

Torah Table Talk – The Observant Life

For Heaven's Sake:

The Ethics of Dissent and Dialogue

Civic Morality, by Rabbi Vernon Kurtz, Page 439

Parshat Korah, Numbers 16:1- 18:32

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I. Introduction

These days, Americans bemoan the loss of civil behavior in the realm of public discourse and politics. Political candidates promote themselves by attacking their opponents, and society is deeply divided: red and blue states, Republicans and Democrats, liberals and conservatives, pro-life and pro-choice. We appear to have forgotten how to carry on a civil discussion while showing respect for those who disagree with us. While Rabbi Kurtz deals primarily with questions of what our relationship to the government as committed Jews should be, his discussion of Civic Morality raises much larger questions regarding the relationship of all citizens to the government. Rabbi Kurtz writes: "...debates are healthy for all society, however, and should not be shunned or downplayed. The strength of any society rests in no small part on its willingness to engage in passionate debate about the principles that guide it forward and the rules it establishes as the norms of accepted or desired behavior. To squelch debate, therefore, is to deprive society of one of its most potent sources of creative energy and open the way to despotism."

All debates, however, are not necessarily healthy. In our Torah portion this Shabbat we learn about one of the most dangerous debates in Jewish history: Korah and his party vs. Moses and Aaron. On the face of it, Korah's complaints appear to be high minded and idealistic: Isn't the whole community holy? What gives Moses and Aaron the right to lord over the nation? And yet there is more to this controversy than meets the eye. The sages described Korah's controversy as a "controversy that was not for the sake of heaven." They challenged us to consider the proper rules and attitudes for a healthy debate. (*Note that I have switched the chapter from The Observant Life assigned to this week's Torah portion. I hope this decision does not cause unnecessary controversy!*)

Numbers 16:1-3 Now Korah son of Izhar, son of Kohath, son of Levi...Dathan and Abiram, sons of Eliab, and On of Peleth – descendants of Reuben - rose up against Moses, together with 250 Israelites, chieftains of the community, chosen of the community, men of repute...and said to them: "You have gone too far! For all the community are holy, all of them. Why then do raise yourselves above the Lords' congregation?"

II. Sources and Resources

- a) In effect, Korah argues that if all of Israel aspires to holiness by wearing a priestly mixture in their garments (*ed. note: the tzitzit contain tekhelet which was only used by the kohanim*), why should they not be eligible for the priesthood itself? Buber suggests that Moses' own words were used against him: if all of Israel were worthy of being prophets (Numbers 11:29) then there was no need for Moses' mediation. However, prophets are not "holy." Therefore, either Aaron is the intended target of the attack...or Moses, too, is accused of presuming to be holy because he, on occasion, assumed priestly powers, such as when he officiated at Aaron's consecration... (*Jacob Milgrom, The JPS Torah Commentary, Numbers*)
- b) Any controversy waged for heaven's sake shall in the end be of lasting worth, but any that is not for heaven's sake shall not lead to permanent result. Which controversy was an example of being waged in the service of God? Such was the controversy of Hillel and Shammai. And which was not for the sake of heaven? Such was the controversy of Korah and all his company. (*Mishnah, Pirke Avot 5:20*)
- c) Our sages wished to point out that in a holy or heavenly cause, both sides are in fact united by one purpose, to further unselfish, divine ends. However, a controversy pursued for unholy ends, for personal advancement

and the like then even those who have come together on one side are not really united. Each is governed by his/her own calculations of what they stand to gain and are ready to cut each other's throat, if it so serves their interests. Korah... claimed that the High Priesthood be given to him... Dathan and Abiram...were animated by other considerations in their opposition to Moses.....the 250 rebels were in actuality firstborn who considered that the priesthood was their natural privilege. (*Rabbi Meir Leibush ben Jehiel Michel Wisser, Malbim's on the Torah translation from N. Leibowitz*)

- d) Rabbi Abba said in the name of Samuel: For three years there was a dispute between *Beit Shammai* and *Beit Hillel*, the ones asserting, "The law is according to our views," and the others asserting, "The law is according to our views." Then a divine voice went forth and said, "The utterances of the one and those of the other are both the words of the living God, but the law is according to the school of Hillel." Since both are the words of the living God, what entitled the school of Hillel to have the law fixed according to their rulings? Because they were kindly and humble; they taught their own rulings as well as those of the school of Shammai. And even more, they taught the rulings of the school of Shammai before their own. This should teach you that he who humbles himself is exalted by the Holy One, and he who exalts himself is humbled by the Holy One... Although *Beit Shammai* and *Beit Hillel* were in disagreement - what the one forbade, the other permitted - nevertheless the school of Shammai did not refrain from marrying women of the families of the school of Hillel, nor did the school of Hillel refrain from marrying those of the school of Shammai. This should teach you that they showed love and friendship toward one another, thus putting into practice the injunction "Love ye truth, but also peace" (*Zech. 8:19*). (*BT Eruvin 13b*)

