YESHIVAT HAR ETZION

ISRAEL KOSCHITZKY VIRTUAL BEIT MIDRASH (VBM)

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***Bein Adam Le-chavero:* Ethics of Interpersonal Conduct**

**By Rav Binyamin Zimmerman**

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**Dedicated in memory of
Joseph Y. Nadler, z”l, Yosef ben Yechezkel Tzvi**

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**Shiur #18: The Enduring Truth of Proper *Machaloket***

In last week's lesson we began to develop an understanding of the prohibition of entering into *machaloket*, dispute or controversy. We noted that the concept of *machaloket* is not at all foreign to the religious life of a Jew. In fact, it is often viewed as an essential part of the spiritual battle to reach a truthful understanding of the Torah. In fact, the Mishna in *Avot* differentiates between two different types of dispute: *machaloket le-shem shamayim*, which is viewed positively; and *machaloket she-einah le-shem shamayim*, which is forbidden and destructive.

To better understand the distinction between positive and negative disagreements, we will take a second look at the statement, analyzing its language and its components, against the backdrop of a passage celebrating the manner of dispute which characterizes Talmudic study.

The Talmud in *Kiddushin* (30b) expounds a verse in *Tehillim* (127:5), explaining:

What is "with enemies at the gate?" Rabbi Chiya bar Abba said: “Even a father and son, a teacher and student, who are involved in Torah at one gate become enemies to each other, but they do not move from there until they become close friends, as it says (*Bamidbar* 21:14): ‘the gift at Reeds’ — rather than ‘at Reeds’ (be-sufa), read: at its end (be-sofah).”

The Talmud interprets the verse in *Tehillim,* “He shall not be put to shame when he speaks with his enemies at the gate,” as referring to the study of Torah. Why does the verse refer to scholars as enemies? This is explicated by the verse in Bamidbar (21:14), which states: "This is the book of the wars of God, the gift (*vahev*) at Reeds and the wadis Arnon." The Talmud homiletically reads *suf* (reeds) as *sof* (end). As Rashi (*ad loc*.) explains, “*vahev*” is associated with *ahava*, love: thus, the divine wars concerning books lead, at the end, to love. Arguments about Torah, in other words, ultimately increase the closeness of the participants. Here, the Talmud seems to celebrate a real battle to understand the truth of Torah.

With this in mind, let us return to the text of the Mishna.

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 between Hillel and Shammai. Which is a dispute that is not for the sake of Heaven? The dispute of Korach and all his company. (*Avot* 5:17)

The Mishna's distinction between a controversy conducted *le-shem shamayim* and one conducted not *le-shem shamayim* raises a number of questions. Regarding the holy dispute, the Mishna speaks of both sides of the dispute, Hillel and Shammai, while regarding the unholy dispute it only mentions "Korach and his company.” Why not mention the other side, Moshe and Aharon?

Secondly, the language of the Mishna is rather difficult: it seems to indicate that the difference between the two disputes is whether the dispute will ultimately endure or not. A *machaloket* which endures seems to not be a good thing, so why would the Mishna look at lastingnessas a positive attribute?

Thirdly, is there anything to be gleaned from the Mishna’s reference to Hillel and Shammai in particular, who only argue about a handful of matters, rather than the academies they founded, Beit Hillel and Beit Shammai, which argue about hundreds of issues?

**Understanding Korach**

To better understand the Mishna's lesson we must take a deeper look at the nature of Korach's rebellion, as told in *Bamidbar* 16-17. Understanding the Korach episode is important for a number of reasons. It is the biblical basis for the Talmudic mandate *"Ein machazikin be-machaloket*,” “We do not hold on to controversy.” (See our previous lesson.) It is also the archetypical case provided by the Mishna for a dispute waged with unholy motives. Understanding the episode will help us uncover the root causes of these types of disputes and enable us to identify an unhealthy argument as it is forming. Secondly, understanding the context may help us determine what aspects should be considered forbidden because they lead to the destructive consequences which his rebellion met.

The commentators debate the motives that lie behind Korach's rebellion. The sources seem to present different motives for the disagreement, some focusing on greed and personal ambition, others focusing on religious differences with Moshe. Indeed, in *Reflections of the Rav* by Rabbi Abraham R. Besdin, he dedicates a chapter (XIII, p. 139 ff.) to Rav Joseph B. Soloveitchik’s view of Korach’s revolt, “The ‘Common-Sense’ Rebellion against Torah Authority.”

