INTERPERSONAL RECONCILIATION IN THE TALMUD

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Introduction

The duty to repent and the accompanying duty to forgive are well attested to in Jewish literature. From the time of the Bible, procedures for repentance are delineated, usually involving confession and (animal) sacrifice. From the time of the Talmud, the expectation of human forgiveness is coupled with the demand for repentance. Both specific *halakhic* duties and moral aphorisms paint a picture of Judaism's positive assessment of repentance and forgiveness.

> All who act forgivingly toward their fellow creatures will be treated mercifully by Heaven, and all who do not act mercifully toward their fellow creatures will not be treated mercifully by Heaven (Babylonian Talmud Rosh Hashanah 17a).[1]
>
> Man should be pliant as a reed, not hard like a cedar [in granting forgiveness] (BT Ta'anit 20a)
>
> [Rabbi Nachman says,] Imitate God by being compassionate and forgiving. [God] will in turn have compassion on you, and pardon your offenses (Likkutei Ezot Ha-Shalem 1913).

In perusing Jewish law, however, one notices that the law stops far before demanding forgiveness in all cases and moreover, that the law fails to posit an ethic of reconciliation between individuals and between individuals and their communities. The act of reconciliation is intensely personal and difficult. The sages of the Talmud understood the impossibility of legislating it. On the other hand, when we look to the space outside the *halakhah*, the arena of *aggadah*, we will find that the rabbis were deeply concerned about encouraging reconciliation and communal harmony. This work will attempt to show that the literature of the Talmud is concerned with the question of reconciliation and that reconciliation is a motivating ethic behind a variety of *aggadot*, moral maxims, and rabbinic anecdotes. Furthermore, reconciliation holds

[1] All translations of biblical text are Jewish Publication Society 1985 (NJPS). All translations of rabbinic text are the author's unless otherwise noted.

the key to bringing Torah into the community, while failures to reconcile drive the community further from the acquisition of Torah and disrupts the work of valuable sages.

Reconciliation occupies a space outside of the usual laws of repentance and forgiveness. It may be possible to affect reconciliation without moving through the traditional steps of repentance outlined in Jewish law (for example, see Maimonides' *Hilkhot Teshuvah*). Estrangement between individuals rarely occurs as a result of one's crime and the other's victimhood. More commonly, both parties must change in order to be reconciled. The failure of either party to change will destroy an attempt at reconciliation, as many Talmudic stories will show in the following sections. Reconciliation also encompasses the entire community, as each party's relationship to the community shifts and must be rebalanced.

One biblical story is an excellent example of a "successful" reconciliation. We will notice that reconciliation does not mean a perfected relationship. What it does mean is a shift in relationship: from an estrangement and imbalance to a relative closeness and equality. Reconciliation does not result in the perfection of persons, but in their positive movement in relationship to each other. The reconciliation of Joseph and Judah exemplifies all of this.

Joseph and Judah

The relationship begins on a bad note. Jacob, their father, prefers the sons of his beloved wife Rachel over his other sons. His preference sets up a sibling rivalry between Joseph and the other brothers, deepened when Jacob provides Joseph with an ornamented tunic (Gen. 37:3). Joseph, self-possessed, lords his preferred status over his brothers and begins to dream dreams of his own greatness. When he shares these dreams with his brothers, they (justifiably) hate him even more. Eventually, the brothers turn on him and decide to do violence. First, they conspire

to kill him (Gen. 37:18). However, when they see a caravan of Ishmaelites coming toward them, Judah convinces them to sell Joseph into slavery instead, saying, "Come, let us sell him to the Ishmaelites, but let us not do away with him ourselves. After all, he is our brother, our own flesh" (Gen. 37:27). Judah establishes two things in this statement: first, that there is an underlying bond between himself and Joseph that should not be completely destroyed by murder and second, that he is the innate leader of the brothers and can sway them away from their original plan. The brothers sell Joseph and bloody his coat with animal blood to prove to their father that he was killed by a wild beast.

Joseph goes down to Egypt and grows up. In the next chapter, we learn that Judah has likewise moved on and settled in a new place. Judah marries and has three sons. The eldest son marries a woman named Tamar and soon after, dies of mysterious causes. According to the law of levirate marriage, Tamar must now marry the second son, which she does. However, he refuses to provide offspring to carry on his brother's name and God eventually takes his life as well. Judah, concerned for his last son's life, sends Tamar away, promising that she can marry him when he comes of age. Tamar waits, but when the time comes to marry the last son, Judah does not call for her. She takes matters into her own hands and dresses as a harlot by the side of the road. When Judah passes on the road, he turns aside to her, sleeps with her, and gives her a pledge of his seal, cord, and staff for future payment. Tamar conceives and word comes to Judah that his daughter-in-law has acted as a harlot and gotten pregnant. He has her brought out, intending to burn her to death for her crime against the honor of his family. But when she comes out, it is revealed by way of Judah's pledge to her that he is the father of her child. He responds, "She is more in the right than I, inasmuch as I did not give her to my son Shelah" (Gen. 38:26). And so Tamar survives and goes on to birth the Perez, the ancestor of the David.

Judah's character develops in this chapter. He has grown in leadership, now leading an entire family. However, he at first persists in his duplicity, lying to Tamar about her eventual marriage to his youngest, Shelah. After losing his own two sons, he develops an empathy with his father Jacob, who believes he has lost his favored son and now holds on to his youngest, Benjamin, with even greater force. Judah can relate now to both parental preference and a parent's extreme grief. What has also changed in Judah is the ability to do justice and to admit his own guilt. His experience with Tamar forces him to confront his own responsibility and guilt for what has come before in his life. His ability to confess strengthens his role as a leader and manager of the family. He is no longer so insecure about his role that he must destroy another to make space for himself. He is poised to meet with his brother Joseph again. Even if Joseph has not changed, Judah is now a responsible adult, conscious of his own guilt, but also possessed of his own power.

However, Joseph has changed. He has experienced the pain of slavery and prison and has risen through the ranks to be Pharaoh's chief advisor. His dreams have come true; when his brothers come to procure rations in Egypt during the famine, they must bow down to him. However, by becoming leader of Egypt, he has taken himself out of the leadership of his family. He does not lead his brothers; Judah does. He has risen to the status of great leadership, but he will never lead the children of Jacob and he will not be an ancestor of the messiah. It may be a stretch to say that Joseph has learned humility since his separation from his family, but it is possible. He has certainly experienced the pain of estrangement and the value of putting his sibling relationships before his own advancement.

The brothers go down to Egypt for rations and are forced to return with their youngest brother, Benjamin, Joseph's only full sibling, over the objections of their father. Judah takes

responsibility for Benjamin's life and swears to return him to their father. However, Joseph plots to keep Benjamin behind, having his divining goblet placed in Benjamin's pack to be discovered as evidence of "theft" and threatening to make Benjamin his slave. To prevent this, Judah makes a great speech to Joseph, explaining the importance of Benjamin to his father and offering himself up in his place. In this speech, Judah fails to take responsibility for Joseph's own fate; he continues to tell the lie that Joseph was "torn by a beast" (Gen. 44:27). But he presents as a changed man. When given the opportunity to care for his father's favorite again, he protects him with his own life. He is truly repentant, according to the rubric of R. Judah in Tractate Yoma: "How is one proved a repentant sinner? R. Judah said: If the object which caused his original transgression comes before him on two occasions, and he keeps away from it. R. Judah indicated: with the same woman, at the same time, in the same place" (Yoma 86b). While the two situations are not identical, Judah has used his power over his younger brothers in opposite ways: one he protected only to prevent his murder, but not his slavery and estrangement while for the other, he risks his own life. The empathy he has developed for his father and for his father's favored sons has changed him.

On hearing Judah's acknowledgment of responsibility for Benjamin, Joseph breaks down weeping and embraces his brothers. He states that they are not responsible for his descent to Egypt; rather, it was all God's plan in order to save them when the famine came. He does not forgive them, but he rewrites the history of their actions and reinterprets it positively. As we learn in Tractate Yoma, true repentance can change the very meaning of one's past actions, as Judah's newfound responsibility for Benjamin gives his past actions toward Joseph a different meaning.

> Resh Lakish said: Great is repentance, for because of it
> premeditated sins are accounted as errors. . . . [He also] said that

> repentance is so great that premeditated sins are accounted as though they were merits (Yoma 86b).

Joseph gives his family the land of Goshen to settle in. Goshen is both near and far from him: Joseph describes the place as "near" geographically to him, but it is also a place that is abhorrent to the Egyptians, a land of shepherds. In this way, Joseph can keep his family separate from his life as an Egyptian. He never explicitly forgives them, even after his father dies and his brothers finally request his forgiveness. They say,

> 'Please forgive the offense of the servants of the God of your father.' . . . But Joseph said to them, 'Have no fear! Am I a substitute for God? Besides, although you intended me harm, God intended it for good, so as to bring about the present result – the survival of many people. And so, fear not. I will sustain you and your children' (Gen. 50:17-21).

Despite the lack of clear forgiveness and the great delay in explicit acknowledgment of guilt, this is a story that exemplifies the process of reconciliation. Both parties shared in the creation of estrangement between them, Joseph by his haughtiness and Judah by his selling of Joseph and his deception. Both parties undergo a personal transformation, developing their innate skills of leadership and power, but developing empathy and humility along the way. They approach each other with greater equality than they could achieve as young adults. When they reconcile, the entire family must be rebalanced to make room for the new relationship. Jacob and his household move to Egypt under Joseph's dominion while the spiritual inheritance of Jacob is now under Judah's dominion.

Rabbi David Greenstein writes,

> Joseph is able to forgive his brothers, but he realizes that they will never love him. The Torah teaches us that the grounds for possible reconciliation and, indeed, the very essence of any possible reconciliation lie precisely in this sacrifice – the willingness to reconcile without demanding that reconciliation include love.[2]

[2] David Greenstein, "Reconciliation Without Love," *Jewish Quarterly Review* XIX, 19 (2009): 44

The reconciliation achieved here is not identical to a perfected relationship. Reconciliation does not always demand love or even closeness. It does demand a shift and a rebalancing in the power, influence, and honor of those involved.

