



Six Guidelines for Avoiding Disputes

Meditative Self-Examination to Discover Our Underlying Motives for Dispute

There is nothing worse or more aggravating than being entangled in an ugly dispute. Even a regular argument can be irritating. In the best case, any fight is a terrible waste of time. Admittedly, there are disputes for the sake of heaven, but today these are in the minority. Who can honestly claim after thorough self-examination, that their underlying motivation for engaging in a dispute is totally free of ulterior motives and without any ego involved? Although everyone rationalizes, just as Korach did, that their dispute is justified and for the sake of promulgating the truth or for the sake of bettering their family, society, community etc. usually a tinge of jealousy or indignation bleeds into their arguments. Korach had ample reason to challenge Moshe's leadership, when he was unable to prevent the evil report of the spies whom he had appointed. Consequently, the generation under Moshe's leadership became banned from entering *Eretz Yisrael*. They were condemned to wander in the wilderness for 40 years until they all died. Isn't this a justifiable reason to claim that an immediate change in leadership is due? Yet deep down, Korach & Co each had their own personal vendetta for disputing Moshe and Aharon's divinely appointed leadership roles. Rashi explains: "Now what made Korach decide to quarrel with Moshe? He envied the leadership of Elizaphan, son of Uziel whom Moshe appointed as chief over the sons of Kahat. Korach claimed, "Amram was the oldest son of Kehat, and his two sons received greatness - one became king and the other kohen gadol. Who is entitled to receive the second [position] if not I, the son of Yizhar, Kehat's second oldest son?" Instead, Moshe appointed the son of Kehat's youngest brother, so Korach's burning jealousy incited him to instigate his revolt (*Midrash Tanchuma Korach 1; Midrash Bamidbar Rabbah 18:2*). Based on this teaching, whenever we are spurred to oppose someone or something, let us take a few moments of silent, meditative self-examination to calm ourselves down and discover any personal, underlying motives for our uprising.

Save Uncomfortable Conversations to When Both Parts Are Emotionally Levelheaded

I have often heard a client cry, "X person is so wrong to say y or to do z. I'm so upset with her. I must talk to her immediately and tell her to stop her depraved behavior." When I respond, "No, you are unable to approach X person now," she usually gets more upset and asks, "so what am I supposed to do now, what? what? what?" My advice is, "Do not do anything as long as you are upset, irritated, aggravated, frustrated or angry with someone." Whatever you say when you are in such an emotional state, no matter how justified your words may be, they will not come off well. Most likely, you will end up causing an ugly fight. Likewise, don't approach anyone, including your spouse, to discuss a sensitive matter when he or she is in a negative emotional state. If you do, you may set yourself up for failure and a fight. Impatience and impulsiveness are responsible for many misdeeds that caused exile. This includes eating from the Tree of Knowledge and making the Golden Calf. Timing is everything. Whenever I need to talk to my husband about a topic that may not be so comfortable, I practice waiting for the right moment, when he is satisfied, content and open to hearing. If someone reproaches you when you are tired, wiped out, brokenhearted or low on energy, simply let the person know that you are not ready to discuss the issue at this time. You could explain that you don't have the emotional resources currently to deal with the matter and offer another time.

Take the Time to Formulate Detailed Written Agreements

In order to avoid monetary disputes, it is vital to make a written agreement, even with friends and family. The Talmud uses a שטר/shetar – ‘formal legal document’ for any agreement involving economic relations between Jews, such as bills of sale, gifts, leases, partnerships, mortgages, bonds, receipts, employment contracts and bills of indebtedness. The more detailed a written agreement is the more it will help you to prevent monetary disputes. Every single dispute over money that I ever experienced in my entire life, was due to vagueness in the agreement. The problem is that it’s not easy to think of all the possible details in advance, while formulating an agreement. My experience tells me that it pays off whenever you have a financial transaction, to take the time and concentration to truly give your attention to all those nitty, gritty details that may possibly come up. Use clear, concise language in your written agreement. Whenever a term can be understood in more than one way, specify your intended meaning. That way you can save yourself money, time and aggravation in the long run.

