Civilly Speaking: A Curriculum

UNIT 4—Both are the Words of the Living God

by Joel Lurie Grishaver and Ira J. Wise

Sponsored by The Covenant Foundation
Mendel: What’s the matter with you? Why don’t you ever bring us some good news?

Avram: It’s not my fault. I only read it. "An edict from the authorities."

Innkeeper: May the authorities grow like onions, their heads in the ground.

ALL: Amen!

Perchik: What good will your cursing do? You stand around, you curse and you chatter, and you don’t do anything. You’ll all chatter your way into the grave.

Mendel: Excuse me. You’re not from this village.

Perchik: No.

Mendel: Where are you from?

Perchik: Kiev. I was a student in the university there.

Innkeeper: Tell me. Is that the place where you learned how not to respect your elders?

Perchik: That is where I learned there is more to life than talk. You should know about events in the outside world!

Avram: Careful, my paper.

Innkeeper: Why should I break my head about the outside world? Let the outside world break its own head.

Mendel: Well put!

Tevye: He is right. As the Good Book says, If you spit in the air, it lands in your face."

Perchik: Nonsense. You can’t close your eyes to what’s happening in the world.

Tevye: He is right.

Avram: He’s right and he’s right? They can’t both be right.

Tevye: You know, you are also right.
**Talmud Bavli, Eruvin 13b**

R. Abba stated in the name of Samuel: “Rabbi Abba said that Shmuel said: For three years Beit Shammai and Beit Hillel disagreed. These said: The halakha is in accordance with our opinion, and these said: The halakha is in accordance with our opinion. Ultimately, a Divine Voice emerged and proclaimed: Both these and those are the words of the living God. However, the halakha is in accordance with the opinion of Beit Hillel.

For three years there was an argument between Bet Shammai and Bet Hillel. These (Beit Shammai) said: “The halakhah (law) is with us (it agrees with our opinion),” and these (Beit Hillel said: “The halakhah is with us (it agrees with our opinion)."

Finally a bat kol (a heavenly voice) was heard to say: “Both these AND these (Eilu v’eilu) are the words of the living God, but the halakhah is in agreement with the rulings of Bet Hillel."

Since, however, both are the words of the living God what was it that entitled Beth Hillel to have the halakhah fixed in agreement with their rulings?

Because they were kindly and modest, they studied their own rulings and those of Beth Shammai, and were even so [humble] as to mention the actions of Beth Shammai before theirs."

**In Congress**

The United States Constitution gives the House of Representatives the power to expel any member by a two-thirds vote. The House has other, less severe measures with which to discipline members. Censure and reprimand are procedures in which the House may vote to express formal disapproval of a member’s conduct. Only a simple majority vote is required. Members who are censured must stand in the well of the House chamber to receive a reading of the censure resolution.

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1. Who were Bet Hillel and Bet Shammai? Based on this text, how would you describe each group?

2. What does “Both these AND these (Eilu v’eilu) are the words of the living God” mean?

3. Why was the “the halakhah is in agreement with the rulings of Bet Hillel?”

4. What can you learn about civil discourse from this text?
Big Idea
Civil Discourse begins with recognition that all people involved in the conversation recognize that those who disagree with them are also created in the divine image and have a perspective and an honest belief in their position. For our discourse to be civil we have to accept that there may be more than one path to an acceptable outcome.

Set Induction - 20 minutes
Show the clip from Fiddler on the Roof where the character Perchik is introduced. Depending on the learners in the room, you might prefer to have them act out part of the scene. If so, you will need to set up the scene, since the script on the learner’s handout is only the last few minutes of the entire clip.

Before you show it, determine if the learners have seen the film or the play. If few have, you might want to explain that Perchik brings a new and different world view into the shtetl of Anatevka. The men of the town are discussing news from the outside world, a place that they would prefer to avoid even though the events out there continue to impact their small community and the Jews of the world.

You can find the video on YouTube at: https://youtu.be/ZexzMtIaJck.

Questions for discussion:

1. The men of Anatevka are hearing news of the world from a newspaper read by the resident intellectual, Avram. What is the attitude of the men toward the outside world?
2. What do you think about their attitude of preferring to ignore those outside influences like the government?
3. Are there people like that today, in our world/country? Do you agree or disagree with them?
4. Perchik is an outsider. He says: “What good will your cursing do? You stand around, you curse and you chatter, and you don’t do anything. You’ll all chatter your way into the grave.” What is he trying to say? Do you agree with him?
5. Perchik also says “…I learned there is more to life than talk. You should know about events in the outside world!” Do you agree or disagree with him? What do you do to make sure you know about such events?
6. What does he think they ought to do?
7. Why does Tevye say that both the innkeeper and Perchik are right? Can they both be right? Why or why not?
Activity Text Study: Talmud Bavli, Eruvin 13b – 30 Minutes

- Divide the class into pairs or triads and ask them read it together.
- The following questions appear on the final page of the handout. Have each group write the answers they come up with on the sheet.