Importantly, the text's many twists and turns have all been for the sake of this result. The estrangement between the brothers was a necessary evil in order to place the family in Egypt and eventually, under Egyptian oppression. The arc of the story highlights Judah's leadership and his descendants' future centrality to the Jewish story. Joseph is allowed to rule, but only for a time; his name will eventually be erased from the tribes, replaced by his sons. The passage of time allowed for enough change to occur within both Judah and Joseph in order to allow for their reconciliation. With that passage of time, the meaning of their respective behaviors came to light by being re-read through Joseph's understanding of Providence.

Law and its Scope

BT Yoma 86b-87b

The Babylonian Talmud is a collection of sayings and *halakhic* positions of rabbis spanning more than three centuries and a geographic region spanning from the land of Israel to ancient Babylonia. It was redacted in Babylonia at the beginning of the sixth century (its counterpart, the Jerusalem or Palestinian Talmud was redacted roughly a century earlier in Palestine and is less often studied by modern Jews or relied on for *halakhic* conclusions). These rabbinic sayings are redacted in order to create an artificial conversation premised on a discussion of the Mishnah, which was compiled in the early third century CE by Rabbi Judah the Prince and which is itself a compilation of rabbinic and proto-rabbinic conversations spanning several generations. The Talmud presents itself as a document of law, concerned primarily with the methodologies of discovering the *halakhah* as well as the final position of the *halakhah* in specific cases (although the final position is often omitted from the actual Talmudic conversation).

However, the Talmud also spends a considerable amount of time in the sphere of *aggadah*, from midrashic expositions on the Bible to anecdotes about the rabbis themselves. In the case of rabbinic anecdotes, the reader is often allowed a glimpse of either true rabbinic life or an idealized or politicized version of rabbinic life. These anecdotes stand both separately from the *halakhah* and are intertwined with it, providing specific case details, supporting *halakhic* decisions, and even sometimes undermining or challenging the *halakhah.* It is interesting to note that despite the Talmud's self-perception as a book of law, the realm of story-telling became an integral part of its mission. Richard Kalmin studies the origins of stories about rabbis in his article, "Talmudic Portrays of Relationships between Rabbis: Amoraic or Pseudepigraphic?" and

"Saints or Sinners, Scholars or Ignoramuses? Stories about the Rabbis as Evidence for the Composite Nature of the Babylonian Talmud."[3] He concludes that full-fledged stories about the relationships between rabbis have a historic basis and are not the invention of later authors for their own purposes. Whether or not this is the case, story-telling in the Talmud serves a primary function of values transmission. These stories are placed carefully within a larger context of *halakhah* and were chosen purposefully by the redactors, whether the redactors wrote or highly modified the stories notwithstanding. It is not until the writing of Jewish legal codes beginning in the eighth century that Jewish law becomes stripped of the rich tapestry of what we might call "anecdotal evidence" that so characterizes the Talmud. The interplay of law and story highlight the deficiencies of both: *halakhah* often fails to describe an emotional reality while *aggadah* lacks a moderating force and allows emotion to rule over reason to sometimes dangerous effect. Examining the two together may illuminate the values that lie in the gaps.

Lou Silberman writes in explicating the relationship between *halakhah* and *aggadah,*

> [W]hile the aggadic process created or expressed the ethos of the community, the halakhic process was concerned with pattern, with structure, with paradigm for behavior. For that reason it had to be more precise, more sharply defined. Its methodology had to be more vigorously observed, its results more specifically applied. The problems that emerged out of the interfacing of Tradition and "World" were not left to the individual to solve within the horizon of the community's ethos, for this was indeed a community, not a mere collection of individuals. Thus the sensibilities of the community were disciplined by the hermeneutic process by which answers to the problems posed by the interfacing were sought. The world of *Halakhah* was thus, never coterminous with the world of *Aggadah*, nor did it always manage to crystallize the sense of existence into the pattern of existence.[4]

[3] *AJS Review* 17, 2 (Fall 1992), 165-197 and *AJS Review* 15, 2 (Fall 1990), 179-205

[4] Lou H. Silberman, "Aggadah and Halakhah: Ethos and Ethics in Rabbinic Judaism," in *The Life of Covenant: The Challenge of Contemporary Judaism: Essays in Honor of Herman E. Schaalman*, edited by Joseph A. Edelheit, 1st edition. (Chicago: Spertus College of Judaica Press, 1986), 230-231.

To put is simply, *aggadah* gives us a glimpse into the ethical soul of the community while *halakhah* creates patterns of life. One often fails to grasp the other.

Haim Nachman Bialik writes extensively about the relationship between *halakhah* and *aggadah.*[5] He considers them to be two sides of a shield, dependent on one another, yet distinct and divergent. He writes, "On the one side is the dryness of prose, a formal and heavy style, a gray and monochrome diction: reason is sovereign. On the other side is the sap of poetry, a style full of life and variety, a diction all ablaze with color: emotion is sovereign" (45). Further he writes,

> The process of solution and condensation which *Halachah* and *Aggadah* undergo are clearly visible, especially in times of revolution and the making of new laws; they are plain and familiar to all. An old *halakhah,* abrogated, retires into the crucible of the heart, and is transmuted into an *aggadah*-like it or unlike-and the *aggadah* in turn, after being purified, emerges thence into the molds of thought and action, and then again condenses into *Halachah*, but in an improved or wholly new form. Thus *Halachah* is, no less than *Aggadah*, a creative process. It is the supreme form of art-the art of life and of living (49).

Bialik's understanding of *halakhah* and *aggadah* existing in a kind of dance accords with the Jewish experience of fluidity in law, a law which responds to the needs of the day and the cultural customs which have grown up around it. The *aggadah* exists as a kind of check on the *halakhah*. That is, this law is good enough for now, but we cannot pass it along without somehow including our own personal emotional interactions with the law. This is indeed what we discover when looking at the laws of *t'shuvah* in their Talmudic context. In our first Talmudic text, we read about the basic laws, ethics, and limitations of *t'shuvah,* repentance, as it concerns reconciliation between two individuals.

[5] Haim Nahman Bialik, "*Halachah* and *Aggadah*," *Revealment and Concealment*, translated by Leon Simon. (Jerusalem: Ibis Editions, 2000).

One's actions are only understandable within the context of history, which is why the Talmud so eagerly tells us of the ways repentance literally changes history and brings healing:

> R. Levi said: Great is repentance, for it reaches up to the Throne of Glory. . . . R. Yochanan said: great is repentance, for it overrides a prohibition of the Torah. . . . R. Yonatan said: Great is repentance, because it brings about redemption. . . . Resh Lakish said: Great is repentance, for because of it premeditated sins are accounted as errors. . . . [He also] said that repentance is so great that premeditated sins are accounted as though they were merits. . . . R. Samuel b. Nachmani said in the name of R. Yonatan: Great is repentance, because it prolongs the years of man. . . R. Meir used to say: Great is repentance, for on account of an individual who repents, the sins of all the world are forgiven (Babylonian Talmud Yoma 86b).

It is common for the Talmud to state such moral maxims, but these value statements rarely impinge on the process of deciding *halakhah*. The Talmud contains many concepts which are frequently cited to discuss the ethical impulse in Jewish law, for example, "Great is human dignity, for it takes priority over a negative command of the Torah." As Gerald Blidstein notes, this statement and others like it are used as determiners of law only in exceptional cases and not as a rule.[6] Yet the Talmud wishes to explicitly convey weighty moral generalizations that have meaning for individuals' lives and for their exercise of *halakhah*. It is a limitation of *halakhah* that it cannot reasonably require all adherents to hold fast to the loftiest ideals. *Halakhah* serves to create a basic standard of morality and civility. However, the rabbis understand that the path to peace and spiritual greatness sometimes lies beyond the letter of the law, *lifnim mishurat hadin.*

In the case of Yoma 87a, the law that comes closest to legislating reconciliation is contrasted with examples of rabbis going beyond the letter of the law in an attempt to reach an

[6] Gerald Blidstein, "Moral Generalizations and Halakhic Discourse," *S'vara* 2, 1 (1991): 8-9.

ideal that cannot be legislated. A penitent who sinned against his neighbor must appease the neighbor in order to attain forgiveness and be absolved of his sin.

> R. Isaac said: Whoever offends his neighbor and does it only through words must pacify him. . . .If he has a claim of money upon you, open the palm of your hand to him, and if not, send many friends to him. R. Hisda said: he should endeavor to pacify him through three groups of three people each. . . .One who asks pardon of his neighbor need do so no more than three times. . . . And if he had died, he should bring ten persons and make them stand by his grave and say: I have sinned against the Lord, the God of Israel, and against this one, whom I have hurt.

The requirements for appeasing one's neighbor are not light, but they are reasonable and limited in difficulty and duration. We notice several important lessons imbedded in the law. Firstly, that crimes against one's neighbor have a statue of limitations; after a certain amount of repenting on the part of the attacker, extra repentance is entirely unwarranted. According to traditional commentaries, the duty to repent is transformed into the duty to forgive on the part of the victim.[7] Secondly, the attempt of one person to appease another involves the entire community. Whether the victim is alive or dead, the appeaser approaches him or her with a *minyan* of supporters. In the case of a living person, the appeaser approaches him or herself with three groups of three others (1 + 3 + 3 + 3 = 10). In the case of a dead person, the appeaser approaches only once with the entire *minyan*. Thus appeasing one's fellow comes to involve a representative subset of the entire community. The reconciliation between two people is a concern for the entire community. The community also acts as witness to the potential reconciliation. They can now attest to the appeaser's sincerity of repentance, the victim's forgiveness, and the reintegration of the relationship into the community at large.