Renounce the Need to be Right

תלמוד בבלי מסכת סנהדרין דף ק"א

(במדבר טז, כה) ויקם משה וילך אל דתן ואבירם אמר ר"ל מכאן שאין מחזיקין במחלוקת דאמר רב כל המחזיק במחלוקת עובר בלאו שנאמר (במדבר יז, ה) ולא יהיה כקרח וכעדתו:
 “And Moshe arose and went to Dathan and Aviram” (*Bamidbar* 16:25), Reish Lakish says: From here we derive that one may not perpetuate a dispute, as Rav says: Anyone who maintains a dispute transgresses a negative commandment, as it is written, “And he shall not be like Korach and his assembly...” (*Bamidbar* 17:5). Even the aggrieved party must seek to end the dispute. Dathan and Aviram had accused Moshe and by right they should have initiated the reconciliation. Nevertheless, Moshe was not insistent on this; he went to them (*Babylonian Talmud, Sanhedrin* 110a).

Whenever you are able to end a dispute by apologizing, do so - even if you are in the right, as long as your apology will not encourage the opposing party to persist in his or her wrongdoing. We all know how it is more important to be wise than to be right. I heard the following story of an ongoing quarrel between a husband and wife. They were both sure that they were right but couldn’t get the other to concede. The only thing they could agree upon was to seek guidance. Both husband and wife were certain that the therapist would side with their position and confirm their claim to be ‘right.’ To their utter astonishment, the therapist didn’t take sides. Rather, he asked matter-of-factly, “Do you want to be right or do you want to be happy?” Most often the need to be right and the ability to maintain *Shalom Bayit* – ‘peace in the home’ are mutually exclusive.

Summary of Six Guidelines for Avoiding Disputes

1. Take a few moments of silent, meditative self-examination to calm yourself down and discover the personal underlying motives for your indignation.
2. Don’t ever rebuke anyone or make any decision to join a dispute when you are upset, irritated, aggravated, frustrated or angry.
3. Don’t approach anyone, including your spouse, to discuss a sensitive topic when he or she is in a negative emotional state.
4. Do not respond to reproach when you lack the emotional resources.
Rather explain yourself and offer another time.
5. In monetary matters make written agreements, even with friends and family.
Take the time and concentration to truly give your attention to all those nitty, gritty details that may possibly come up.
6. If you can end a dispute by apologizing, do so even if you are in the right.

For Heaven's or Not for Heaven's Sake?

משנה מסכת אבות פרק ה משנה יז כל מחלוקת שהיא לשם שמים, סופה להתקיים. ושאניה לשם שמים, אין סופה להתקיים. איזו היא מחלוקת שהיא לשם שמים, אז מחלוקת הלל ושמאי. ושאניה לשם שמים, אז מחלוקת קרח וכל עדתו:

Every dispute that is for the sake of Heaven, will in the end endure; But one that is not for the sake of Heaven, will not endure. Which is the controversy that is for the sake of Heaven? Such was the controversy of Hillel and Shammai. And which is the controversy that is not for the sake of Heaven? Such was the controversy of Korach and all his congregation (*Mishna Avot 5:17*).

It is interesting to note that rather than stating, ‘the controversy of Korach and Moshe,’ which would be parallel to “the controversy of Hillel and Shammai,” the Mishna notes that Korach’s controversy was with his own congregation. The reason is that each member of Korach’s assembly was motivated by his own ego. The sons of Reuven felt slighted because they had not received any leadership role, despite Reuven being the firstborn of the tribes. Rather, Moshe had appointed Yehoshua, a descendent of Yosef, as the next leader of the nation. The 250 community leaders were *b’chorim* (firstborn) who felt entitled to serve as the Kohen Gadol. Therefore, Korach’s true adversaries in the *Machaloket*, were his 253 followers, who all vied for the position of leadership to replace Moshe and Aharon. While Korach and his factions shared the belief that Moshe and Aharon had assumed too much power, they were in total disagreement regarding whom should be their replacements. Had they lived to see the light of day, an all-out war between Korach and his 253 followers would have raged. The unity of Korach and his assembly was temporary, since none of them had intention “*leShem Shamayim*” – literally ‘for the Name of Heaven.’ In Kabbalistic terminology, this expression refers to two sefirot: *Shem* denotes *malchut*, and *shamayim* refers to *tiferet*. Thus “*leShem Shamayim*” signifies the unity of *tiferet* and *malchut*. Korach and his factions didn’t intend “*leShem Shamayim*.” They wanted to separate between *Shem* – *malchut* and *Shamayim* – *tiferet*. Therefore, only Moshe and Aharon endured, for their intention was “*leShem Shamayim*” – in order to bring about supernal unity [Yekutiel Green, For Heaven’s Sake](#).