

Benatar and the House of Shammai

1.

In the final chapter of his book ‘Better Never to Have Been’, David Benatar responds to those who object on religious grounds to his view that coming into existence is always a serious harm.¹ Benatar’s response includes a brief demonstration that religious traditions do not speak with one voice on the matter and that some traditions evince anti-natalist views somewhat similar to his own. In support of this suggestion, he notes that:

“[t]he Talmud ... briefly records the subject of a fascinating debate between two famous early rabbinic Houses—the House of Hillel and the House of Shammai. We are told that they debated the question whether or not it was better for humans to have been created. The House of Hillel, known for its generally more lenient and humane views, maintained that it was indeed better that humans were created. The House of Shammai maintained, by contrast, that it would have been better had humans not been created. The Talmud relates that these two Houses debated the matter for two and a half years and the issue was eventually settled in favour of the House of Shammai. This is particularly noteworthy, because in cases of disagreement between these two Houses, the law almost always follows the House of Hillel. Yet here we have a decision in favour of Shammai, endorsing the view that it would have been better had humans not been created.” [222-223].

If Benatar has correctly interpreted this Talmudic passage, then a version of Anti-Natalism finds support from the core of the Rabbinic tradition. In the brief comments that follow I aim to explore the antecedent of this conditional.

Here is the section of Talmud under discussion:²

“The Rabbis taught: “For two and half years, the Houses of Shammai and Hillel engaged in debate, the former declaring that it would have been better for humans not to have been created than to have been created, and the latter maintaining that it was better for humans to have been created rather than not created. They decided, upon voting, that it would have been better for humans not to have been created—but now that they have, one should examine one’s deeds; others say, one should consider one’s deeds.”

¹ David Benatar (2006) *Better Never To Have Been: The Harm of Coming into Existence* (Oxford University Press), to which [page numbers] below without additional citation refer.

² b. Eruvin 13b.

Benatar's reading of this section is straightforward:

(A) Through the contrasting opinions of the Houses of Shammai and Hillel, we are presented with a philosophical debate regarding the value of coming into existence.

(B) In their conclusion, the Talmudic Rabbis decide in favor of the House of Shammai who point to the disvalue of coming into existence.

Let us consider claims (A) and (B) in turn.

2.

In his magisterial tome 'The Sages', Ephraim Urbach makes a case for rejecting (A).³ What motivates Urbach are a number of puzzling features of the debate as recorded. Here are three:

- This Talmudic story/section itself is not found in any other Rabbinic sources
- The idea of a debate of this kind, a philosophical debate, being decided by a vote is irregular.
- The generally pessimistic conclusion does not sit easy with dominant ways of thinking about humankind in the Talmud, included those articulated by the House of Shammai themselves.

These oddities led Urbach to offer a different reading of the debate, one in which the debate does not apply to all humankind, but a comment about a particular kind of human.

He notes that the phrase *גוה לו שלא נברא יותר משנברא* – “It would have been better for him not have been created”- is used elsewhere in the Talmud to refer to various guilty parties, primarily to someone who studies Torah without the intent to practice it. In these cases, the phrase means that it would be better for such a person not to exist than to have existed and committed such crimes. So too, Urbach suggests, the debate here between the Houses of Shammai and Hillel is best understood as concerning one's attitude to such a person:

“The expression ‘It were better for him not to have been created’... does not embody a pessimistic philosophy. Even if we wish to maintain the authenticity of the dispute, lasting two and half years, between the House of Shammai and the House of Hillel, it is apparent that it was concerned not with the evaluation of human existence but with the attitude adopted towards the wicked man who studies but does not observe...”

³ E. Urbach (1979) *The Sages, Their Concepts and Beliefs* (Magnes Press), Vol 1, pages 252-4.

The conclusion of the Talmud on Urbach's reading is that it would have been better for the world at large had such a guilty party never been, but now that they exist they should reflect on their misdemeanors.

Through an analysis of comparative texts and historical context, Urbach rejects (A), the claim that we should read this as a philosophical debate. It is worth stressing just how radical a rereading of the debate this is. The brief passage is well known among students of the Talmud in part because it is taken to deal with grand existential themes, and almost all medieval and modern commentators on this section treat the debate as philosophical in character. Though Urbach is correct to point to many puzzling features of the debate as recorded, it is misleading to describe his alternative reading as 'apparent'. Whatever its historical provenance, Benatar's (A) follows a widespread understanding of the debate.

3.

How about (B)? Is it correct that the author-editors of the Talmud 'eventually settled in favor of the House of Shammai'?

Granted the Talmud rules that it would have been better for humans not to have been created, but the House of Shammai is not mentioned by name in the ruling (as would be common). Further, in a pattern familiar from other Talmudic debates on philosophical issues, the seeming endorsement is followed by a qualification that raises questions about the underlying structure of the debate itself.⁴ In our case, the endorsement ("it would have been better for humans not to have been created") is immediately qualified by pointing out that the issue here can be considered at two different moments, one independent of a particular person's existence and one tied to an existing person ("but now that they have..., one should ..."). To see whether (B) is correct, we thus need to understand how the qualification effects the endorsement.

