

Pirkei Avot, Chapter 5: The Art of Argument

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1. Pirkei Avot 5:17

כל מחלוקת שהיא לשם שמים, סופה להתקיים; ושאין לה לשם שמים, אין סופה להתקיים. איזו היא מחלוקת שהיא לשם שמים? זו מחלוקת הלל ושמאי. ושאין לה לשם שמים? זו מחלוקת קרח וכל עדתו.

Any dispute that is for the sake of Heaven is destined to endure; one that is not for the sake of Heaven is not destined to endure. Which is a dispute that is for the sake of Heaven? The dispute(s) between Hillel and Shammai. Which is a dispute that is not for the sake of Heaven? The dispute of Korach and his assembly.

The benefits of machloket

2. Rabbi Ovadiah m'Bartenura, Commentary to Avot 5:17 (Sefaria Community translation)

כלומר שאנשי המחלוקת ההיא מתקיימים ואינם אובדו, כמחלוקת הלל ושמאי שלא אבדו ולא תלמידי בית הלל. אבל קרח ועדתו אבדו. ואני שמעתי, פרוש סופה, תכלית המבקש מענינה. והמחלוקת שהיא לשם שמים, התכלית והסוף המבקש מאותה מחלוקת להשיג האמת, וזה מתקיים. כמו שאמרו מתוך הופות יתברר האמת, וכמו שנתבאר במחלוקת הלל ושמאי שהלכה כבית הלל. ומחלוקת שאין לה לשם שמים, תכלית הנרצה בה היא בקשת השקר והאבת הנצות, וזה הסוף אינו מתקיים, כמו שמצינו במחלוקת קרח ועדתו שתכלית וסוף פנותם הייתה בקשת הכבוד והשקרה והיו להפך.

That is to say that the [parties to] the argument are destined to endure and not perish, as with the argument between Hillel and Shammai, [whereby] neither the students of the School of Hillel nor the students of the School of Shammai perished. But Korach and his congregation perished. And I heard the explanation of "its end" is its purpose that is sought from its subject. And [with] the argument which is for the sake of Heaven, the purpose and aim that is sought from that argument is to arrive at the truth, and this endures; like that which they said, "From a dispute the truth will be clarified," and as it became elucidated from the argument between Hillel and Shammai - that the law was like the school of Hillel. And [with] argument which is not for the sake of Heaven, its desired purpose is to achieve power and the love of contention, and its end will not endure; as we found in the argument of Korach and his congregation - that their aim and ultimate intent was to achieve honor and power, and the opposite was [achieved].

3. Meiri, Beit HaBechirah to Avot 5:17

של הלל ושמאי שהיה אחד מורה הוראה והשני חולק עליו להודעת האמת, ולא לקנטר, ולא לנצוח. ולכן נתקיימו דברי החולק כשהיה האמת אלו. ואיזו היא מחלוקת שלא לשם שמים? זו של קרח ועדתו, שבאו לקנטר על משה רבינו ע"ה, ועל הנהגתו, מדרך קנאה וקנטור ונצוח, ולא נתקיימה עצתו ושולח ביד פשעו.

In the debates of Hillel and Shammai, one of them would render a decision and the other would argue against it, out of a desire to discover the truth, not in order to provoke or a wish to prevail over his fellow. Consequently, the words of the one who disagreed endured, since they contained truth. An argument not for the sake of Heaven was that of Korach and his company, for they came to undermine Moshe, our master, may he rest in peace, and his position, out of envy and contentiousness and ambition for victory, and his counsel did not endure.

4. Talmud, Bava Metzia 84a (VBM translation)

אמרו רבנן: מאן ליזיל ליתביה לדעתיה? ניזיל רבי אלעזר בן פדת, דמחדדין שמעתתיה. אזל יתיב קמיה, כל מילתא דהוה אמר רבי יוחנן אמר ליה: תניא דמסייעא לך. אמר: את כבר לקישא? בר לקישא, כי הוה אמינא מילתא - הוה מקשי לי עשרין וארבע קושייתא, ומפרקינא ליה עשרין וארבעה פרוקי, וממילא רווחא שמעתא. ואת אמרת תניא דמסייע לך, אטו לא ידענא דשפיר קאמינא? הוה קא אזיל וקורע מאניה, וקא בכי ואמר: היכא את בר לקישא, היכא את בר לקישא? והוה קא צוה עד דשף דעתיה [מיניה]. בעו רבנן רחמי עליה, ונח נפשיה.

