

Our lives are messy, complicated things. Many of our most difficult decisions arise from doubt over the right thing to do. “On the one hand...on the other hand” is a useful image, because often we are in the position of deciding between two equally good, or equally bad, options. How do we decide among our possible actions when what we want in one area competes with what we want in another? When upholding one value means letting go of another, how do we respond? What is the mechanism for deciding between two competing values?

Near the end of parshat Ma'asei, which is itself the concluding section of the book of Bemidbar/Numbers, the Torah gives us two illustrations of competing values and how to sort them out. The first concerns the laws of manslaughter. When one man kills another it pollutes the land of Israel; that death must be redeemed with the blood of the killer. While premeditated killing – murder – is atoned for through a judicial process, accidental killing – manslaughter – is not. Instead, it falls to the family or clan of the victim to restore the balance of life and death through blood vengeance. The Torah seems to be acknowledging an existing practice – that of the blood avenger – and shape it as an expression of divine plan for balance. But doing so also perpetuates extra-judicial killings, which runs counter to the kind of society the Torah is creating, where there is one rule of law for all, where personal injury is not merely a private matter but one that affects the entire society. There is a conflict here between the assumed right of the victim's family to pursue vengeance and the movement away from tribal feuds toward universal law.

The second instance concerns the daughters of Zelophehad, five women whose father died without male heirs. Moses has already asked God to rule on the case, receiving the answer that they had the right to inherit their father's future holdings in the land of Canaan. But now a

further wrinkle is introduced: When the women later marry, any property they own will transfer to their husbands, and if those husbands were from another tribe, the traditional lands of one tribe would end up in the hands of another. Again, there is a conflict of two competing values, the desire for land to remain within tribal holdings and the right of women to inherit.

In each of these situations, the Torah creates novel solutions that uphold both of the values that have come into conflict. In the case of the man slaughterer, it establishes cities of refuge, places strategically situated throughout the land so that an involuntary killer can reach one and live out his days without fear of retribution. Concerning the daughters of Zelophehad, the Torah rules that the women do indeed inherit, but must marry within the tribe, ensuring that tribal lands do not get transferred out of tribal possession. The two cases sit side by side in the text of the parshah; it hardly seems like a coincidence that they do. Each of them is grappling with the difficult decisions we face when two deeply held values collide. So in addition to providing specific solutions to the problems in the cases it mentions, the Torah is also making a larger point about conflicts between competing laws or values.

In the two cases we read today, we assume initially such conflicts must end by choosing A over B or B over A, that each is mutually exclusive and that only one can win out. But by coming up with creative solutions, twice in a row, the Torah makes the case for compromise, for finding an outcome that affirms both A and B: Yes to women's right to inherit; yes to the integrity of a tribe's land holding. Yes to the pre-existing culture of blood vengeance; yes to limiting sanctioned killing to the courts. It is sometimes said that a good compromise is one which everyone can agree to but which no one particularly likes, and we could poke holes in the compromises the Torah comes up with here, though we won't. Because details aside, what is

being affirmed here is the idea, in modern parlance, of win-win transactions. We have to be able to clearly identify our own basic values, and then just as clearly identify ways to hold onto those values, but to implement them in ways we had not imagined before.

That dynamic plays out at every level of our lives. We are hearing a great deal about immigration this year in our national politics and policies. On one hand, we affirm that as a nation of immigrants, newcomers are not only welcome but valued as driven, ambitious additions to America's culture and economy. On the other hand, Americans, even those recently immigrating themselves, have often been suspicious of the next wave of immigrants. The fears we hear expressed about foreigners bringing disease, crime, violence and immorality to our shores is not new; it is as traditionally American as apple pie. The conflict between embracing immigrants and wanting to maintain things as they are, or to protect what now is, can be win-win if we affirm both our commitment to legal immigration and the humanity of those who come here, legally or not. There are many ways to do that; we needn't go deeply into the details here. But emphasizing the positive values we embrace will get us to the details.

Competing values can also arise in synagogue life. The Conservative movement, including our shul, continues to want to honor Jewish tradition by upholding the value of in-marriage. At the same time, we recognize that over 70% of non-Orthodox Jewish marriages are now interfaith families. It is not only wrong to disparage those marriages; it is not in our interest. To the extent that those families can be inspired to become synagogue members, we also value that. We need to be willing to bring them into the family, making the case that this is the family that they should want to be part of.

Families compromise all the time. What one person in the family values inevitably runs up against what someone else values. That doesn't make one right and the other wrong; it means that when conflicts occur everyone in the family has to help find an outcome that minimally satisfies all without undermining the basic values of any one of them. If for no other reason, our love and devotion to our families impel us to find a way forward that shows compassion and honors the dignity of each person affected.

That shared commitment must also drive a sense of shared purpose in finding solutions at the communal and the national level. A synagogue will thrive when its members elevate concern for all at least as high as concern for each one of us one. And America will prosper, in every sense of that term, when we all recognize that the values we share, and what binds us to one another, far outweighs particular policies, court cases or even election outcomes. We all need to be vigilant in upholding each other's right to the things we hold dear. It helps us to see one another not as opponents in constant conflict but as people yearning for the best that they can imagine. We will not always agree at the level of details, but we must always affirm our common humanity and the dignity which that humanity confers. It is often possible to find solutions that we can all accept as best for the whole. The Torah insists that creative compromise is the best path to affirming the claims of colliding values. Rooting our decisions in justice, in love, in compassion, which is to say in the most basic religious values we hold, we display the wisdom that our tradition teaches us in this week's parsha and in every week's.

Shabbat shalom