

Demagoguery, Dissent, and the Right to Protest

Seudat Shlishit text study – 6/13/26

Source Sheet by Rabbi Ephraim Pelcovits

I. The opening to next week’s Torah reading

Numbers 16:1-4

(1) Now Korah, son of Izhar son of Kohath son of Levi, betook himself, along with Dathan and Abiram sons of Eliab, and On son of Peleth—descendants of Reuben— (2) to rise up against Moses, together with certain other Israelites, two hundred and fifty of them: chieftains of the community, chosen in the assembly, men of repute. (3) They combined against Moses and Aaron and said to them, **“You have gone too far! For all the community are holy, all of them, and GOD is in their midst. Why then do you raise yourselves above GOD’s congregation?”** (4) When Moses heard this, he fell on his face.

במדבר ט"ז:א-ד'

(א) וַיִּקַּח קֹרַח בֶּן־יִצְחָר בֶּן־קֹהַת
בֶּן־לֵוִי וְדָתָן וְאַבִּירָם בְּנֵי אֱלִיאָב
וְאוֹן בֶּן־פִּלֶת בְּנֵי רְאוּבֵן: (ב)
וַיִּקְמוּ לְפָנָי מִשָּׁה וְאֲנָשִׁים
מִבְּנֵי־יִשְׂרָאֵל חֲמֹשִׁים וּמְאֹתָיִם
נְשִׂאֵי עֵדָה קְרָאִי מוֹעֵד
אֲנָשֵׁי־שָׁם: (ג) וַיִּקְהָלוּ עַל־מֹשֶׁה
וְעַל־אַהֲרֹן וַיֹּאמְרוּ אֲלֵהֶם
רַב־לָכֶם כִּי כָל־הָעֵדָה כִּלְמִם
קֹדְשִׁים וּבְתוֹכְכֶם יְהוָה וּמִדּוּעַ
תִּתְנַשְּׂאוּ עַל־קְהַל יְהוָה: (ד)
וַיִּשְׁמַע מֹשֶׁה וַיִּפֹּל עַל־פָּנָיו:

II. First Amendment to the US Constitution

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; *or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.*

III. Ramban on Numbers 16:1

...Thus they loved Moses as [they loved] themselves, and they obeyed him, so that had anybody rebelled against Moses at that time, the people would have stoned him. Therefore Korach endured the greatness of Aaron [when he was appointed High Priest], and the firstborns accepted [without protest] the high status of the Levites, and all [the other] acts of Moses.

But when they came to *the wilderness of Paran* and ... it was decreed that the whole people would be consumed in the wilderness *and there they shall die*, then the mood of the whole people became embittered, and they said in their hearts that mishaps occur to them through Moses' words. Therefore Korach found it an opportune occasion to contest Moses' deeds, thinking that the people would [readily] listen to him.

Pirkei Avot 5:17

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 Korah and all his congregation.

... וְהֵנָּה הָיוּ אוֹהֲבִים אוֹתוֹ
כְּנַפְשָׁם וְשׁוֹמְעִים אֵלָיו, וְאֵלּוּ
הָיָה אָדָם מוֹרֵד עַל מֹשֶׁה בְּזִמְנָן
הָהוּא הָיָה הָעָם סוֹקְלִים אוֹתוֹ.
וְלִכְּן סָבַל קִרְחַ גְּדֻלַּת אַהֲרֹן,
וְסָבְלוּ הַבְּכוֹרִים מַעֲלַת הַלְוִיִּם
וְכָל מַעֲשָׂיו שֶׁל מֹשֶׁה.

אָבֵל בְּבוֹאֵם אֶל מִדְבַּר פָּאֲרָן...
וְנִגְזַר עַל כָּל הָעָם שֶׁיִּתְמוּ
בְּמִדְבַּר וְשָׁם יָמוּתוּ, אַז הִיְתָה
נִפְשׁ כָּל הָעָם מְרָה וְהָיוּ אוֹמְרִים
בְּלִבָּם כִּי יָבוֹאוּ לָהֶם בְּדַבְרֵי
מֹשֶׁה תִּקְלוֹת, וְאִז מָצָא קִרְחַ
מְקוֹם לְחַלֵּק עַל מַעֲשָׂיו וְחָשַׁב
כִּי יִשְׁמְעוּ אֵלָיו הָעָם...

משנה אבות הי"ז

כָּל מַחְלָקַת שֶׁהִיא לְשֵׁם שָׁמַיִם,
סוֹפָהּ לְהִתְקַיֵּם. וְשֶׁאִינָהּ לְשֵׁם
שָׁמַיִם, אֵין סוֹפָהּ לְהִתְקַיֵּם. אִיזוֹ
הִיא מַחְלָקַת שֶׁהִיא לְשֵׁם שָׁמַיִם,
זוֹ מַחְלָקַת הַלֵּל וְשַׁמַּי. וְשֶׁאִינָהּ
לְשֵׁם שָׁמַיִם, זוֹ מַחְלָקַת קִרְחַ
וְכָל עֲדָתוֹ:

IV. Justice Louis D. Brandeis, *Whitney v. California* (1927)

Those who won our independence by revolution were not cowards. They did not fear political change. They did not exalt order at the cost of liberty. To courageous, self-reliant men, with confidence in the power of free and fearless reasoning applied through the processes of popular government, no danger flowing from speech can be deemed clear and present unless the incidence of the evil apprehended is so imminent that it may befall before there is opportunity for full discussion. If there be time to expose through discussion the falsehood and fallacies, to avert the evil by the processes of education, ***the remedy to be applied is more speech, not enforced silence.***

1. How do we distinguish between necessary criticism of those in power and opportunistic destabilization of the social order?
2. Taking all of these texts into mind, what responsibilities accompany the right to dissent?
3. In a free and democratic society, when does dissent serve the public good, and when does it begin to feed on a community's disappointments and divisions?

Source Sheet created on Sefaria by Rabbi Ephraim Pelcovits