[7] Adin Steinsaltz. Interlinear commentary on Yoma 87a

The stories which follow this giving of the law of appeasement between individuals each challenge the law. In each of these stories, the distinction between victim and aggressor is muddled and the limitations put on attempts at appeasement are routinely ignored.

> R. Abba had a complaint against R. Jeremiah (*Rabbi Yirmiyah hava leh milta l'rabi aba bahadeh)*. He [Rabbi Jeremiah] went and sat down at the door of R. Abba and as the maid poured out [waste]water, some drops fell upon his head. Then he said: They have made a dung-heap of me. . . . R. Abba heard that and came out toward him, saying: Now, I must come forth to appease you, as it is written, 'Go, humble yourself and urge your neighbor.'

The Gemara is slightly ambiguous as to the nature of Rabbi Abba's complaint against Rabbi Jeremiah. R. Jeremiah had "something" against or of R. Abba. The line could even be read that R. Jeremiah simply had a possession of R. Abba's. R. Jeremiah comes to sit in R. Abba's door, ostensibly to apologize to him, although he never gets that far. Instead the victim and aggressor are immediately flipped in the story. R. Jeremiah becomes a victim of R. Abba's household wastewater and is degraded to the level of a "dung-heap," apparently a result of a simple accident. R. Abba then sees it as his duty to appease R. Jeremiah, rather than the other way around. The degradation experienced by R. Jeremiah is the substitute for his own apology. What was clearly a case of one victim and one aggressor becomes a case of two victim-aggressors who must appease each other equally.

> When R. Zera had any complaint against any man, he would repeatedly pass by him, showing himself to him, so that he may come forth to pacify him.

R. Zera likewise turns the victim/aggressor paradigm upside-down. He goes out to see his aggressor, giving him the repeated opportunity to apologize. As in the previous case of R. Jeremiah and R. Abba, R. Zera diminishes the requirement on the aggressor to appease him. R.

Zera's actions can also be understood as a pre-emptive forgiveness, a statement to his aggressor that any apology will be well-received.

> Rav once had a complaint against a certain butcher, and when on the eve of the Day of Atonement he did not come to him, he said: I shall go to him to pacify him. R. Huna met him and asked: Where are you going, Sir? He said: To pacify so-and-so. He thought: Abba [Rav] is about to cause one's death. He went there and remained standing before him, who was sitting and chopping a[n animal] head. He raised his eyes and saw him, then said: You are Abba, go away, I will have nothing to do with you. While he was chopping the head, a bone flew off, struck his throat, and killed him.

Again, the roles of victim and aggressor are reversed. Adin Steinsaltz comments in his *Iyyunim* to Yoma 86b that perhaps Rav and the butcher had "harsh words." Thus, although it was entirely appropriate for the butcher to approach Rav to appease him, perhaps Rav felt that he had hurt the butcher with his words more than the butcher had hurt him and so it was appropriate for him to approach the butcher. This understanding is not at all the most obvious reading of the text. Rav/Abba is showing willingness as a victim to approach his aggressor and make amends, despite the lack of formal apology from the aggressor. Imbedded in this story is also a power differential reminiscent of R. Abba's interaction with R. Jeremiah. As a *rav,* Abba is less shamed by giving up his position as victim than the butcher would be by coming to apologize. Abba catches him in the middle of his work, which he is still engaged in on the eve of Yom Kippur. Abba has the professional upper hand in this relationship. Spatially, Abba stands over the butcher. Standing before a seated person (as we will see further on) may be a show of subservience in the choreographed honor system of the rabbis, but it also keeps Abba outside of the "line of fire" of the butcher's chopping. Abba is coming from a position of safety and security; the butcher comes from a place of danger and vulnerability.

> [Once Rav offended R. Chanina.] Rav went to him on thirteen eves of the Day of Atonement, but he would not be pacified. But

> how could he do so, did not R. Jose b. Chanina say: One who asks pardon of his neighbor need not do so more than three times? Rav is different. But how could R. Chanina act so? Had not Rava said that if one passes over his rights, all his transgressions are passed over? Rather: R. Chanina had seen in a dream that Rav was being hanged on a palm tree, and since the tradition is that one who in a dream is hanged on a palm tree will become head, he concluded that authority will be given to him, and so he would not be pacified, to the end that he departed to teach Torah in Babylonia (87b).

Again, Rav goes above and beyond in attempting reconciliation. The significance of this encounter is its placement in the study hall. Rav is giving a lecture and interrupts the lesson to return to the beginning each time a new member of the study hall enters. Finally, Rav is frustrated at having to repeat himself multiple times and does not begin again when R. Chanina enters. R. Chanina is so angry about this denial of respect that he does not forgive Rav even after thirteen years of apologies. The text questions how Rav could request forgiveness from R. Chanina thirteen times when the law says that he should have asked only three. It answers that "Rav was different." Rash"i comments that Rav was *machmir*, particularly stringent, on himself, requiring himself to do much more than the law required. Adin Steinsaltz comments in his *Iyyunim* that many older manuscripts read instead "His teacher is different" instead of "Rav is different" (*rabo* vs. *rav,* the difference of one *vav).* Steinsaltz comments that offending one's teacher is a more grievous sin than others, requiring greater stringency in attempting to appease him. In either case, we see that the law as previously stated is a mere guideline. The previous nature of one's relationship, the relative standing of the two individuals in the larger framework of society, and the personal piety of each of the parties are all factors which affect the ways in which reconciliation should be sought.

These stories challenge what could be called the basic "law of attempted reconciliation" in multiple ways. First, they repeatedly show the offended coming to appease the offender instead of the "proper" way. The rabbis show that they understand asking for forgiveness is not easy and they are so committed to the repair of the relationship that they are willing to make the first move. Moreover, the rabbis' actions may be evidence that they do not consider themselves innocent, even if they were the offended party, and they take upon themselves the duty to do what they must in order to reconcile. In the example of R. Zera, reconciliation means a return to normalcy. He does not approach his offender, but walks in front of him repeatedly in order to normalize their relationship, lessen their estrangement, and make it possible for the offender to approach him.

The terrible consequences of missed opportunities for reconciliation are also highlighted. A failure to reconcile results in a complete estrangement or a complete destruction of one's life. In the case of Rav, the butcher who would not reconcile is met with death as an alternative. When Rav and R. Chanina argue, R. Chanina refuses to be appeased and eventually becomes completely estranged from the community, so much so that he must leave the land of Israel and teach in Babylonia. (A careful search of the sources did not find any blame put on R. Chanina for his departure to Babylonia.)

The resultant disasters of failed reconciliation are a literary attempt to highlight the fundamental importance of the act of reconciliation and the obligation the rabbis felt to affect it. Even though one is only obligated by *halakhah* to approach a person three times to appease them, Rav approaches thirteen times and the only explanation given for this behavior is that "It is different with Rav." Rav commits himself to an act of *t'shuvah*, repentance, and attempted reconciliation, in a way that surpasses the law and displays the ideal. Yet the text is also clear

that reconciliation requires two parties. Rav has fulfilled his obligation in repenting several times over. His duty is discharged. Yet he is not *satisfied.* Satisfaction will only come with reconciliation.

When the *aggadot* of the rabbis is read through the lens of reconciliation, we will see that the reintegration of breached relationships in the larger context of the community is an essential motivating ethic of the rabbis. The healthy functioning of community and individuals depends on the ability of the individuals to repent and be forgiven, to hear and forgive, to give up some of their own honor and prestige for the sake of another, and to admit their wrongdoing even when they feel like victims themselves. Very rarely is reconciliation achieved within the context of the rabbinic world. The stories of successful reconciliation are rare glimpses into how a healthy community or an idealized community might handle breaches in the social structure. The stories of failed reconciliation are warnings that grudges kill and an entire community can be ruptured by the arguments that begin between two people. Although we cannot embark on a comprehensive study of every argument between individuals in the Talmud, we will find several which confirm the belief that reconciliation is an ethic idealized by the rabbis and sometimes even the key to Torah itself.

Fighting Rabbis

Rabban Gamliel, Rabbi Joshua, and Balance in the Beit Midrash

One of the most detailed and fascinating stories of reconciliation occurs in the Babylonian Talmud, Tractate Berakhot (27b). Versions of this story also appear in Tractate Bekhorot (36a) and in the Palestinian Talmud (Berakhot 4:1). The story involved an upset in the *beit midrash*, begun by an argument between Rabban Gamliel and Rabbi Joshua. However, the argument upsets the entire power structure of the *beit midrash,* leading to the temporary deposition of Rabban Gamliel and a restructuring of the power structure after their reconciliation. This *aggadah* is an excellent illustration of our understanding that breaches in relationships between two individuals lead to breaches in the entire community. Both layers need to be reconciled: Rabban Gamliel must be reconciled with Rabbi Joshua and then the two with the community at large.

The story begins with a *halakhic* dispute:

> Our Rabbis taught: There was an incident with one student who came before Rabbi Joshua. He said to him, "Is the evening prayer optional or obligatory?" He [R. Joshua] said to him, "Optional." He [the student] came before Rabban Gamliel. He said to him, "Is the evening prayer optional or obligatory?" He [Gamliel] said to him, "Obligatory." He [the student] said to him, "Didn't Rabbi Joshua tell me it was optional?"

The disagreement in and of itself is not problematic. It is not uncommon for two rabbis to have differing opinions.

> [Rabban Gamliel] said, "Wait until the shield-bearers enter the *beit midrash*." When the shield-bearers entered, the student stood and asked, "If the evening prayer optional or obligatory?" Rabban Gamliel said to him, "Obligatory." Rabban Gamliel said to the sages, "Is there any person who disagrees in this matter?" Rabbi Joshua said to him, "No." He said to him, "Didn't they tell me in your name that it is optional!?" He [Gamliel] said to him, "Joshua, stand on your feet and let them testify against you!" Rabbi Joshua

> stood on his feet and said, "if I were alive and he were dead, it is possible for the living to contradict the dead. But now that I am alive and he is alive, how can the living contradict the living?" Rabban Gamliel sat and taught and Rabbi Joshua stood on his feet, until the whole crowd murmured and shouted to Chutzpit the Turgemam, "Stop!" And he stopped.