The Rabbis said: "Who will go and help calm Rabbi Yochanan? Let Rabbi Elazar ben Pedat go, for he is sharp in learning." He went and sat in front of Rabbi Yochanan. Every time Rabbi Yochanan said something, Rabbi Elazar cited a supporting Tannaitic source.

Rabbi Yochanan said: "Are you like the son of Lakish? When I said something, the son of Lakish would ask me twenty-four questions, and I would respond with twenty-four answers. As a result, learning increased. And you tell me a Tannaitic support. Do I not know that I say good ideas?"

He walked, and tore his garment, and wept.

He said: "Where are you, son of Lakish? Where are you, son of Lakish?" He was crying out until he lost his mind. The Rabbis asked for mercy on him, and he passed away.

Multiple truths?

5. Talmud, Eruvin 13b (Koren translation)

אמר רבי אבא אומר שמואל: שלש שנים נחלקו בית שמאי ובית הלל, הללו אומרים: הלכה כמותנו, והללו אומרים: הלכה כמותנו. יצאה בת קול ואמרה: אלו ואלו דברי אלקים חיים הן, ונהלכה כבית הלל.

Rabbi Abba said that Shmuel said: For three years Beit Shammai and Beit Hillel disagreed. These said: The *halakha* is in accordance with our opinion, and these said: The *halakha* is in accordance with our opinion. Ultimately, a Divine Voice emerged and proclaimed: Both these and those are the words of the living G-d. However, the *halakha* is in accordance with the opinion of Beit Hillel.

וכי מאחר שאלו ואלו דברי אלהים חיים, מפני מה זכו בית הלל לקבוע הלכה כמותנו? מפני שנותחין ועלובין היו, ושונין דברייהן ודברי בית שמאי, ולא עוד, אלא שמקדימין דברי בית שמאי לדברייהן.

Since both these and those are the words of the living G-d, why were Beit Hillel privileged to have the *halakha* established in accordance with their [opinion]? [The reason is] that they were agreeable and forbearing and [when they taught the *halakha*], they would teach both their own statements and the statements of Beit Shammai. Moreover [when they formulated their teachings and cited a dispute], they prioritized the statements of Beit Shammai to their own statements.

6. Ritva to Eruvin 13b (R' S. Pill translation)

"אלו ואלו דברי אלקים חיים" - שאלו רבני צרפת ז"ל, היאך אפשר שיהיו אלו ואלו דברי אלקים חיים, וזה איסור וזה מתיר? ותרצו כי כשעלה משה למרום לקבל התורה, הראו לו על כל דבר ודבר מ"ט פנים לאיסור, ומ"ט פני להיתר. ושאל להקב"ה על זה, ואמר: שיהא זה מסור לחכמי ישראל שבכל דור ודור, ויהיה הכרעה כמותם.

“These and Those are the Words of the Living G-d”: The French rabbis have asked: ‘How can they both be the words of the living G-d when this one permits and the other prohibits?’ And they answer: Because when Moshe ascended on high to receive the Torah, G-d revealed to him with respect to each and every issue forty-nine bases for prohibiting and forty-nine bases for permitting. And Moshe asked G-d about this, and G-d explained that the matter is given over to the scholars of Israel of each generation, and the determination [from among these various alternatives] shall be in accordance with their judgement.”

7. Rabbi Chaim Yosef David Azulai (Chida), Petach Einayim to Eruvin 13b (R' M. Torczyner tr.)

ופשר דבר כתבו המפרשים דמ"ש "אלו ואלו דברי אלקים חיים", אין פירושו דשניהם אמת, אלא להיות דאין האור ניכר, אלא מתוך החשך נמצא דהסברא המנגדת תועיל להבין הטב הסברא האמיתית בעצם, ומצד זה, קרי בה נמי "דברי אלקים חיים". ולעולם, דסברא אחת אמת, והסברא האחרת אינה אמת.

The Sages explained that when it says, “These and these are the *divrei Elokim chayim*,” it does not mean that both of them are true. Rather: since light is only noticeable against darkness, the opposing idea will help to understand the true idea well. Therefore, it is also called *divrei Elokim chayim*. But one idea is true, and the other idea is not true.

8. Rabbi Menachem Mendel Schneerson, Debating Truths: On the Essence of the Machlokes, chabad.org

The Hillel and Shammai schools differed on a wide range of issues, including criminal law, torts, laws regarding ritual purity, the festival observances, marital law and virtually every other area of Torah. Ultimately, however, their many differences can be traced to a few basic principles that characterize each school's distinct perspective and approach.

