

The Law Is According to Hillel

Erev Rosh Hashanah 5780

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Last month, I toured Planned Parenthood’s magnificent new home, its own building, a significant upgrade from substandard rental space in a strip center. I took pictures of the stunning facility and posted them to Facebook. I extolled the heroes who have brought reproductive health care in Little Rock to a standard which could not have been imagined just a few years ago.

One of my Facebook “friends” commented, “Do they kill babies there?” I responded that this clinic does provide medication abortion, and I explained the Jewish basis upon which I do not regard that to be “killing babies.” A debate ensued between friends, sometimes civil, sometimes angry. Then, one friend sent me a private message: “Why do you have friends who are anti-choice?”

As appalled as I was by the “baby killing” question, I was also bothered by the idea that I would only have friends who agree with me, about abortion or most any subject. I found myself becoming as much a referee as an advocate in the Facebook thread that followed, policing those who hurled insults from both sides.

I reflected on a book I had read not long before, *Catch-67*, by my teacher, Micah Goodman. The book’s goal is to reformulate political discourse in Israel, but I would like to apply its lesson more broadly. Goodman writes: “A disagreement between people each of whom believes that the other is wrong...That’s how a good political debate ought to work. But what if I think you are not only wrong but evil? Reasonable disagreement collapses.”ⁱ

Looking for a solution, Goodman points to the sages: “For three years, [the house of Rabbi] Shammai and [that of Rabbi] Hillel disagreed,” Each group insisted that its interpretation of Jewish religious law was the only correct one. In the end, “a Divine Voice emerged and proclaimed:” Both Shammai and Hillel speak “the words of the living God. However,” the law is according to Hillel.ⁱⁱ

If two opposing viewpoints are both God’s word—that is, “equally correct”ⁱⁱⁱ—why and how does one side prevail?

Goodman explains the difference: Shammai and his followers lived and worked in what we would call an “echo chamber.” They “refused to hear or listen to the positions of ... Hillel. They would study and teach their own opinions exclusively.” Hillel and his disciples, by contrast, would examine Shammai’s

teachings before making their own rulings. “In the end, God chose [the House of] Hillel ... because its scholars” were eager to learn from others. Ultimately, religious law is determined ... by the side that is willing to listen.”^{iv}

Goodman confesses, “Listening...comes at a price...” Hillel’s group often changed their position after hearing the other side. “Listening,” Goodman concludes, “means risking one’s own beliefs.”^v

Take, for example, a familiar story about the difference between Shammai, who was notorious for being harsh; and Hillel, with a reputation for patience and understanding. A person came before Shammai and said, “Make me a convert, on condition that you teach me the whole Torah while I stand on one foot.” Shammai assaulted the impudent petitioner, who went away injured. The prospective convert was persistent, though, making the same demand of Hillel, who responded: “What is hateful to you, do not do to your neighbor: That is the whole Torah. All the rest is commentary. Go and learn it.”^{vi}

Asking to be taught the entire Torah in a few seconds is disrespectful, hardly conveying a serious desire to convert. Hillel’s words are often taken out of context, as if the rabbi had merely said that the whole Torah could be reduced to one golden rule. Perhaps that was Hillel’s first impulse, but then he saw Shammai send the person away. Assault aside, his rival wasn’t entirely wrong. Hillel realized that, even if he could rise to the “one foot” challenge, he could not accept a convert on that minimal basis. That’s why he says “the rest is commentary,” and he sends the person away for in-depth study. In other words, Hillel learns from Shammai before he makes his ruling and utters his now-famous words.

Shammai does not seem to be involved when Hillel articulates an even better-known aphorism: “If I am not for myself, who will be for me? If I am only for myself, what am I? And if not now, when?”^{vii} Still, those words suggest that a conversation might have happened, even if it’s lost to recorded history.

Using our imaginations, Shammai might have proclaimed: “Israel first! The Jewish people must put our needs above all others, for there’s nobody else to do that if we will not.” Hillel, by contrast, had been expounding on the importance of empathy and altruism for those who are Jewish and for those who are not: We should feel the pain of all and respond to it generously. Having heard Shammai, though, Hillel has put his own opinion at risk. Without abandoning his core position, he realizes that Shammai has a point. Hillel now includes Shammai’s self-

interested proclamation, albeit using softer language, even enunciating it before the concern for others, which had been his own starting point.

Hillel and Shammai lived at a time of harsh Roman persecutions. Putting the Jewish people first would be an urgent priority for Shammai, and might well explain why Hillel ended his entire aphorism, “If not now, when?”

At these High Holy Days, we are asked to consider our own deeds. If we believe in a certain standard, we must judge ourselves by it.

To that end, I should confess that I’m an imperfect model of what I’m preaching tonight. Listening to opinions with which I disagree is not my idea of a good time. I do not watch Fox News. I do not attend conferences where part of the price of admission is standing to applaud elected officials whose policies I find abhorrent. I do, on the other hand, read editorials in the *Democrat-Gazette*, not only the New York *Times*. I learn about what’s happening in our city and state by reading both the *Democrat-Gazette* and the Arkansas *Times*.

I offer one specific example of an opinion I have changed, as your rabbi, even though I was convinced that I was right and not initially eager to put that opinion at risk by listening to the other side.

When I arrived here, I learned that some children in our Religious School were being raised as both Jews and Christians. Since one person cannot be both Jewish and Christian at the same time, I was initially appalled that the congregation would support such indoctrination of children. I worried about the impact on other children in Religious School, who might be misled into thinking that they should consider conflicting religious identities for themselves—or, one day, for their own children. Not by choice did I hear the other side of that argument five or six years ago. I did not exactly adopt the beliefs of those who disagreed with me, I still would never recommend that parents raise their children as “both.” Nevertheless, I listened. And I watched. And I taught these kids. Soon, the matter was no longer abstract, but the parents and young people involved were real people about whom I came to care deeply. I realized that the net impact we have on the lives of these families, and their contributions to our congregation, are positive, even transformative.

In *Team of Rivals: The Political Genius of Abraham Lincoln*, historian Doris Kearns Goodwin could be said to compare our greatest President to Hillel. Goodwin writes about Lincoln’s decision to invite his political adversaries into his Cabinet. The sixteenth president put his own positions to the test by seeking the

counsel of his “rivals.” Some of them became cherished friends, but none of them “yes-men.” Lincoln always sought, received and learned from their unvarnished advice, even if it contradicted his own initial judgment.

Ultimately, Lincoln was the President, and the law is according to Hillel. If we are to heed their example, we must stop seeing those with different beliefs as “evil”—or even as “other,” but as people with opposite views of how to achieve equally worthy goals. Hearing other views is incumbent upon us, even to the point of putting our own opinions in jeopardy. Then, in the end, each of us must decide, and we must do what is right, like Hillel before us—doing justice to ourselves, serving others, and acting with integrity. For if not now, when?

Amen.

ⁱ Micah Goodman, *Catch-67: The Left, the Right, and the Legacy of the Six-Day War*, Translated by Eylon Levy, New Haven: Yale University Press, 2018, Apple Books (electronic) Edition, pp. 12-13.

ⁱⁱ *Ibid.*, p. 33.

ⁱⁱⁱ *Ibid.*

^{iv} *Ibid.*, pp. 34-35.

^v *Ibid.*, p. 35.

^{vi} Babylonian Talmud, Shabbat 31a.

^{vii} Pirkei Avot 1:14.