A first option is that the qualification *limits* the scope of the endorsement. On this reading, the qualification is such that the matter of whether it would have been better for humans to have been created or not is limited to an ex-ante situation. This is not to say that reflection on the ex-ante situation has no implications for ex-post decisions, for it may raise ethical questions about the propriety of procreation, abortion and the like. But the rejoinder makes it clear that ethical considerations about existence differ once a person is in existence. As Benatar himself has shown, there is nothing incoherent in regretting one's existence ex-ante yet clinging to life ex-post. (212). The rejoinder on this option treats ethical

⁴ See, for example, the following section from b. Kiddushin 40b: "R' Tarfon and the elders were gathered in the upper chamber of Nit'zah's House in Lod. This question was asked in their presence: Is study greater or is action greater? R' Tarfon replied and said, 'Action is greater.' R' Akiva replied and said, 'Study is greater.' Everyone replied and said, 'Study is greater, because study leads to action'".

considerations very different *ex-ante* and *ex-post*, such that clinging to life becomes a duty *ex-post* whatever one thinks *ex-ante*.

A second option is that the qualification *dismisses* the endorsement. Talk of an extended debate time and a formal ruling is to be taken tongue-in-cheek, and the qualification evinces suspicion of the value of abstract philosophical debate. Yes, the Talmudic author-editors indeed decide in favor of the House of Shammai on the *ex-ante* issue of whether it would have better not have been, but this is a theoretical matter that has no practical import *ex-post*, where one has a duty to get on with the challenges of living a life. On this understanding, the rejoinder undercuts the seeming support given to the opinion of the House of Shammai by dismissing anti-natalism as an ethical stance that impacts on genuine decisions such as whether to procreate, abort or to commit suicide.

A third option is that the qualification *reframing* the contours of the debate itself. In a Nagelian spirit, one could treat the qualification as invoking a difference between the perspective of a particular person inside the world and an objective view of that same world, the person and their viewpoint included.⁵ On the one hand, we are creatures with both the capacity and impulse to transcend one's particular point of view and to conceive of the world as a whole. From this detached perspective, we view ourselves from the outside as just another creature amongst many – looking at ourselves much as we would view an ant in a colony or a spider in the urinal - going about our lives with a sense of seriousness and zeal that just looks so funny and pathetic from the outside. On the other hand, there is another perspective from which we view our lives: from within the context of our own activities. To live *our* life, we must devote utmost energy and attention, making caring choices which show that we take some things more seriously than others. That we can view our lives from two opposing perspectives is presented in this Nagelian reading of the text not so much as an inconsistency but as a tension stemming from the fact that one cannot think in these two modes at once. On this reading, the Talmudic author-editors do not side in favor the House of Shammai, but align it with an objective view of all our activities. The possibility of achieving such an objective view conditions much of our thinking, but it is not a perspective we can permanently or coherently achieve. The debate between the Houses of Shammai and Hillel is thus recast as involving a difference between these two perspectives, such that no overall victor could be crowned.

⁵ E.g. T. Nagel (1971), 'The Absurd' *J.Phil* 68:716-727; Nagel (1983), "The Objective Self", in Ginet & Shoemaker (eds.), *Knowledge and Mind*, (Oxford University Press) pp. 211–232.

(The qualification in the text includes two injunctions - “one should *examine* one’s deeds; others say, one should *consider* one’s deeds.” The verbs used here – ימשמש and יפשפש – are both forms of reflective scrutiny. Most Talmud commentators attempt to mark the difference between these forms of scrutiny in terms of the different object examined, either in terms of a contrast between past and future practice, or a contrast between reflecting on negative and positive ritual obligations, or a contrast between examining deeds one knows to be bad and double checking even those that are taken to be good. Although this is not conclusive, a search of other uses of these verbs in Rabbinic literature suggests that the distinction may lie in the kind of scrutiny rather than its object: ימשמש is a kind of hands-on checking through touching; יפשפש is a kind of hands-off checking through thinking.⁶ I find these twin injunctions especially insightful on the third option. In using these two verbs, the engaged perspective from which our life could have sense of meaning is characterized as involving a combination of two kinds of reflection: theoretical and practical. The more one engages in such reflection, the richer the reflection, the less such existential questions have a grip.)

So, is (B) correct that the author-editors of the Talmud ‘eventually settled in favor of the House of Shammai’? Only if one takes the first option as the most plausible, treating the qualification as merely limiting the scope of the endorsement rather than dismissing it or reframing the debate. Without a more thorough discussion of the anomalies in the text and of the role of the rejoinder, it is too simplistic to state conclusively that “here we have a decision in favour of Shammai, endorsing the view that it would have been better had humans not been created.”