Let us consider the following cases:

(A) How many lights are to be kindled in the Chanukah menorah on each of the eight evenings of the festival? According to the House of Shammai, one is to kindle eight lights on the first evening, seven lights on the second evening, and so on, concluding with a single light on the last evening of Chanukah. The House of Hillel rules that one should begin with a single light on the first evening, increase to two on the second, three on the third, and conclude with eight lights on the eighth evening.

(B) Historically, which is to be considered the precise moment of the Exodus? According to the House of Shammai, it is Passover eve (Nissan 15), when the Jews were free to leave Egypt. According to Hillel's disciples, it is midday of the following day, the moment in which our forefathers physically left Egypt's borders. (The practical implication of this dispute is the question whether Psalm 114 ("When Israel went out of Egypt...") is to be recited before partaking of the pascal lamb at the Seder)...

These four disputes between the disciples of Hillel and Shammai, and many others as well, are all expressions of a single underlying point of contention: Which is the more basic definition of an object or phenomenon - its potential or its actual state?

What is freedom - the potential to act freely or the actual removal of all constraining and limiting elements? What is the "time of sleep" - the time when people are actually sleeping, or is it the time when they engage in the activity that results in the state of sleep? Is a creature that is still actually alive, but devoid of all potential to live, to be considered immune from contamination by virtue of the "life" it possesses?

The menorah's lights reflect the number of days embodied by a particular evening of Chanukah. So do we count the days which that evening possesses in potential, or those which have been actualized to date? The first evening of Chanukah represents the actual experience of but (a few minutes of) a single day, yet holds in store the potential eight days to come. The opposite is true of the eighth day. Its value in terms of potential is "one," while it can boast of the realized accomplishments of eight days (seven, plus the opening moments of the eighth).

In each of these cases, we are confronted with two realities: the potential and the actual. Which is to serve as our primary point of reference? Are we to deal with the elements of our world as they exist in actuality and regard the potential they contain as an axillary phenomenon? Or, are we to relate more to their essence and potential, while our experience of a certain aspect of this potential as "actuality" is to be regarded as a secondary truth?

"These and these" may both be the words of the living G-d, but only one view can be incorporated into our lives. The fish in question cannot be both ritually pure and impure, the psalm cannot be both recited and not recited before the eating of the Pascal Lamb, one either can or cannot recite the Sh'ma at 2:00 a.m., and the number of lights to be kindled on the first night of Chanukah is either one or eight.

9. Irving Bunim, *Ethics from Sinai*, p. 186

What can we learn, then, in summing up, from the controversies of Hillel and Shammai and their followers? First, that no one should persist in his opinion beyond a certain point. If a vote has been taken and a decision announced, accept the majority view. If your case has been demolished by your adversary's arguments, submit to the truth.

An "enduring" machloket?

10. Rabbeinu Yonah, Commentary to Avot 5:17 (Sefaria Community translation)

"כל מחלוקת וכו'" - לומר כי מה שאמר "כל מחלוקת שהיא לשם שמים סופה להתקיים", הכונה, שלעולם יתקיימו במחלוקת. היום יחלוקו בדבר א', למחר בדבר אחר למחלוקת, יהיה קיים ונמשך ביניהם כל ימי חייהם, ולא עוד, אלא שאורך ימים ושנות חיים יוסיפו להם. "Every argument, etc." - [This is] to say about that which is said, "Every argument that is for [the sake of] heaven's name, it is destined to endure" - the intention is that they will endure in their argument forever. And [so,] today they will argue about one thing and tomorrow about another; and argument will endure and continue between them all the days of their lives. And not only this, but [also] 'length of days and years of life will be added to them.'

"ושאינה לשם שמים אין סופה להתקיים" - רק במחלוקת הראשון יספו. "יתמו ושם ימותו", כמחלוקת של קרח. "But if it is not for [the sake of] heaven's name - it is not destined to endure": Rather they will cease in their first argument. 'They will end and die there' - as in the argument of Korach.

11. Rabbi Yaakov Emden, *Lechem Shamayim to Avot 5:17*

לכן סופה להתקיים המחלוקת **עצמה**. והמחלוקת במקומה עומדת לעולם. שכן נזכרים ונעשים בכל דור. וזכרם לא יסוף ולא יעדור. ואינם לבטלה חלילה. שאפילו במתיבתא דרקייעא פליגי בה.

12. Irving Bunim, *Ethics from Sinai*, p. 186

In the very phrase *l'shem shamayim* (for the sake of Heaven) lies a clue to the nature and destiny of such controversy: It has been noted that the Sages derive the term *shamayim* from *esh umayim*, “fire and water,” for out of those materials was the heaven made. Opposing principles united to obey the will of the Almighty, and formed the permanent, unalterable heavens. So do the conflicting views of Hillel and Shammai, *ḥassidim* and *mithnagdim*, ultimately merge and integrate for the lasting enrichment and continuation of Jewish religiosity.