1. Who were Bet Hillel and Bet Shammai? Based on this text, how would you describe each group?
2. What does “Both these AND these (Eilu v’eilu) are the words of the living God” mean?
3. Why was the “the halakhah is in agreement with the rulings of Bet Hillel?”
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- Bring the group back together and discuss their answers. The following text may inform how you lead that conversation.

Netivot Olam is a book that outlines the way to live an ethical life. It is composed of 33 netivot (pathways) including topics such as humility, the proper use of speech, and love of God. It was written by the Maharal of Prague (Rabbi Judah Loew ben Bezalel sometime between 1575 - 1595 CE).

Netivot Olam 30:1:2

For what reason did the Beit Hillel deserve that the Halakha be established according to their opinion? Because they were calm when they were insulted and they would teach both their teachings and the teachings of the Beit Shamai...

...And don’t say that Beit Shamai weren’t wise, for on the contrary they were very wise and intellectually sharp. Only in the area of Halakha which is the path of the straight it is according to Beit Hillel because they were masters of calmness without veering from the order. And so they were [calm] even when they were insulted, and they taught their words and the words of their friends, and all of this refers to being completely calm, for in the case of other people, when someone says something to him, he is quick to become angry and to insult him back, while in the case of Beit Hillel they had the quality of being calm and did not insult even someone who insulted them.

...And so too when they taught their teachings and the teachings of Beit Shamai. Furthermore, they would put Beit Shamai’s teachings before their own. In all of these matters they were organized in their actions, and they were not from the group of highly competitive against their friends, and they were from the group that succeeds.

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Activity – Case Studies: In Congress – 30 Minutes

NOTE: We have made a deliberate effort to avoid current political speech in this curriculum, even though the overall tenor of our times is what prompted us to create it in the first place. We did this to avoid any appearance of partisanship which might lead to schools or teachers to choose not to implement these lessons. There are certainly examples of uncivil discourse that can be found on all sides of most issues today. It is up to each institution to provide guidelines on how to look at and present today’s issues. We suspect you will be able to apply the learning here to current events fairly easily.

This activity digs deep into American political history to find issues with civil discourse that might help us engage in the conversation without partisanship. Feel free to adapt it to the current day!

- Describe the idea and process of censure in the Congress of the United States. Note that only 28 Representatives and 10 Senators have ever been censured. Only a few were for violations of the standards of civil discourse of either house of Congress – most were for criminal acts or abuse of power.

  “The United States Constitution gives the House of Representatives the power to expel any member by a two-thirds vote. The House has other, less severe measures with which to discipline members. Censure and reprimand are procedures in which the House may vote to express formal disapproval of a member’s conduct. Only a simple majority vote is required. Members who are censured must stand in the well of the House chamber to receive a reading of the censure resolution. “

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- Refrain from referring to the specific votes of particular Senators.
- Refrain from using profane or vulgar language.
Avoid walking in the well when a Member is speaking.
• Ensure that all handouts distributed on the floor or adjacent rooms comport with the rules of propriety for spoken words, and that all handouts bear the name of the authorizing Member.
• Refrain from eating, smoking, or using electronic equipment, including cellular phones or lap top computers, on the floor.
• Wear appropriate business attire.
• Invite four students to read the descriptions of one of the censured Representatives.
• After each one is read ask some questions:
   a. What did the censured representative say?
   b. Why do you think he said it?
   c. Why do you think he was censured for saying what he said?
   d. What principle do you think is at stake?
• After the final case, have a conversation about why Congress has standards of discourse.
   a. Why do they think the Congress felt the need to create rules of debate?
   b. Should we have rules about speech in public?
   c. What about the first Amendment?
      (Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.)
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Rabbi Jonathan Sacks, The Dignity of Difference, p. 64-65

Truth on earth is not, nor can be, the whole truth. It is limited, not comprehensive; particular, not universal. When two propositions conflict it is not necessarily because one is true the other false. It may be, and often is, that each represents a different perspective on reality, an alternative way of structuring order, no more and no less commensurable than a Shakespeare sonnet, a Michelangelo painting or a Schubert sonata. In heaven there is truth; on earth there are truths.