In fact, a look at the text reveals that Korach and his entourage include a motley crew of individuals with different causes. Korach is joined by prominent Reubenites, as well as two hundred and fifty leaders of Israel. Their claims even seem to have some noble intentions, as they declare to Moshe and Aharon (16:3): "You have gone too far, for the entire company is holy, and God is in their midst. Why are you setting yourselves above God's congregation?”

However, Moshe's response reveals that their real qualms relate to Aharon's priesthood: “Although He brought you and all of your Levite brethren close, you seek the priesthood as well.” *Midrash Tanchuma* offers some political and financial context for his objections, as Korach views himself as rightful heir to the leadership of Levi (ch. 1) and contests Aaron’s right to the tithes and other gifts set aside for the priests (ch. 3).

Furthermore, the Abarbanel (*ad loc.*) points to another grievance the Reubenites have: the tribe of Yehuda (under Aharon’s brother-in-law) has assumed leadership in the encampment in the desert. Nevertheless, they unite with Korach and his 250 nobles for the common cause of challenging the authority of Moshe and Aharon.

Rav Tzadok Ha-Kohen of Lublin (*Peri Tzaddik, Parashat Korach*) provides a fascinating approach to the nature of Korach's controversy. The idea that all Jews are holy and should have equal access to a relationship with God is indeed correct, and this will be achieved in the future when all the righteous will stand around the Garden of Eden in a circle, equidistant to God at the center (*Taanit* 31a). He adds that even though Korach addresses these claims with ulterior motives, the controversy is written in the Torah because there is future truth to the claim, “for the entire company is holy, and God is in their midst," though the time is not yet ripe for it.

Certainly if Korach's claims are valid, at least on some level, then the story not only surrounds the motives for the dispute, but also the way in which Korach conducts the argument. His accusations and unwillingness to discuss matters thoughtfully also express his lack of proper motivation. Even a noble motive is to be discounted if the battle is not fought properly.

These dual aspects of Korach's villainous behavior, the motive and the manner, also appears in an understanding of the verses. The episode begins with the words, “And Korach took” (16:1). What exactly does he take? Commentators offer explanations which relate the terminology to the impetus for Korach's rebellion as well as to the manner in which he wages it.

The Yerushalmi (*Sanhedrin* 10:1) explains that it refers to the preceding passage (15:38), which speaks of the obligation to include “a cord of *tekhelet*” (sky-blue wool) in the fringes upon a four-cornered garment. Korach, according to this tradition, takes a garment made entirely of *tekhelet* and challenges Moshe: should such a garment require an additional cord of this material as well? Korach uses this question as the basis for his attack on the credibility of Moshe and Aharon as divine lawgivers.

One of the other ideas presented by a number of commentators is that “And Korach took” refers to the methods Korach uses. He gathers together all of the individuals with personal feelings against Moshe and Aharon in order to stage his rebellion. He does not argue in good faith, but carefully orchestrates a revolution.

**Return to the Mishna**

With these insights into Korach's rebellion in mind, let us return to the Mishna to gain a deeper understanding of forbidden *machaloket*.

One possibility is that Korach and his henchmen may have somewhat righteous motives, but their manner of doing so is battle for the sake of battle, devoid of lofty motives. The other general approach to Korach's rebellion speaks of the improper motivations garbed in religious devotion.

In Rav Elchanan Sorotzkin’s *Lemaan Achai Ve-reiai* (cited by Rav David Silverberg, <http://www.vbm-torah.org/archive/salt-bemidbar/38-5korach.htm>), he provides a beautiful explanation of why Korach is the archetype for disingenuous dispute. After all, the Jews sin in the desert more than a dozen times! He explains that the Mishna feels no need to address petty quarreling over mundane matters such as food and water. Such arguments need no comment. It is specifically those arguments waged under the pretense of being "*le-shem shamayim*" that the Mishna feels compelled to address. The story of Korach serves as the classic example of a *machaloket* waged out of impure motives under the guise of sincerity; thus, it is particularly this type of controversy which the Mishna warns us about. It is specifically regarding disputes over religious issues that we have to be utterly certain that all intentions are truly *le-shem shamayim*.

