

FIGHTING FOR THE SAKE OF HEAVEN

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Shana tova. Let me begin with an old joke. A Jew was shipwrecked on a desert island and the first thing he did was build two synagogues.

Years later when he was finally rescued people were bewildered and asked him: Why did you build two synagogues? To which he replied:

"Do you see that one over there, that's my shul. That other one...feh! I would *NEVER* step foot in there!"

It's funny, because its true. We do tend to define ourselves not only by what we believe, but by what we don't believe as well.

It is a Jewish thing to disagree. In fact, arguing is a cherished tradition in Judaism, and if done the right way, and with the right intentionality, it can even be seen as a holy act.

In fact our very name - Yisrael - comes from a story about fighting. In the Book of Genesis we are taught that one night as our patriarch Jacob was about to come face to face with his past and with his brother Esau, he went off to be by himself on the banks of the Yabbok river.

But instead of being alone, Jacob finds a mysterious stranger who proceeds to fight with him and wrestle with him throughout the night. As dawn's light approached Jacob was getting the upper hand. The stranger begged to be let go, but Jacob sensing that this was no ordinary person demanded a blessing before he would release him.

This stranger, this angel, blessed Jacob in such a way that it could be seen as a blessing or a curse. The angel said "Your name will no longer be Ya'akov, but Yisrael - for you have wrestled with God and with man, and you have prevailed."

And that is who we are as a people - we are Yisrael, we are Israel, we wrestle with our faith, and we wrestle with each other.

As I said, to be Jewish is to argue - this is who we are, we even take pride in it, make jokes about, and embrace it. Our tradition not only gives us permission to argue with God - and with each other, but it sees it as a blessing to be able to do so.

This permission to wrestle with truth, with our faith, as well as each other has strengthened us throughout the years. We have embraced sacred arguing and sanctified and codified it in the Talmud, inscribing vastly different opinions side by side, but still leaving room for us to add our own voices to the discussion.

But as I said, this wrestling can be both a blessing and a curse - depending on *how* we engage in our disagreements.

The Talmud teaches us that there are two types of arguments, arguments *b'shem shamayim* - arguments for the sake of heaven, and arguments *lo b'shem shamayim* - arguments that are not for the sake of heaven.

In *Pirkei Avot* the sages teach that “every argument for the sake of heaven will in the end be of permanent value, but every argument not for the sake of heaven will not endure. Which is an argument for the sake of heaven? The argument between Hillel and Shammai. And which is an argument not for the sake of heaven? The argument of Korach and his followers (Mishna, Pirkei Avot 5:17).”

So what are the differences between these arguments? What makes one argument for the sake of heaven, and the other not?

The Talmud teaches us that in the early rabbinic period there were two houses, two schools of thought, the House of Hillel and the House of Shammai. In general, Hillel gave more lenient rulings, and Shammai was much stricter. And all in all, the two houses debated more than 300 legal rulings.

But there is a story dating from around the third century of the Common Era that helps us understand how the arguments of these schools shaped modern Judaism. We are told that for three years the two houses debated how *halakha*, Jewish law, should be decided, whether it should be according to the House of Hillel, or the House of Shammai.

The differences were so severe that we risked the creation of a schism so wide that there would be in essence two Torahs.

We are told that the argument was finally decided by a *Bat Kol*, a voice from heaven. And the *Bat Kol* declared “Both these and these are the words of the living God, but the law is in accordance with the rulings of the House of Hillel.”¹

Why did the heavenly voice rule in favor of Hillel and not Shammai? Many believe it is because the House of Shammai only taught its own version of Torah, but the House of Hillel would include in its teachings the rulings of the House of Shammai.

We learn from this that the minority opinion, even when it is not what is followed, still has a place at the table to be heard, and to be acknowledged. And by including it, we are also being taught that we even have something to learn from those with whom we disagree.

This is different than what Korach did. Korach was Moses and Aaron’s first cousin, and he was angry that God had put authority in their hands, and not his own. Korach and his followers publicly challenged Moses and Aaron’s authority and their ability. Korach sought to divide and conquer the leadership, and by doing so, to acquire authority for himself.

Like the dispute between Hillel and Shammai, heavenly forces weighed in and made a ruling. But this time, it was more than a *Bat Kol*, a heavenly voice that rang out, it was God’s anger and wrath, and the punishment for this rebellion was death.

So why does it seem that in some places arguing is praised, such as when Abraham or Moses challenge God, and in other places, such as with the story of Korach, we see God’s furious reaction?

It is because both our motivation for challenging someone else, as well as the style in which we do that challenging *matters*. Korach did not meet privately with Moses and Aaron, nor did Korach did plead with God directly. He chose instead to try to publicly embarrass them, to shame them, and to undermine their credibility in front of the people.

