

Bnei Yisrael were in the wilderness and they found a man gathering wood on Shabbos day...They placed him in custody because what should be done with him had not been clarified. (15:32,34)

Rashi explains that, in fact, they knew that one who desecrates *Shabbos* is liable for the death penalty. They did not know, however, which one of the four punishments should be meted out for *chillul Shabbos*. While they waited for Moshe *Rabbeinu* to issue his ruling, the perpetrator was remanded into custody. *Horav Gamliel Rabinowitz, Shlita*, quotes *Horav Aharon Katzenelbogen, zl*, who presents an insightful exposition concerning the *mekoshesh's* lockup. Earlier in the *parshah*, the Torah relates the nation's reaction to Yehoshua and Calev's support of *Eretz Yisrael*. They disputed the other ten *meraglim*, spies, and contended that *Eretz Yisrael* was indeed a wonderful country. The people's reaction was fairly negative: *Va'yomer kol ha'eidah lirgom osam ba'avanim*; "The entire assembly said to pelt them with stones" (ibid.14:10). Interestingly, when it came to stoning Yehoshua and Calev, they had an immediate consensus that they be stoned. In contrast, when issue ensued concerning the punishment to mete out against the *mekoshesh*, they needed time to decide. Is this the way it should be? When someone flagrantly desecrates *Shabbos*, we must look for every reason to exonerate him. If two Torah giants – such as Yehoshua and Calev – do not say what we want to hear, however, the community of *Yisrael* is prepared and willing to stone them.

When we say (in *Tachanun/Viduy*), *Aval anachnu v'avoseinu chatanu*, "But we and our forebears have sinned," it means that the source of the sin, its pathology, reverts back to the sins of the fathers, who left a spiritual blemish that continued to the next generation. Unless they expunge this negative trait, the children will follow the path forged by their parents' negative behavior. Thus, the sin the *meraglim* committed would pass through the generations unless the descendants participated in *teshuvah*, the process of repentance/return.

Rav Gamliel advances this idea, contending that what the nation did in support of the spies – alleging the "failings" of their spiritual leadership, doing everything to squelch their positive comments in supporting *Eretz Yisrael* – remains in full force today. On the other hand, when a secular Jew unabashedly acts counter to *halachic* dictate, we are able to pull excuses from a hat—like magic. We ignore reality and accept fiction. We seek and find a myriad of excuses for the behavior of our co-religionists who have written off religious practice. We rationalize that they are *tinokos she'nishbu*, children that were taken capture by a secular society. Thus, they had no opportunity to develop spiritually. While this is absolutely true, and it serves as an excuse for the past, what about the present? Furthermore, should we not at least give equal rationalization to the devout who err? Why is it that when a *frum*, observant, Jew is guilty of a spiritual breach, he is immediately castigated by the secular, non-observant collective, his infraction blown out of proportion with the blight of his actions creating a stain on all of Orthodoxy. Yet, when someone

who hails from a less-than-religious background transgresses, his breach is glossed over by the Orthodox, and he is granted more latitude. Indeed, we take into consideration the pathology of the less-than-observant and determine what provokes their counter-intuitive attitude toward Torah activity and how we can possibly motivate them to look at the Torah way of life through a positive lens. While we try to understand, this does not grant them a free pass. Concomitantly, when one who purports to be a Torah committed Jew demonstrates by his actions that he is not, his fall into the abyss of sin represents a departure from Torah. Wrong is wrong, regardless of one's spiritual persuasion.

I recently gave a class to a group of secular-oriented Jews, who – despite their lack of adherence – are still knowledgeable about Orthodoxy. I asked them why it is that, when an Orthodox Jew falls prey to an inner spiritual flaw, the public immediately excoriates him and the entire Orthodox community, grossly exaggerating the offensive, questionable conduct. The response was: Orthodox Jews are supposed to be better than we are, and this demonstrates that they are not. I countered with the numbers of secular Jews versus the number of Orthodox Jews. Twelve percent of Jews are Orthodox, the other eighty-eight percent run the gamut from knowing and caring nothing about Judaism, to downright self-loathing filled with animus against anything religious, to the traditional Jew who just observes whatever makes him feel good. When we put these numbers against the few spiritual failures whose actions were unbecoming, we realize that a comparison is ludicrous. They finally blurted out the truth: They fear what the Orthodox represent – the truth – and, if they can some way, somehow, find a chink in their armor, they will capitalize on it. I could not properly respond to them without coming across as condescending and disdainful. Thus, I left it as is. They know the truth, but they are afraid of it.