



**Parashat Mishpatim**

**Jewish Ethics and the Call to Equal Opportunity Justice: Putting the S in LGBT**

by Dr. Sarah Pessin on Saturday February 17, 2007

29 Sh'vat 5767

Exodus 21:1 - 24:18, Shabbat

This week's Torah portion is a whirl of "dos" and "don'ts" (mostly "don'ts"). Unless you have pressing questions about the rules for indentured servitude or patricide, it doesn't read as one of the more scintillating Torah chapters. But a closer look at this chapter reveals the very heart of Judaism. In its detailed concern with the minutiae of human affairs, this chapter is a poignant badge of Jewish honor, revealing an infinite sensitivity to inter-human response. In this chapter we feel the acute and pressing call of Jewish ethics.

Perhaps the most famous section of *Mishpatim* (literally, "laws") is the notion of "an eye for an eye" (Exodus 21:24). For centuries, Judaism has been criticized for including this seemingly harsh and uncivilized idea of justice in its moral code. Jewish commentary tradition, though, has always read the "eye for an eye" idea as a kind of metaphor, suggesting not that you literally poke out someone's eye if they poke out yours, but that you take super-seriously the importance of justice and the need to truly make things right. From case to case, "truly making things right" will mean something different, but it must always involve a deeply responsive act—one that goes much further than just mouthing the words "I'm sorry." While the Jewish moral response never actually involves losing your eye to the person you have wronged, it always demands that you respond to the person you have wronged in a way that gives over of yourself to the other with depth and dead serious earnestness. If you wrong your neighbor, it is as if you owe them your eye, and your attempt to "truly make things right" with them ought to reflect that. In the words "an eye for an eye" we ought not to read a barbaric invitation to revile the Other, but a super-heightened sensitivity to the importance of the Other, and to what it would mean to truly make things right with anyone you have wronged. Once again, the heart of Jewish ethics is revealed.

In thinking over this Jewish call to ethical response, I wonder if we might broach a rather delicate issue in LGBT community. It is the issue of the S. At the University of Denver, we have a wonderful student organization called "The Queer-Straight Alliance." I love it. I love it not only because of the work they do on campus to raise awareness and respect among students about LGBT issues, but because they put the S on LGBT. In essence, this group represents what I would call a truly Jewish approach to inter-human care: it is not simply a call for justice, but a



BOSTON | DENVER | SAN FRANCISCO

Working for the full inclusion of lesbian, gay, bisexual, and transgender Jews in Jewish life

call for what I would label “equal opportunity justice”—a call to be good to people, to be fair with people, to fight for people’s rights, to raise money for those in need, and do so regardless of whether those people are L or G or B or T or S.

A few months back, I was at a book signing with a rather large LGBT turnout. An L rights activist stood up and, in line, we might say, with a Jewish call to equal-opportunity justice, openly criticized members of the G community. To paraphrase, her critique went something like this: “Lesbians always have helped with gay causes; we were right there standing among our gay brothers raising awareness and money for the AIDS crisis, and we continue to fight alongside men for gay causes. But where are you? You, gay men, have never stood, as a community and in numbers, by the side of the lesbian community; you, gay men, have never joined forces to raise money for lesbian health issues; my organization raises money for lesbians with breast cancer—why don’t I see more gay men at our events, raising money for our cause? Gay men have always had their activism focused on gay men, and that’s not right.”

End paraphrase.

What is interesting to me is just how deeply this woman’s words mirror a Jewish ethical call for “equal opportunity justice.” Is it OK for gay men to worry only—or even primarily—about the rights and causes of gay men? At least according to Jewish ethics, and at least one L in the Denver area, the answer is a firm “no.” I would agree with this conclusion. But here’s what has been troubling me deeply ever since I heard the woman launch this criticism—she described her own organization as one which raises money for and awareness of lesbians with breast cancer. But, where is the S? Is a straight woman to be actively excluded from receiving support from this and any other LGBT charitable group just because she is not LGBT? It seems that a Jewish LGBT ethics demands caring deeply for anyone, regardless of their sexual orientation—even straights.

What to do? I realize that LGBT has had to fight its own way out of the proverbial back-of-the-bus for years, and that in many parts of the world, including here at home, this fight still continues. But can that fight justify the kind of exclusivism that sometimes emerges in LGBT circles? Is there truth to the criticism that certain gay communities ignore—or put far to the backburner—the needs of lesbian communities, not to mention concerns for women and women’s issues more broadly? And more largely still: Do LGBT communities insulate themselves from straights, or do they invest equally in LGBT and straight causes? Whether it is raising money for organizations, fighting for causes, or limiting only persons of certain sexual orientations into our lives and circle of friends, do we truly practice “equal opportunity justice” when we mostly keep to our own and leave others to worry about themselves? As a call to Jewish ethical response, this week’s Torah portion asks us to check the back of the bus and tend to those we’ve ignored. (Check again: there are loads of people back there that you’ve probably been ignoring).



BOSTON | DENVER | SAN FRANCISCO

Working for the full inclusion of lesbian, gay, bisexual, and transgender Jews in Jewish life

[www.keshetonline.org](http://www.keshetonline.org)

In spite of the irony of its use of male-gendered language to make its point, I am nonetheless tempted to end with an important and beautiful Hassidic saying from Martin Buber's collection, *Ten Rungs*:

*When a man is singing and cannot lift his voice, and another comes and sings with him, another who can lift his voice, the first will be able to lift his voice too. That is the secret of the bond between spirits.*

The secret is the Jewish ethical call to "equal opportunity justice": helping and caring for the world of humans around us makes our lives richer, makes our world clearer, and makes stronger the life force in which we all share.

In a Jewish ethics, each L, G, B, T, and S is called upon to help and care for each and every other L, G, B, T, and S. The choir of voices is the bond between spirits: LGBTs, unite.



BOSTON | DENVER | SAN FRANCISCO

Working for the full inclusion of lesbian, gay, bisexual, and transgender Jews in Jewish life

[www.keshetonline.org](http://www.keshetonline.org)