Therefore, each culture has something to contribute. Each person knows something no one else does. The sages said: ‘Who is wise? One who learns from all men- The wisest is not one who knows himself wiser than others: he is one who knows all men have some share of the truth, and is willing to learn from them, for none of us knows all the truth and each of us knows some of it.
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Activity Text Study: Talmud Bavli, Eruvin 13b – 40 Minutes

- Divide the class into pairs or triads and ask them read it together.
- Have each group discuss their answers to the questions on the handout.
- Bring the group back together and discuss their answers. The following text may inform how you lead that conversation.

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*Netivot Olam* 30:1:2

**Rabbi Jonathan Sacks, The Dignity of Difference, p. 64-65**

- Have learners look at the text by Rabbi Sacks. They can do so individually, in pairs or with someone reading aloud.
  (Note, Rabbi Jonathan Sacks was for many years the Chief Rabbi of Great Britain and as such a member of the House of Lords. He is also an extremely highly regarded theologian. He identifies himself as modern Orthodox.)

- Questions for discussion:
  - What is Rabbi Sacks trying to say about truth?
  - Does this mean there is not right or wrong? Correct or incorrect?
How can two seemingly opposed ideas both be true in some way?
What can we learn about wisdom from him? What is he trying to say by quoting the sages?

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4. What can you learn about civil discourse from this text?
Significantly, the heavenly voice ruled in favor of Hillel and his disciples, even in areas of ritual dispute, for moral reasons: he and his followers were "kindly and humble."

The wording of the passage suggests that Shammai's followers had grown somewhat arrogant. Certain that they possessed the truth, they no longer bothered to listen to, or discuss the arguments of, their opponents. Their overbearing self-confidence led them to become morally less impressive (the language of the Talmud suggests by implication that they were not "kindly and humble") and probably led them to become intellectually less insightful (after all, how insightful can you be if you are studying only one side of the issue?)

Because the School of Hillel studied their opponent's arguments, when they issued a ruling, they were fully cognizant of all the arguments to be offered against their own position. Thus, their humility not only led to their being more pleasant people, but also likely caused them to have greater intellectual depth.

We can all learn a lesson from the behavior of Hillel and his followers: Don't read only books and publications that agree with and reinforce your point of view. If you do so, and many people do, you will never learn what those who disagree with you believe (at best, you will hear a caricature of their position, presented by people who, like you, disagree with it). It would be a good thing in Jewish life if Jews in the different denominations, or in different political camps, started reading newspapers and magazines of the groups with which they disagree, on a regular basis.

If you seldom hear, read, or listen to views that oppose your own, and if almost everyone you talk to sees the world just as you do, your thinking will grow flabby and intolerant. That is often the case with ideologues on the right and left, both in religion and in politics.

As this text teaches us, humble people are not only more pleasant human beings, but in the final analysis, they may well be the only ones who will have something eternally important to teach.
Rabbi Jonathan Sacks, *The Dignity of Difference*, p. 64-65

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2. What do you think about their attitude of preferring to ignore those outside influences like the government?

3. Are there people like that today, in our world/country? Do you agree or disagree with them?

4. Perchik is an outsider. He says: “What good will your cursing do? You stand around, you curse and you chatter, and you don't do anything. You'll all chatter your way into the grave.” What is he trying to say? Do you agree with him?

5. Perchik also says “…I learned there is more to life than talk. You should know about events in the outside world!” Do you agree or disagree with him? What do you do to make sure you know about such events?

6. What does he think they ought to do?

7. Why does Tevye say that both the innkeeper and Perchik are right? Can they both be right? Why or why not?
Activity Text Study: Talmud Bavli, Eruvin 13b – 30 Minutes

- Divide the class into pairs or triads and ask them read it together.
- Have each group discuss their answers to the questions on the handout.
- Bring the group back together and discuss their answers. The following text may inform how you lead that conversation.

Netivot Olam is a book that outlines the way to live an ethical life. It is composed of 33 netivot (pathways) including topics such as humility, the proper use of speech, and love of God. It was written by the Maharal of Prague (Rabbi Judah Loew ben Bezalel sometime between 1575 - 1595 CE).

For what reason did the Beit Hillel deserve that the Halakha be established according to their opinion? Because they were calm when they were insulted and they would teach both their teachings and the teachings of the Beit Shamai...

...And don’t say that Beit Shamai weren’t wise, for on the contrary they were very wise and intellectually sharp. Only in the area of Halakha which is the path of the straight it is according to Beit Hillel because they were masters of calmness without veering from the order. And so they were [calm] even when they were insulted, and they taught their words and the words of their friends, and all of this refers to being completely calm, for in the case of other people, when someone says something to him, he is quick to become angry and to insult him back, while in the case of Beit Hillel they had the quality of being calm and did not insult even someone who insulted them.

