

Part I – Korach

במדבר פרק טז

- (א) ויקח קרח בן יצהר בן קהת בן לוי ודתן ואבירם בני אליאב ואון בן פלת בני ראובן:  
(ב) ויקמו לפני משה ואנשים מבני ישראל חמשים ומאתים נשיאי עדה קראי מועד אנשי שם:  
(ג) ויקהלו על משה ועל אהרן ויאמרו אלהם רב לכם כי כל העדה כלם קדשים וכתוכם יקוק ומדוע תתנשאו על קהל יקוק:  
(ד) וישמע משה ויפל על פניו:  
(ה) וידבר אל קרח ואל כל עדתו לאמר בקר וידע יקוק את אשר לו ואת הקדוש והקריב אליו ואת אשר יבחר בו יקריב אליו:  
(ו) זאת עשו קחו לכם מחתות קרח וכל עדתו:  
(ז) ותנו בהן אש ושימו עליהן קטרת לפני יקוק מחר והיה האיש אשר יבחר יקוק הוא הקדוש רב לכם בני לוי:  
(ח) ויאמר משה אל קרח שמעו נא בני לוי:  
(ט) המעט מכם כי הבדיל אלהי ישראל אתכם מעדת ישראל להקריב אתכם אליו לעבד את עבדת משכן יקוק ולעמד לפני העדה לשרתם:  
(י) ויקרב אתך ואת כל אחיך בני לוי אתך ובקשתם גם כהנה:  
(יא) לכן אתה וכל עדתך הנעדים על יקוק ואהרן מה הוא כי תלינו עליו:  
(יב) וישלח משה לקרא לדתן ולאבירם בני אליאב ויאמרו לא נעלה:  
(יג) המעט כי העליתנו מארץ זבת חלב ודבש להמיתנו במדבר כי תשתרר עלינו גם השתרר:  
(יד) אף לא אל ארץ זבת חלב ודבש הביאתנו ותתן לנו נחלת שדה וכרם העיני האנשים ההם תנקר לא נעלה:

רש"י במדבר פרשת קרח פרק טז פסוק א

ויקח קרח - לקח את עצמו לצד אחד להיות נחלק מתוך העדה לעורר על הכהונה, וזהו שתרגם אונקלוס ואתפלא נחלק משאר העדה להחזיק במחלוקת, וכן (איוב טו, יב) מה יקחך לבך, לוקח אותך להפליגך משאר בני אדם

ומה ראה קרח לחלוק עם משה, נתקנא על נשיאותו של אליצפן בן עוזיאל שמינהו משה נשיא על בני קהת על פי הדבור. אמר קרח, אחי אבא ארבעה היו, שנאמר (שמות ו, יח) ובני קהת וגו'. עמרם הבכור נטלו שני בניו גדולה, אחד מלך ואחד כהן גדול, מי ראוי ליטול את השניה, לא אני שאני בן יצהר שהוא שני לעמרם, והוא מנה נשיא את בן אחיו הקטן מכולם, הריני חולק עליו ומבטל את דבריו.

רשב"ם במדבר פרשת קרח פרק טז פסוק א

(א) ויקח קרח - כמו ויקח [אברם] את שרה אשתו ואת לוט, אף כאן ויקח קרח ודתן ואבירם אנשים הרבה, עד שקמו עמהם לפני משה חמשים ומאתים:

רמב"ן במדבר פרק טז

והנכון בדרש, שכעס קרח על נשיאות אלצפן כמאמר רבותינו (תנחומא קרח א), וקנא גם באהרן כמו שנאמר ובקשתם גם כהונה..  
והנה ישראל בהיותם במדבר סיני לא אירע להם שום רעה, כי גם בדבר העגל שהיה החטא גדול ומפורסם היו המתים מועטים, ונצלו בתפלתו של משה שהתנפל עליהם ארבעים יום וארבעים לילה. והנה היו אוהבים אותו כנפשם ושומעים אליו, ואלו היה אדם מורד על משה בזמן ההוא היה העם סוקלים אותו, ולכן סבל קרח גדולת אהרן וסבלו הבכורים מעלת הלויים וכל מעשיו של משה. אבל בבואם אל מדבר פארן ונשרפו באש תבערה ומתו בקברות התאוה רבים, וכאשר חטאו במרגלים לא התפלל משה עליהם ולא בטלה הגזרה מהם, ומתו נשיאי כל השבטים במגפה לפני ה', ונגזר על כל העם שיתמו במדבר ושם ימותו, אז היתה נפש כל העם מרה והיו אומרים בלבם כי יבואו להם בדברי משה תקלות, ואז מצא קרח מקום לחלוק על מעשיו