In fact, Korach's motives and manner may also impact our understanding of the verse which is cited as the source for the Talmudic mandate “*Ein machazikin be-machaloket*,” namely, “That he be not like Korach and his company” (17:5).

In truth, there are a number of possible alternative explanations of the verse, some of which are espoused by the different biblical commentators. The Ramban understands the verse as a prohibition of challenging the institution of the priesthood, as Korach does (see *Meshekh Chokhma, ad loc*. for an understanding of the Rambam's opinion).

After analyzing the story of Korach, it is indeed possible to limit the prohibition to one of the possible motives or manners recorded above. Why is the verse then so vague regarding the prohibition to "be not like Korach," without specifying which aspect of his behavior is included in the prohibition?

One may explain that the generality is in fact quite useful. The verse is indicating that despite all the possible motives for Korach's rebellion, some of which might even be righteous, engaging in a *machaloket* is so detrimental that it cannot be permitted unless there is no possibility of undisclosed motives. Every negative aspect of Korach's behavior is included in the prohibition, as a *machaloket* requires complete and total purity of motive and method; any possible deviation can ruin the most lofty causes.

The context of the prohibition is also significant for learning how to deal with dispute. For instance, Rav Zalman Nechemya Goldberg (*Moriah* 169/170, 62-72) notes that the prohibition compels us to learn from the actions of Moshe. Not only does he not initiate a dispute; instead, he dispenses with his honor in order to effect reconciliation, even though it is not his fault.

**Shammai and Hillel**

On the other end of the spectrum, analyzing the debate between Shammai and Hillel provides insight into the proper form of disagreement. In several places, the Talmud describes the positive aspects of the disputes between the students of their academies. The issues at hand in their debates are very serious, but as the Mishna notes (*Yevamot* 1:4, *Eduyot* 4:8): “Though these forbid what those permit and these invalidate what those validate, Beit Shammai does not refrain from marrying women of Beit Hillel, nor Beit Hillel of Beit Shammai.” The Talmud (*Yevamot* 14b) eloquently spells this out:

Although Beit Shammai and Beit Hillel are in disagreement on the questions of rivals, sisters, old bills of divorce…. Beit Shammai does not, nevertheless, abstain from marrying women of Beit Hillel, nor Beit Hillel of Beit Shammai. This is to teach you that they show love and friendship towards one another, thus putting into practice the verse (*Zekharya* 8:19) “And love truth and peace.”

The Talmud (*Eruvin* 13b) relates an anecdote from Rabbi Abba stated in the name of Shemuel:

For three years there was a dispute between Beit Shammai and Beit Hillel, the former asserting, "The law is in accordance with our view," and the latter asserting, "The law is in accordance with our view." Then a Heavenly voice emerged and declared: "These and those are the words of the living God, but the law is in accordance with Beit Hillel."

The passage goes on to ask why the law is in accordance with Beit Hillel if both express Torah views:

Since "these and those are the words of the living God," why does Beit Hillel deserve to have the law accord with their view? Because they are kindly and modest: they study their own views and those of Beit Shammai, and they even go so far as to mention the views of Beit Shammai before theirs.

Though their debates are fierce and have serious implications, their disputes never become personal. Their *machaloket* is *le-shem shamayim* not only in motive, but in the manner in which it is waged. They maintain their motivation even in the heat of disagreement, rejecting the others' views but not their personalities.

Maintaining composure during a dispute also allows one the chance to reconcile by listening to the other side and honestly hearing the reasoning, e.g. in the discussion of a Talmudic text and the debate over its proper understanding.

This is not necessarily common. The deciding factor is often one’s willingness to accept a proof for the other's position, especially the readiness to bring the other a support when the other has not discovered it independently.

In fact, a fascinating suggestion is raised by Rav Kalonymus Epstein in *Maor Va-shamesh* (*Parashat Korach*). He proposes that the Mishna specifically chooses Shammai and Hillel, despite their noble manners, rather than their students, is because it is almost impossible for the second generation of a dispute to remain committed to the truthful motives that began the debate. How difficult it is for students not to include feelings of the preeminence of their teacher over others while conducting a debate!

