

Civilly Speaking: A Curriculum

UNIT 3—Why Are We Arguing?

by Joel Lurie Grishaver and Ira J. Wise



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Learners Handout for 6th/7th Grades



1. Every argument that is for the sake of Heaven will endure (forever). But if it is not for the sake of Heaven, it will not endure at all.

What (kind of) argument is for the sake of Heaven?

The argument of Hillel and Shammai;

What (kind of) argument is not for the sake of Heaven?

The argument of Korach and all his congregation

Mishnah, Avot 5.17

- a) What does the Mishnah mean when it says that and argument will (or won't) endure?
- b) Before we look at the examples, what do you think the difference is between arguments that are for the sake of heaven and those that are not?
- c) Why do you think the rabbis who wrote the Mishnah cared about the difference?

2. Even though Beit Shammai and Beit Hillel disagreed (on many critical halakhic issues) ... (The children of) Beit Shammai did not refrain from marrying the children of Beit Hillel, nor did (the children of) Beit Hillel refrain from marrying the children of Beit Shammai. They behaved with love and friendship toward one another as it says in Zechariah 8:19: “Love truth and peace.”

Babylonian Talmud, Yevamot 14b

- a) What about this description suggests to you that the arguments between the two schools were for the sake of Heaven?
- b) What are the key characteristics of an argument that is for the sake of heaven?
- c) Are you aware of any arguments/debates/disagreements today that you think might be described as being for the sake of heaven?
- d) What are they and why do you think they qualify?

3. Now Korach, son of Izhar son of Kohath son of Levi, betook himself, along with Dathan and Abiram sons of Eliab, and On son of Peleth—descendants of Reuben—to rise up against Moses, together with two hundred and fifty Israelites, chieftains of the community, chosen in the assembly, men of repute. They combined against Moses and Aaron and said to them, “You have gone too far! For all the community are holy, all of them, and God is in their midst. Why then do you raise yourselves above God’s congregation?”

Numbers 16:1-3

- a) Why do you think the rabbis of the Mishnah describe Korach and Company’s argument as NOT being for the sake of heaven?
- b) What are the key characteristics of an argument that is not for the sake of heaven?
- c) Are you aware of any arguments/debates/disagreements today that you think might be described as not being for the sake of heaven?
- d) What are they and why do you think they qualify?

4. **Speaker at a (fictional) political rally:**
“We don't need another liberal like Steven Smith in Congress! He thinks the solution to every problem is to spend more money to create more government agencies. He is a Socialist and wants to redistribute wealth from those that have earned their fortunes to those too lazy to work hard. If the poor want to stop being poor, they need to work harder and stay in school and off of drugs. If this country is so unfair, how is it that we elected an African-American to be president? He went to an Ivy League school. He had access to better education and jobs. Smith's policies are not conservative enough.”

5. **Speaker at a different (fictional) political rally:**
“We don't need another neo-conservative like Annabel Jones in Congress! She thinks the solution to every problem is to spend less and cut taxes. She believes that being poor is entirely the fault of poor people. She refuses to take into account historical inequities that make it extremely difficult for those at the bottom of the economy – many of whom are people of color – to get ahead. Their educational and employment opportunities are fewer and of lower quality simply by virtue of who their parents are, where they came from and where they live. This is America, where we welcome everyone and everyone is supposed to have equal access to the American Dream. Her policies are not liberal enough.”

6. Ask not what your country can do for you. Ask what you can do for your country.

John F. Kennedy

Leader's Guide for 6th/7th Grades

Big Idea

With this lesson, we are beginning to look at the motivations behind arguments. Is the debate designed to move us (friends, families, communities, nations, etc.) forward in some way, or does one or more party to the argument have an agenda to advance their own personal desires, even if they are at the cost of the public good. This distinction may be seen as being at the heart of the entire curriculum and provides the basis for rules of engagement in civil discourse.

