matter. As we'll shortly see, he ends the discussion with a bang.

The Rambam's main point this week is that lashon hara is so serious a sin that we must avoid so much as being in the company of the gossipmonger. As we all know, there's a extremely powerful tendency to appear "with it" and not slow on the uptake. If everyone else in the group is chatting away, you will not want to be the "slow" one who has nothing to add to the conversation. Thus, being anywhere near the vicinity of the gossipmonger is poison. Better to move out of town -- or at least pray in a different synagogue -- than find yourself in such people's company.

There is an important related idea, quoted in the work Kavod Shomayim ("Honor of Heaven," 1:15, written by R. Yisrael Meir Kagan, author of the Chofetz Chaim). He quotes an earlier ethical work which states that when a group of people gather to discuss the latest gossip, the heavenly tribunal records every single member of the group -- both the more and the less active participants -- as members of a "wicked gathering." In other words, the claim that I happened to have been there but I kept my mouth shut all the while does not count for all that much. You were still a part of it. The heavenly justice system views the gathering as a whole. Every member is viewed as a full participant and is tarred with the same brush. In a practical sense, having a larger audience quite likely egged on the main instigators to speak even more unrestrainedly. But even apart from that, no member of so wicked a gathering can fully extricate himself from so serious an allegation.

As a parting shot, the Rambam reminds us of the generation of the Desert. As we know, the generation led by Moses out of Egypt did not merit to enter the Holy Land (see Numbers 13-14). They insisted on sending spies before them to reconnoiter the land. The majority of the spies returned with a negative report: it's a rough land; we don't stand a chance against the giants who inhabit it. The people fell for it and spent the night crying -- amazingly, forgetting all the miracles G-d had been doing for them up until that time -- and wishing in their hearts they did not have to go. For better or worse, G-d heard their wishes and condemned them to perish in the desert. (As I once

heard Rabbi Berel Wein remark, never pray to G-d too hard for your deepest desires -- for He may actually grant them.) Their children were destined to wander in the desert for the next 38 years, "bearing your whoring" until the entire generation died out.

We are thus presented with one final illustration of the severity of lashon hara. An entire generation, one great enough to merit communion with G-d at Sinai, was fated to die outside the Holy Land because of this vile sin.

There are, however, many difficulties with the story itself. I would like to spend some time pointing out just a few of them. I believe that as a result, we will gain yet another important insight into the evil of lashon hara -- as well as the Rambam's intent in bringing this illustration here.

The most curious aspect of the episode is the fact that the spies are considered to have spoken lashon hara at all. Where was the gossip? They came back **praising** the Land: "We have come to the Land to which you have sent us and indeed, it flows with milk and honey, and this is its fruit" (13:27). Their problem was not the land, but their chances of conquering it: "However, the nation which dwells on the land is mighty, and the cities are fortified very much, and also the children of giants we saw there" (v. 28). Even so, the Torah refers to them as having brought a bad report about the Land (v. 32).

The Talmud likewise states: Come and see how deadly lashon hara is. If the spies who spoke against "sticks and rocks" were punished so, all the more so one who speaks against his fellow (Erchin 15a). Thus, the Rabbis see the evil of the spies as "gossiping" against an inanimate land. But again, if anything they **praised** the Land. It was their own military abilities -- or G-d's ability to help them -- which they wrongly doubted.

In fact, the sin the spies and nation were actually guilty of was far worse. They didn't believe they could do battle against a bunch of giants. Did they really think G-d -- who was fighting for them -- was not powerful enough to beat up a few bullies? I don't care if they were 10 feet tall, 20 feet tall or 5000 feet tall! Didn't G-d create the entire universe? Doesn't the world only exist because G-d continually wills its existence? Isn't the might of man absurdly inconsequential in the face of the Creator?

And further, their generation had been living with miracles continuously -- the Ten Plagues, the Splitting of the Sea, the well, the manna, the protective clouds in the desert. Yet, the Talmud (there) understands that when the spies stated, "for [the nation] is stronger than we," they actually meant, "for [the nation] is stronger than **He**" (as the Hebrew word "than we" (*"mi'menu"*) can alternatively mean "than he"). Isn't lacking so basic a belief in G-d's power so far more terrible a sin than making a few nasty remarks about a holy place? If so, why was their evil deemed to be lashon hara -- and not outright heresy?!