**וחשב כי ישמעו אליו העם.** וזה טעם "להמיתנו במדבר", אמרו הנה הבאת אותנו אל המקום הזה ולא קיימת בנו מה שנדרת לתת לנו ארץ זבת חלב ודבש כי לא נתת לנו נחלה כלל, אבל נמות במדבר ונהיה כלים שם, כי גם זרענו לא יצאו מן המדבר לעולם, ויבטל מן הבנים מה שנדרת להם כאשר נתבטל מן האבות. וזה טעם תלונתם הנה במקום הזה אחר גזרת המרגלים מיד. והקרוב, כי היו אלה הנקהלים כולם בכורות כי על כן חרה להם על הכהונה, ולכך אמר להם משה שיקחו מחתות כמנהגם הראשון ויתגלה הדבר אם יבחר השם בהם או בכהנים:

### George Washington Farewell Address

I have already intimated to you the danger of parties in the State, with particular reference to founding them on geographical discriminations. **Let me now take a more comprehensive view, and warn you, in the most solemn manner, against the baneful effects of the spirit of party, generally.** This spirit, unfortunately, is inseparable from our nature, having its root in the strongest passions of the human mind. It exists under different shapes, in all governments, more or less stifled, controlled or repressed; but in those of the popular form, it is seen in its greatest rankness, and is truly their worst enemy.

The alternate dominion of one faction over another, sharpened by the spirit of revenge, natural to party dissension, which, in different ages and countries, has perpetrated the most horrid enormities, is itself a frightful despotism; but this leads at length to a more formal and permanent despotism. The disorders and miseries which result, gradually incline the minds of men to seek security and repose in the absolute power of an Individual

### Korach's Legacy / מחלוקת לשם שמים

<p>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 Shamai. Which is a dispute that is not for the sake of Heaven? The dispute of Korach and all his company.</p>	<p><b><u>משנה מסכת אבות פרק ה משנה יז</u></b>          1. [טז] כל מחלוקת שהיא לשם שמים סופה להתקיים          2. ושאינה לשם שמים אין סופה להתקיים          3. איזו היא מחלוקת שהיא לשם שמים זו מחלוקת הלל ושמאי          4. ושאינה לשם שמים זו מחלוקת קרח וכל עדתו:</p>
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### **ר' עובדיה מברטנורא מסכת אבות פרק ה משנה יז**

כל מחלוקת שהיא לשם שמים סופה להתקיים - כלומר שאנשי המחלוקת ההיא מתקיימים ואינם אובדין, כמחלוקת הלל ושמאי שלא אבדו לא תלמידי בית שמאי ולא תלמידי בית הלל. אבל קורח ועדתו אבדו. ואני שמעתי, פירוש סופה, תכליתה והמבוקש מענינה.

1. והמחלוקת שהיא לשם שמים, התכלית והסוף המבוקש מאותה מחלוקת להשיג האמת, וזה מתקיים, כמו שאמרו מתוך הויכוח יתברר האמת, וכמו שנתברר במחלוקת הלל ושמאי שהלכה כבית הלל.
2. ומחלוקת שאינה לשם שמים, תכלית הנרצה בה היא בקשת השררה ואהבת הניצוח, וזה הסוף אינו מתקיים, כמו שמצינו במחלוקת קורח ועדתו שתכלית וסוף כוונתם היתה בקשת הכבוד והשררה והיו להיפך:

### **דגל מחנה אפרים במדבר פרשת קרח**

ונראה לתרץ בהקדם משנה י"ג פרק ה' דאבות וזה לשונו: כל מחלוקת שהיא לשם שמים - סופה להתקיים וכו', איזהו מחלוקת שהיא לשם שמים - זו מחלוקת הלל ושמאי, ושאינה לשם שמים - זו מחלוקת קרח וכל

עדתו וכו'. והנה ידוע לכל דברי אדומו"ר איש האלקים מו"ה אלימלך זצוק"ל בספרו נועם אלימלך שפירש על מחלוקת קרח וכל עדתו, שדקדק בדברי המשנה הנ"ל שאמרו ז"ל 'ושאינה לשם שמים - זו מחלוקת קרח וכל עדתו', הוה ליה למימר 'ושאינה לשם שמים - זו מחלוקת קרח ומשה ואהרן'. ומפרש הוא ז"ל, שקרח היה חולק עם עדתו, שהם בעצמם גם כן היו שונאים זה את זה, וכל אחד רצה להיות ראש, רק מפני שרצו לחלוק על משה רבינו ואהרן - עשו שלום לפי שעה. וזהו מחלוקת קרח וכל עדתו - שבין קרח ועדתו היה גם כן מחלוקת, עיין שם בספרו הקדוש.