This idea is unfortunately apparent in many multigenerational religious disputes. Though the original authorities may have differed over real issues, their students and successors tend to mix in their personal feelings, as they are often indoctrinated into one understanding without giving any credence to alternatives.

**Silence and Silencing in the Wake of *Machaloket***

With this in mind, it is readily apparent that even a *machaloket* with noble motives is hard to keep pure. For this reason, the most logical approach to a *machaloket*, when possible, may be silence, as expressed by Rav Nachman of Breslov.

Know that through conflict, i.e. argument, upstanding people entertain the thoughts of the wicked; in other words heretical thoughts seize them because of this. The rectification for this is to hand over the conflict to God, so that God may fight the battle. Through this, one nullifies the aforementioned thoughts of the wicked…

 In the Talmud (*Yevamot* 96b) we learn: "It once happened that a dispute in the study reached the point at which a Torah scroll was ripped due to their anger…Said he: ‘I would not be surprised if this place becomes a temple of idolatry!’" Thus, dispute opens the door to idolatry and heresy, as it is written (*Tehillim* 140:3), "They devise evil in their hearts, all the time stirring up wars." By means of wars, i.e. argument, they think up evil in their hearts and come to wicked thoughts, namely heresy, as explained above.

The rectification for this is to hand the conflict over to God, so that God may fight the battle. This is silence — one must be silent before them and must rely on God alone to fight on one’s behalf, as it is written (*Shemot* 14:14), "God will fight for you, and you will be silent." By means of this silence, evil thoughts of heresy are nullified and one's own thoughts are elevated. As we are taught, "Be silent; this is how it has arisen in My thought" (*Menachot* 29b) – through silence, thought is elevated, as explained above. (*Likkutei Moharan Kama* 251)

According to Rav Nachman's view, dispute is extremely dangerous for two principal reasons. Firstly, it creates a place for the heretical views of others to seep into one's thoughts, and it also opens the door to the danger of pride. Because the line between noble disagreement and improper dispute is sometimes very thin, the remedy for *machaloket* is silence. (See Rav Itamar Eldar’s “Thought of Rav Nachman,” *Shiur* #16b, <http://www.vbm-torah.org/archive/rnachman/16brnachman.rtf>.)

Silence obviates all of the possible dangers of *machaloket*. For this reason there are also a number of allowances reserved for one who tries to silence *machaloket*. For instance, the Yerushalmi (*Peia* 1:1) quotes Rabbi Shemuel bar Nachman in the name of Rav Yonatan as saying that it is permissible to speak ill of those who perpetuate strife, which Rabbi Akiva Eger (*Gilyon Ha-Shas, ad loc.*) limits to the purpose of silencing the dispute. (See also *Sefer Chafetz Chayim, Hilkhot Lashon Ha-ra* 8:8.)

**Endurance**

These ideas about perpetuating strife may be relevant to the terminology of the Mishna. The distinction between righteous and improper *machaloket* is which is destined to endure (*sofah le-hitkayem;* literally, its end is to stand). What could be positive about the perpetuation of a *machaloket*?

One approach of the commentators is to reinterpret the terminology. In Rav Shimon Vanunu’s anthology *Avot Mi-shulchan Rabboteinu*, Rav Yechiel Mordechai Gordon explains that the Mishna means that any *machaloket* which is for the sake of Heaven will stand still and will not expand to other issues. A *machaloket* which is not for the sake of Heaven, however, will not stand still; instead, it will attract new individuals and spread to other venues and people.

One also may add that the assessment of a *machaloket* is affected by its long-term implications and goals. The Rambam writes at the end of Hilkhot Chanukka (4:14): “The entire Torah is given for the sake of Peace, as the verse states regarding the Torah, ‘Its ways are the ways of pleasantness and all its paths are peace’ (*Mishlei* 3:17).” If the goal of the Torah is peace, then one of the goals of the dispute should also be to bring out the sense of peace.