...And so too when they taught their teachings and the teachings of Beit Shamai. Furthermore, they would put Beit Shamai’s teachings before their own. In all of these matters they were organized in their actions, and they were not from the group of highly competitive against their friends, and they were from the group that succeeds.

Netivot Olam 30:1:2


- Now have participants turn the page and read the commentary of Rabbi Telushkin. Perhaps have people take turns reading two paragraphs aloud. Before the next reader begins ask the group to comment on whether anything he says connects with them or leads them to a new or clearer understanding of the Talmud passage. Ask them to share how it does so.
Rabbi Jonathan Sacks, *The Dignity of Difference*, p. 64-65

- Have learners look at the text by Rabbi Sacks. They can do so individually, in pairs or with someone reading aloud.
  (Note, Rabbi Jonathan Sacks was for many years the Chief Rabbi of Great Britain and as such a member of the House of Lords. He is also an extremely highly regarded theologian. He identifies himself as modern Orthodox.)

- Questions for discussion:
  - What is Rabbi Sacks trying to say about truth?
  - Does this mean there is not right or wrong? Correct or incorrect?
  - How can two seemingly opposed ideas both be true in some way?
  - What can we learn about wisdom from him? What is he trying to say by quoting the sages?

**Activity – Case Studies: In Congress – 30 Minutes**

NOTE: We have made a deliberate effort to avoid current political speech in this curriculum, even though the overall tenor of our times is what prompted us to create it in the first place. We did this to avoid any appearance of partisanship which might lead to schools or teachers to choose not to implement these lessons. There are certainly examples of uncivil discourse that can be found on all sides of most issues today. It is up to each institution to provide guidelines on how to look at and present today’s issues. We suspect you will be able to apply the learning here to current events fairly easily.

This activity digs deep into American political history to find issues with civil discourse that might help us engage in the conversation without partisanship. Feel free to adapt it to the current day!

- Describe the idea and process of censure in the Congress of the United States. Note that only 28 Representatives and 10 Senators have ever been censured. Only a few were for violations of the standards of civil discourse of either house of Congress – most were for criminal acts or abuse of power.

  “The United States Constitution gives the House of Representatives the power to expel any member by a two-thirds vote. The House has other, less severe measures with which to discipline members. Censure and reprimand are procedures in which the House may vote to express formal disapproval of a member’s conduct. Only a simple majority vote is required. Members who are censured must stand in the well of the House chamber to receive a reading of the censure resolution. “

Share the rules of decorum & debate in the house (which only apply when on the floor of the House):
Members must:

- Address themselves solely and directly to the Chair. They may not address other Members, individuals in the gallery, or persons who might be observing through the media.
- Refer to Members by state, not by name.
- Avoid characterizing another Member’s personal intent or motives and discussing personalities.
- Refrain from speaking disrespectfully of the Speaker, other Members, the President or Vice President.
- Refrain from referring to the official conduct of other Members where such conduct is not under consideration by way of a report of the Committee on Standards of Official Conduct or as a question of the privilege of the House.
- Refrain from referring to the specific votes of particular Senators.
- Avoid walking in the well when a Member is speaking.
- Ensure that all handouts distributed on the floor or adjacent rooms comport with the rules of propriety for spoken words, and that all handouts bear the name of the authorizing Member.
- Refrain from using profane or vulgar language.
- Wear appropriate business attire.

- Invite four students to read the descriptions of one of the censured Representatives.
- After each one is read ask some questions:
  a. What did the censured representative say?
  b. Why do you think he said it?
  c. Why do you think he was censured for saying what he said?
  d. What principle do you think is at stake?
- After the final case, have a conversation about why Congress has standards of discourse.
  a. Why do they think the Congress felt the need to create rules of debate?
  b. Should we have rules about speech in public?
  c. What about the first Amendment?
    (Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.)
Bamidbar Rabbah 21:2

The following midrash might be a nice way to end the session. If you have a lot of visual learners, you might want to project it or write it on a board.

The law is: If one sees many thousands of people, one should say: Blessed are You, Lord our God, King of the Universe, Wise One who knows secrets, just as their faces are different from one another's, so too their understandings are different, for each one has a different understanding...and so too Moses requested from God, when he died. He said: Master of the Universe! Every person's thoughts are known and revealed before you, and none of your children's thoughts are similar to another's. When I die, please appoint a leader who can sustain them all according to their own understanding....

It may also occasion a great deal more conversation....