Set Induction - 15 minutes

1. DIVIDE the students in *Chavruta* pairs (or triads if necessary).
(If you have not done this with these learners before, you may want to explain that a *Chavruta* – from the same root as *chaver* or friend – has been the traditional mode of Jewish text study for centuries. It is based on the idea that two people sharing their ideas can come up with and learn more than either of them working alone.)
2. DISTRIBUTE the handouts.
3. READ text number one aloud.
4. ASK if there are any words learners don't understand and explain them. If they ask about the meaning of "For the sake of heaven" DO NOT ANSWER. Explain that figuring that out is part of the lesson.
5. TELL the learners to try and answer the three questions, making notes on the page so they will remember what they said.
6. After ten minutes, have some of the pairs share some of their answers. Allow others to respond to them.

Activity Bim Bam Video – 30 Minutes

BimBam is an organization and web site that sparks connections to Judaism through digital storytelling for learners of all ages. They feature a video and curriculum made with Rabbi Daniel Roth of the PARDES Center for Judaism and Conflict Resolution. Their video uses animation to tell the story of our first three texts.

The video can be found at <https://www.bimbam.com/machloket-lshem-shemayim/>. There is a link on the page to download the video to your device (computer, tablet, phone, flash drive). We recommend doing this so that if there will not be any issue with online streaming during your session. And of course set up and test your equipment with the actual video and sound before the learners arrive!

1. EXPLAIN what BimBam is if you have never used their materials with this group of learners before.

1. “BimBam is an organization and web site that sparks connections to Judaism through digital storytelling for learners of all ages. They feature a video and curriculum made with Rabbi Daniel Roth of the PARDES Center for Judaism and Conflict Resolution. Their video uses animation to tell the story of our first three texts.”
2. Also TELL them that the Hebrew of “Argument for the Sake of Heaven” is “*Machloket L'shem Shamayim*.” Extra points for using the Hebrew!
2. SHOW the video
3. ASK: Does what we just saw help us answer the three questions we discussed before the video differently? How? What are our new answers (if any)? REVIEW the three questions

Text Study – 30 Minutes

We suggest the next pair of texts be done in a single large group. If your group is exceptionally large (by your definition) and you have additional teachers, you might want to divide into two or even three groups. We are trying to vary the stimulus as well as create a different kind of conversation.

1. EXPLAIN that Hillel and Shammai were two teachers from the first century BCE. They lived at a time when the Temple still stood in Jerusalem and sacrifices were offered by the priests. They frequently opposed one another's opinion in terms of how to interpret the law. By one scholar's count, they differed 316 times. And Shammai was voted to have the correct answer six times!

(Note, these are not all arguments between the two men – it includes arguments between their two schools, known as Beit Shammai and Beit Hillel, which dominated Jewish learning in Eretz Yisrael for several generations.)

As a rule, Beit Shammai's interpretation of a law was more literal, exacting and stricter. Hillel's interpretation tended to be a bit more liberal and made an effort to bring more people together in observing the law.

The piece of Talmud we are about to read comes from the Babylonian Talmud, which was compiled over 500 years after the deaths of Hillel and Shammai. So it is a discussion of a memory, not a current event to those doing the writing.

2. Have someone READ text #2 from Yevamot, which seeks to explain the second line of our original Mishnah on *Machloket L'shem Shamayim*.

3. Have the group discuss the questions on the source sheet (repeated below for the leader/teacher):
 - a. What about this description suggests to you that the arguments between the two schools were for the sake of Heaven?
 - b. What are the key characteristics of an argument that is for the sake of heaven? (WRITE them on the board.)
 - c. Are you aware of any arguments/debates/disagreements today that you think might be described as being for the sake of heaven? (WRITE them on the board.)
 - d. What are they and why do you think they qualify?
4. EXPLAIN that our next text (#3) comes from the Torah, from *Vayikra/Leviticus*. It is what the final verse of our Mishnah is referencing. Korach is a first cousin to Moses, Aaron and Miriam. And Korach's father Izhar was the second born son of Kohath (their common grandfather) after Moses's father Amram. Earlier in the book of Numbers, we see that Elzaphan, son of Uziel (the youngest brother of Amram and Izhar) is the chief of all of the Kohathites – including Korach, who was higher in the birth order.
5. Have someone READ text #3 from *Vayikra*, which seeks to explain the final line of our original Mishnah on *Machloket L'shem Shamayim*.
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 - a. Why do you think the rabbis of the Mishnah describe Korach and Company's argument as NOT being for the sake of heaven?
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 - c. Are you aware of any arguments/debates/disagreements today that you think might be described as not being for the sake of heaven? (WRITE them on the board.)
 - d. What are they and why do you think they qualify?

