



# DVAR TZEDEK

## Parshat Kedoshim 5771

By Jimmy Taber

April 30, 2011

Everyone is crying out for peace  
None is crying out for justice  
I don't want no peace  
I need equal rights and justice.<sup>1</sup>

-Peter Tosh

Peter Tosh's revolutionary lyrics in his 1977 song "Equal Rights" challenge some of the core assumptions of social justice activism. Critical of the tendency of his era's dominant activist culture to subsume demands for justice within an overarching movement for peace, Tosh boldly asserts that justice represents a more pressing need, and even goes so far as to dismiss the desire for peace entirely. By presenting peace and justice in opposition to one another, Tosh rejects the common understanding that these two concepts encompass complementary and linked goals. For Tosh, the achievement of peace between people—whether in war zones like Vietnam or in racially and politically charged neighborhoods in the United States—will not stop the underlying inequality and injustice perpetuated by legal, social and cultural systems on a structural level.

*Parshat Kedoshim* provides a prescription for how to achieve the kind of justice Tosh is advocating for. Leviticus 19:15 reads: "You shall not render an unfair decision: do not favor the poor or show deference to the rich; judge your kinsman fairly."<sup>2</sup> Samson Raphael Hirsch, a 19<sup>th</sup>-century German rabbi influential in the development of modern Orthodox Judaism, understands this commandment to refer to the community's responsibility to maintain an objective system of justice for all of its members. In his commentary on the verse, Hirsch writes: "All those to be judged stand opposite each other...every one of them without exception has equal claim to equal justice."<sup>3</sup>

The Torah immediately follows this verse with the command: "Do not deal basely with your countrymen; do not stand idly by the blood of your fellow, I am the Lord."<sup>4</sup> Hirsch reads this in direct contrast to the previous command to maintain an impartial framework for fair judgment. Building off his interpretation of verse 15 as relating exclusively to the legal system, Hirsch understands verse 16 as pertaining strictly to interpersonal relationships. He writes:

Exactly the same justice which in court banishes personality entirely from the judgment, and judges the action entirely in absolute objectivity, that same justice demands in social life the most meticulous and anxious conscientiousness in considering every possible condition which could make the person and his character appear in a better light."<sup>5</sup>

<sup>1</sup> Tosh, Peter. "Equal Rights," *Equal Rights*, 1977.

<sup>2</sup> Leviticus 19:15.

<sup>3</sup> Hirsch, Samson Raphael. *The Hirsch Chumash: The Five Books of Torah*. New York: Feldheim Judaica Press, 2000. p. 519.

<sup>4</sup> Leviticus 19:16.

<sup>5</sup> Hirsch, 519.

In other words, individuals are required to go to great lengths to display the compassion for one another that, by its nature, is absent from the legal system.

By interpreting these two verses in relation to each other, Hirsch asserts that the message of Leviticus—more complicated than both that of Tish and the peace activists that he criticized—is that neither an equitable legal system nor individual compassion alone is sufficient in creating a just society. While the legal system requires objectivity to fairly protect the rights of all, making peace with our fellow human beings requires sensitivity to the particulars of each individual’s needs and circumstances. When put together—according to Hirsch—justice and peace are greater than the sum of their parts.

As activists, I believe that it is essential to recognize the importance of both the interpersonal and structural components of our work. Many of us prefer to perform acts of compassion rather than advocate for more just societal frameworks, because helping others face-to-face can feel more personally fulfilling. But as we engage in this type of social action—helping the homeless, volunteering internationally or raising funds to aid those living in poverty—we must not forget that we have the responsibility to pursue justice on an institutional level as well—to support people and organizations that work to create and maintain just legal structures that ensure basic rights for all people. Otherwise, the pursuit of this type of justice can fall by the wayside, delaying the achievement of systemic change.

*Parshat Kedoshim* teaches us that there must ultimately be a symbiotic relationship between peace and justice. Even Tish, who so audaciously proclaimed the irrelevancy of peace, later came to recognize its merits. In a 1984 interview, three years before being murdered in his home, Tish said: “I a look fe peace. [sic] Because, to me, peace should have really meant people respecting people, people loving people. A man becoming his brother’s keeper.”<sup>6</sup> Perhaps it is this combination of respect and love—for individuals, for systems and for the inherent equality between people—that unites peace and justice. Without pursuing both, we can never achieve the world we envision.



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<sup>6</sup> Peter Tish quoted in *Pulse Magazine*, June 1984. Cited in Reid, Sheldon. “Peter Tish Chants Down Peace.” *The Gleaner*, 6 March 2011. <http://jamaica-gleaner.com/gleaner/20110306/focus/focus4.html>

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