Now Rabbi Joshua's crime becomes apparent. In challenging the ruling of Rabban Gamliel, he commits a crime against the power structure of the *beit midrash.* Rabban Gamliel creates the opportunity for him to disavow his earlier ruling and rule in accordance with the *nasi*, the head of the community (Gamliel). But when R. Joshua forswears his earlier ruling, R. Gamliel reminds him of it again and punishes him for it. Rabbi Joshua is forced to stand the entire day while Rabban Gamliel sits and teaches. Their relative postures indicate the power dynamic operational in their relationship. Rabban Gamliel is on top; Rabbi Joshua is a pawn. The argument between the two which may have been quelled in a day by Joshua's acceptance of his unusual punishment, but the structure of the *beit midrash* cannot withstand the abuse of power by Rabban Gamliel. The entire community revolts, forcing the *Turgemam* to stop, effectively disrupting the lesson and forcing Rabban Gamliel to cease teaching. In fact, the offense by Rabban Gamliel is so great, it is decided that he should be deposed and another put in his place.

> They said, "How long will he go on distressing him? On Rosh Hashanah last year he distressed him [over a dispute on the timing of Rosh Chodesh which would lead to a changed date for Yom Kippur] and in the matter of the firstborn in the incident with Rabbi Tzdok, he distressed him [Bekhorot 36a, a parallel text to ours]. Here too he distresses him! Come, let us depose him!

We now learn that Rabban Gamliel has a bad habit of antagonizing Rabbi Joshua. We should not imagine, though, that Rabbi Joshua is innocent in these encounters. He repeatedly defies his *nasi*, knowing that his defiance will cause unrest in the community. We know that Rabbi Joshua

was a colleague of Yochanan ben Zakkai in Yavneh and the current power struggle between Joshua and Gamliel may be a continuation of the struggle between Yochanan ben Zakkai and Gamliel at Yavneh. The rabbis choose Rabbi Elazar ben Azaryah to replace Rabban Gamliel as *nasi*, after rejecting both Rabbi Joshua for being involved in the incident and Rabbi Akiva for having a weak lineage and being vulnerable to Rabban Gamliel's attacks. Rabbi Elazar ben Azaryah has the benefit of wisdom, wealth, and a strong lineage, so that Rabban Gamliel "will be unable to punish him." Rabbi Elazar ben Azaryah consults his wife first and her cynical response, "Perhaps they will remove you [just like they removed Rabban Gamliel]" is a key to understanding the tumultuous political atmosphere of the academy; positions of authority are not safe positions. Rabban Gamliel has worked to attain his power and protect it against incursions from rebellious rabbis.

On the day that Rabbi Elazar ben Azaryah takes his position, they removed the doorkeeper from the study hall, allowing all students to come and enter. The *beit midrash* is democratized against the strict requirements Rabban Gamliel once held. Depending on the account, either four hundred or seven hundred new benches needed to be added to the study hall to accommodate the influx of new students. Rabban Gamliel witnesses this change in policy and says, "Perhaps, God forbid, I have withheld Torah from Israel!" He dreams of white vases filled with ash, a metaphor for apparently proper students whose inner selves do not match their outer selves. This dream comforts him, but the text tells us, "This was not the case, it was only to put his mind at ease that they showed him this." Rabban Gamliel has made Torah an elitist institution under his reign as *nasi*, withholding Torah from Israel and failing to hear the possibly true teachings of the other rabbis.

Also on that day, the *beit midrash* was engaged in a frantic effort to resolve a variety of laws. Every rabbi flocked to the study hall, even the newly deposed Rabban Gamliel. The story that follows highlights Rabban Gamliel's error in withholding honor from Rabbi Joshua. The rabbis argue over whether an Ammonite convert may enter the community (i.e. marry a Jewish woman), an act which seems to be prohibited according to Torah law. Rabbi Joshua proves his point that the convert may enter the congregation and immediately, the rabbis permitted the convert to do so.

"Rabban Gamliel said, 'Since that is the case, I shall go and appease Rabbi Joshua'" (28a). The Palestinian version of this story states that Rabban Gamliel immediately went to each person, to appease him in his home. The Babylonian version of the story highlights the personal nature of the conflict, even though it has ballooned into a conflict which involves the entire community. The Palestinian version has Rabban Gamliel appeasing every member of the community (although only the interaction between Gamliel and Joshua is recorded).

Several shifts in relationship have been necessary in order to set the scene for Gamliel and Joshua's reconciliation. Rabban Gamliel's iron control over the *beit midrash* needed to be broken in order for him to see the others in his community. He was humbled by his deposition, by his realization that his policies had held Israel back from understanding Torah, and the revelation that R. Joshua could best him in questions of *halakhah.* Similarly, the position of Rabbi Joshua in relation to the rest of the community needed to change. Although he antagonized Rabban Gamliel outside of the study hall, he failed to speak up under Gamliel's reign within the walls of the study hall. The experience of overcoming Gamliel's power was necessary for his ability to accept reconciliation from him later.

We should not imagine that this narrative represents the historical reality of Rabban Gamliel's deposition and reinstatement. On the contrary, it is the genius of the Talmud that its redactors chose the order of this story, alternating between Hebrew *baraitot* and Aramaic discussions and extensions by the *amoraim.* What is essentially a Tannaitic narrative, judging from the language and characters in the first level of the story, is expanded upon by Amoraic discussion and selections of other *baraitot* which move the story forward to a satisfying conclusion. The parallel text in Bekhorot ends with the assembly telling the speaker, Chutzpit to stop. The Palestinian version is very similar to our text, but considerably more elliptical, as is common when comparing Palestinian and Babylonian versions of parallel texts. The Palestinian version also makes Rabbi Joshua's lie in the study hall regarding his opinion much more forceful. Rabban Gamliel asks him directly if he is the one who stated that the evening prayer was optional and Rabbi Joshua responds in the negative. Scholars posit that the story has been reconstructed to improve the image of Rabban Gamliel and to gloss over more negative interpretations of Rabban Gamliel's historic deposition.[8] It is unlikely that the interpolated *baraita* regarding the law of the Ammonite convert took place at this moment in the historical narrative. The redactors place this scene here, literarily connecting it to the phrase "On that day," the day on which Rabbi Elazar took the helm of the *beit midrash*. More importantly, they provide the opportunity for both Rabban Gamliel and Rabbi Joshua's personal growth and growth in relationship to each other and the community. Without this scene, we would lack the basis to say that reconciliation requires a change in both parties according to this *aggadah*, or that the story is concerned with a rebalancing of power within relationships in the community.

Rabban Gamliel goes to appease Rabbi Joshua, realizing his error.

[8] Robert Goldenberg, "Deposition of Rabban Gamaliel II," *Journal of Jewish Studies* 23, 2 (Aut 1972): 189-190.

> When he reached his house, he saw that the walls of his house were black. He said to him, "From the walls of your house it is clear that you are a charcoal-maker." (In the Palestinian version, Rabbi Joshua is a needle-maker.) He said to him, "Woe to the generation whose leader you are, for you do not know the suffering of Torah scholars, how they support themselves and how they are nourished." He said to him, "I submit to you, forgive me!" [Rashi understands: I have spoken excessively against you.] He paid him no heed. "Do it for the sake of the honor of my father!" He was appeased.

In this moment, Rabbi Joshua makes the final stab at Rabban Gamliel's leadership. He is a poor leader, totally out of touch with the realities of life for his sages. It is only with an appeal to his ancestry that Rabban Gamliel can convince Rabbi Joshua to be appeased. This appeal to ancestry stands in as an appeal to the harmony of the rabbinic project at large. We can reread the line as, "Do it for the sake of this community, for the sake of my great-great-grandfather Hillel, for the sake of my father Rabban Shimon ben Gamliel, the great men who instituted and supported this great rabbinic project. Our separation will prevent us from continuing on with this project."

The argument between Rabban Gamliel and Rabbi Joshua began as a personal breach which spread to and poisoned the entire community, leading to a dismantling of existent power structures. Rabban Gamliel appeased Rabbi Joshua in order to heal their personal breach, making an appeal to the necessity of healing the entire community. Now the power structure of the community must be rebuilt and Rabban Gamliel must find a new place within the community to reflect his new humility. The inclusion of a variety of unnamed characters in this story widens the scope of the community and the number of people who have an interest in the breach. We began with an unnamed student (he is named at the very end of the saga as Shimon ben Yochai), had an unnamed woman give a revealing interpretation o the *beit midrash* (Rabbi Elazar's wife),

and now we end with an unnamed laundryman who is sent by Rabbi Joshua to inform the *beit midrash* of his reconciliation with Rabban Gamliel.

> They said, "Who will go and tell the rabbis?" A certain laundryman said to them, "I will go." Rabbi Joshua sent to the *beit midrash*, "Let him who wore the robe wear the robe [that indicates the position of *nasi*]. Should one who has not worn the robe say to the one who has worn the robe, 'Remove your robe and I will wear it?'" Rabbi Akiva said to the rabbis, "Lock the doors so that the servants of Rabban Gamliel will not bother the rabbis!"

The choreography of this saga highlights the movement of the individual rabbis in and out of favor. Those who may sit rule over those who are forced to stand. The doors of the *beit midrash* were closed under Rabban Gamliel and flung open under Rabbi Elazar ben Azaryah. Now the breach between Rabban Gamliel and Rabbi Joshua has forced them both outside of the confines of the *beit midrash.* They both behave as outsiders, forced to send messages to the *beit midrash* to reinstate themselves within the structure of the study hall. The argument made by Rabbi Joshua via the laundryman is an argument to tradition: let us remember the proper structure of this community. The wearing of the robe by Rabbi Elazar is now seen as a refutation of the proper structure of the community, even though he was placed there by the rabbis themselves. When Rabbi Akiva orders the doors re-locked, Rabbi Joshua goes himself to make the rabbis see sense.