### פירוש המשנה לרמב"ם מסכת אבות פרק ה משנה טז

[טז] זה כולו מבואר, ואלו דברים על צד השכר והעונש, שמי שיחלוק לא לכוונה פחותה, אלא לבקשתו האמת - יתקיים מאמרו ולא יכרת דברו. וכל מי שיישר בני אדם - יגמלהו ה' בשימנעהו מן החטאים

### בית הבחירה למאירי מסכת אבות פרק ה

כל מחלוקת שהיא לשם שמים סופה להתקיים...איזו היא מחלוקת שהיא לשם שמים [זו] של הלל ושמאי שהיה אחד מורה הוראה והשני חולק עליו להודעת האמת ולא לקנטר ולא לנצוח ולכן נתקיימו דברי החולק כשהיה האמת אתו 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:

### פירוש רבינו יונה על אבות פרק ה

משנה יז

יז 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 ושאיינה לשום שמים אין סופה להתקיים רק במחלוקת הראשון יספו יתמו ושם ימותו כמחלוקת של קרח:

### כלי יקר בראשית פרק א

(ח) ויקרא אלהים לרקיע שמים... ונקרא בשם שמים המורה על השלום כי שמים נגזר מלשון אש מים שעשו שלום ביניהם ונתחברו ונעשה מהם שמים, והיינו שאמרו חז"ל (אבות ה יז) כל מחלוקת שהיא לשם שמים וכו' רצה לומר מחלוקת שתכליתו השלום כהוראת שם שמים, וקל להבין.

## Talmudic Style of Debate

### תלמוד בבלי מסכת עירובין דף יג עמוד ב

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

### תלמוד בבלי קידושין ל

מאי את אויבים בשער אמר רבי חייא בר אבא אפי' האב ובנו הרב ותלמידו שעוסקין בתורה בשער אחד נעשים אויבים זה את זה ואינם זזים משם עד שנעשים אוהבים זה את זה שנאמר) במדבר כא, יד (את והב בסופה אל תקרי בסופה אלא בסופה

### תלמוד בבלי מסכת פסחים דף כב עמוד ב

כדתניא: שמעון העמסוני, ואמרי לה נחמיה העמסוני, היה דורש כל אתים שבתורה. כיון שהגיע לאת ה' אלהיך תירא - פירש. אמרו לו תלמידיו: רבי, כל אתים שדרשת מה תהא עליהן? - אמר להם: כשם שקבלתי שכר על הדרישה, כך אני מקבל שכר על הפרישה. עד שבא רבי עקיבא ודרש: את ה' אלהיך תירא - לרבות תלמידי חכמים.

### בבא מציעא נ"ט ב:ה'

עמד רבי יהושע על רגליו ואמר (דברים ל, יב) לא בשמים היא מאי לא בשמים היא אמר רבי ירמיה שכבר נתנה תורה מהר סיני אין אנו משגיחין בבת קול שכבר כתבת בהר סיני בתורה (שמות כג, ב) אחרי רבים להטות אשכחיה רבי נתן לאלהו א"ל מאי עביד קוב"ה בהיא שעתא א"ל קא חייך ואמר נצחוני בני נצחוני בני

## Theology of Machloket

### רב קוק, עין איה

אמר ר' אלעזר תלמידי חכמים מרבים שלום בעולם, שנאמר "וכל בניך לימודי ה' ורב שלום בניך", אל תקרי בניך אלא בוניך. יש טועים שחושבים, שהשלום העולמי לא יבנה כי אם על ידי צביון אחד בדעות ותכונות, ואם כן כשרואים תלמידי חכמים חוקרים בחכמה ודעת תורה, ועל ידי המחקר מתרבים הצדדים והשיטות, חושבים שבזה הם גורמים למחלוקת והפך השלום. ובאמת אינו כן, כי השלום האמתי אי אפשר שיבוא לעולם כי-אם דוקא על ידי הערך של רבוי השלום. הרבוי של השלום הוא, שיתראו כל הצדדים וכל השיטות, ויתבררו איך כולם יש להם מקום, כל אחד לפי ערכו, מקומו וענינו. ואדרבא גם הענינים הנראים כמיותרים או כסותרים, יראו כשמתגלה אמתת החכמה לכל צדדיה, שרק על ידי קיבוץ כל החלקים וכל הפרטים, וכל הדעות הנראות שונות, וכל המקצעות החלוקים, דוקא על ידם יראה אור האמת והצדק, ודעת ד' יראתו ואהבתו, ואור תורת אמת. על-כן תלמידי חכמים מרבים שלום, כי במה שהם מרחיבים ומבארים ומילדים דברי חכמה חדשים, בפנים מפנים שונים, שיש בהם רבוי וחילוק ענינים, בזה הם מרבים שלום... ורב שלום בניך, לא אמר גדול שלום בניך, שהיה מורה על ציור גוף אחד גדול, שאז היו הדברים מתאימים לאותו הרעיון המדומה, שהשלום הוא צריך דוקא לדברים אחדים ושיווי רעיונות, שזה באמת מגרע כח החכמה והרחבת הדעת, כי אור הדעת צריך לצאת לכל צדדיו, לכל הפנים של אורה שיש בו, אבל הרבוי הוא רב שלום בניך, אל תקרי בניך, אלא בוניך, כי הבנין יבנה מחלקים שונים, והאמת של אור העולם תבנה מצדדים שונים ומשיטות שונות, שאלו ואלו דברי אלהים חיים, מדרכי עבודה והדרכה וחנוך שונים, שכל אחד תופס מקומו וערכו. ואין לאבד כל כשרון ושלמות כי אם להרחיבו ולמצא לו מקום.