III. Reflections

On the face of it, Korah's disagreement with Moses and Aaron appears to be in the interest of the common good. After all, Korah defends the people of Israel. Even Moses acknowledged that they are a priestly nation. What right does Moses have to set himself as the unquestioned leader of the people and then to assign the high priesthood to his brother, Aaron? His decision to make Aaron the *kohen gadol* smacks of nepotism! Dathan and Abiram also argue that Moses does not have their best interests at heart. Why did he take them out of a perfectly fine home to waste away in the wilderness?

There is more to this controversy than the common good. Korah is Moses' cousin. There is an element of jealousy that all the power has been placed in Moses' family. Korah is not happy being a Levite, even though this is an honored position. He aspires to be the high priest or possibly to replace Moses. Korah never comes out and says this. As a result, his controversy is flawed from the very beginning. Not only that, but he surrounds himself with malcontents. Dathan, Abiram, and On ben Peleth are from the tribe of Reuben. Since Reuben was the first born son of Jacob, they believed that the leadership of the nation should be in the hands of his descendants.

The Jewish people are no strangers to controversy and disagreement. Virtually every chapter of the Mishnah, the first codification of the Oral Law is laden with disagreements: Beit Shammai and Beit Hillel, Rabbis Meir and Yehudah, and so on. These discussions were often raucous and passionate. The Talmud tells the story of Rabbis Eliezer and Joshua who disagreed on a variety of issues. When Rabbi Eliezer showed a lack of respect for his colleague, the other sages rose up and deposed him and chose a younger colleague to lead the court. (BT, Berachot 27b-28a) Through the ages we have witnessed debates between Pharisees and Sadducees, Kabbalists and Rationalists, *Hasidim* and *Mitnagidim*, Zionists and anti-Zionists and more recent generations between the various streams of Judaism. When is such a controversy *l'shem shamaim*, for the sake of heaven? What are the limits between valid and invalid controversy?

In his discussion of civic morality, Rabbi Vernon Kurtz raises a wide variety of political issues about which we as a society disagree and issues about which there is no a consensus within the Jewish community: prayer in public school, religious displays for holidays, school vouchers, affirmative action, and questions that revolve around the status of marriage and divorce. Even in Israel, a supposedly 'Jewish' society, there are many unresolved issues among Jewish citizens on questions of religion and state. While denominational organizations have debated these issues, there is still a healthy amount of disagreement within the Jewish community. What is in best interests of a religious community? What responsibilities do we have as American citizens who happen to be Jewish and not just as Jews who happen to be citizens of America? All of these

issues call for a certain amount of humility in presenting our point of view. In the end there must be a consensus but that does not mean that one point of view is unanimously accepted by everyone either in congregations, or in our denominations.

The schools of Beit Shammai and Beit Hillel present us with a healthy model of controversy and public dialogue. There was very little that the schools of Shammai agreed upon. And yet they managed to find a common ground. That is not to say that they ignored their differences – in the end the law had to be decided one way or another. But they did not allow their differences to so divide them that they were unable to marry one another or treat each other civilly. It is interesting that in the end, Beit Hillel was the preferred position not because they were right but because of their humility and respect for their opponents. The law was decided not by the righteousness of their causes but by their character.

The issues that we face today are far more complex. What happens when liberal and traditional Jews can no longer marry one another? Are we reaching a place where Conservative, Orthodox, Reform and Reconstructionist Jews cannot accept one another's conversions? What happens when we can no longer say, "Both these and these are the words of the living God," (or have we already arrived there)? Is it possible to debate a religious, moral or a political issue without having a 'winner-take-all' attitude?

Questions to Ponder

1. It would seem that Moses' (or God's) solution to Korah's controversy is a bit extreme. How should one respond when you doubt the sincerity of another person's motives in a political or religious controversy?
2. Were Moses and Aaron above question or challenge? What attitude does the Torah take to their positions of leadership?
3. What can we learn from Korah and his band of rebels that is applicable to society today?
4. Think of an example of a heavenly controversy today and a controversy that is based on selfish motives.
5. If "the law was according to Beit Hillel" what do you think Beit Shammai did when it came to observing Jewish law? Did they abandon their positions in order to follow the official position of the community?
6. If you had to come up with a set of rules for public discourse and disagreement, what would they be? How would you apply them in your community and how in congress?

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The Observant Life - topics for weekly study

Here are the topics from The Observant Life assigned as we read B'midbar. Please note changes.

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