Conclusion Case Study – 30 Minutes

The first two of our final texts are FICTIONAL. Please reiterate this point as necessary. They are composites of actual arguments made by a variety of politicians, activists or “people on the street” being interviewed by reporters.

1. Divide the group in half. Assign text 4 to one group and text 5 to the other group.
2. Explain that their text tells them what their position is about a candidate for Congress that they OPPOSE. Take five minutes to read and discuss the

position in order to be prepared to debate. Tell them that they will be partnered with a member of their own group to meet with a pair from the other group.

3. Now tell them that they need to be prepared to have that discussion with their counterparts in a way that is a *Machloket L'shem Shamayim*, an argument for the sake of heaven. Yes, we only have descriptions of the candidates that are stated in the perspective of those opposed to them. They will need to use that information to imagine what their candidate actually believes. (Note – this is often more information than many people who are not actually working in a campaign use in such conversations.)

TELL them, their goal is to try and come to a conclusion about who is truly the best candidate for Congress.

4. Give the foursomes about ten minutes to engage. The leader should move around and listen, helping where necessary.
5. Now ask the foursomes to stop advocating for a candidate and analyze their conversation, using the questions we used to discuss Hillel, Shammai and Korach.
6. Bring the whole group back together and have students share their analysis. ASK how many people were convinced to change their mind by an argument that was angry. ASK how many changed as a result of a calm, respectful argument. ASK how many changed at all.
7. Finally, the Kennedy quote is given as what might be seen as a logical outcome of choosing to argue for the sake of heaven. ASK the students what they think the president meant. ASK if they agree. ASK if they can answer the question for themselves.
8. This is a good time to discuss other outcomes of choosing to limit our arguments to those that are *b'shem shamayim*. It is also a good time to have them come up with more arguments they see in the world and ask whether or not each in for the sake of heaven in their opinion.

The illustration used in this lesson is from the BimBam.com lesson on this topic, which we encourage you to use in the youngest lesson. It can be found at <https://www.bimbam.com/machloket-lshem-shamayim/>.

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Learners Handout for 8th – 10th Grade



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2. Even though Beit Shammai and Beit Hillel disagreed (on many critical halakhic issues) ... (The children of) Beit Shammai did not refrain from marrying the children of Beit Hillel, nor did (the children of) Beit Hillel refrain from marrying the children of Beit Shammai. They behaved with love and friendship toward one another as it says in Zechariah 8:19: “Love truth and peace.”

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- a) What about this description suggests to you that the arguments between the two schools were for the sake of Heaven?
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3. Now Korach, son of Izhar son of Kohath son of Levi, betook himself, along with Dathan and Abiram sons of Eliab, and On son of Peleth—descendants of Reuben—to rise up against Moses, together with two hundred and fifty Israelites, chieftains of the community, chosen in the assembly, men of repute. They combined against Moses and Aaron and said to them, “You have gone too far! For all the community are holy, all of them, and God is in their midst. Why then do you raise yourselves above God’s congregation?”

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4. **Love your neighbor as yourself** - The elements included in this mitzvah follow the general principle that one should treat another person in the way he would treat himself (e.g. protecting his property, preventing him from being harmed, speaking only well of him, respecting him), and certainly not glorifying oneself at his expense. The Sages have said regarding this last point, “One who glorifies himself at the expense of his fellow has no share in the World to Come.” (Talmud Yerushalmi, Chagigah 2:1) Whereas, one who behaves with others in a loving and peaceful manner fulfills the verse, “Israel, by whom I am glorified.” (Isaiah 49:3)
Sefer HaChinukh, Mitzvah 243
5. **Speaker at a (fictional) political rally:**
“We don't need another liberal like Steven Smith in Congress! He thinks the solution to every problem is to spend more money to create more government agencies. He is a Socialist and wants to redistribute wealth from those that have earned their fortunes to those too lazy to work hard. If the poor want to stop being poor, they need to work harder and stay in school and off of drugs. If this country is so unfair, how is it that we elected an African-American to be president? He went to an Ivy League school. He had access to better education and jobs. Smith's policies are not conservative enough.”
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Leader's Guide for 8th – 10th Grade

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Text: What's Love Got To Do With It? – 20 Minutes

We bring this text to help our learners put themselves in the place of the other. Perspective matters. We suggest remaining as a large group.

