

Mishnah with a Twist [26]

You Make it Seem as if They Treated Him Unjustly. Insights into Mishna Middot 2:2



Background to Our Story

Derech Yamin

◆ AI Overview

In Judaism, the right side takes precedence (known as *Derech Yamin*). Rooted in the Torah and Jewish mysticism (*Kabbalah*), the right side symbolizes kindness, strength, and the path of good. Because of this, Jewish law requires you to favor the right in daily rituals.

Nidui

◆ AI Overview

Nidui (נִדּוּי) is the foundational level of excommunication or ostracism in Jewish law (Halakha). It functions primarily as a temporary measure of communal discipline rather than permanent banishment, designed to enforce obedience to rabbinic courts, settle disputes, and encourage repentance.

The practice of *nidui* is characterized by specific social and religious restrictions, as well as distinct paths for resolution:

Key Characteristics

- **Duration:** The ban traditionally lasts for 30 days in Israel (historically) and 7 days in Babylon and other diasporas. If the offender does not repent or resolve the issue, it can be extended for another 30 or 60 days and eventually escalate to a harsher ban.
- **Social Isolation:** The individual (known as a *menudeh*) is effectively separated from normal communal interaction. No one (except immediate household members) is permitted to come within four *amot* (roughly 6 to 8 feet) of them or eat and drink in their company.
- **Religious Restrictions:** The person is excluded from taking part in any ritual that requires a quorum of ten men (*minyan*) and cannot receive public religious honors.

- **Mourning Rites:** The offender is required to act as though he or she is a mourner. This includes refraining from bathing, cutting their hair, and wearing leather shoes.

Causes

According to rabbinic texts like the Talmud (e.g., *Mo'ed Katan* and *Nedarim*) and Maimonides' *Mishneh Torah* (Laws of Torah Study), there are 24 primary offenses that can incur *nidui*. These generally include:

- Disrespecting a Torah scholar, Sage, or a messenger of the Rabbinical court (*Beit Din*).
- Refusing to appear before a rabbinical court or refusing to accept its verdict.
- Showing disrespect to Torah or rabbinic laws.
- Leaving something dangerous or damaging on one's property (e.g., an aggressive dog or a broken ladder).

Resolution and Lifting the Ban

The primary goal of *nidui* is rehabilitation. It is designed to be "easy in, easy out."

- **The Process:** Once the offender admits their fault, apologizes, and commits to correcting their behavior, the same court or authority that imposed the ban can release them.
- **Verbal Release:** The ban must be lifted formally, with the court officially declaring the offender forgiven or released (e.g., by using the terms *shrui lakh* or *mahul lakh*).
- **Aftermath:** Upon lifting the ban, the individual is immediately re-admitted into full fellowship with the Jewish community.

Levels of Ostracism

In Jewish law, *nidui* is the mildest of three stages of excommunication:

1. **Nezifah (Rebuke):** A lighter, often one-day or seven-day stage of self-reflection imposed after being formally rebuked.
2. **Nidui (Ostracism):** The temporary separation and mourning phase detailed above.
3. **Cherem (Anathema):** The most severe and complete form of excommunication, which is largely permanent unless the individual makes a full repentance. Famous examples include the 17th-century ban on philosopher Baruch Spinoza.

The Text: Mishna Middot 2:2

כָּל הַנִּכְנָסִין לְהַר הַבַּיִת וְנִכְנָסִין דֶּרֶךְ יְמִין וּמִקִּיפִין וְיוֹצְאִין דֶּרֶךְ שְׂמָאל, חוּץ מִמֵּי שְׂאֲרֵעוּ דָּבָר, שֶׁהוּא מְקִיף לְשִׂמְאֵל. מִה לֶּךָ מְקִיף לְשִׂמְאֵל, שְׂאֲנִי אֲבֵל, הַשּׁוֹכֵן בְּבֵית הַזֶּה יִנְחָמֶךָ. שְׂאֲנִי מְגֵדָה, הַשּׁוֹכֵן בְּבֵית הַזֶּה יִתֵּן בְּלֶבָם וּיְקַרְבוּהוּ, דְּבָרֵי רַבִּי מֵאִיר. אָמַר לוֹ רַבִּי יוֹסִי, עֲשִׂיתָן כְּאֵלּוּ עָבְרוּ עָלָיו אֶת הַדִּין. אֵלָּא, הַשּׁוֹכֵן בְּבֵית הַזֶּה יִתֵּן בְּלֶבָהּ וְתִשְׁמַע לְדְבָרֵי חֲבֵרֶיהָ וּיְקַרְבוּהָ:

All who entered the Temple Mount entered by the right and went round [to the right] and went out by the left, save for one to whom something had happened, who entered and went round to the left.

[He was asked], "Why do you go round to the left?"

[If he answered], "Because I am a mourner," [they said to him], "May He who dwells in this house comfort you."

[If he answered] "Because I am excommunicated" [they said]: "May He who dwells in this house inspire them [the Sages] to draw you near again;" these are the words of Rabbi Meir.

Rabbi Yose said to him [to Rabbi Meir], "You make it seem as if they [the Sages] treated him unjustly. Rather [they should say], 'May He who dwells in this house inspire you to listen to the words of your colleagues so that they may draw you near again'."



Explaining the Text

What's going on here? (The sequence of events)

Comprehension and Analysis Questions

? Why does everyone who enters the Temple, enters by the right and goes round to the right?

? What are the two exceptions to the above rule?

Answer 1 _____

Answer 2 _____

Extra Bonus ? Both the mourner and someone who has been excommunicated are suffering. How are their sufferings similar?

Answer 1 _____

Answer 2 _____

Answer 3 _____

Extra Bonus ? Both the mourner and someone who has been excommunicated are suffering. How are their sufferings different?

Answer 1 _____

Answer 2 _____

Answer 3 _____

? Why do people ask those who enter and go round to the left why they are doing so?

Answer 1 _____

Answer 2 _____

Answer 3 _____

? What do people reply to the mourner?

? What do people reply to the excommunicated one, according to Rabbi Meir?

? What do people reply to the excommunicated one, according to Rabbi Yose?

Extra Bonus ? What is the fundamental difference between Rabbi Meir and Rabbi Yose when addressing someone who has been excommunicated? Please explain their rationale.

“The Twist” – Or the Lessons We Can Learn from This Text

! Rabbi Meir’s approach vs. Rabbi Yose’s approach: the difference between what you want to hear and what you need to hear.



How do we help someone who is suffering? This seems to be the question underlying our short text. When it comes to the mourner, someone whose suffering came exclusively through outside circumstances, the approach is unequivocal: you share compassionate words of love and comfort.

Rabbi Meir and Rabbi Yose, however, have different approaches when addressing someone who has been excommunicated. Rabbi Meir tells the excommunicated one what he wishes to hear (and I am paraphrasing), “May things get better, when the others realize that you are right!”

Rabbi Yose’s approach is less comforting, but conceivably more helpful: “Maybe you are not as right as you think you are; is there anything you need to change to make things better for you? Take charge and do what you must do!”