Here's another interesting one. Several chapters earlier, in Numbers 1, a census is taken of the Children of Israel, the first one since their departure from Egypt. Twelve tribes were counted. The

Tribe of Levi, however, was not counted among them but was tallied in a separate count (from one month and up rather than twenty years). One reason they were counted separately, explains the commentator Rashi (1:49, based on the Midrash), is that since it would be decreed that all those included in the national count would perish in the desert, G-d did not want Levi included in the count, as then they too would perish.

(Although Levi did accept the report of the Spies, they never sinned with the Golden Calf. They were thus not as sinful as the rest of the nation and didn't deserve death. As the Sages explain, G-d already had the future decree "in mind" as soon as the sin of the Golden Calf was done.)

Now this really seems nonsensical when we think about it. Which is the chicken and which the egg? The assumption of the Sages seems to be that everyone in the count would have to die -- and so, Levi must not be counted or they would die too. But is **being counted** the cause of the decree or **sinning**? Presumably, anyone who **sinned** was fated to die. That happened to coincide with the people counted so all those counted were slated for death. But say some of the counted would **not** have sinned - say, half of Asher's tribe? Wouldn't the decree then not have been on the counted, but on the sinful? Why here are the Sages assuming the decree was primarily placed on those counted, and so the only way to avoid punishment for Levi was to avoid the count? If they truly were not guilty, count them fine; just when it's time to punish, only punish those who sinned!

One final question, and then we'll close for this week. The punishment decreed on the Children of Israel was 40 years wandering in the desert -- until the entire wicked generation perished. Where did the number 40 come from? The Torah explains: "And your children will be wandering in the desert forty years, and they will bear your whoring until your carcasses are finished off in the desert. For the number of days which you spied the Land, forty days, a day to a year, a day to a year, you will bear your sin for forty years..." (14:33-4). Thus, for every day the spies spied, the nation would spend a corresponding year wandering in the desert.

There are a few basic problems with this. First of all, who went around for 40 days? The spies. Why was the appropriate punishment for the entire nation -- whose sin was merely accepting the report of the spies after the fact -- to suffer for a corresponding amount of time? **They** didn't do anything for 40 days! Their sin (including all their crying) lasted one night! (The spies themselves were struck down by G-d immediately (v. 37).)

Second and more significant, what happened during those 40 days? The spies went around the Land of Israel. What did they do wrong at the time? They **planned** to sin after and deliver a bad report? But doesn't the Talmud tell us that G-d does not punish us for **planning** to sin -- only for actually sinning (Kiddushin 39b)? Their **actual** sin was in the wicked report they delivered after -- which probably took a few minutes. Yet, here G-d punished -- the entire nation -- for a 40-day period in which at worst a few of its members were **planning** to do something wrong! How is this just and appropriate? (And by the way, it wasn't only 40 days for 40 days, but 40 years for 40 days.)

Those days were reckoned **mighty** severely.)

A final interesting aside to this is that according to the Sages, the spies' journey should have really taken longer than 40 days. G-d "hurried up" their journey for He knew He was going to punish them according to the number of days they traveled (Midrash Tanchuma 8, brought in Rashi to 13:25). So we are again face with a chicken and egg dilemma, similar to our earlier question. Just as G-d knew the counted ones would have to be punished, He knew the duration would have to equal the number of days traveled. But again, did the traveling make their sin worse? Was the traveling (with wicked intent) the primary sin, or was it the actual report they delivered after? Who cares how long they traveled!

To sum this all up inelegantly, what in tarnation is going on with this story?!

In truth I have several more questions on the entire episode. This is perhaps the section of the Torah I found most difficult to understand in a simple reading -- until I merited to come upon what I feel is the true message. But I'll leave it with these primary questions above. G-d willing next week, I hope we'll gain yet another important insight into the true meaning of lashon hara -- as well as properly understanding a pivotal episode in the Torah.

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