



Volume 3. Issue 9.

In Pursuit of Truth (and how to find it)

In two of the *Mishnayot* (15:2-3) learnt this week we see two arguments between *Beit Shammai* and *Beit Hillel* where *Beit Hillel* ultimately concedes. This is not the only instance where we find the *Mishnah* describing such debates between *Beit Shammai* and *Beit Hillel* that have this very outcome (see *Eduyot* 1:12-14, *Keilim* 9:2, *Ohalot* 5:2). If the *Mishnayot* were formulated in a terse manner to aid in memorising and if *Beit Hillel* ultimately conceded in these cases, why are they even recorded? Surely stating the opinion of *Beit Shammai* would have sufficed?

The *Rambam* in his Introduction to *Mishnah* explains:

[The reason is] to teach you the yearning for truth and choosing of righteousness. For these giants, prominent, pious, abounding in wisdom and complete in intellect, when they saw that the words of their opponent were superior to their own and more insightful, they would concede and retract their position. How much more so, for the rest of humanity, that if they see that the truth lies with their opponent, they should concede and not be stubborn. This is the meaning of the *pasuk* "righteousness, righteousness you shall pursue". About this, the Sages said: "admit to truth". In other words, that even if you could free yourself with further claim and arguments, if you know that your opponent words... are correct – concede and dismantle the argument.

We see then that this fundamental concept – admission of truth – was so important that the codifier of the *Mishnah* diverted from his usual concise style to teach it.

Analysing this answer deeper, one finds an awesome point. Despite being immersed in the depths of a heated argument, one can have the clarity to see the truth. While we can appreciate this sometimes, one could understand from the above *Rambam* that they had the ability to see the truth all the time. How?

The *Gemarah* (*Eiruvim* 13b) states:

R' Abba said in the name of *Shmuel*, "For three years, *Beit Shammai* and *Beit Hillel* debated... A heavenly voice went forth and declared, 'These and those are the words of the living G-d but the *halacha* follows *Beit Hillel*'"

Firstly, we find that when they both indeed spoke the truth (this requires further explanation) the arguments certainly endured. They would not give in so easily.

The *Gemarah* continues:

But now that these and those are the words of the living G-d, why did *Beit Hillel* merit to fix *halacha* according to their opinion? Because they were easy and forbearing and they would study their opinion and the opinion of *Beit Shammai*. Moreover, they would mention the matters of *Beit Shammai* before their own.

The *Sichat Mussar* (47) explains that at a first reading, it appears that *Beit Hillel* were rewarded for their *anava* (humility) with establishing *halacha* in accordance with their opinion. However he suggests a different understanding. This was not a reward; rather, *anava* is the only means of approaching the truth of *Torah*.

But what is *anava*? Unfortunately the English translation, "humility" presents a concept that may relate to external attributes of a person exhibiting *anava*, yet is far from its true meaning. It is certainly not simply abasing oneself. The *Sha'arei Teshuva* (1:24) writes:

The highest level of submission required for the path of *teshuva* is to raise and elate *avodat Hashem*, and not to take credit for oneself, for everything is minute when compared to one's obligation in *avodat Hashem*. Therefore one will worship with *tniyut* and not desire honour for his honourable actions...

At the very heart of *anava* is *avodat Hashem*. One has been designed with all his strengths and weaknesses to function in a particular manner for this purpose.

With that focus, when one enters a *Torah* argument, a debate for the sake of heaven, it is no longer the clash of two personalities. Instead it is the combining of two *keilim* (tools) that are to be employed in the discovery of truth. In that environment, if the truth is monochromatic, then it will be easily revealed.

David Bankier

Revision Questions

במנות ט"ו: ב' – ט"ז: ה'

- In what circumstance does *Beit Hillel* maintain that we trust a woman when she says her husband has died? (ט"ו: ב')
- What was the debate between *Beit Shammai* and *Beit Hillel* regarding, in a case where they both agreed that she is trusted to say her husband has died? (ט"ו: ג')
- How conceded in the argument described in the previous question? (ט"ו: ג')
- Which five people are not trusted to testify that a women's husband has died? (ט"ו: ד')
- If a woman remarried on the basis of a single witness's testimony, can she remain married if another single witness testifies that her original husband is still alive? (ט"ו: ד')
- What is the law regarding a case where a person's two wives return from overseas and: (ט"ו: ה')
 - One says the husband died, and the other says the husband is alive?
 - One says the husband died, and the other says the husband was killed?
- If a woman and here husband travel overseas and she returns saying that here husband has died, can she remarry? Can the co-wife remarry? (ט"ו: ו')
- Regarding the previous question, if the co-wife was a *bat Yisrael* married to a *kohen*, can she continue to eat *trumah*? Explain. (ט"ו: ו')
- What case is raised shares the same ruling as in the previous two questions? (ט"ו: ז')
- What should one do if they married one of five women, and they do not who, yet all the women claim it was them? (ט"ו: ז')
- What case does *R' Tarfon* claim is similar to the case in the previous question and why does *R' Akiva* argue that it is different? (ט"ו: ח')
- If a women returns from overseas claiming that both her husband and only child died, in what situation (regarding the order of the deaths) is she believed and when are we concerned? (ט"ו: ח')
- Regarding the previous question, with what change to the detail of the case is the law reversed? (ט"ו: ט')
- When is a women trusted to say that her *yabam* died? (Careful) (ט"ו: י')
- What relatives is man not trusted about, if he claims they died and in what circumstance? (ט"ו: י')
- What is the law regarding a woman, whose co-wife and husband went overseas, and then she received word that her husband had died – can she remarry? Does she require *yibum* or *chalitzah*? (ט"ו: יא')
- What is the law regarding a case where two women married to two brothers, claim that their husbands have died? What if one of the women has two witnesses supporting her? What if one of the women has children? (ט"ו: יב')
- What is the vital feature that one must identify about when testifying about a dead body? (ט"ו: יג')
- Can one testify that a man has died if he saw him fall into the ocean? (ט"ו: יד')
- Give some examples of what they would accept as a form of testimony enabling a woman to remarry? (ט"ו: ה')

Local Shiurim

Sunday -Thursday
Between mincha & ma'ariv
Mizrachi Shul

Friday & Shabbat
10 minutes before mincha
Mizrachi Shul

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- www.shemayisrael.com/mishna/

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Next Week's Mishnayot...

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	שבת קודש
8 th October ט"ז תשרי סוכות Yevamot 16:6-7	9 th October י"ז תשרי Ketubot 1:1-2	10 th October י"ח תשרי Ketubot 1:3-4	11 th October י"ט תשרי Ketubot 1:5-6	12 th October כ' תשרי Ketubot 1:7-8	13 th October כ"א תשרי הושענא רבה Ketubot 1:9-10	14 th October כ"ב תשרי שמיני עצרת Ketubot 2:1-2