4.

In the preceding comments, I have considered some challenges to both (A) and (B). Apart from a concern for exegetical fidelity, should Benatar care? Not really. After all, Benatar does not introduce The House of Shammai in the book as part of an appeal to authority in support of Anti-Natalism, nor does he go so far as to equate the House’s position with his own.⁷ Moreover, his reason for introducing the Talmudic debate, viz. to demonstrate that “that religious traditions can embody views that superficial religious thinkers would take to be antithetical to religiosity” [223], is supported by the various readings of the text

⁶ See, for example, the sources cited in M. Moreshet (1980) *Lexicon of the New Verbs in Tannaitic Hebrew* (Bar Ilan UP. HEB), pages 122; 169.

⁷ This is unsurprising, as the theological frame here – in which the issue at stake between the Schools could be viewed as debating the issue of whether God has some justifiable reason for beginning and/or permitting the continued existence of humans – has no place in Benatar’s own ethical orientation.

given here. Further still, the Talmudic discussion is made in response to a religious objection that is not central to the main argumentative thrust of the book.

One reason I have persisted with exegetical matters here nonetheless is as a way of expressing frustration at the brevity of the discussion of the religious objection in Benatar's book. The religious objection features as part of the book's Conclusion, in which - having already defended the claim that bringing sentient life into being is a harm to that being - Benatar turns to the counter-intuitiveness of the view and its implications. The Conclusion is pessimistic about the likelihood of his arguments to yield change,⁸ and functions in part as a piece of advocacy, attempting to increase its attraction among those unwilling to take the arguments seriously. The 'religious objection' is Benatar's attempt to respond to those unable to embrace his conclusion as the result of a perceived tension between the conclusion and their own religious sensibilities.

The religious objection as presented by Benatar has a curiously textual-legalistic orientation:

“There are some people who will reject, on religious grounds, the views that coming into existence is always a harm and that we ought not to have children. For some such people, the Biblical injunction to ‘be fruitful and multiply and fill the earth’ will constitute a refutation of my views.” [221]

As his ensuing comments reveal, he takes the objection to stem from the perceived binding authority of this text when read as an injunction to procreate, an authority it has due to the assumption that “Biblical imperatives are the expression of what God requires of us.” Benatar's three-fold response to the objection reflects this textual-legalistic orientation: first, he questions the assumption that Bible is the word of God; second, he points to the selective adherence accorded to other perceived Biblical commandments (such as the commandment to put to death a rebellious son); and third to the fact there is a diversity of voices in any religious tradition, including “views that superficial religious thinkers would take to be antithetical to religiosity.”

This textual-legalistic orientation is curious for two reasons. First, it is only limited to those religions that accord a central place to such a textual-legalistic orientation in their theology and praxis. Second, even within those religious traditions that do accord a central place to such an orientation, it is not possible to limit the discussion to the mere citation of text and counter-text alone without engaging both with the historically-extended process of interpretation of such texts and with the interplay between lived

⁸ “It is unlikely that many people will take to heart the conclusion that coming into existence is always a harm. It is even less likely that many people will stop having children. By contrast, it is quite likely that my views either will be ignored or will be dismissed.” [225]

experience and the process of interpretation through which such texts are understood and taken as meaningful. Take the injunction made at the beginning of the book of Genesis to ‘be fruitful and multiply and fill the earth and subdue it...’, cited by Benatar as the textual source for ‘the religious objection’. What allows this injunction to be read as establishing an individual duty to procreate as it does in the Rabbinic tradition and its inheritors is not simply the verse itself, but a complex historical process of interpreting that text that - inter alia - includes the fact that the Rabbinic community of readers themselves were deeply embedded in a way of life that takes its continuation as good. Any attempt to frame and counter ‘the religious objection’ through the putting forward of isolated texts independent of considerations of the temporally-extended and socially-embedded process of textual exegesis will appear as shallow to the very people who are purportedly the target of this objection.⁹

I agree with Benatar that many folks who self-identify as ‘religious’ will sense a deep tension between anti-natalism and their religious orientations, and thus understand his desire to consider this tension in the context of the Conclusion whose goal is advocacy for the position defended. The brevity of the discussion of the religious objection in the book is, however, unlikely to have any impact on anyone who feels its pull, and this contributes to - rather than detracts from - atmosphere of pessimism about uptake that pervades the book’s Conclusion. Without a more thorough engagement with these matters of interpretation, it would have been better for the discussion of ‘the religious objection’ never to have been.

⁹ See Moshe Halbertal’s (1997) *Interpretive Revolutions in the Making* (Magnes Press) pp. 42-68 (HEB) for an insightful illustration of the complex character of the temporally-extended and socially-embedded process of textual exegesis in the Rabbinic tradition, with particular reference to the case of the Rebellious Son that is cited by Benatar as an example of a textual law ignored by an interpretive tradition.