### Rabbi Jonathan Sacks, God Loves Those Who Argue

I have become increasingly concerned about the assault on free speech taking place throughout the West, particularly in university campuses.<sup>1</sup> This is being done in the name of "safe space," that is, space in which you are protected against hearing views which might cause you distress, "trigger warnings"<sup>2</sup> and "micro-aggressions," that is, any remark that someone might find offensive even if no offence is meant.

...What is striking about Judaism, and we see this starkly in this week's parsha, is that argument and the hearing of contrary views is of the essence of the religious life. Moses argues with God...

Equally striking is the fact that the sages continued the tradition and gave it a name: argument for the sake of heaven,<sup>3</sup> defined as debate for the sake of truth as opposed to victory.<sup>8</sup> **The result is that Judaism is, perhaps uniquely, a civilization all of whose canonical texts are anthologies of arguments. Midrash operates on the principle that there are "seventy faces" to Torah and thus that every verse is open to multiple interpretations. The Mishnah is full of paragraphs of the form, "Rabbi X says this while Rabbi Y says that." The Talmud says in the name of God himself, about the conflicting views of the schools of Hillel and Shammai, that "These and those are the words of the living God."<sup>9</sup>**

A standard edition of Mikraot Gedolot consists of the biblical text surrounded by multiple commentaries and even commentaries on the commentaries. The standard edition of the Babylonian Talmud has the text surrounded by the often conflicting views of Rashi and the

Tosafists. Moses Maimonides, writing his masterpiece of Jewish law, the Mishneh Torah, took the almost unprecedented step of presenting only the halakhic conclusion without the accompanying arguments. The ironic but predictable result was that the Mishneh Torah was eventually surrounded by an endless array of commentaries and arguments. **In Judaism there is something holy about argument.**

Why so? First, because only God can see the totality of truth. For us, mere mortals who can see only fragments of the truth at any one time, there is an irreducible multiplicity of perspectives. We see reality now one way, now another. The Torah provides us with a dramatic example in its first two chapters, which give us two creation accounts, both true, from different vantage points. **The different voices of priest and prophet, Hillel and Shammai, philosopher and mystic, historian and poet, each capture something essential about the spiritual life. Even within a single genre, the sages noted that "No two prophets prophesy in the same style."**<sup>10</sup> Torah is a conversation scored for many voices.

Strength and Splendor: A Tribute to Rav Aharon Lichtenstein, Jewish Action Magazine By: David Shatz

The writings of Rav Lichtenstein tell us much about who he was. I refer not only to substance but to style, to form as well as content. **His conviction that "the world is complex and the human being is complex"<sup>4</sup> is matched by a dialectical style that embraces complexity and evinces an exquisite sensibility of balance.**<sup>5</sup> He sought to balance a host of values, many of which are often absolutized to the exclusion of the others. Rav Lichtenstein recognized that, on most issues, arguments can be marshalled on either side. Often he spells out the other side's arguments more robustly than even its adherents do, and he formulates and fields objections to his views that the other side may not have thought of, and that a less intellectually honest author might have suppressed. His psychological depth and sensitivity enabled him to anticipate and articulate psychological and not only logical obstacles to accepting his views. The integrity and incisiveness of this kind of presentation edifies readers and inspires authors. While he drew boundaries and stated his opinions and criticisms forcefully and at times sharply, he acknowledged the legitimacy of other positions within the boundaries. **Not coincidentally, his *derech halimmud* (method in Talmud study) was marked by an appreciation of alternative ways of looking at a topic, even ones that seemed only marginally plausible.**<sup>6</sup> Where there are legitimate options, he approximates the refined, respectful approach that Beit Hillel adopted in debating Beit Shammai—in virtue of which Beit Hillel merited that we follow their rulings (*Eruvin 13b*). And the elegance of his prose, the rich sensitivity to nuance, flowed from an elegance of personality. Being alert to these facets of Rav Lichtenstein's writing makes one all the more conscious of how blatantly and painfully absent such qualities are in so many writers and speakers, and in so many places and settings. *Divreihem hen hen zichronan.*

Leon Wieseltier, The Argumentative Jew, The Jewish Review of Books

*To the women and men of Keshet Israel*

The most common understanding of disagreement, in the private sphere and the public one, is that it represents a failure. A single understanding, a shared understanding, is preferred to a multiplicity of understandings, which is rejected as an epistemologically fallen condition. We begin with many, but we aspire to one: The grip of the holistic fantasy is profound.