A *machloket* “not for the sake of Heaven”

13. Irving Bunim, *Ethics from Sinai*, p. 186

[Korah's] premise sounded pious: “For the entire congregation are holy, and the Lord is among them” (Bamidbar 16:3). But the implication was: Then why do we need Moses and Aaron to tell us what to do?

14. Irving Bunim, *Ethics from Sinai*, pp. 188-89

One question remains: The first example is given as “the controversy of Hillel and Shammai,” as they were the actual antagonists. Then why is the second example given as “the controversy of Korah and his assemblage”? They were all on one side, contending with Moses and Aaron. Should it not read, “the controversy between Korah and Moses”?...

The Ḥassidic R. Elimelech of Lizensk gives a perceptive answer: In such a case, where a group attacks its teachers and leaders, and claims it acts for the sake of Heaven, we can find the truth by examining the group. If it is harmonious, and its members are genuinely bound in unselfish friendship, we can accept that they meant their action for the sake of Heaven. But if apart from the controversy which unites them, they are divided...we have a clear indication that their action here is not for the sake of Heaven. Therefore the *mishnah* lists only Korah and his assemblage: they are the proof that they cared nothing for Heaven in this quarrel. There were 250 of them, and every single one wanted to become *cohen gadol* (Midrash Tanchuma 5, Bamidbar Rabbah 18:8)... Hence there was nothing “heavenly” in their argument with Moses.

This leads us to the answer of the *Hatham Sofer*: The *mishnah* is quite consistent, for Korah and his motley crew of followers *were* antagonists.

For the sake of Heaven: About ideas, not people

15. Talmud, Kiddushin 30b (Koren translation)

מאי את אויבים בשער? אמר רבי חייא בר אבא: אפי' האב ובנו, הרב ותלמידו, שעוסקין בתורה בשער אחד נעשים אויבים זה את זה, ואינם זוים משם עד שנעשים אוהבים זה את זה, שנאמר: אֶת־נֶהָבִים בְּסוּפָה, אל תקרי בסופה אלא בסופה.

What is the meaning of the phrase “**enemies in the gate**” with regard to Torah study? **Rabbi Ḥiyya bar Abba says: Even a father and his son, or a rabbi and his student, who are engaged in Torah together in one gate become enemies with each other** due to the intensity of their studies. **But they do not leave there until they love each other, as it is stated** in the verse discussing the places the Jewish people engaged in battle in the wilderness: “Therefore it is said in the book of the wars of the Lord, **Vahev in Suphah [beSufa]**, and the valleys of Arnon” (Numbers 21:14). The word “*vahev*” is interpreted as related to the word for love, *ahava*. Additionally, **do not read this as “in Suphah [beSufa]”; rather, read it as “at its end [besofa],”** i.e., at the conclusion of their dispute they are beloved to each other.

16. Talmud, Yevamot 14b (Koren translation)

לא נמנעו ב"ש מלישא נשים מבית הלל, ולא ב"ה מבית שמאי. ללמדך שחיבה וריעות נוהגים זה בזה, לקיים מה שנאמר (זכריה ה, ט) "וְהָאֵמֶת וְהַשְּׁלוֹם אֶהְבּוּ."

Beit Shammai did not refrain from marrying women from Beit Hillel, nor did Beit Hillel [refrain from marrying women] from Beit Shammai. This serves to teach you that they practiced affection and camaraderie between them, to fulfill that which is stated: “Love truth and peace” (Zechariah 8:19).

Be careful!

17. Rabbi Yom Tov Lipmann Heller, Tosafot Yom Tov to Avot 5:17

לפי שתלמידיהם לא שמשו כל צרכן, ומהם ואילך, רבתה המחלוקת בישראל. לפיכך נקטינהו לדוגמא.

Their students did not fully absorb their ways and teachings, and from that point on, disputes became widespread in Israel. Therefore, [the mishnah] brought [Hillel and Shammai] as an example.

18. Rabbi Yechezkel Landau, Responsa Noda bi'Yehudah, Yoreh Deah 1

ואין לך גרוע מהמחלוקת. ובזמננו לא שכיח מחלוקת לשם שמים, והשטן מרקד. ונא מאוד שיעשה שלום.

...And we are not lacking from *machloket*. In our time, a *machloket* for the sake of Heaven is uncommon, and the *Satan* dances. Please make peace!