> He came and knocked on the door. He said to them, "Let the sprinkler son of a sprinkler sprinkle; should one who is neither a sprinkler nor the son of a sprinkler say to the sprinkler son of a sprinkler, 'Your water is cave water and your ashes are cinders?'" Rabbi Akiva said to him, "Rabbi Joshua, are you appeased?" We did nothing except for the sake of your honor. Tomorrow you and I will go up to his [Rabban Gamliel's] door."

Rabbi Joshua restates the parable he sent with the laundryman in different terms. Now Rabbi Elazar's position is seen as a usurpation of the role of the priest. It is not the position of a non-priest (a non-sprinkler and not the son of a sprinkler) to judge the ways in which the priest does his duty. Rabbi Joshua is arguing for the full reinstatement of Rabban Gamliel. In becoming Rabban Gamliel's defender, Rabbi Joshua shows the full extent of his forgiveness and a respect for the position of *nasi* which was not at all clear from his private statement to Rabban Gamliel, "Woe to the generation whose leader you are."

A full reinstatement of Rabban Gamliel to the position of full-time *nasi* would challenge our thesis that effective reconciliation requires a rebalancing of relationships within the community; every person's position should be changed somewhat in relationship to others. Therefore, the rabbis do not fully reinstate Rabban Gamliel. Rather, they make use of the dictum, "We elevate in matters of holiness, but we do not lower." Rabbi Elazar ben Azaryah has been elevated to the position of *nasi* and cannot be lowered completely from that position. The decision is made between the rabbis that Rabban Gamliel will fill the position three weeks out of each month while Rabbi Elazar ben Azaryah will take the fourth week. Thus reconciliation is fully achieved. Rabban Gamliel comes to a fuller equality with Rabbi Joshua, accepting an insult from him as repayment for his own insult. Rabban Gamliel is stripped of a metaphorical quarter of his power. Up-and-coming rabbis step into the breach left by Rabban Gamliel, making room for Rabbi Elazar ben Azaryah to move into a position of authority and by extension, making room for rabbis like Rabbi Joshua to find their voice in the *beit midrash*.

Rabbi Dimi and the Figs

Not all stories of fighting rabbis end in relatively harmonious reconciliations. More often than not, stories of broken relationships in rabbinic literature end in a complete and tragic break in the social structure and even death of one or both of the parties. An *aggadah* explaining the destruction of Jerusalem is one such example. In this *aggadah*, known commonly as the story of Kamtza and Bar Kamtza, the failure of two community members to reconcile because of the baseless hatred of one for the other causes Jerusalem to be destroyed by the Romans (Babylonian Talmud, Gittin 56a; Lamentations Rabbah 4:3). We will not example this story here, but it represents one extreme example of the danger of not reconciling interpersonal relationships.

In Bava Batra 22a, we read a curious story of rabbinic conflict.

> Rav Dimi of Nehardea brought dried figs in a ship. The exilarch said to Rava 'Go and see if he is a rabbinic scholar and may use the market [due to special rabbinic privilege].' Rava said to Rav Adda bar Abba: Go and smell his vessel [i.e. test him]. Rav Adda went and asked Rav Dimi, 'If an elephant swallows a basket made of willow twigs and evacuates it through its rectum, can the basket become ritually unclean (cf. Rashi)?' He said to him, 'Are you Rava?' Rav Adda struck him on his sandal and said, 'Between Rava and me there is a great difference. However, I am your teacher and Rava is the teacher of your teacher.' Rav Dimi did not get to use the market and his figs spoiled. He then went to Rabbi Yosef and said, 'See how they treated me!' Rav Yosef said: The One who did not delay in avenging the wrong inflicted on the king of Edom will not delay (cf. Rashi) avenging the wrong done to you as it is written, "Thus said the Eternal: For three transgressions of Moav, for four, I will not revoke it (forgive): because he burned the bones of the king of Edom to lime" (Amos 2:1). Rav Adda bar Abba died.

The conflict in this case is more stark than the one seen between Rabban Gamliel and Rabbi Joshua. There, Rabban Gamliel dishonors Rabbi Joshua and discredits him, minimizing his rabbinic power and importance. Here, Rabbi Dimi is treated as though he is not a scholar at all

and his livelihood is therefore endangered. More than that, he is insulted by Rav Adda who strikes him on his sandal and declares himself Rav Dimi's teacher. Rather than approach Rav Adda or Rava to complain of his treatment, Rav Dimi approaches Rav Yosef who grants him a rash curse. Rav Adda immediately dies. This story is fascinating not for the depth of psychological pathos we have seen and will see in other stories of fighting rabbis, but because of the treatment of its aftermath. Rav Adda dies, the result of his incapacity to achieve harmony with other scholars, but this is not the end of the story.

> Rav Yosef said, 'I punished (killed) him when I cursed him.' Rav Dimi from Nehardea said, 'I punished him because he destroyed my figs.' Abaye said, 'I punished him because he said to the rabbis, "You are licking bones in the study house of Abaye, come and eat fat meat in the house of Rava."' Rava said, 'I have punished him, because when he went to get meat he would say to the butcher, "You must give me meat before the servant of Rava, for I am better than he."' Rav Nahman bar Isaac said, 'I have punished him.' For R. Nahman bar Isaac was the head of the preachers in the days before festivals; and every day, before preaching, he reviewed his sermon together with R. Adda b. Abba. On that day, however, on which R. Adda bar Abba died, Rav Papa and Rav Huna bar Rav Joshua detained him, so that he should explain to them what Rava lectured on the last Sabbath concerning cattle tithe, and he said, 'Rava said thus and thus and thus.' Meanwhile the time for R. Nahman's preaching arrived, and R. Adda did not call on him. The rabbis said to R. Nahman, 'Why does the master sit? It is already dawning, and you have to go to preach.' He said, 'I am sitting and waiting for the coffin of R. Adda.' R. Adda's death was soon announced. It seems that R. Nahman had punished him.

The rabbis rush over each other claiming responsibility for Rav Adda bar Abba's death. They do not seem distressed over his death. Rather, it seems that every person in town had a grudge against Rav Adda, including his own teacher, Rava. We learn that Rav Adda not only ruined R. Dimi's livelihood, he also enticed students away from Abaye toward Rava, usurped Rava's importance in the marketplace, and failed to keep appointments with other rabbis. In total, there

are four complaints against Rav Adda and the final one, R. Nahman's, is the one which causes Rav Yosef's curse to come into effect.

Whenever a verse is quoted in Talmud, it acts as a hyperlink to other uses of the same verse or similar verses elsewhere. Amos 2:1 is quoted by Rav Yosef in his curse of Rav Adda and conveniently, Rav Adda dies after his fourth transgression against the community. Amos 2:6 uses parallel language to lodge a complaint against Israel, "Thus said the Eternal: For three transgressions of Israel, for four, I will not revoke it, etc." This verse is picked up in Tractate Yoma 86b. "A teaching: Rabbi Yose bar Yehuda says, 'If a person commits a transgression the first time, we forgive him; a second time, we forgive him; a third time, we forgive him; a fourth – we do not forgive him, as it is written . . . ." Talmudic commentators disagree about whether this transgressor is committing the same sin four times or four different sins.

The anecdote forces us to question whether a person who has become habituated to bad acts can repent and effect reconciliation with his or her community. In the case of Rav Adda, his habitual denigration and ill-treatment of others builds up to a point which overflows any positive qualities he has as a scholar and as a human being. Interestingly, his transgressions all fall into the realm of withholding Torah from the community. He first treats Rav Dimi as a non-scholar. Then he lures students away from Abaye, disallowing Abaye from contributing Torah to the next generation of students. He usurps Rava in the marketplace, diminishing the honor of a great scholar. Finally, he fails to consult with Rav Nahman on a matter of Torah teaching. In fact, his mistake in prioritizing the repetition of Rava's lesson with Rav Papa and Rav Huna over his scheduled appointment with Rav Nahman is what causes his downfall. The death of a sage such as Rav Adda always results in the diminishment of Torah from Israel. A death caused by a lack

of reconciliation does so all the more, because it points to a fundamental spiritual problem within the sphere of the rabbinic community.

Resh Lakish, Rabbi Yohanan, and the Power of Repentance

Another such example is the story of Resh Lakish and Rabbi Yohanan, two sages of the third century who are brought together by Torah and ultimately die over a Torah dispute. This tale is also an excellent example of the tight and focused redaction much of the Babylonian Talmud is known for. In the space of less than one quarter of a folio page, we learn the story of Resh Lakish's induction into the *beit midrash*, his rise to impressive stature within the rabbinic system, and his eventual demise as a result of a feud with his *chevruta*, Rabbi Yohanan.

The primary topic of discussion in Bava Metzia 84a is the beauty and physical stature of various rabbis. The rabbis prized themselves on portliness and gentle looks. In particular, Rabbi Yohanan is known as being particularly beautiful, perhaps even effeminate, and unique in that he lacked a beard. He was known to sit outside the *mikveh* so that the women immersing would see him as they left and thus conceive beautiful children with their husbands (a parallel story about another beautiful rabbi occurs in the third chapter of Tractate Berakhot). The rabbis worry that Rabbi Yohanan is inviting the evil eye by displaying his beauty in this way, but he assures them that he cannot be harmed because he is descended from Joseph. Rabbi Yohanan's self-esteem will be of particular interest in his encounter with Resh Lakish.

Immediately connected to the discussion of Rabbi Yohanan's beauty, we learn that one day, Rabbi Yohanan was bathing in the Jordan when he was spied by Resh Lakish, who jumped in after him, perhaps to rob him or to rape him, mistaking the beardless rabbi for a woman. We learn nothing about Resh Lakish's background at the beginning of our story, but his checkered past is described in various other locations.