Disagreement is a kind of fragmentation, but we wish to be made whole. The many factors that are responsible for intellectual disharmony—rhetorical, conceptual, psychological, cultural, political—are regarded pejoratively as impediments that need to be refuted or discarded, as obstacles in the way of a higher arrangement. That higher arrangement is consensus. Who does not prefer consensus to conflict? Is quarrelsomeness not a vice? Surely a quarrel is a kind of conflict, a state of affairs in need of correction. A quarrel demands resolution and reconciliation. To see things differently is to surrender to difference, whereas sameness or similarity of perspective brings us closer and even unites us. The dream of intellectual concord is also a dream of social concord. The abolition of disagreement, when it is not coerced, is a promise of union and peace.

...But there exists another school of thought about these questions. It may be found in ancient and early modern India, as Amartya Sen showed in his great essay “The Argumentative Indian,” but its most sophisticated and most robust home is in Judaism, from its beginnings in ancient rabbinical literature all the way to the present day. The Jewish tradition—the tradition of the argumentative Jew—is a long and great challenge to the consensualist mentality. It repudiates, sometimes in theory, always in practice, the cult of unanimity. It displays an almost erotic relationship to controversy. (Like all erotic relationships, this one sometimes devolves into decadence, which in the early modern centuries was known as *pilpul*.) In the Jewish tradition, disagreement is not only real, it is also ideal—at least in the unredeemed world, which is the only world we know. In its millennia of disputations, even mistaken opinions are not without legitimacy. Minority opinions are not obsolete opinions: They are preserved alongside majority opinions because their reasoning may one day be useful again. Arguments that are adjudicated practically remain alive theoretically. Indeed, both sides of a particular argument may be “the words of the living God.”

The full text of the talmudic passage is this: “Rabbi Aba said in the name of Samuel: For three years the house of Shammai and the house of Hillel disagreed. The former declared: the law should be made according to us, and the latter declared, the law should be made according to us. Then a heavenly voice proclaimed: These opinions and those opinions are the words of the living God, and the law is according to the house of Hillel.” **The passage seems to shut down the very debates that it has just sacralized—except that the establishment of the law does not dissolve the legal discussion. The argument survives the decision, which is made among the elders according to majority rule, so that the community may function. But the argument was never itself purely functional. It was, instead, intrinsically valuable.** (A practical spirit motivated also the medieval and early modern enterprise of legal codification,

but insofar as the codes represented a suspension of the work of analysis, a claim to intellectual closure, they were ferociously opposed.)

**This same epic quarrel between the house of Hillel and the house of Shammai is described in a mishnah as “a quarrel for the sake of heaven [which therefore] will endure.” The endurance of a quarrel: What sort of aspiration is this? It is the aspiration of a mentality that is genuinely rigorous and genuinely pluralistic. The tradition of commentary on that mishnah is a kind of history of Jewish views on intellectual inquiry—from the Levant in the 15th century, for example, there is Ovadiah Bertinoro’s remark that “only by means of debate will truth be established,” an uncanny anticipation of Milton and Mill, and from Hungary in the 19th century there is the gloss by Rabbi Moses Schick, who himself had a role in a community-wide schism, that “sometimes it is our duty to make a quarrel . . . For the sake of truth we are not only permitted to make a quarrel, we are obligated to make a quarrel.”**

And argument is emphatically man-made. In the talmudic passage cited here, we witness a moment of high religious drama: the abdication of the divine from the human quest for truth. The heavenly voice announces the permanent validity of both sides of an argument and leaves the labor of clarification in our hands. The sacralization of disagreement in Judaism is accompanied by the renunciation of any heavenly role in the attempt to verify legal and philosophical propositions. There is even a midrash that imagines God himself sowing the Torah with perplexities, by imbuing each of his edicts with “49 reasons to rule ‘pure’ and 49 reasons to rule ‘impure.” We are not given the answers. We must find them. At least intellectually, this God has absconded.

“It is not in the heavens”: The scriptural phrase became a recurring refrain. Disputation is an entirely immanent activity. This is an extraordinary expression of confidence in reason and in the mortals who engage in reason. In this practice of earthly self-reliance, thought is preferred to epiphany, and revelation is a thing of the past...

**Learning to live with disagreement, moreover, is a way of learning to live with each other. Etymologically, the term *machloket* refers to separation and division, but the culture of *machloket* is not in itself separatist and divisive. This is in part because all the parties to any particular disagreement share certain metaphysical and historical assumptions about the foundations of their identity. But beyond those general axioms, the really remarkable feature of the Jewish tradition of *machloket* is that it is itself a basis for community.** The community of contention, the contentious community, is not as paradoxical as it may seem. The parties to a disagreement are members of the disagreement; they belong to the group that wrestles together with the same perplexity, and they wrestle together for the sake of the larger community to which they all belong, the community that needs to know how Jews should behave and live. **A quarrel is evidence of coexistence.** The rabbinical tradition is full of rival authorities and rival schools—it owes a lot of its excitement to those grand and even bitter altercations—but the rivalries play themselves out within the unified framework of the

shared search. There is dissent without dissension, and yet things change. Intellectual discord, if it is practiced with methodological integrity, is compatible with social peace.

