

## THE BEIT MIDRASH WAY - INTRODUCTION

### Rabbinic Concepts of the Beit Midrash Way

#### Text Study 1

#### The Rabbinic Concept of the 49 vs 49

Study the following sources in *havruta* (study partners).

#### Text 1

##### Midrash Psalms 12 (10th Cen., Land of Israel)

*Rabbi Yanai said: The Torah was not given in a clear cut manner, rather on every statement that G-d said to Moses, He would say forty-nine reasons (panim, lit. faces) the matter could be pure, and forty-nine reasons why the matter could be impure. He (Moses) said to Him, 'Master of the Universe, when will we know the truth (or clarification) of the matter?' He said to him (Moses): 'Go according to the majority' (Exodus 23:2). If the majority rules it is impure – it is impure, if the majority rules it is pure – it is pure.\**

##### מדרש תהלים יב

אמר רבי ינאי לא ניתנו דברי תורה  
חתוכים אלא על כל דיבור שהיה  
אומר הקב"ה למשה היה אומר  
מ"ט פנים טהור ומ"ט פנים טמא.  
אמר לפניו: רבונו של עולם, עד מתי  
נעמוד על בירורו של דבר? אמר לו:  
"אחרי רבים להטות." רבו המטמאין  
טמא, רבו המטהרין טהור.

\* For more information, please see  
<https://elmad.pardes.org/49vs49>

According to Rabbi Yanai (3rd century CE, Land of Israel), what is the significance of G-d giving a Torah that needs to be interpreted 49 reasons one way and 49 reasons the opposite way, before voting and ruling according to the majority?

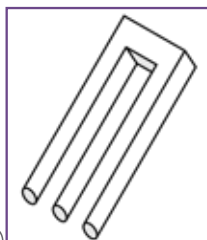
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What would it mean for this Rabbinic concept to serve as a "lens" for interpreting conflicts not only in Torah but also in conflicts today?

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### Text Study 2

## The Rabbinic Concept of *Mahloket L'Shem Shamayim* (Disagreement for the Sake of Heaven)

### Text 2

#### **Mishnah Avot 5:17** (3rd Cen., Land of Israel)

*Any disagreement (mahloket) that is for the sake of Heaven (l'shem shamayim) will continue to exist, but one that is not for the sake of Heaven will not continue to exist. What is a disagreement that is for the sake of Heaven? This is a disagreement of Hillel and Shammai. And one that is not for the sake of Heaven? This is the disagreement of Korah and his group.*

#### **משנה אבות היז**

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.

What is a 'mahloket (disagreement) for the sake of Heaven'?

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### Supplementary Sources

## Supplementary Sources for Text 1

### Text 1.1

#### Midrash Psalms 12 (10th Cen., Land of Israel)

*Rabbi Abahu said in the name of Rabbi Yonatan: Rabbi Akiva had a distinguished disciple and Rabbi Meir was his name, and he would prove the purity of a reptile from the Bible with forty-nine reasons, and would prove its impurity with forty-nine reasons. And so Rabbi Hiya taught: Rabbi Meir had one student and Sumchus was his name, and he would prove the purity of a reptile from the Bible with forty-nine reasons and prove its impurity with forty-nine reasons. Rabbi Yehoshua ben Levi said: Young students in the times of Saul, David and Samuel knew how to study the Torah with forty-nine reasons to rule a matter impure and forty-nine reasons to rule that the same matter was pure.*

#### מדרש תהלים יב

רבי אבהו בשם רבי יונתן אמר:  
תלמיד היה לו לרבי עקיבא ורבי  
מאיר שמו. והיה מטהר את השרץ  
מן התורה במ"ט פנים, והיה מטמא  
במ"ט פנים. וכן תני רבי חייה:  
תלמיד אחד היה לו לרבי מאיר  
וסומכוס שמו והיה מטהר את השרץ  
מן התורה במ"ט פנים ומטמא  
במ"ט פנים. רבי יהושע בן לוי אמר:  
תינוקות שהיו בימי שאול ודוד  
ובימי שמואל, היו יודעין לדרוש את  
התורה במ"ט פנים טמא, ובמ"ט  
פנים טהור.

What is the significance of the Midrash's comments about certain great rabbis as well as children knowing how to study the Torah through the 49 vs 49?

### Text 1.2

#### Babylonian Talmud, Nedarim 38a (600 CE)

*Rav and Samuel both said: Fifty gates of understanding were created in the world, and all but one were given to Moses. For it is said: For thou hast made him [Moses] a little lower than G-d (Psalms 8:6).*

#### תלמוד בבלי, נדרים לח ע"א

רב ושמואל דאמרי תרוייהו: חמישים שערי  
בינה נבראו בעולם, וכולם נתנו למשה  
חסר אחת, שנאמר "ותחסרהו מעט  
מאלוקים" (תהילים ח:ו).