¹ Eruvin 13b

And, what Korach did was gather 250 representatives of the Israelites, chieftains, and he brought them before Moses and Aaron, and all of Israel, and he called them out to say, and I'm paraphrasing here: "Who do you think you are? What makes you think that you're better than us? You have gone too far!"²

The way that Korach challenged Moses and Aaron threatened to bring down not only them, but our entire society as well. It threatened to tear us apart before we even reached the Promised Land. What Korach's rebellion really was - was a civil war. A civil war that began with hurling hurtful personal accusations and ended with tens of thousands of dead Jews.

But from this story we also see why Moses and Aaron were chosen to be our leaders over Korach. God was enraged with Korach and his followers and the Torah tells us that "the Presence of God appeared to the whole community, and Adonai spoke to Moses and Aaron saying, 'Stand back from this community that I may annihilate them in an instant!' But [Moses and Aaron] fell on their faces and said 'O God, Source of the breath of all flesh! When one member sins, will You be wrathful with the whole community?'"³

And because of their intercession, God tempered his judgment, but only a bit. Instead of the entire House of Israel being wiped out, God killed only those who had participated in the rebellion. But the damage was done, and the entire community bore the scar of that terrible battle.

One of the great gifts of Rabbinic Judaism was giving us a way to engage with sacred text, and with each other, in a way that discourages fanaticism and encourages divergent opinions. The traditional way that we study is called *pilpul* and it takes place in what is called *chevruta*. *Chevruta* means study partner, but it shares the same root as the word *chaver*, meaning friend. And *pilpul* is the style of engaging back and forth, back and forth, delving into the text, and often times disagreeing passionately with your *chevruta*.

² The full story of Korach's rebellion can be found in Numbers 16:1-28

³ Numbers 16:19-22

We are actually forbidden to study sacred text by ourselves, because the rabbis feared that studying sacred text by oneself would lead a person to fanaticism, the fear being that we would believe that our interpretation was the only correct one.

But by studying in chevruta we can see the world through someone else's eyes. And by joining their perspective with ours, we both can find a greater truth than we could not have found alone.

This last year a large and painful controversy arose within the Jewish community of Sacramento. The Leonard Friedman Bar Association invited a controversial and famous Jewish jurist to come to speak.

Judge Richard Goldstone was known in South Africa as being one of the judges who helped bring down Apartheid, and then became known internationally when he was appointed the first chief prosecutor of the United Nations International Criminal Tribunal for the former Yugoslavia and for Rwanda.

But he became the center of controversy, particularly within the Jewish community, when he authored what has become known as the Goldstone Report. The Goldstone Report was a UN commissioned investigation on the war between Israel and Gaza.

The report was highly critical of Israel, and was deeply flawed. And not exactly what you would call "popular" in the wider Jewish community.

And, understandably, many people in our community were very upset about his having been invited to speak in Sacramento. They felt that having him speak in front of a Jewish group would give him credibility and would undermine Israel.

But it is also equally understandable why others wanted to be able to hear him. Some felt that this was a good opportunity to listen to him, to question him, to challenge his findings, and perhaps even hear him apologize. They felt that this was an opportunity for *internal* discussion for Jewish attorneys to listen and to discuss something that had been very difficult for our community.

And they wanted the opportunity to choose for themselves whether or not they wanted to even hear him speak without having their loyalty to Israel and the Jewish people put into question.

But in the weeks prior to his coming, something much more damaging to our community than Judge Goldstone speaking happened. What happened that was so awful was the way that we spoke to each other.

I truly understand why many people were upset, and even angry, with Judge Goldstone having been invited. But, I also understand why others wanted to hear him speak. And it is perfectly understandable, and acceptable, and even healthy, for us to argue about why we believe and feel one way or the other.

After all, Israel is central to the Jewish people. What happens there matters to us here. And what we do here does affect what happens in Israel. But we do not help Israel, and we do not help the Jewish people when we do not allow ourselves to even talk about controversial, or emotional topics.

The emails that flew back and forth on whether or not Judge Goldstone should be disinvited to speak became less about why he should or should not speak, and more about vicious personal attacks on those who had invited him and were participating in the evening.

There were even challenges to whether or not the Leonard Friedman Bar Association had the right to invite him, then it quickly devolved into accusing those who had invited him as being self-hating Jews, calling them mentally ill, and comparing them to the capos - the Jews who had cooperated with the Nazis, and they accused the Law Association of helping destroy the state of Israel by bringing this man in, and then some made very thinly veiled threats of violence against two of the people involved in the evening.