Similarly, Rav Shelomo Zalman Auerbach (quoted by Rav Shimon Vanunu in *Avot Mi-shulchan Rabboteinu*) notes that the disputes in *Avot* 5:17 are fundamentally comparable, just distinct in the righteous intentions of the former. He explains that the reason for this is that any *machaloket* is inherently bad, as the Mishna concludes (*Uktzin* 3:12): "God found no better vessel for holding blessing than peace." This is especially true regarding the learning of Torah; after all, the Torah was given when the Jewish people were unified: “They united themselves here with one heart” (*Mekhilta, Shemot* 19:2). The only reason to permit a *machaloket* for the sake of Heaven is that it has the potential to ultimately increase unity. Specifically through this *machaloket*, each participant's attachment to the Torah is revealed and is strengthened. This attachment forges a common bond between the disputants, thus leaving them close friends.

Rav Moshe Feinstein possibly goes one step further. In *Iggerot Moshe, OC* 4:25, he offers a fascinating exposition of Moshe's dialogue with God at the Burning Bush. He explains that Moshe is worried about how the people will resolve religious disputes. Essentially, he distinguishes between two different types of *machaloket*. Disagreements regarding mundane matters arise due to human failings and are to be disavowed. However, in spiritual matters, dispute is often necessary in order to reach truth. When a dispute is not *le-shem shamayim*, it is a result of human weakness, the lack of the proper motivation for serving God, and therefore there is no value to the dispute. At most, only one side is correct, and therefore it is proper that the *machaloket* be quelled quickly, rather than lasting*.*

On the other hand, Rav Moshe contends that disagreements in the spiritual realm are an inherent part of the very nature of Torah. It is an expression of revealing divine wisdom in human parameters. The language of *machaloket* is the only language available to express the multifaceted nature of celestial wisdom. For this reason, even two divergent opinions can both express the words of the living God; for this reason, in fact, it is necessary for the *machaloket* to continue, *le*-*hitkayem,* because no single opinion can truly express the multidimensional heavenly truth.

Obviously, this can only be done if one maintains honesty as to the cause of the dispute. The Yad Ha-ketana (*De'ot* 10) sets out a litmus test:

One must find in his heart no ulterior motive and experience no happiness, no sadness and no pride, nor any personal benefit to oneself.

The manner in which the argument is fought is also significant. One must maintain the dignity of the other side. (See Rav Chayim Shmuelevitz’s *Sichot Musar*, 76.)

***Kiddushin* 30b**

One might offer another explanation of the Mishna's endurancebased on the aforementioned passage, *Kiddushin* 30b. The Talmud explains how the learning process involves a battle where one’s beloved can become an "enemy" as long as in the end there is love. This occurs when a dispute cannot be silenced, because the resolution is necessary to properly continue.

Rashi explains the Talmud's homiletic interpretation of the verse in *Bamidbar* as referring to a war that is waged through books, i.e. in debates between Torah scholars. Its end (*sofah*) is always amicable and affectionate.

A careful look at the Talmud's terminology seems to echo the text of the Mishna, which also speaks of an end: "*sofah le-hitkayem.*" Rav Ovadya of Bartenura's commentary on *Avot* 5:17 may help us understand this.

Rav Ovadya of Bartenura initially interprets the terminology of "*sofah le-hitkayem*" as referring to a happy resolution for those involved in the dispute, unlike Korach’s band, which was lost and swallowed up. However, he then adds another explanation:

I have heard explained that "its end" refers to the purpose that was sought from it. In a *machaloket* for the sake of Heaven, the purpose and the end that is sought in the*machaloket* is to know the truth, and this purpose will be upheld… as it was clarified by the *machaloket* of Hillel and Shammai that the law is like Beit Hillel.

However, concerning a *machaloket* that is not for the sake of Heaven, the desired purpose is the pursuit of power and the love of victory. This purpose will not be upheld, as we find by the *machaloket* of Korach and his congregation. Their goal was the pursuit of honor and power, and in the end they found the opposite.

Based on this explanation of the Mishna, one may reinterpret the Talmud's exposition of *ahava* at the *sof*. When the *machaloket* is driven by a love of truth, it serves as a necessary vehicle for clarification as well as a means of achieving an understanding of the multidimensional divine wisdom. To this end, a *machaloket* over books and understanding God, driven by the common love of truth, may at one point be fierce, but it is fought with love and its desired result is love. The love of truth and the love of the Torah are ultimately the same. Since the Torah is the embodiment of peace and love for others, understanding it allows us to gain a greater picture of the words of the living God, which endure forever.