The absence of the God's-eye view of an issue, and the consequent recognition of the limitations of all individual perspectives, has a humbling effect. **A universe of controversy is a universe of tolerance. *Machloket* is not schism, and the difference is crucial. Though disagreement may lead to sectarianism, most disagreement in the history of this ever-thinking people has been contained, and has been brilliantly developed, on this side of sectarianism.** I do not mean to exaggerate the loveliness of the system: There has been heresy and there has been heterodoxy, and Jews have persecuted other Jews for their opinions. Intellectual integrity is always a risk to community, because some minds may think themselves, rightly or wrongly, beyond the limits. But the tradition of Jewish debate, especially legal debate, is striking for how rich it remains within the limits. Whether or not heresy and heterodoxy are forms of heroism, it is important to acknowledge that fidelity, and the internal growth of a tradition inside its carefully examined boundaries, may also be heroic.

Thus described, the Jewish model of quarrelsome unity may be hard to grasp. Can a religious way of life really endure such a high degree of inconclusiveness? Or put differently, can pluralism comport with absolutes? The conventional answer, in our time, is that it cannot, and so it must be something else. It must be perspectivism, or pragmatism, or relativism. The contemporary discussion of these questions by Jewish commentators has been rather slavishly dominated by the anti-rationalist clichés of contemporary philosophy. **My own view is that any attempt to relieve the argumentative tradition of its rationality; or to seek a release from its dissonance, by denying either its commitment to truth or its commitment to many-mindedness; or to reduce rational argument to the emotional expression of an individual or a group—all this represents both a misunderstanding of the achievement of the Jewish style of controversy and an impoverishment of it. Reason is often depicted as repressive and orthodox, but it is in fact open-ended and infinitely patient, which is why thinkers in our times are still arguing with thinkers in ancient times and building upon their work. The enterprise of argumentation is ancient but not antiquated.**

Truth may be one, as Weil said—but even so, what is it? We live in the arduous interim between the belief in truth and the discovery of truth. It is never too late for a rational objection or a logical advance. **The contemporary anxiety about reason is misplaced: Emotion is private and opaque, but reason is public and lucid.** This is proven on every serious Jewish bookshelf. Judaism evolved and progressed and flourished as an alliance of the heart and the head. The heart alone would not have sufficed, certainly not for a tradition whose essential act is the act of interpretation.



## The Future of Jewish Debate

### Part 1 – Western Society

#### Jonathan Haidt, The Righteous Mind: Why Good People Are Divided by Politics and Religion

“Morality binds and blinds. It binds us into ideological teams that fight each other as though the fate of the world depended on our side winning each battle. It blinds us to the fact that each team is composed of good people who have something important to say.”

#### Wired Magazine

Haidt's thesis is that we humans all have five foundations of morality – five sources of intuitions and emotions that drive everything we do:

1. Harm/Care
2. Fairness/Reciprocity
3. In-Group/Loyalty
4. Authority/Respect
5. Purity/Sanctity

Both conservatives and liberals all agree on the first two points; but the real trouble comes on the final three. As Haidt said in regard to those points, "We can say that liberals have a kind of a two-channel, or two-foundation morality. Conservatives have more of a five-foundation, or five-channel morality."

#### Professor Chaim Saiman, Modern Orthodoxy's Moment

The needs of the hour present a unique challenge, but perhaps also an opportunity for Modern Orthodoxy. America is in desperate need of healing, and with some hopeful optimism, there are several reasons to think that Modern Orthodox Jews are well-positioned to show leadership in this process.

First, *Modern Orthodoxy already lives between the two Americas*. From a demographic perspective, we seem “blue”: we tend to live in or near large, coastal cities, have high rates of college and graduate-school education at elite schools, and are well represented in the learned professions. At the same time, we also have much in common with “red” America. We are religious believers who value faith and faith communities; believe in strong, traditional families; and support Israel and its specifically Jewish identity.

...For instance, I have close family and friends who I learn with, who I went to yeshiva with, who I daven with—who voted for a different candidate than I did. The cultural tide encourages me to discount their views as either extremists or as simply mirroring the talking points of preferred media outlets. But the healthier approach, is to build on our shared reservoir of trust and common religious language to engage in a real conversation between friends. True,

sometimes this will accomplish no more than heated debates on social media. But other times, points are conceded and positions refashioned and re-evaluated in light of contrary evidence and arguments. **Our shared religious and communal life pulls us together, providing an opening for a less polarized form of politics.**

...We are divided, and it does no good to pretend otherwise. But to help revive the conditions that made America great—and great for the Jews—we will need to draw upon our covenantal and communal bonds and view Jews on the other side of the aisle not as traitors to our religious values, but as an important moderating force against the worst impulses of our political culture. **The Modern Orthodox community, which has succeeded in preserving admiration, respect, and solidarity despite sharp political disagreement, can lead the way on this front.**