The attacks became so personal and filled with hatred and bile, that what was lost was our ability to engage in real dialogue about the situation itself. And what resulted was the hurt and potential alienation of members of our Jewish community here in Sacramento. People who had served the Sacramento Jewish community for decades, people who had shown their dedication to the Jewish people and are lovers of the State of Israel, were told that they were self-hating Jews for simply being of a different opinion about whether or not people had the right to listen to someone speak.

The State of Israel not only survived Judge Goldstone coming to Sacramento, but as a result of his coming here and being pressured to talk publicly for the first time about his report, not long afterwards he wrote an article in the Washington Post

entitled “Reconsidering the Goldstone Report”⁴ where he expressed regret for his report and stated what many of the mistakes were in that report.

I believe that his interaction with the Sacramento Jewish community had an impact on his decision to publicly write about the problems with the Goldstone report. While his Washington Post article can’t erase the negative impact that his report had on the world’s perception of Israel. It does show how allowing for dialogue can effect positive change.

So in the end his coming to town did not do damage to Israel, but how we debated his arrival did do serious damage to our Jewish community here in Sacramento.

The Rabbis in our community were so dismayed by the way these arguments took shape, that the Sacramento Board of Rabbis agreed that we would all speak on the topic of civil dialogue during the High Holidays - with the hope that our community would learn how to engage differently with each other in the future.

And by differently, I don’t mean that we shouldn’t argue or disagree passionately with each other, but rather we need to be more mindful of how we do it.

In the last two decades, since the assassination of Yitzchak Rabin, the Jewish community has found it increasingly difficult for us to engage in civil dialogue on the topic of Israel. In fact his murder was the ultimate silencing of real debate, real dialogue.

Prime Minister Rabin himself, a man who had dedicated his entire life to the Jewish people and to the State of Israel, first as a soldier and then as a public servant, was accused of being a traitor to the Jewish people because he wanted to engage in peaceful dialogue with Israel’s enemies.

I don’t claim to have the answers for what will turn out to be the right formula for peace between Israel and her neighbors, but I do know this, Judaism teaches us that the path to peace *begins* with civil dialogue and with real discussion.

And I am not alone in that belief. This last Sunday the Office of Israel’s Prime Minister issued the statement that “Israel welcomes the Quartet’s call to hold direct talks with no preconditions with the Palestinian Authority as previously proposed

⁴ “Reconsidering the Goldstone Report on Israel and War Crimes,” Washington Post, April 1, 2011

by US President Barack Obama and Prime Minister Benjamin Netanyahu.⁵” The Quartet being the United States, the European Union, the United Nations and Russia.

By welcoming the call for direct talks, Prime Minister Netanyahu is acknowledging that peace *cannot* be achieved unilaterally either by Israel, or by the Palestinians. The only path to a real and lasting peace is by two parties being willing to sit down at the same table and talk, as well as listen, to each other.

And if it is true that the only way for enemies to find a way to coexist is through peaceful and respectful dialogue, how much more true is it when we are talking about our own family, the Jewish people, needing to be able to sit at the same table and respect the different view points that might be offered?

No matter where we fall on the political spectrum, what party we vote for, what label we use, be it liberal, conservative or moderate, the State of Israel remains central to all of Jewish people, an integral part of our identity and our faith. And we *all* are worried for its safety, and scared that the possibility of peace seems more elusive than ever.

And we continue to be, as we always have been, of many different beliefs of what is best for Israel. Just as in Israel there are dozens of political parties, each with a different roadmap for Israel’s future, American Jews also span the spectrum of beliefs of what we think is in Israel’s best interest. How can it be okay to believe that there are different legitimate ways for us to practice Judaism but only one legitimate way to support Israel?

But our ability to *respectfully* discuss and debate what we believe is increasingly being squashed. There are many synagogues that are fearful to do any programming on Israel because they are afraid that the internal fighting that will erupt will tear their congregations apart. I understand this too well, because I share this fear.

Last year the Bay Area Board of Rabbis and the San Francisco JCRC launched an important community wide campaign called “A Year of Civil Discourse” to try to teach our community how we can argue in a way that does not tear apart the very fabric of who we are. This year the Los Angeles Board of Rabbis is launching a similar campaign. We should learn from the example that they have set for us.

⁵ October 2, 2011

Rabbinic Judaism is based on our ability to argue respectfully with each other. Yet now, after 2000 years of being taught how to fight for the sake of heaven, we are being told that we can not argue in a meaningful way, about the one thing that is so vital to our survival as a people, and by this of course I mean, our birthplace, our homeland, Israel.

I believe that the Jewish people's survival is tied to the survival of Israel. Israel was a refuge for *my* family, first when they fled Iraq in the middle of the last century, and then again, when other relatives fled Iran after the revolution. And in my lifetime alone, I have seen waves of immigration from Romania, from the former Soviet Union, from Ethiopia.