> Know the power of repentance. Come and see from the story of Resh Lakish. He with two of his friends in the mountains were robbing all who passed them on the way. What did Resh Lakish do? He forsook his companions who continued to plunder on the

> mountains and returned to the God of his fathers with all his heart. Fasting and praying he rose early in the morning and retired late at night before the Holy One, blessed be God, and he studied the Torah all the rest of his days and gave gifts to the needy. He did not return to his evil deeds and his repentance was accepted (Pirke de-Rabbi Eliezer XLIII, translation Isidore Epstein).

Our story begins with the moment of Resh Lakish's repentance and the beginning of his Torah career. After jumping into the water to attack Rabbi Yohanan in some way, Rabbi Yohanan engages him in a battle of words, the weapon of the rabbis. Rabbi Yohanan says to him, "Your strength [should be] for Torah," and Resh Lakish replies, "Your beauty is for women." This back and forth has been analyzed in a variety of ways. It is markedly physical and sexual. The reader is unsure whether Resh Lakish will yet overpower Rabbi Yohanan and rape him. Apparently Rabbi Yohanan has the same worry and offers Resh Lakish a trade. "If you return," he says, "I will give you my sister, who is more beautiful than I." We presume from the following narration that Rabbi Yohanan is asking Resh Lakish to return with him to the life of Torah study. Resh Lakish "accepts upon himself" the trade. He is reborn in the waters of the Jordan a repentant Jew, ready for a new life. This change is emphasized when the text tells us that he wished to return to the shore to collect his clothes (the clothes of his former trade as a bandit) and was unable. Traditional commentators such as Rashi understand this to mean that the acceptance of the yoke of Torah suddenly weakened him such that he was not able to even swim back to the shore on his own. He comes out of the water naked and pure.

As we learned in Yoma 86b, Resh Lakish said "Repentance is so great that premeditated sins are accounted as though they were merits." Rabbi Yohanan in the same place writes "Great is repentance, for it overrides a prohibition of the Torah." As Isadore Epstein points out, Resh Lakish and Rabbi Yohanan understand the power of repentance in very different terms (96). For

Resh Lakish, his forsaking a criminal life and returning to a life of Torah is a true rebirth and he considers all of his past sins as though they never existed. For Rabbi Yohanan, however, the mark of past sin still blemishes the individual repentant. This person must always be aware of their past sins and those sins impact forever on their place in society. A parallel to this disagreement is found in the beginning of Tractate Yoma, in which Rabbi Yohanan and Resh Lakish argue over the basis for the high priest's seven-day separation from his family before Yom Kippur. Rabbi Yohanan derives it from the separation of Aaron before the celebration o his priestly consecration. Aaron becomes a priest without losing who he was before. It is the fulfillment of his spiritual life, but does not negate anything that has come before. Resh Lakish derives the separation from the separation enjoined on the Israelites before receiving the Torah at Mt. Sinai. In this case, the Israelites were indeed newly created, achieving an entirely different essence. The Israelites became entirely new people, purified in a fundamental way, at Mt. Sinai. Resh Lakish may understand his transformation in the same way.

Rabbi Yohanan immediately teaches Resh Lakish Torah and Mishnah and makes him a great man. Their relationship is complex. Rabbi Yohanan is the master teacher who literally "makes" Resh Lakish, having power, influence, and responsibility over him. Resh Lakish is a newly born Torah scholar in his own mind, with a clean slate behind him. Rabbi Yohanan, however, has not forgotten Resh Lakish' unsavory past. Simultaneous with their dynamic as master and student, they make a *chevruta*, and are constantly cited together throughout the Talmud studying together and debating over matters of *halakhah*.

The story immediately moves into the future. One day, they were arguing in the *beit midrash* over a matter of *halakhah*.

> A sword, a knife, a dagger, a spear, a handsaw, and a sickle: from what point may they acquire ritual impurity? From the time that

> their manufacture is completed. And when is their manufacture completed? R. Yohanan says, 'From when he tempers them in the furnace.' Resh Lakish says, 'From when he furbishes them in the water.'

Resh Lakish argues that the manufacture of these iron tools is completed later in the process than R. Yohanan. Tellingly, Resh Lakish believes that water is the final step in an instrument's manufacture, perhaps alluding to his own self-creation as a Torah scholar and being furbished in the waters of the Jordan. The reader may realize immediately that this argument is a rhetorical set-up. This question was dealt with previously in the Mishnah (Kelim 14:5). A normal *halakhic* argument would continue with relevant quotations from Mishnah and possibly some *midrash halakhah* drawing on biblical sources. This argument continues on different lines:

> R. Yohanan said to him, 'A robber understands about robbery.' Resh Lakish said to him, 'and what good have you done for me? There they called me "Master" and here they call me "Master."' R. Yohanan said to him, 'I have done you good by bringing you under the wings of the *Shekhinah*.' Rabbi Yohanan was deeply offended (*halash da'the)* and Resh lakish became ill (*halash*).

R. Yohanan responds bizarrely to Resh Lakish's disagreement with an *ad hominem* attack. It is not because of Resh Lakish's vast Torah knowledge that he has a differing opinion (even though Resh Lakish is known throughout the Gemara for disagreeing with his *chevruta*), it is only because he is a robber that he understands more about the manufacture of knives. At this point, Resh Lakish knows that Rabbi Yohanan has not put aside his past and has seen him all this time as just a robber. So Resh Lakish disowns the tremendous gift of Torah which Rabbi Yohanan has given him. He claims that in fact, he is no different today than he was back then. Elie Holzer, in his article, "Either a *Hevruta* Partner or Death," examining this text as emblematic of a poorly-functioning *chevruta* reads Resh Lakish as saying,

> In my former life, I could rely on my physical strength and this is what made me the leader: I was called a "Master." When I joined the *beit midrash*, the holy society of torah study, I expected to enter a society where relationships are based on different norms; not on power and authority but on the basis of human dialogue in common pursuit of knowledge and understanding .[9]

In fact, the *beit midrash* is the primary locus of power for the rabbis, a power they sometimes wield harmfully, as we saw in the case of Rabban Gamliel and again here. Rabbi Yohanan, however, believes he has done only good by bringing Resh Lakish within the sphere of divine favor. He does not see Resh Lakish's repentance as his own act, but as something that has been done to him, through the greater rabbinic prowess of R. Yohanan.

Both R. Yohanan and Resh Lakish are deeply wounded by this encounter. The text says, cryptically, in the case of R. Yohanan, that he was weakened in his mind, generally read as being emotionally affected by this argument. Resh Lakish was simply weakened, so much so that he became deathly ill. R. Yohanan fights being affected by Resh Lakish. In his mind, he is in control of the relationship and believes that he cannot be touched, just as he could not be touched by the evil eye in the anecdote that precedes our text.

As in the case of the struggle between Rabban Gamliel and the *beit midrash*, in our current tale there is a nameless woman who is presented as the mouthpiece of truth and reasonableness. Rabbi Yohanan's sister, whom he used as pawn to capture the strength of Resh Lakish and who has become Resh Lakish's wife, approaches R. Yohanan and pleads for him to do something on Resh Lakish's behalf. It has become apparent that the Resh Lakish's illness will kill him if R. Yohanan does not act to reconcile them. She comes to him weeping and says,

> 'Act for the sake of my children.' He said to her, 'Leave your orphans to me, I will preserve them alive' (Jeremiah 49:11). She

[9] Elie Holzer, "Either a *hevruta* Partner or Death: A Critical View on the Interpersonal Dimensions of *hevruta* Learning," *Journal of Jewish Education,* 75 (2009): 140.

> said, 'Act for the sake of my widowhood.' R. Yohanan answered, 'And let your widows trust in me' (ibid).

Just as Rabbi Elazar ben Azaryah's wife was nameless and powerless within the rabbinic system, Resh Lakish's wife is at the bottom of the societal ladder. The inherent vulnerability of her womanhood is exacerbated by the fact that R. Yohanan traded her in marriage, apparently without her consent. Now she is married to a dying man and is concerned about the financial and spiritual support of her children, who will be "orphans," and herself. But her role in the text is not marginal, it is the voice of Israel begging God for mercy (as evidenced by R. Yohanan's responses) and the only voice of humanity and sense in the entire saga. R. Yohanan responds to her callously, promising his protection, but refusing to do what might be necessary to prevent her misfortune in the first place. His arrogance is astounding as he quotes Jeremiah, putting himself in the position of God to the people Israel.

> Rabbi Shimon ben Lakish died and Rabbi Yohanan was greatly distressed over Resh Lakish's death. The rabbis said, 'Who will go and calm his mind?' Rabbi Elazar ben Pedat went, for his *halakhot* were sharply stated. Rabbi Elazar went and sat before him. For each word that R. Yohanan would say, he would say, 'There is a *baraita* for your position.' He said, 'Are you like *bar Lakisha*?! When I would say something, he would challenge me with twenty-four objections and I would give him twenty-four answers. And in this way the matter would be clarified. But all that you say to me is 'There is a *baraita* that supports you.' Do you think I don't know that I am correct in what I say? R. Yohanan went and tore his clothes and carried on weeping and said, 'Where are you *bar Lakisha*? Where are you *bar Lakisha*?' And he went on screaming until his mind slipped from him. The rabbis prayed for mercy on him and he died.

Resh Lakish, elevated by the text to the position of Rabbi, dies. Rabbi Yohanan becomes increasingly distressed, eliciting the concern of the other rabbis. They decide to replace R. Yohanan's *chevruta* and choose a sharp rabbi who was perhaps the intellectual equal of Resh

Lakish. However, we now discover that what made Resh Lakish an excellent *chevruta* was his ability to challenge R. Yohanan and force him to clarify his position. Interestingly, the essential master-student dynamic assumed by R. Yohanan is not challenged here. R. Yohanan knows that he is always correct and he thus does not require or crave support, but assistance in clarifying his statements. The loss of Resh Lakish represents a loss of Torah for R. Yohanan, as well as the loss of a friend.