**Finally and most importantly, it is in our spiritual DNA. Our greatest teachers, Rabbi Joseph B. Soloveitchik and Rabbi Aharon Lichtenstein, were rarely fans or fanatics, but almost always strove to embrace opposing principles that seemed in conflict. Modern Orthodoxy is characterized by its commitment to dualities such as Torah and science, yeshiva and military service, wisdom and piety, particularism and universalism, worshipping God and acting on behalf of man, individual and society, and so on. Rabbi Soloveitchik and Rabbi Lichtenstein taught that at the fundamental level, each side expresses a true and compelling value. It is only at a second stage, when these come into conflict, that we must employ local and contextual factors to mediate between them. From the philosophical perspective however, we aim to live both rather than vindicate one at the expense of the other.**

**While these great rabbis initially formulated their approach in the context of Talmud study and then extended it to religious thought, I have come to see its relevance in the political realm as well. Serious discussions about politics involve balancing values. Environmental policy, for example, centers on tradeoffs between our long-term ability to survive on the planet and the more immediate needs of jobs and fueling economic growth. In consumer finance, the core tradeoff is between offering cheap yet potentially harmful products that can land consumers in inescapable cycles of debt, versus fewer but safer products that may lock some out of credit markets entirely. Almost any policy debate can be similarly discussed in terms of the costs and benefits of competing values.**

But unlike our current political culture, which demands that one pick a side and then defend it to the end of the earth, a dialectal analysis does not assume one side is always right and the other wrong. Rather, each side reflects a truth about the world, and we should always seek the optimal balance in light of the evidence and arguments in the individual case.

Moreover, Rabbi Lichtenstein often taught that to the degree that we balance the interests in one way on issue A, we should strive for counterbalance on issue B. This is not only for

pragmatic reasons, but because, spiritually and existentially, we cannot assess a matter honestly unless we identify with each of the competing values.

Thus, our spiritual heritage guides us away from extremes and towards moderate approaches willing to see the value of each position. This is not because we lack clear convictions. Quite the opposite, because we passionately believe in so many of them, we strive to live them all out.

**At present, Modern Orthodox Jews are assimilating into American culture by folding their Jewish identity into a political one.** I have tried to argue that this runs counter to our sociological identity, which shares commonalities with both “red” and “blue” value systems; counter to our demographic reality as a politically divided community; counter to our self-interest, in that polarization fosters extremism, and anti-Semitism tends to flourish at the extremes; and counter to our spiritual DNA, which guides us to embrace plural, opposing values.

Small as it may be, Modern Orthodoxy is poised to exemplify behavior that can bring us together and maybe point a way forward. We are well positioned to play a leading role in this effort. It is our time to become an *or la-goyim*, a beacon of light for the United States of America.

## **Part II – The Internal Jewish World**

### **Chief Rabbi Sir Jonathan Sacks, Forward**

#### **Conflict and Conflict Management in Jewish Sources**, Editor **Michal Roness**

Program on Conflict Management and Negotiation, Bar-Ilan University, Ramat Gan, Israel, 2008

**It may sound strange, but I believe it to be true, that conflict management is the single greatest unsolved problem in Jewish history, and equally so in the Jewish present.** Three times the Jewish people has gone into exile: in the days of Joseph, after the Babylonian conquest and the destruction of the First Temple, and after the destruction of the Second Temple in the days of the Romans. Each time, the cause was the same.

In the first case, the chain of events that led to the Egyptian exile began with Jacob’s children unable to live peaceably together. As the Torah puts it: ‘When his [Joseph’s] brothers saw that their father loved him more than all his brothers, they hated him, and could not speak peaceably to him.’ In the second, the Israelites, having conquered the land and achieved sovereignty, were divided into twelve tribes. The Book of Judges laments, ‘In those days, there was no king in Israel: everyone did what seemed right in his own eyes.’ Eventually the people appointed a king, but after only three generations – Saul, David and Solomon – the nation split in two, the northern kingdom of Israel, and the southern kingdom, Judah. Always a small

nation surrounded by large empires, the people needed a high degree of national unity to survive. When the kingdom divided, it was only a matter of time before each fell before a stronger power. In 722 BCE the northern kingdom fell to the Assyrians. Its people were deported and disappeared, the so-called 'lost ten tribes'. The southern kingdom fell to the Babylonians, the Temple was destroyed and most of the elite sent into exile. Eventually, many returned. Yet the nation seems not to have learned the lesson of history. The impression we have of Second Temple Jewry is of a people deeply divided along class, religious and political lines. There were, says Josephus, Pharisees, Sadducees and Essenes. There were moderates and zealots. Josephus paints a chilling picture of Jews inside the besieged Jerusalem, more intent on fighting one another than the enemy outside. Inevitably, the city fell. With the defeat of the Great Rebellion, and the Bar Kochba revolt sixty years later, there began the longest exile ever suffered by a people. It lasted until 1948.