And I don't think it is an accident that as Israel became stronger in the late 60's and the early 70's that the role of American Jews, as Jews, in public life, became more secure. Israel has provided American Jews not only a sense of pride, but also with a sense of security. We are all painfully aware of how different the Jewish community would look had Israel been founded in 1938 instead of 1948.

What happens in Israel affects Jews throughout the world. For many, the word "Israel" and the word "Jew" are interchangeable. When synagogues, or Hillels, or Jewish community centers are attacked, there is usually not only anti-Semitic comments or graffiti found, but overtly anti-Israel sentiments as well.

The fate of the Jewish people is intertwined with each other. What happens in Israel affects us, and what happens within the Jewish community here affects Israel. If it didn't the Sacramento Jewish community wouldn't have worked so hard to oppose the proposed boycott of Israeli products at the Sacramento Food Co-op.

But I believe that we must be concerned not only with Israel and the Jewish people's survival, but the quality of our survival as well. What sort of community will we be? What type of Jewish community are we creating? Will our legacy be like that of Hillel and Shammai, or that of Korach?

I assume that many of your families are not so different than my own extended family. We span a spectrum of religious practice, of political beliefs, of personality styles. And we like to argue - about everything. But still, we try not to forget that we are a family. So we try to reign in the tone of our arguments, be

more careful about the words we choose, and try not to say something in such a way as to push each other away forever.

The Jewish people are also a family. We are B'nai Yisrael - the children of Israel. And the most damaging thing to happen in a family is not to argue, but to be silenced.

What is the worst thing we can do or say to another member of our family? It is to cut them off, to sit *shiva* for them, to say “you are dead to me” and then cease to talk with them. At least when we are arguing, we still have the opportunity to draw close to one another and to be engaged in their lives.

But when we impose silence on another, we risk cutting them off forever. Increasingly, there are more and more younger Jews, and by younger, I mean anyone younger than myself, are feeling alienated from Israel because they are being told that they can not question anything about it. These Jews who were raised to question authority, to argue passionately about their beliefs are told that they can do that about everything, except Israel. They are told that if they disagree with the current government of Israel, they are undermining Israel's very existence.

We need to remember that there is a huge difference between disagreeing with a particular policy of a particular government and not supporting Israel. Those on the left who publicly disagree with Prime Minister Netanyahu's policies are no less pro-Israel than those on the right who publicly disagreed with Prime Minister Rabin's policies. Both sides come to their beliefs, and their criticisms, from a deep love of Israel, not from a lack of support for it.

The worst thing we can do in regards to Israel is not to argue about it, but to be silent about it. I believe that we should all be actively engaged in working to create and protect a strong, safe, democratic Jewish State of Israel that lives according to Jewish values and beliefs, as well as within safe and secure borders.

We should work for peace and for religious pluralism, and we should see and understand that what happens in Israel, and to Israel, to be of personal importance to us. We should talk about it and argue about it, because it matters and because it is of the utmost importance to the Jewish people.

The worst thing we can do is not to argue, but to be silent, and in particular silent with each other. To say nothing about Israel, to cease to engage with it, or about it with each other, is to say that it doesn't matter to us. And that would be the most tragic thing of all.

I worry about the state of the Jewish community. I worry about our ability to engage in real and meaningful dialogue with each other, without creating schisms that are so deep that they can't be crossed. And while Hillel and Shammai were lucky enough to have a Bat Kol, a heavenly voice, settle their dispute, we cannot wait for such a miracle to occur, we need to depend on each other to find a way to resolve our differences.

It is one thing to disagree with someone's beliefs, it is something else to dismiss their right to disagree, or to silence their ability to question all together.

Like Prime Minister Netanyahu, I believe that the only path to peace is by two parties sitting down with each other. And in this case, I believe that the two sides that need to engage in civil dialogue are both Jewish.

I never would have thought it, but the Jewish people need to *relearn* how to argue. We need to reclaim the *blessing* of our name Yisrael and find holiness and meaning in our wrestling once again. And it is essential that all of our arguments be in the tradition of Hillel and Shammai, and never Korach, because our survival depends on it.

Eternal God, grant blessing to the House of Israel. Protect us with Your grace, shelter us with Your peace, and grant us deliverance from the hurts that divide us.

May we live in harmony with one another and may the bonds of faith and fate that unite the Jews of all lands be a source of strength to Israel and to us all. Teach us to be mindful of our words so that we may learn from each other and may all of our disagreements be b'shem sha'mayim - for the sake of heaven.

Bless the house of Israel, wherever we may dwell, with shalom bayit - may all of our homes and houses of worship be filled with peace.⁶ Ken yehi ratzon - may this be God's will.

⁶ Adapted from and inspired by a prayer by Rabbi Cherie Koller-Fox