R. Yohanan was not able to reconcile with Resh Lakish because he was not able to give anything up of himself. To effect reconciliation, both parties must be willing to move toward each other, relinquishing part of their own position, while not letting go of their essential selves. Rabban Gamliel could only be reconciled with the *beit midrash* because of his giving up of part of his power and absolute control over the environment of the *beit midrash.* R. Yohanan is unwilling to give up any of his power over Resh Lakish, even when he realizes how deeply he mourns him. Thus, even after the death of Resh Lakish, R. Yohanan cannot ever regain his previous composure.

This author believes that R. Yohanan's refusal to deny a piece of his own seemingly infinite authority and allow his student to become his true equal was the cause of the study partners' inability to reconcile. Other authors, however, have read this text differently, placing the blame primarily on Resh Lakish or on the system of the *beit midrash* itself. Admiel Kosman, in his article "The Image of God in the Study Hall: 'Masculinity' versus 'Feminity,'" understands Resh Lakish to be infinitely disappointed in his own failed metamorphosis within the bounds of the study hall.

> The study hall is to be the locus of transformation: where the 'males' exchange the phallic 'spear' for dialogue, for the *havruta* – the intimate study partner, discussion with one another, non-exploitative relations without the egocentrism of the male

> predatory world outside, but with the discourse of Torah, with mutual respect. . . . The climax of the narrative's sharply ironic message comes at its conclusion, when the readers learn that in the transition from the brigand's life to that of the study hall, only the external signs of the 'male phallus' have changed, but this shift does not entail any true transformation: the two males simply kill each other.[10]

According to this understanding, Resh Lakish was simply unable to overcome his past within the confines of the *beit midrash* because the *beit midrash* was identical in spirit, if not in the choice of weaponry, to his past life. It was not a place of mutual understanding and the potential for equality, but a place of egocentrism and a constant political struggle to assert one's own power. It was thus impossible for R. Yohanan to bring Resh Lakish under the wings of the *Shekhinah,* as he claimed to do, because he was not under the wings himself. It was impossible for R. Yohanan to give up anything of himself because he was engaged in a constant battle to establish his own authority. Likewise, it was easy for Resh Lakish to spurn the gift of Torah, because it brought him no greater honor than he had previously enjoyed in the predatory world of banditry.

Rabbi Zevi Phinehas Lipscheutz interprets the argument between Resh Lakish and Rabbi Yohanan differently. He writes in his commentary *Derekh ha-Yashar*,

> R. Yohanan did not base his teaching: 'When they are tempered in the furnace' on a logical argument, but rather received this as a tradition from his teachers; and Resh Lakish came to quarrel with his teachers [because of his intimate acquaintance with knives and other weapons from his lawless past.] . . . [Resh Lakish challenged him, saying,] 'And how have you benefited me? Since a person is not permitted to express his opinion, based on his wisdom, but must rather agree with what is received from his teachers? What is the advantage of Torah study, since man is not granted permission to contend?'[11]

[10] Admiel Kosman, "The Image of God in the Study Hall: 'Masculinity' versus 'Feminity,'" *European Judaism* 43, 1 (2010): 132, 140.
[11] R. Zevi Phinehas Lipscheutz, *Derekh ha-Yashar* (Vilna, 1864): 110-111. Translated and quoted in Kosman.

R. Lipscheutz sees the battle between R. Yohanan and Resh Lakish as purely intellectual, both sides fighting for a true understanding of Torah. In this view, it was not R. Yohanan's overweening arrogance that led to the destruction of their friendship, but both scholars' unflinching commitment to truth. For R. Yohanan, true Torah is passed down from one's teachers. For Resh Lakish, the truth comes from one's own experience of the world, filtered through the lens of Torah. Their joint commitment to an ideal is what causes both scholars to die of grief, a grief over lost opportunities and unfulfilled expectations.

Resh Lakish and R. Yohanan's argument brings up the burning question, when we repent, how much of ourselves can we bring forward into the future? R. Yohanan crushes Resh Lakish's desire to bring his own expertise into the study hall. He makes him into a new man and maligns whatever history he brought with him. But for Resh Lakish, his history still looms large in his own self-understanding. He remembers himself as a "master" among the bandits. It is precisely the failure of R. Yohanan and Resh Lakish to retain a piece of themselves while letting some of their past go that hinders their positive acquisition of Torah.

Taking it With Us: The Prostitute and the Student

Thus far, we have investigated three Talmudic stories of either successful or failed reconciliation between rabbis. We have seen that breaches in relationships affect not only the two parties involved, but the functioning of the entire community. We have also seen that reconciliation necessitates shifts in the internal power structure of a community and the movement of the individual actors within that power structure, either to positions of greater power or to lesser power, but generally toward greater equality.

In the case of Rabbi Yohanan and Resh Lakish, we dealt with the fight in the *beit midrash* that led to both men's deaths. In fact, the story of R. Yohanan and Resh Lakish is in two acts. The first act tells the story of Resh Lakish's initial integration into the community of Torah. Resh Lakish, according to the *Pirkei de-Rabbi Eliezer*, underwent a personal *t'shuvah* and repented of his past deeds in order to slough off his criminal past and gain entry into a holy community. This act of *t'shuvah* was a process of reconciling the person he had been with the community he wished to join. It forms the foundation of the future confrontation between himself and R. Yohanan. Intriguingly, Resh Lakish's personal transformation, not born of any conflict with another, also necessitated a change in R. Yohanan, the agent of Resh Lakish's entry into the community. R. Yohanan gives of his own family in order to pave the way for Resh Lakish to enter the community. In a sense, R. Yohanan sponsors Resh Lakish's *t'shuvah* through the vehicle of marriage. The idea of marriage signifying one's full, formal inclusion into the community is a common Talmudic trope. The argument that persuades Rabban Gamliel that Rabbi Joshua should be an esteemed colleague rather than a submissive student is an argument over allowing an Ammonite convert to "join the community," i.e. marry a Jewish woman.

Marriage represents a perfected, whole, and holy state in Jewish literature. As we read in the *Yevamot* 62b:

> R. Tanhum ben Hanilai said, 'Whoever is not married abides without joy, without blessing, without good. Without joy - as it is written (Deut. 14:26), "And thou shalt rejoice, thou and thy household." Without blessing - as it is written (Ezek. 44:30) "To cause blessing to rest in thy house." Without good - as it is written, "It is not good that man be alone." In the West [Palestine] they say: Without Torah – as it is written (Job 6:13) "Have I no help[meet]; is wisdom gone from me?" Without a protecting wall – as it is written (Jeremiah 31:22) "A woman encompasseth a man." Without peace – as it is written (Job 5:24) "A thou shalt know that thy tent is peace."[12]

Marriage is therefore used in many of our stories of reconciliation to represent the full inclusion of a marginalized person (the Ammonite, the criminal) into the holy community of Israel. This inclusion echoes the peace that is expected to reign over that person's dealings with the community. It also represents the inclusion of the marginalized person within the Torah community, as marriage is essential to the acquisition of Torah.

We have yet another tale of reconciliation to uncover. The next story departs from the pattern of "fighting rabbis" and moves into a more amorphous area of reconciliation between humans and God. Echoing the first act of Resh Lakish and R. Yohanan's saga, we will see how the inclusion of a penitent into the community requires the active involvement of the community and a shift in communal structure in response to the penitent. The penitent, in his or her quest to be reconciled with God, creates connections within the Jewish community, leading to an overall increase in spiritual harmony within the community itself. The community therefore depends on the penitent for this act of reconciliation; its own improvement is predicated on the repentant acts of sinners.

[12] David Feldman, *Birth Control in Jewish Law*, (Northvale, New Jersey: Jason Aronson, 1998), 33.

This story appears twice in the rabbinic literature, both in the Babylonian Talmud in Tractate *Menachot* 44a and in the *Sifre* (a rabbinic *halakhic* midrash) to Numbers, sec. 215, with only minor differences.

> It happened that there was a certain man who was very careful about the commandment of *tzitzit*. He heard that there was a certain prostitute in the seaside cities who would receive four hundred gold pieces as her fee. He sent her four hundred gold pieces and she fixed a time for him. As soon as his time arrived he came and seated himself at the door of her house. Her maidservant entered and said to her, 'That man for whom you have a fixed time, he is sitting at the odor of the house.' She said to her, 'Let him enter.'[13]

The story begins with a certain man who appears to be particularly stringent about some rabbinic practices, but is nonetheless a potential sinner, and a famous prostitute, who is a known sinner.

> As soon as he entered, she spread out seven silver cushions and one of gold for him, and she was upon the uppermost, and between each cushion there were supports of silver and the uppermost one was of gold. And as soon as he approached her, his four fringes came forth and they appeared to him like four witnesses and slapped him across the face. Immediately he withdrew and he sat upon the floor. She also withdrew and sat upon the floor.

The weight of the man's past righteousness, embodied by his *tzitzit*, prevents him from sinning and therefore presents her from sinning as well. It is unsurprising that this story appears in the context of a conversation debating the laws of *tzitzit.*

> She said to him, 'Agape of Rome! I will not let you go until you tell me what defect you have seen in me!' He said to her, 'By the Temple service! I have not seen any defect in you, for there is no one with your beauty in all the world. But the Lord our God has ordered us to follow one commandment, and written concerning it, "I am the Lord your God," twice and "I am God. I am to pay reward, I am to exact punishment."'

[13] Translation Ido Hevroni, with minor additions and corrections by the author.

The prostitute emphasizes her status as a non-Jew by her oath "Agape of Rome!"[14] The man counters with his own oath to the Temple service, emphasizing his Jewish identity and fidelity to Jewish law and ritual. He goes on to explain the commandment concerning ritual fringes, *tzitzit,* which prevented him from going forward with his sin. The prostitute is impressed.