The significance of these three episodes can be measured by the fact that the Israelites, and later the Jews were attacked by some of the greatest empires that ever bestrode the stage of history: from the Egyptians, Assyrians, Babylonians, Persians, Greeks and Romans, to Nazi Germany and the Soviet Union. All have vanished. Israel and the Jewish people survives. **Only one people in history has had the power to threaten the very existence of the Jewish people, namely, the Jewish people. In a literal and tragic sense, we have been our own worst enemies.** Nor, after all that had happened in the biblical era, did Jews succeed in solving the problem. In the early thirteenth century, Jews burned Maimonides' writings; within years, the Dominicans were doing the same. From the sixteenth to the nineteenth century, Jews turned to the non-Jewish authorities to resolve their internal conflicts, immeasurably weakening their own position. Jews denounced Hassidic leaders like Rabbi Shneur Zalman of Ladi to the Russian government. The Reform Jews of Rumania brought accusations against the orthodox Chief Rabbi, Meir Loeb Malbim, who was imprisoned and eventually deported. Even in the Warsaw ghetto, the Jews involved in the uprising were unable to unite to form a single fighting unit. It is hard to read this history without weeping for the harm Jews brought on themselves by their inability to manage their internal conflicts. Ruth Wisse, in her recent *Jews and Power*, asks the important question, 'Why are Jews so bad at politics?' The simplest answer is that they lacked the ability to manage and contain internal conflict. Maimonides in his Letter to the Sages of Marseilles says that the Second Temple fell because Jews neglected 'the art of martial defence and government'. This is an insightful comment. The Talmud says that it fell because of *sinat chinam*, gratuitous hatred. Maimonides' point is that some form of conflict is inevitable within any society. Politics, the art of government, is about mediating conflict. When politics fail, *sinat chinam* is the inevitable outcome. It continues today. Israel is still riven by deep conflicts, between religious and secular, Orthodox and ultra-Orthodox (*dati* and *haredi*), Ashkenazim and Sefardim, and many other rifts.

During the first Gulf War (1991) I was living in Jerusalem together with my family. The war produced an unusual casualty: family life. Israeli families were unused to spending long periods together in a sealed room while the SCUD missile attacks were taking place. I was contacted by someone from Teddy Kollek's office, asking whether I would be willing to sit as the rabbinic representative on a group dealing with family stress. I asked, 'Are there no other rabbis in Jerusalem?' 'Yes', came back the reply, 'but none trained in family therapy'. Again it highlighted how remote the ideas of conflict resolution and mediation are from the empirical mainstream of Jewish life.

**One of the most compelling, if controversial, explanations was given by the late Rabbi Moshe Avigdor Amiel, Chief Rabbi of Tel Aviv from 1936. He argued that in Judaism, the individual has a higher value than the collective. This is counterintuitive, but Rabbi Amiel was one of the most brilliant Talmudists of his time, and did not make the suggestion lightly. It was precisely the refusal of the individual to yield to the majority, he said, that was the greatest Jewish strength in the Diaspora and its greatest danger to the new State (Amiel did not live to see the State; he died in 1946). Had Jews followed the majority, they would never have survived dispersion, where they were always a minority. But the refusal to yield to the majority threatens to render Jews ungovernable when they become a sovereign nation in their own land. Whether this view is sustainable in Jewish law is open to question. But the psychological insight is unmistakable. Jews are strong individuals; we tend to be at our weakest when it comes to yielding to consensus and working together for the common good. Hence the vital importance of conflict management.**

In truth, Judaism contains one of the most profound forms of conflict management ever to appear within a culture. The sages called it 'argument for the sake of heaven'. Judaism is the only religion in which God and human beings argue. All Judaism's canonical texts – Tanakh, Midrash, Mishnah, Gemarah, Maimonides' code, the Shulkhan Arukh, and the standard editions of Torah with commentaries – are anthologies of argument. Conflict management, in Judaism, is about conversation and the protocols of respectful debate. It is about speaking and listening. Jews tend to be good at the first, less good at the second. That is why, in my new edition of the Siddur, I have translated Shema Yisrael as 'Listen, Israel'. Shema in one or other of its forms appears no less than 92 times in the Book of Devarim.

In Judaism, listening is a religious act. One of the creative developments in 19th century Jewish life was the Mussar movement associated with Rabbi Yisrael Salanter. It focused on ethics, but in a specific way. It tended to speak about shlemut, personal perfection. But personal perfection is easy. **It is interpersonal perfection that is hard. Were anyone to attempt to create a Mussar movement for the 21st century, they would be advised to concentrate on the Zwischenmentsliche, the virtues that make possible a world of intersubjectivity: listening, respecting, praising, mediating and finding lateral solutions offering a way beyond**

the zero-sum game of conflict. Without these, we will find it hard to sustain marriages, communities and a cohesive Jewish society. The finest essay on the subject is the introduction of the Netziv (R. Naftali Zvi Berlin) to his commentary to the Book of Bereishith. Every word of it is relevant today. \_\_