

JEWISH SOURCES AND THE PROACTIVE PURSUIT OF ARGUMENT

Resetting the Table is inspired by the Jewish sensibilities of *machloket l'shem shamayim* (heavenly argument) and *elu v'elu* (listening to multiple voices). We offer the following foundational texts and commentary to support integrating Jewish wisdom into framing the importance of constructive engagement across differences or as an independent text study.

משנה מסכת אבות ה"ז

כל מחלוקת שהיא לשם שמים סופה להתקיים ושאינה לשם שמים אין סופה להתקיים איזו היא מחלוקת שהיא לשם שמים זו מחלוקת הלל ושמאי ושאינה לשם שמים זו מחלוקת קרח וכל עדתו:

“Every dispute that is for the sake of heaven will endure in the end; if it is not for the sake of heaven, in the end it will not endure. Which dispute is for the sake of heaven? The dispute of Hillel and Shammai. The one that is not for the sake of heaven is the one of Korah and his congregation.

MISHNAH, PIRKE AVOT 5:17

תלמוד בבלי מסכת עירובין יג:

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. וכי מאחר שאלו ואלו דברי אלהים חיים מפני מה זכו בית הלל לקבוע הלכה כמותן - מפני שנזחין ועלובין היו, ושונין דבריהן ודברי בית שמאי. ולא עוד אלא שמקדימין דברי בית שמאי לדבריהן.

“R. Abba stated in the name of Samuel: For three years there was a dispute between *Beit Shammai* and *Beit Hillel*, the former asserting, ‘The *halachah* is in agreement with our views’ and the latter contending, ‘The *halachah* is in agreement with our views.’ Then a *bat kol* issued announcing, ‘These and these (‘*elu v’elu*’) are the words of the living God, but the *halacha* is in agreement with the rulings of *Beit Hillel*.’ Since, however, both are the words of the living God, what was it that entitled *Beit Hillel* to have the *halacha* fixed in agreement with their rulings? Because they were kindly and modest, they studied their own rulings and those of *Beit Shammai*. Not only this, but they even mentioned the words of *Beit Shammai* before theirs.”

BABYLONIAN TALMUD ERUVIN 13B

The proactive pursuit of heavenly disagreement has deep roots in Jewish tradition. Each daf (page) of the Talmud – Judaism’s foundational religious text for legal decision-making – is filled with opposing arguments over issues great and small. Sometimes there is no majority

decision, but rather multiple options from which later generations must choose. One of the rationales for this practice of preserving minority opinions is that even if a majority opinion is determined, the minority opinions may be useful to resolve future problems. As such, it is necessary to access all of the rigorous debate of the past to find solutions for the future.

Jewish sages embraced arguments that were conducted *l'shem shamayim*, “for the sake of Heaven.” The foundational text that introduces this concept differentiates “heavenly” from “unheavenly” argument and has inspired much commentary about the nature of the distinction. One interpretation focuses on the dispute’s goal. Are we pursuing our own ascendance and victory like Korah when he tried to usurp Moses’ power, or are we pursuing the wisest lessons and best solutions to the problems we face? Another interpretation centers on how we conduct the argument. Did we demonize our counterparts like Korah and take on a zero-sum game sensibility? Did we say ‘there’s no talking to or reasoning with *them*’; they must simply be brought down? Or did we pursue mutually dignifying communication, even in the face of fierce disagreement?

Another classic text places the capacity to listen to and affirm the dignity of our adversaries as the very cornerstone of Jewish law. Jewish law, we learn, follows *Beit Hillel* (the school or “House” of Hillel) because they extend recognition to their opposing school, *Beit Shammai* (the school of Shammai). Not only do they study *Beit Shammai*’s reasoning, but they even “mention [*Beit Shammai*’s] words before their own.” This practice of working to understand and represent those with whom we disagree – what RTT terms “bullseye reflections” – is a foundational skill for productive dialogue across disagreement. “Bullseye reflections” don’t necessarily produce agreement, but they will almost always produce greater capacity for complexity, clarity, mutual curiosity, and collaboration. When we are seen as we wish to be seen, we are far more likely to transcend the self-absorption, rigidity and reactivity that are core tendencies of conflict, and open ourselves to new information, challenges, and ideas.

By instructing that Jewish law follows *Beit Hillel*, the text teaches us that Jewish tradition valorizes those who are humble and receptive enough to take into account the aspirations, concerns, insights, and needs of the “opposition,” in order to engage in creative problem solving and build a sustainable and shared public life.

The rabbis seem to have embraced argument not only pragmatically, but also theologically. “*These and these are the words of the living God.*” We learn in a long strand of tradition that revelation itself is multi-vocal – perhaps even contradictory – in its very DNA. We learn that multiplicity is a facet of oneness, written into our very blueprint for meaning and truth. At the very least, truth remains ungraspable in its completeness by any of us as individuals. To embrace one God is to embrace our own limitations and uncertainty and to know that no single ideology exhausts what it means to be a Jew and what God wants, even if we have to legislate as a practical necessity.