We also recommend reading an essay by Rabbi Bernie Fox as part of your preparation. It can be found at this shortened link: <http://bit.ly/FoxLoveNeighbor>

1. Tell this story first. It comes from the Babylonian Talmud (*Bavli*), Shabbat 31a:
 ... a non-Jew came before Shammai and said: "If you can teach me the entire Torah while I am standing on one foot I will convert to Judaism. Shammai pushed him away with the builder's measuring stick he had been holding.

The same man went to Hillel with the same offer. Hillel said "That which is hateful to you do not do to another; that is the entire Torah, and the rest is its interpretation." Go study.

The man went to study and did become Jewish.

- a. ASK: Why do you think the man challenged these rabbis? Do you think he was serious about learning Torah and becoming Jewish when he began? (Probably not!)
 - b. ASK: Why do you think Shammai pushed him away? (He was insulted, perhaps he felt the man was mocking Judaism and the Torah. The first century BCE was not a time known for lots of people wanting to become Jewish – if there ever was such a time!)
 - c. ASK: Hillel's answer seems to have caused him to change and become serious. Why do you think? What about Hillel's answer caused him to look at things differently?
 - d. SAY: Now let's look at the next text on our source sheet.
2. INTRODUCE the source of the text:
 - The *Sefer Hachinukh* (Book of Education) was written Spain during the Golden Age (c.1255 - c.1285 CE). It was published anonymously and explores the 613 commandments of the Torah as described by RaMBaM in the his *Sefer Hamitzvot*. Each mitzvah is presented in the order it appears in the Torah, allowing the reader to follow the weekly parshah mitzvah by mitzvah.

3. HAVE SOMEONE READ the first line of the text. ASK “Can someone explain this line?” INVITE additional comments and clarifying questions. REPEAT with the remainder of the text. It is not a very difficult text in terms of basic understanding, but we want to make sure they are clear on the basic meaning.
4. ASK “What is the point of Loving your neighbor as yourself?”
5. Putting yourself in the place of the other can change your outlook. How can it help us make our arguments be for the sake of heaven?

Conclusion Case Study – 30 Minutes

The first two of our final texts are FICTIONAL. Please reiterate this point as necessary. They are composites of actual arguments made by a variety of politicians, activists or “people on the street” being interviewed by reporters.

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3. Now tell them that they need to be prepared to have that discussion with their counterparts in a way that is a *Machloket L'shem Shamayim*, an argument for the sake of heaven. Yes, we only have descriptions of the candidates that are stated in the perspective of those opposed to them. They will need to use that information to imagine what their candidate actually believes. (Note – this is often more information than many people who are not actually working in a campaign use in such conversations.)

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Learners Handout for 11th Grade - Adults



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- a) What about this description suggests to you that the arguments between the two schools were for the sake of Heaven?
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NOTE: Yes the source sheet is the same as for 8th – 10th grades. The difference is in the instruction. DO feel free to use any of the approaches from that version.

Or just take the source sheet and ignore the Leader's Guide. You are a great teacher. All you need are great texts. (There is no sarcasm implied. We are in awe of teachers.)

Set Induction - 15 minutes

1. DIVIDE the students in *Chavruta* pairs (or triads if necessary).
(If you have not done this with these learners before, you may want to explain that a *Chavruta* – from the same root as *chaver* or friend – has been the traditional mode of Jewish text study for centuries. It is based on the idea that two people sharing their ideas can come up with and learn more than either of them working alone.)
2. DISTRIBUTE the handouts.
3. READ text number one aloud.
4. ASK if there are any words learners don't understand and explain them. If they ask about the meaning of "For the sake of heaven" DO NOT ANSWER. Explain that figuring that out is part of the lesson.
5. TELL the learners to try and answer the three questions, making notes on the page so they will remember what they said.
6. After ten minutes, have some of the pairs share some of their answers. Allow others to respond to them.