> She said to him, '[By the Temple service!] I will not let you go until you write for me your name, the name of your city, and the name of the *beit midrash* where you study Torah.' And he wrote for her his name, and the name of his city, and his teacher, and the name of the *beit midrash* where he studied Torah. And she arose and distributed her wealth – one third to the government, one third to the poor, and one third she took with her, and she came and she stood within the *beit midrash* of Rabbi Hiyya. She said to him, 'Command me! Convert me!' He said to her, 'Perhaps you have set your eyes on one of the students.' She brought out the note and showed it to him. He said [to the student], 'Arise! Take possession of what you have purchased. The beddings which she spread for you while prohibited to you, she will spread out for you with full permission.'

The man, who we have now discovered is a student of Torah, has seemingly converted the prostitute by one explanation of one commandment (her response, "By the Temple service!" appears in the *Sifre* version, but not in the *Menachot* version.) She immediately resolves to seek him out, purges herself of her excess wealth, and comes to his *beit midrash* to speak to his rabbi. She demands conversion on the spot and R. Hiyya responds by converting her and allowing her to marry his student. Her repentance transforms the student's past bad acts into positive ones, echoing Resh Lakish's views in *Yoma*: his payment for her prostitution becomes her dowry.

In this *aggadah*, the two actors do not sin against each other, but they sin (or intend to sin) against God *together.* Therefore their acts of repentance, hers much more extreme and thorough than his because of the ongoing nature of her sins, reconcile them to both God and each

[14] The expression refers to the goddess Isis in Egyptian culture and Aphrodite in Greek. Saul Lieberman, *Greek in Jewish-Palestine: Studies in the Life and Manners of Jewish Palestine in the II-IV Centuries CE* (New York: Jewish Theological Seminary of America, 1942), 140-141.

other. The lowliest member of society, a non-Jewish prostitute, becomes the near-equal of a Torah scholar through this act of reconciliation.

It is illuminating to compare this conversion process to Resh Lakish's pseudo-conversion. In both stories, there is a tension between how much the "sinner" may take of themselves with them into their next life. Resh Lakish is vilified by Rabbi Yohanan for bringing his knowledge of knives into the *beit midrash*, challenging the established method of learning one's Torah through the traditional passage from teacher to student. The prostitute in our current story, however, is not vilified for her past. In fact, the tools of her trade (her bedclothes) and a third of the wages she earned through sin are sanctified by her conversion and elevated from the sphere of prostitution to the holy realm of marriage. There is no need to further denigrate her character. The story has no place for the permanent, untouchable, perfect sinner.

Ido Hevroni contrasts this Jewish story with a very similar Christian one. In the Christian version, the prostitute comes to a very different end.[15] The prostitute is visited by a pious priest with the intention of conversion, not sin. When the priest asks to move into the most private chamber of the prostitute's home, she tells him that no one sees into her home except for God, who sees everywhere. Astonished by her knowledge of God, the priest questions her further and finds that she is also knowledgeable about heaven and hell. Finally, the prostitute begs the priest for absolution and agrees to meet him in three hours. She goes out of her home into the public square and burns all of her belongings, announcing to onlookers that she is repenting. Finally, the priest brings her to a convent of virgins and seals her in a small cell. When she discovers that there is no escape, she asks the priest where she should urinate and he tells her, "In the cell, as

[15] This story appears in Ido Hevroni, "A Tale of Two Sinners," *Azure* 33 (2008): 93-112. It was originally taken from Benedicta War, *Harlots of the Desert: A Study of Repentance in Early Monastic Sources* (Oxford: A.R. Mowbray, 1987). It originates among Egyptian monks of the fourth or fifth century CE.

you deserve." He goes on to tell her that she is not worthy to pray to God for forgiveness, but instead, she should face eastward and repeat one line over and over, asking God for mercy.

Repentance in the parallel Christian text fails to achieve harmony and reconciliation between the prostitute and the larger Christian community. Instead the prostitute is humiliated and denigrated, forced to live in permanent solitary confinement with her own excrement. We can imagine that she is unlikely to live long under such conditions (in fact, in the story she lives only three more years). These two stories exhibit opposite ends of the philosophical spectrum on repentance. In the Jewish version, a complete reconciliation between sinner and community is effected within a matter of days. The sinner is allowed to bring something of herself into her future life as a pious Jew even as she rids herself of two thirds of her belongings and gives up her trade. In the Christian version, the sinner can never be reconciled to the community and must work until the end of her life to destroy her past. To be fair, neither of these stories is representative of reality. The Jewish community was likely much harsher toward repentant prostitutes and the Christian community much more lenient. However, in comparing these stories, we achieve a deeper understanding of the value placed on re-integration of the sinner into the holy community of Israel.

In all of the Talmudic texts we have encountered, we are confronted repeatedly with the need on the part of the text to reconcile and integrate "sinners," offenders, and victims into one harmonious community in support of the larger project of Torah. The rearrangement of power achieved under Rabban Gamliel and Rabbi Joshua allowed for hundreds of new students to enter the *beit midrash*. The repentance of Resh Lakish brought the insights of a new sage to the study hall, although his integration into the community was never complete enough. Rav Adda bar Abba's slights against his community caused Torah to be withheld from them and denigrated the

honor of a visiting rabbi. His inability to reconcile with his community was a loss for Torah. And the conversion of the prostitute supported Torah through marriage, a state in which men can achieve greater heights in Torah (according to the Talmud).

Reconciliation affects the entire community. This fact was exemplified by the struggles the rabbis underwent trying to find a replacement for Rabban Gamliel and eventually, in figuring out some balance in the *beit midrash* that would recognize his changed position. Similarly, in the story of Rabbi Dimi and his figs, the entire rabbinic community is brought into the debate. In the story of Resh Lakish, Rabbi Yohanan's sister stands in for the community, representing the community's pain as it witnesses the destruction of a rabbinic relationship.

The notion that interpersonal reconciliation has more to do with community than the mended relationship between two people is exemplified by the *halakhah* in *Yoma* describing the process for repenting after the injured party has died.

> And if he had died, he should bring ten persons and make them stand by his grave and say: I have sinned against the Lord, the God of Israel, and against this one, whom I have hurt. (Yoma 87a)

In his *Mishneh Torah*, Maimonides expands upon this law adding that the repentant must confess in the witness of his *minyan* and say "I did such and such to him." If he owes the man money, the debt devolves upon his descendents. If he does not know the descendents, he must deposit the money with the *beit din* and confess before them (*Hilkhot Teshuvah* 2:16).

Further, in Mishnah Sanhedrin 6:6, we read of a very strange quasi-reconciliation ritual that takes place between the relatives of a criminal who was put to death and the officers of the court which sentenced him (the judges and witnesses). When the criminal's relatives come to collect his bones for burial, they greet the judges and witnesses. The text continues that their greeting is as if to say, "We have nothing in our hearts against you, because you have passed a

judgment of truth." The Mishnah does not require the relatives to actually say these words, nor for the judges, witnesses, and relatives to carry on in peaceful relations in the future, but it acknowledges that pain has come upon this family, despite the proper behavior of all involved in the court's judgment.

Conclusion

It is remarkable that despite the various *aggadot* involving successful or failed reconciliation between rabbis that so little exists in the *halakhah* to encourage or demand such reconciliation take place. This is despite the fact that we have seen incredibly evidence of the community's own empowerment to bring in or prevent the acquisition of Torah on the basis of its own behavior (an empowerment that is seen in other contexts as well). If we were to compare the paltry texts concerning interpersonal reconciliation with those concerning repentance before God and God's qualities of mercy and forgiveness, it would be clear that the rabbis of the Talmud are more interested in sins against God and ways to achieve God's forgiveness.[16] This should not be entirely surprising, as the offenses that occur between individuals are both more difficult to define and more difficult to police.

Additionally, *halakhah* finds other, extra-*halakhic* ways to correct or avoid potential offenses between individuals using other mechanisms. One such mechanism is *mipnei tikkun ha'olam*, which means something to the effect of "because of the need to straighten out the problematic kinks in the law which cause society to malfunction and individuals to be harmed." This mechanism is used extensively to correct the laws of marriage, divorce, and lending (Mishnah Gittin, chapter 4). For example, the rationale of *mipnei tikkun ha'olam* forbids a man to send his wife a *get* and then cancel it in another city such that she would still be married but think herself divorced. Such heinous behavior would likely lead to adultery and *mamzerut* besides being a significant injustice to the woman herself.

[16] See for example Mordechai Torczyner's collection of texts regarding reconciliation between God and humans: http://www.webshas.org/yomtov/kippur/teshuvah.htm

Halakhah also moves forward, constantly informing itself of the needs of the community and subtly or strongly aligning itself in new directions. For example, in Mishnah Bava Kamma 8:7 we read, "Even though [the offender] pays him [restitution], [the offended] does not forgive him until he asks it of him, as it is written….And what is the source from which we infer that if he did not forgive him he is cruel?, etc." In this mishnah, the unforgiving victim is deemed cruel. Yet when Maimonides incorporates this mishnah in his Laws of Repentance, he calls the one who would not forgive a sinner (2:10)! Maimonides' strengthening of the rebuke is a natural result of the law's evolution.

Yet clearly neither *halakhah* nor other communal norms have gone far enough in exemplifying the importance of interpersonal reconciliation. It is upon Jewish communal organizations to uncover what our tradition has to say about this issue, from the *geonic* period through today, through codes, responsa, and philosophy. In reviewing the literature for this work, this author was unable to uncover significant writing on the question of interpersonal reconciliation (as opposed to repentance) within the Jewish world. Yet the available texts make clear to us that this was a question which deeply engaged the rabbis of the Talmud and had life-or-death consequences. Beyond these consequences, we have seen that reconciliation has the power to bring Torah into the community or destroy the community's ability to acquire Torah through the destruction of its sages.

It is crucial, therefore, to uncover the parallel stories of our own communal Jewish lives in which the failure to achieve harmony has led to a disruption of the community's ability to further its mission, to live out its values, and to pass Torah on to the next generation. These stories will allow us to develop our own methods of achieving reconciliation within our

communities, for encouraging communication, and for breaking down power structures that silence parts of the community to benefit others.

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