

## AHAVAT YISRAEL IN DIVISIVE TIMES

Dr. Steven Fine

Churgin Professor of Jewish History,  
Director, YU Center for Israel Studies



A Jerusalem Mansion, the “Burnt House,” destroyed 70 CE (Wikimedia Commons)

# “THE STUDENTS OF BEIT SHAMMAI STOOD BELOW AND THEY KILLED THE STUDENTS OF BEIT HILLEL”

## A CALL FROM HAZAL FOR MUTUAL RESPECT IN TIMES OF BITTER DISPUTE

One of the most astounding features of *Hazal*, the sages of the Mishnah and of both Talmudim, is their public willingness to discuss their most sensitive experiences, including their most public and bitter disputes.<sup>1</sup> We meet Hillel and Shammai, Rabbi Yehoshua and Rabban Gamaliel, Rabbi Yohanan and Resh Laqish, Rabba and Abaye, as real people. In the history of

religion such immediacy and honesty is quite unusual. No other religious literature tells of the foibles and doubts, mistakes and even pettiness of its culture heroes — with the goal of inviting us into their world for our own moral betterment. Stepping back, the level of access to which every *talmid* and *talmidat hakhamim*, every “student of the sages,” is privy, is astonishing. As we approach Tisha be-

Av, I share one lesser-known episode of internal conflict among the earliest Sages, the trauma it left behind, and ways that Sages in later centuries reflected on this event.

The Mishnah describes a meeting that took place in the upper chamber of a Jerusalem aristocrat, Hananiah ben Hizkiahu ben Gurion, early in the century before the destruction of Jerusalem in 70 CE:

ואלו מן ההלכות שאמרו בעליית חנניה בן חזקיה בן גוריון כשעלו לבקרו. נמנו ורבו בית שמאי על בית הלל, ושמונה עשר דברים גזרו בו ביום.

*These are some of the rules that they said in the upper story of Hananiah ben Hizkiya ben Gurion when they went up to visit him. Beit Shammai voted and were more numerous than Beit Hillel. Eighteen things were decreed on that very day. . .*

The Talmud Yerushalmi narrates what happened:

תנא רבי יהושע אנוניא: תלמידי בית שמאי עמדו להן מלמטה והיו הורגין בתלמידי בית הלל. תני: ששה מהן עלו והשאר עמדו עליהן בחרבות וברמחים. תני: שמונה עשרה דבר גזרו ובשמונה עשרה רבו ובשמונה עשרה נחלקו.

*Rabbi Yehoshua of Ono taught: The students of Beit Shammai stood below and they killed the students of Beit Hillel. It is taught, Six of them [the Hillelites] went up and the rest [the Shammaites] stood against them [the Hillelites] with swords and spears. It is taught: They decreed eighteen things, won on eighteen things, and were in dispute over eighteen things.*

Let's imagine the scene. Shammaites forcefully kept Hillelites from going up to the second story of the Jerusalem home of Hananya ben Hizkiya ben Gurion. The students came to blows as Hillelites sought to ascend, and Shammaites were determined to block their path.

What happened next? The students of Shammai took over the court session, and with the Hillelites subdued,

voted on eighteen points of halakha. The Shammaites were clearly tired of always losing to the more numerous Hillelites. What may have begun as disagreement *le-shem Shamayim*, "for the sake of Heaven," devolved into *hilul ha-Shem* and murder.

The Yerushalmi story builds on a reflection that appears already in Tosefta Shabbat 1:17 (and parallels):

אותו היום היה קשה לישראל כיום שנעשה בו העגל.

*That day was as difficult for Israel as the day the golden calf was made.*

As with the Golden Calf, emotion overrode judgement, defaming God's name. One can just imagine the scorn that other groups of Jews — Sadducees, Baitusim, Essenes and simple people — might have poured on the Sages for this moment of desecration.

What was the fight all about? It all began with eighteen points of halakha over which Hillelites and Shammaites disputed, and which were extremely important to the Shammaites. We do not know exactly which eighteen "things" were disputed, but the general theme is purity and separation. The issues in dispute were hugely important — even if some of them can seem very distant 2,000 years later.

I wonder whether the source of the dispute was actually the stated halakhic causes, or whether perhaps something deeper was behind it. Shammaites could not have been happy with the rising power of the

Hillelites and their own decline during the Tannaitic period. Caustic disputes over halakha were the "language" in which Second Temple period Jews — from the Sadducees and Pharisees to the Dead Sea Scroll community — debated important ideological issues, from the Temple rituals to the calendar to the resurrection of the dead.

Later generations were clearly disturbed by this eruption. Assuming complexity, they wisely ascribed blame equally to the House of Hillel and the House of Shammai.