Text Study – 30 Minutes

We suggest the next pair of texts be done in a single large group. If your group is exceptionally large (by your definition) and you have additional teachers, you might want to divide into two or even three groups. We are trying to vary the stimulus as well as create a different kind of conversation.

1. EXPLAIN that Hillel and Shammai were two teachers from the first century BCE. They lived at a time when the Temple still stood in Jerusalem and sacrifices were offered by the priests. They frequently opposed one

another's opinion in terms of how to interpret the law. By one scholar's count, they differed 316 times. And Shammai was voted to have the correct answer six times!

(Note, these are not all arguments between the two men – it includes arguments between their two schools, known as Beit Shammai and Beit Hillel, which dominated Jewish learning in Eretz Yisrael for several generations.)

As a rule, Beit Shammai's interpretation of a law was more literal, exacting and stricter. Hillel's interpretation tended to be a bit more liberal and made an effort to bring more people together in observing the law.

The piece of Talmud we are about to read comes from the Babylonian Talmud, which was compiled over 500 years after the deaths of Hillel and Shammai. So it is a discussion of a memory, not a current event to those doing the writing.

2. Have someone READ text #2 from Yevamot, which seeks to explain the second line of our original Mishnah on *Machloket L'shem Shamayim*.
3. Have the group discuss the questions on the source sheet (repeated below for the leader/teacher):
 - a. What about this description suggests to you that the arguments between the two schools were for the sake of Heaven?
 - b. What are the key characteristics of an argument that is for the sake of heaven? (WRITE them on the board.)
 - c. Are you aware of any arguments/debates/disagreements today that you think might be described as being for the sake of heaven? (WRITE them on the board.)
 - d. What are they and why do you think they qualify?
4. EXPLAIN that our next text (#3) comes from the Torah, from *Vayikra/Leviticus*. It is what the final verse of our Mishnah is referencing. Korach is a first cousin to Moses, Aaron and Miriam. And Korach's father Izhar was the second born son of Kohath (their common grandfather) after Moses's father Amram. Earlier in the book of Numbers, we see that Elzaphan, son of Uziel (the youngest brother of Amram and Izhar) is the chief of all of the Kohathites – including Korach, who was higher in the birth order.
5. Have someone READ text #3 from *Vayikra*, which seeks to explain the final line of our original Mishnah on *Machloket L'shem Shamayim*.

6. Have the group discuss the questions on the source sheet (repeated below for the leader/teacher):
 - a. Why do you think the rabbis of the Mishnah describe Korach and Company's argument as NOT being for the sake of heaven?
 - b. What are the key characteristics of an argument that is not for the sake of heaven? (WRITE them on the board.)
 - c. Are you aware of any arguments/debates/disagreements today that you think might be described as not being for the sake of heaven? (WRITE them on the board.)
 - d. What are they and why do you think they qualify?

Text: What's Love Got To Do With It? – 20 Minutes

We bring this text to help our learners put themselves in the place of the other. Perspective matters. We suggest remaining as a large group.

We also recommend reading an essay by Rabbi Bernie Fox as part of your preparation. It can be found at this shortened link: <http://bit.ly/FoxLoveNeighbor>

1. Tell this story first. It comes from the Babylonian Talmud (*Bavli*), Shabbat 31a:
... a non-Jew came before Shammai and said: "If you can teach me the entire Torah while I am standing on one foot I will convert to Judaism. Shammai pushed him away with the builder's measuring stick he had been holding.

The same man went to Hillel with the same offer. Hillel said "That which is hateful to you do not do to another; that is the entire Torah, and the rest is its interpretation." Go study.

The man went to study and did become Jewish.