What may be the symbolic significance of the numbers 49 and 50?

### Text 1.3

**Rabbi Zadok HaCohen of Lublin –  
Resisey Layla, 16** (1823–1900, Lublin)

*And this is the explanation of forty-nine reasons (lit. panim – faces) to be impure and forty-nine reasons to be pure, for the fiftieth gate is not comprehended. And the meaning of the word panim ('faces') is "revelations," for the wise person shows faces (reasons) as to why he said what he said... And the fiftieth gate is in parallel to wisdom which is in the heart. For this is impossible to reveal at all to another person, the feeling of the heart, what a person feels in their heart as the reason (lit. taste) of the matter. For the reason (lit. taste) is impossible to explain and reveal at all... Only the imprint (rashimo) of the heart that dresses up as speech. For according to the feeling of reasoning (taste) in a person's heart, so is the strength of the speech. And it is apparent in the speech the feeling of the heart, however the truths of the taste that a person feels are impossible to reveal. And therefore they said (Midrash Psalms, 12) "A distinguished disciple used to say forty-nine reasons (faces) etc" meaning 'say', for to reveal (50) is impossible, only forty-nine faces (can be comprehended). And so too Moses, peace be upon him, received the Torah from Heaven which is the wisdom of Hashem, blessed be He, (and therefore) is not (entirely) comprehensible by humans ... They said (Nedarim 38a), that he (Moses) did not attain the fiftieth gate. For the fiftieth gate of the Written Law is the feeling of Hashem, blessed be He, in the Divine heart, for it is impossible to reveal, and from the 'heart to the mouth is not revealed.'... And in a mahloket (disagreement) that is for the sake of Heaven, like the disagreement of Shammai and Hillel (Mishnah Avot 5:17), in which the House of Hillel would study the words of the House of Shammai (Eruvin 13b) meaning that they would comprehend also the words of the House of Shammai and the reasoning (lit. taste) of the opposite. And like the distinguished disciple who used to say two opposites, for from his clinging to the wisdom of Hashem, blessed be He, he comprehends two opposing ways of understanding the same particular matter...*

**ר' צדוק הכהן מלובלין -  
רסיסי לילה אות טז**

וזה טעם מ"ט פנים טמא ומ"ט פנים טהור כי שער החמישים אין מושג. והיינו דפנים פירוש גילויים מה שהחכם מראה פנים מפני מה אומר כן... ושער חמישים נגד הבינה שבלב. שזה אי אפשר לגלות כלל לחבירו הרגשת הלב מה שהוא מרגיש בלבו הטעם לדבר. דטעם אי אפשר להסביר ולגלות כלל... רק הרשימו שבלב מתלבש בדיבור. שכפי הרגשת הטעם שלו בלב כך הוא כח הדיבור וניכר על הדיבור הרגשת הלב אבל אמיתות טעם שהוא מרגיש זה אי אפשר לגלות. ולכן אמרו (מדרש תהלים מזמור יב) תלמיד ותיק היה אומר מ"ט פנים וכו' פירוש 'אומרי', 'לגלותי אי אפשר רק מ"ט פנים: וכן משה רבינו ע"ה דקיבל תורה מן השמים שהוא חכמתו של השם יתברך מה שאינו מושג לבני אדם ... אמרו (נדרים כח ע"א) דלא השיג שער חמישים דשער חמישים מתורה שבכתב הוא הרגשתו של השם יתברך בלב שלמעלה שאי אפשר לגלות וליבא לפומא לא גליא.... ובמחלוקת שהוא לשם שמים כמחלוקת שמאי והלל (משנה אבות ה:ז) דבית הלל היו שונים דבריהם ודברי בית שמאי (עירובין יג ב) היינו שהיו משיגין גם דברי בית שמאי והטעימה של ההיפך. וכענין אותו תלמיד ותיק שהיה אומר שני הפנים כי מצד דביקותו בחכמת השם יתברך הוא משיג באותו דבר שני ההפכים...

How does the above source connect the Rabbinic concept of the 49 vs 49 to interpersonal communication?

### Text 1.4

Stone, Patton, Heen, *Difficult Conversations*, Harvard Negotiation Project, 1999, Chapter 8, "Getting Started: Begin from the Third Story," pp. 149–150.