A fragment of a Gaonic work, *Halakhot Gedolot*, found in the Cairo Genizah, has it that, "They all killed one another" — הרגו אלו מאלו — ואלו מאלו — placing blame on both houses. Another text relates that, "a dispute arose between the students of Shammai and Hillel, and many of them were lost (ואבד מהם הרבה). One source inflates the number of dead to 3,000, the same number killed at the sin of the Golden Calf. Tosefta *Sotah* 14:9 (=Sanhedrin 88b) reflects on the cause of the bitter disputes between the schools Hillel and Shammai:

משרבו תלמידי שמאי והלל שלא שמשו כל צרכן, הרבו מחלוקת בישראל, ונעשו שתי תורות.

*When the students of Shammai and Hillel increased, who did not serve [their teacher] sufficiently, dispute increased in Israel, and two Torahs were made.*

The message of this text is clear. It claims that unbridled dispute is caused by faulty or incomplete training.



Find more shiurim and articles from Dr. Fine at  
<https://www.yutorah.org/professor-steven-fine>

Later generations of *hakhamim* in *Eretz Yisrael* and then in Italy and Ashkenaz read of this tragedy and wanted to do something to heal the lingering social and spiritual rift caused by that terrible event — and through it to safeguard against similar behavior in their own times. They declared a fast on the day when they believed that it happened, on 3 Adar. This was just one of many fasts that were integral to the religious calendars of early medieval Jews that we no longer keep today. These fasts included the imprisonment of Rabbi Aqiva (5 Tishri), the death of Miriam (10 Nissan), the death of Eli the Priest (10 Iyyar), the day a Torah scroll was burned in Rome (3 Kislev), and many others — including the fast of Hillel and Shammai. Lists of fast days were preserved in prose and in synagogue liturgical poetry (*piyyut*). A list of fast days was even found written on the walls of the sixth century synagogue at Rehov, near Beit Shean — which was also decorated with a list of the priestly courses and agricultural law. An eighth-century liturgical poet (*paytan*), Pinhas the Priest,

enumerated the fasting schedule in a poem recited on the advent of the month of Shevat. This is what he says about the month of Adar:

פורים עושים ומגלה קורים בו  
צום הלל ושמאי בשלושה בו  
אדר / קראתי צום לגזירת הר נבו  
רועה נאסף בשבעה בו

*Purim is celebrated and the Megillah is read in it,  
The fast of Hillel and Shammai is on the third of it,  
Adar, I declared a fast for the decree of Mt. Nebo,  
The Shepherd [Moses] died on the seventh of it.*<sup>2</sup>

Our Sages, of blessed memory, tell us much about their lives, both the positive and the unfortunate. They present their own failings fearlessly, and discuss them with unceasing candor and if necessary, contrition. Such was the case of the bloody fight between Beit Hillel and Beit Shammai over the eighteen halakhic rulings. The Talmud Yerushalmi not only reported this grievous event but explained to us the magnitude of this sin. Later generations placed the blame for this

violence on both houses equally — taking it on themselves to heal the spiritual breach. They established a fast day each year, 3 Adar, so that this sore would never be forgotten, nor this sin repeated.

If Beit Hillel and Beit Shammai could fall to such depths, what about us? The possibility always exists that our communities — and even our nations — can falter under the weight of disputes poorly handled and left to fester. Is aggression, whether verbal or physical, the answer? Mourning the Temple this Tisha be-Av, may we consider for a moment the fast of Hillel and Shammai — and commit ourselves to avoiding our own “sin of the golden calf.” May we always disagree with mutual respect — always “for the sake of Heaven.”

## Endnotes

1. This discussion is based upon the work of Shulamit Elizur “*Wherefore Have We Fasted?: ‘Megilat Ta’anit Batra’ and Similar Lists of Fasts* (Jerusalem, 2007), Hebrew, especially 199–120.
2. Elizur. pp. 32-33.

Rabbi Isaac Elchanan Theological Seminary • YU Center for the Jewish Future

# THE BENJAMIN AND ROSE BERGER TORAH TO-GO®

Established by Rabbi Hyman z"l and Ann Arbesfeld

JULY 2021 • TISHA B'AV 5781

## AHAVAT YISRAEL IN DIVISIVE TIMES



ישיבת רבנו יצחק אלחנן

Rabbi Isaac Elchanan Theological Seminary

An Affiliate of Yeshiva University

CENTER FOR THE JEWISH FUTURE



### Insights into Kinot

Getting a better understanding of the words of mourning and heartbreak.



### The Texts of Tisha B'av

Exploring the Tisha B'av liturgy