- a. ASK: Why do you think the man challenged these rabbis? Do you think he was serious about learning Torah and becoming Jewish when he began? (Probably not!)
 - b. ASK: Why do you think Shammai pushed him away? (He was insulted, perhaps he felt the man was mocking Judaism and the Torah. The first century BCE was not a time known for lots of people wanting to become Jewish – if there ever was such a time!)
 - c. ASK: Hillel's answer seems to have caused him to change and become serious. Why do you think? What about Hillel's answer caused him to look at things differently?
 - d. SAY: Now let's look at the next text on our source sheet.
2. INTRODUCE the source of the text:

- The *Sefer Hachinukh* (Book of Education) was written in Spain during the Golden Age (c.1255 - c.1285 CE). It was published anonymously and explores the 613 commandments of the Torah as described by RaMBaM in his *Sefer Hamitzvot*. Each mitzvah is presented in the order it appears in the Torah, allowing the reader to follow the weekly parshah mitzvah by mitzvah.
3. HAVE SOMEONE READ the first line of the text. ASK "Can someone explain this line?" INVITE additional comments and clarifying questions. REPEAT with the remainder of the text. It is not a very difficult text in terms of basic understanding, but we want to make sure they are clear on the basic meaning.
 4. ASK "What is the point of Loving your neighbor as yourself?"
 5. Putting yourself in the place of the other can change your outlook. How can it help us make our arguments be for the sake of heaven?

Conclusion Case Study – 30 Minutes

We want to offer a possible departure from our source sheet here, particularly for adult groups. This curriculum very deliberately avoids using current public figures. We do so primarily because there is no unity of opinion about the people who lead our nation. If we chose one quote or another, it might alienate some of the learners. Our goal is not to advocate a particular position with this curriculum. (We have positions, but they are not germane to the idea of civil discourse.

Working with older teens and/or adults, you may want to cross that line and take actual statements from the news. We caution you to seek balance. If you seek to vilify those whose statements bother you, know that at least one or possibly more of your students will take issue with you about the content or context (or both) of the statements you use. And you will find yourself debating politics instead of exploring how to have civil discussions about politics.

One way to seek balance is to ask your learners to do some homework before coming in. Ask them to find a quote from someone with whom they generally disagree (or even detest) that they can actually **agree** with. It may serve the purpose of putting them in the place of the other in ways they hadn't imagined.

OR you can do this:

Some adult groups might not enjoy the format of this exercise. You know your learners. You certainly have the option of just continuing to do a straight text study.

The first two of our final texts are FICTIONAL. Please reiterate this point as necessary. They are composites of actual arguments made by a variety of politicians, activists or "people on the street" being interviewed by reporters.

1. Divide the group in half. Assign text 4 to one group and text 5 to the other group.

2. Explain that their text tells them what their position is about a candidate for Congress that they OPPOSE. Take five minutes to read and discuss the position in order to be prepared to debate. Tell them that they will be partnered with a member of their own group to meet with a pair from the other group.
3. Now tell them that they need to be prepared to have that discussion with their counterparts in a way that is a *Machloket L'shem Shamayim*, an argument for the sake of heaven. Yes, we only have descriptions of the candidates that are stated in the perspective of those opposed to them. They will need to use that information to imagine what their candidate actually believes. (Note – this is often more information than many people who are not actually working in a campaign use in such conversations.)

TELL them, their goal is to try and come to a conclusion about who is truly the best candidate for Congress.

4. Give the foursomes about ten minutes to engage. The leader should move around and listen, helping where necessary.
5. Now ask the foursomes to stop advocating for a candidate and analyze their conversation, using the questions we used to discuss Hillel, Shammai and Korach.
6. Bring the whole group back together and have students share their analysis. ASK how many people were convinced to change their mind by an argument that was angry. ASK how many changed as a result of a calm, respectful argument. ASK how many changed at all.
7. Finally, the Kennedy quote is given as what might be seen as a logical outcome of choosing to argue for the sake of heaven. ASK the students what they think the president meant. ASK if they agree. ASK if they can answer the question for themselves.
8. This is a good time to discuss other outcomes of choosing to limit our arguments to those that are *b'shem shamayim*. It is also a good time to have them come up with more arguments they see in the world and ask whether or not each in for the sake of heaven in their opinion.

The illustration used in this lesson is from the BimBam.com lesson on this topic, which we encourage you to use in the youngest lesson. It can be found at <https://www.bimbam.com/machloket-lshem-shemayim/>.

We also recommend you visit <https://www.9adar.org/> to see how the PARDES institute offers ways to take this learning further and encourages civil discourse in our world.