

This Week's Parshah - Parshas Re'eh

Kindly take a moment to study MISHNAS CHAYIM in the merit of
Ketziah *bas* Ezra *a"h*

a fellow Jew who passed away with no relatives to arrange Torah study on behalf of her *neshamah*

The *Meisis* – a Model for Education

One of the subjects of this week's *parshah* is the *meisis* (enticer). He is a wily individual who attempts to lead others astray by coaxing them into idol worship. He approaches his intended targets in private and whispers, "Come, let us go and serve foreign gods" (*Devarim 13:7*). For his attempts, he is subject to death by stoning (*Ibid. v. 11*).

In comparison to other transgressors, there are many noteworthy factors involving the *meisis*. The Torah seems to deal more harshly with him than almost any other perpetrator, as we shall see.

An Exception to the Rule

Firstly, there is the matter of his particular brand of "crime." Usually, a transgressor who receives punishment – especially one so severe as execution – is convicted only for having committed an actual *ma'aseh* (action), such as kidnapping or murder. The *meisis*, though, is killed for something much less: his words alone. Even if neither he nor the companion he was trying to lure actually worshipped idols, the *meisis* is liable for the death penalty merely for the few words uttered in his attempt at enticement.

Then there is the matter of trial and conviction. In general, the Torah advocates caution and leniency when trying capital cases, much more so than for regular monetary cases. For example, the Mishnah in Sanhedrin discusses the matter of retrying a case: after a decision has been reached, can new arguments be advanced to overturn the verdict? The Mishnah (*Sanhedrin 4:1*) rules:

דיני ממונות מחזירין בין לזכות בין לחובה, דיני נפשות מחזירין לזכות ואין מחזירין לחובה.

"In monetary cases, we restart deliberations, whether to find merit or guilt (i.e., even if the result of the retrial will be to overturn an exemption). But in capital cases, we restart deliberations only to find merit, not guilt (i.e., once the defendant has been acquitted, the case is closed forever)."

There is one type of capital crime that does not enjoy this leniency. The Gemara tells us that if a *meisis* is tried and found innocent, we may retry him to secure a conviction (*Sanhedrin 33b*).

This harsh stance stems from another anomaly we find regarding the *meisis*: the sheer number of prohibitions listed by the Torah ensuring that he receives severe treatment. Regarding most transgressors, the Torah is content to issue a single directive: "execute an adulterer," for example. When it comes to a *meisis*, though, the *Sefer Hachinuch* lists five fully separate and explicit prohibitions (*mitzvos 457-461*) relating to our dealings with a *meisis*. All of these injunctions are sourced in this week's *parshah* (*Devarim 13:9*). These include:

שֶׁלֹא לְאַהֲבֹתוֹ וְלִרְאוֹתוֹ – To refrain from showing any love or deference to a *meisis*

שֶׁלֹא לְעֻזֵב הַשְּׂנֵאָה מִן הַמִּסִּית – Never to soften our animus toward a *meisis*

שֶׁלֹא לְהַצִּיל הַמִּסִּית – To refrain from extricating a *meisis* from danger

שֶׁלֹא יִלְמַד (הַמוֹסֵת) זְכוּת עַל הַמִּסִּית – To refrain from attempts at exonerating a *meisis* in court

שֶׁלֹא יִשְׁתַּוֵּךְ הַמוֹסֵת מִלְלֵימַד חוֹבָה עַל הַמִּסִּית – The individual courted by the *meisis* should not withhold from the court any incriminating evidence or arguments against the *meisis*

And so the *meisis* stands out from all perpetrators of capital crimes: He is charged and penalized for his words alone; he is not subject to the usual leniencies in judgment that apply to other capital cases; and there exists a plethora of prohibitions enforcing this severe attitude.

Apparently – in the eyes of the Torah – a *meisis* is *really bad*.

What lesson can we infer from this curious state of affairs?

The truth of the matter is that this subject can really serve as a great source of inspiration for much of our efforts in the service of Hashem.

And on the Positive Side...

Chazal tell us that, in all matters, the *middah tovah* (attribute of merit) is always of greater magnitude than the *middah puranus* (attribute of retribution). Rashi in Makkos (23a) provides the example of the effect of one's deeds on future generations. Concerning the wicked, the Torah states: "He visits the sin of the fathers on sons (second generation), on the third and on the fourth generations" (*Shemos 20:5*). But it's a whole different story when it comes to the merit generated by mitzvah doers; there, the effects do not end with the fourth generation. "And for those who keep my *mitzvos*... I will bestow kindness for *thousands* of generations" (*Ibid.* v.6).

Now, consider the situation of the *meisis*. Bear in mind that he receives the stringent treatment outlined above *regardless of the results of his attempts*. Here's a *meisis* who sets his sights on some innocent-looking fellow. He approaches and delivers his "let's go worship idols" *shpiel*. It turns out that the subject is an upstanding Jewish citizen and rejects his offer out of hand. He turns to his tempter and spits in his face in disgust. The *meisis'* efforts were a complete failure; no additional idol-worship resulted from his advances.

Regardless, the *meisis* is executed! Because – as the Torah spells out – "He attempted to lead you away from Hashem, your G-d" (*Ibid.* v. 10).

R' Yerucham Levovitz (*Da'as Chochmah U'mussar, parshas Vayeilech*) takes this idea to its logical – yet stunning – conclusion. We see from the *meisis* how much weight the Torah credits to *effort*. For merely *attempting* to lead a Jew "away from Hashem," the *meisis* is treated with the utmost severity. Imagine, then, how the Torah views one who tries to bring his fellow Jew *closer* to Hashem!

Once again, regardless of the result, the Torah must view these efforts in the highest esteem. *Middah tovah merubah* (the meritorious side is greater). Regardless of if it's a parent trying to raise his children on the proper path, a *rebbe* striving to inspire his *talmidim* (students), an activist in the field of *kiruv rechokim* (outreach to non-observant Jews), or any regular person trying to provide his fellow with strength and encouragement – the *meisis* teaches us a vital lesson: The emphasis is not placed on achieving a certain result; it is the effort invested that interests the Torah. Regardless of the outcome, the effort is never in vain; rather, it is cherished by Hashem and rewarded in abundant measure.