*In addition to your story and the other person's story, every difficult conversation includes an invisible Third Story. The Third Story is the one a keen observer would tell, someone with no stake in your particular problem... **Think like a mediator:** One of the most helpful tools a mediator has is the ability to identify this invisible Third Story. This means describing the problem between the parties in a way that rings true for both sides simultaneously. It's easy to describe the problem so that only one of the disputants would agree with it - in fact, that's what each of us does when we begin inside our own story. The trick is being able to get two people with different stories to sign on to the same description of what is going on. Mediators don't possess some magical intuition that allows them to do this. They are relying on a formula (and a lot of practice), and this formula can be learned by anyone. You don't have to be an impartial third party to begin from the Third Story. You can begin your own conversations this way.*

What does it mean to 'think like a mediator'? How may this connect to the 49 vs 49?

## Supplementary Sources for Text 2

### Text 2.1

Howard Kaminsky, *Fundamentals of Jewish Conflict Resolution: Traditional Jewish Perspectives on Resolving Interpersonal Conflicts*, Academic Studies Press, 2017, Chapter 3: "Rabbinic Perspectives on Constructive Conflict: A 'Dispute for the Sake of Heaven'," pp. 86–87.

*The basic prerequisite for constructive conflict is the adherence to principles of intellectual integrity. In accordance with the concomitant elements that are associated with Hillel, Shammai, and Korah, these principles would require a diligent, objective, and honest analysis of the issues involved in combination with an open-mindedness to views that oppose one's own, which should be grounded in the most honorable and righteous motives. When these conditions are in place and are functioning in conjunction with each other, they allow for constructive responses to the discordant opinions and situations that will be encountered in the course of a conflict and ultimately lead to a constructive outcome.*

What are some of the basic prerequisites for ensuring a conflict or disagreement is constructive or 'for the sake of Heaven'?

### Text 2.2

**Heinrich Graetz, History of the Jews, Volume ii, Chapter 9 (English edition, 1893), p. 270.**

[Graetz dated the following events to roughly the year 66CE, on the eve of the Great Revolt]

*To cut off every link between them (Jews and non-Jews), the followers of the School of Shammai proposed erecting a barrier which would effectively prevent any communication, by prohibiting the Judeans in the future from buying wine, oil, bread, or any other articles of food from their heathen neighbors. These regulations were known under the name of "The Eighteen Things." Religious fervor and political zealotry, in those stormy times, always accompanied each other. The Hillelites, more moderate in their religious and political views, could not agree to such sharply defined exclusiveness, but when the Synod was called together to decide upon the laws aforementioned, the Zealots proved all-powerful. Eleazar ben Ananias, probably the leader of the Zealots, who was himself a teacher of the Law, invited the disciples of both schools to meet in his house. Armed soldiers were placed at the door and were directed to allow everyone to enter but no one to go out, and during the fiery discussions that were carried out there, many of the school of Hillel are said to have been killed. On account of these decrees of the school of Shammai that were brought forward and agreed to, the 9th of Adar was regarded as a day of misfortune.\**

\*For more information, see <http://www.elmad.pardes.org/g-dcast> and [www.9Adar.org](http://www.9Adar.org).



The 9Adar Project  
Jewish Week of Constructive Conflict  
[WWW.9ADAR.ORG](http://WWW.9ADAR.ORG)

What happened (according to Graetz) on the 9th of Adar between the Beit Midrash of Hillel and the Beit Midrash of Shammai? What may be learned from this story for today?

## Additional Supplementary Source

### Text S.1

**Angelica R. Martinez & Richard E. Rubenstein, "The Truth of Fiction: Literature as a Source of Insight into Social Conflict and Its Resolution," *International Journal of Conflict Engagement and Resolution*, Vol. 4, 2016, Issue 2, pp. 215–216.**

*The interpretation of texts, if considered at all, is generally associated with more specialized disciplines, such as literary, legal or religious studies. Yet, it seems clear, hermeneutical skills are essential to the development of competent conflict analysis and conflict resolution theory and practice. Without them, how can one understand in depth the competing narratives of parties in conflict? How can one "hear" the complex subtexts present in statements about the conflict's history and nature, the characters of the parties, their aims and desires, or what will be required to achieve resolution and reconciliation? Moreover, in addition to these generic skills, that analyst/practitioner needs to understand the specific interpretative problems associated with conflicts related to religious, legal, political or even literary texts. The goal, of course, is to understand textual issues in their socio-economic, cultural, psychological and political contexts, but this can hardly be done without a grasp of the "leeways" of interpretation.*

Why is it important for people interested in engaging in conflict resolution to sharpen their skills in interpreting texts?