What are the prescriptive outcomes of such a theology? One: that we – like *Beit Hillel* – must aspire to sustain humility and uncertainty rather than dogmatism; we must maintain persistent consciousness that we may not be right. Two: that our voice also matters. To contribute to the best course of action and comprehensive understanding, we must contribute our knowledge and moral commitments in communication with those with whom we disagree. Three: we must

not only listen, but actively pursue the thinking of others and transcend our own groupthink. If we dismiss and project false assumptions onto our ideological adversaries – and if we surround ourselves with those who agree with us and avoid those who don't – we generalize from incomplete information and miss out on crucial insight. This theology does not prescribe relinquishing standards of morality or truth, but rather stepping into the gulf between relativism and absolutism with receptivity and open ears.

Our tradition advances the vision that diverse minds, engaged in earnest search and questioning, will find better and richer solutions to the problems we face and yield better public decision-making. Doing so does not mean suppressing disagreement or squelching debate. It means application of care for the dignity of every human being, even those with whom we sharply disagree. It means listening carefully, not just to understand what they are saying but to open ourselves to the possibility that they may have something to teach. It is the art and practice of living in a shared community and democracy in the presence of difference. Heavenly argument may be Judaism's most sorely needed contribution to the U.S. public sphere.

ADDITIONAL JEWISH TEXTS

משנה מסכת עדיות א:ה

ולמה מזכירין דברי היחיד בין המרובין הואיל ואין הלכה אלא כדברי המרובין שאם יראה בית דין את דברי היחיד ויסמוך עליו שאין בית דין יכול לבטל דברי בית דין חברו עד שיהיה גדול ממנו בחכמה ובמנין היה גדול ממנו בחכמה אבל לא במנין אבל לא בחכמה אינו יכול לבטל דבריו עד שיהיה גדול ממנו בחכמה ובמנין:

Mishna, Eduyot 1:5-6

And why do they record the opinion of a single person among the many, when the halakhah must be according to the opinion of the many? So that if a court prefers the opinion of the single person it may depend on him. ...Rabbi Judah said: "If so, why do they record the opinion of a single person among the many to set it aside? So that if a man shall say, 'Thus have I received the tradition,' it may be said to him, 'According to the [refuted] opinion of that individual did you hear it.'

תלמוד בבלי מסכת חגיגה ג:

בעלי אספות - אלו תלמידי חכמים שיושבין אסופות אסופות ועוסקין בתורה, הללו מטמאין והללו מטהרין, הללו אוסרין והללו מתירין, הללו פוסלין והללו מכשירין. שמא יאמר אדם: היאך אני למד תורה מעתה? תלמוד לומר: כולם נתנו מרעה אחד - אל אחד נתנו, פרנס אחד אמרן, מפי אדון כל המעשים ברוך הוא, דכתיב (שמות כ) וידבר אלהים את כל הדברים האלה. אף אתה עשה אזניך כאפרכסת, וקנה לך לב מבין לשמוע את דברי מטמאים ואת דברי מטהרים, את דברי אוסרין ואת דברי מתירין, את דברי פוסלין ואת דברי מכשירין.

Babylonian Talmud Hagiga 3b

"The masters of assemblies": These are the disciples of the wise, who sit in manifold assemblies and occupy themselves with the Torah, some pronouncing impure and others pronouncing pure, some prohibiting and others permitting, some disqualifying and others declaring fit. Should a person say: How in these circumstances shall I learn Torah? Therefore the text says: All of them are given from one Shepherd. One God gave them; one leader uttered them from the mouth of the Lord of all creation who is blessed; for it is written (Exodus 20): "And God

spoke all these words.” So even you should make your ear like the hopper and get for yourself a perceptive heart to understand the words of those who pronounce impure and the words of those who pronounce pure, the words of those who prohibit and the words of those who permit, the words of those who disqualify and the words of those who declare fit.

Sefat Emet, Ki Tavo

“If you listen, listen to the voice of the Lord your God...” (Deut. 28:1). The midrash comments: “Happy is one whose listenings are to Me, hovering always at My doorways, door within door...”

“Listenings” means that one should always be prepared to receive and listen closely to the word of God. The voice of that word is in everything, since each was created by God’s utterance and has the power of divine speech hidden within it. This is the hidden light that we are told to find.

Inwardness goes on, deeper and deeper, truly beyond measure. This is the meaning of “My doorways.” Never think that you have come to the truth; understand that you are always standing at the entrance. The word “doorway” (delet) is related to “poverty” (or “humility”) (dalut). This is the way you find door after door opening for you....

This is why the verse says “listen, listen” – listen to that which you already are hearing.

Martin Buber, “Hope for this Hour”

He is convinced that his side is in order, the other side fundamentally out of order, that he is concerned with the recognition and realization of the right, his opponent with the masking of his selfish interest. Expressed in modern terminology, he believes that he has ideas, his opponent only ideologies. This obsession feeds the mistrust that incites the two camps.

During the First World War it became clear to me that a process was going on which before then I had only surmised. This was the growing difficulty of genuine dialogue, and most especially of genuine dialogue between people of different kinds and convictions. Direct, frank dialogue is becoming ever more difficult and more rare; the abysses between human beings threaten ever more pitilessly to become unbridgeable. I began to understand at that time...that this is the central question for the fate of humanity. Since then I have continually pointed out that the future of our humanity depends upon a rebirth of dialogue... What I mean is not a vague idealism, but a more comprehending, more penetrating realism, the realism of a greater reality.