

Labor Day and the Jews
Parashat Ki Tetzei
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Last weekend, my wife and I visited my son, who lives in Madison, Wisconsin. Ordinarily, my wife and I would have flown into and out of Madison, but it turned out that we were able to make much better connections at a much better price by flying into and out of Milwaukee, which is only an hour away. On the way out there, we didn't take any time to see the city, but on the way back, our son offered to drive us to Milwaukee. He thought it might be nice to spend a couple of hours there checking out the city before our flight. He wanted to show us an open-air market place, sort of a cross between Pike's Market in Seattle and Quincy Market in Boston, and a restaurant that he thought we'd like. Unfortunately, when we got to Milwaukee, we learned that the market was closed. And the restaurant was closed. In fact, a whole bunch of places that we might have wanted to go to were closed. And so we found ourselves wandering around the streets of Milwaukee, looking for something to do. We got directions to head to an area nearby where, we were told, there were sights to be seen along the waterfront. But as we approached, we saw that the road was blocked off. Pedestrians were allowed in, but not cars.

We were discouraged, and were thinking of leaving the area. But my wife saw a police car nearby, in which sat a policeman, and decided to find out what the story was. She approached the policeman and asked whether we'd be able to get to the waterfront. "No," he said. "You can't get in today. There's a rally going on, and Obama's going to be speaking there. Unless you have a ticket, you won't be able to get in." "Did you say, 'Obama'?" "Uh, yes." "When is he coming?" "He is en route."

"Thanks so much," we responded. "How do we get tickets?"

"You can't," he said. "The unions gave them out already."

We decided to head over in that direction anyway. Perhaps we'd get a glimpse of the President. As we neared the center, I told my wife and my son that



we had time, that the policeman had said that the President was en route.

But then we heard a cheer, and then we heard a voice, an unmistakable voice -- the voice of our President. We realized that he was speaking from a bandstand not far from where we were standing. But our way was blocked by a fence, and there was a guard who told us that we couldn't get in unless we had tickets. But then we noticed that some people were leaving. We saw that, as they were leaving, they were handing their tickets to other people to enter. And so we beckoned to the next person who approached where we were standing and said, "Could we have your tickets?" "Sure," she said, and handed them over.



In a flash, we were past the fence, and before long we were in the amphitheater, and there he was, our President, giving a speech. And it suddenly dawned on us: Of course! This isn't just any rally on any day. This is a *labor* rally, a *union* rally, and the President is speaking about labor and about unions on, of course, Labor Day.

And yes, the speech was a political speech – after all, the President is a political leader, and elections are coming up, and this constituency is an important part of what is called his party's "base"—but it was also a history lesson, an important history lesson about the importance of unions and what they have accomplished in our country. It was a speech about the struggle to achieve safety, dignity, and protection for laborers in this country. The President spoke about the accomplishments of unions that most of us today probably take for granted: the

40-hour workweek, the weekend, workman's compensation, child labor laws, etc., etc.

These were not handed over to anybody on a silver platter. These were accomplishments that were achieved only after struggles, *difficult* struggles, struggles that lasted many years. Unions had to fight opposition, intimidation, and even violence by employers to suppress and to degrade them.

Suddenly it all came together, and the significance, the *true* significance of Labor Day, became apparent. What had previously been just the third day of a three-day weekend became much more than that.

Why should we care about this? What is a laborer, what are unions, and why am I preaching about this in *shul* on this Shabbat?

A laborer is someone who contracts out his labor, his work product, to someone else, in exchange for wages. He's not an owner of an enterprise, he -- or, rather, his time and energy -- is an asset of an enterprise.

Our tradition has long recognized that laborers are easily exploited. Over time, the notion arose that by working together, by aggregating their efforts into a collective organization known as a union, they could bargain collectively and everyone would benefit from the effort.

This is a Jewish issue. Many of us know, but many of us probably don't know, that Jews were very active in the union movement in this country in the early half of the 20th century. Jews were active not only because we were an easily exploited minority, not only because so many Eastern European Jewish immigrants became laborers on the Lower East Side of Manhattan in the early part of the 20th century, but because *Jewish values* impelled us to be involved.

Those Jewish values come from the Torah, and not just from anywhere in the Torah but from the book of Deuteronomy, and not only from the Book of Deuteronomy, but from Parashat Ki Tetzei, the precise *parashah* that we read today.

Here's an example, from chapter 24:

יד לא־תַעֲשֶׂק עֶבֶד עַבְדְּךָ אֲנִי וְאֶבְיֹן מֵאֲחֵיךָ אוּ מִגֵּרְךָ אֲשֶׁר בְּאַרְצְךָ בְּשַׁעֲרֵיךָ: טו בְּיוֹמוֹ תִּתֵּן עֲבָדְךָ וְלֹא־תִבּוֹא עָלָיו הַשְּׂמֶשׁ כִּי עַבְדְּךָ הוּא וְאֵלָיו הוּא נִשְׂא אֶת־נַפְשׁוֹ וְלֹא־יִקְרָא עָלֶיךָ אֶל־יְהוָה וְהָיָה בְּךָ חָטָא:

(14) “You shall not abuse a needy and destitute laborer, whether a fellow countryman or a stranger in one of the communities of your land.

(15) “You must pay him his wages on the same day, before the sun sets, for he is needy and urgently depends on it; else he will cry to the Lord against you and you will incur guilt.”

Here’s another:

יז לא תטֹה מִשְׁפֹּט גֵר יְתוֹם וְלֹא תִחַבֵּל בְּגֹד אֶלְמָנָה: יח וְזָכַרְתָּ כִּי עֶבֶד הָיִיתָ בְּמִצְרַיִם וְיִפְדֶּה יְהוָה אֱלֹהֶיךָ מִנְּשָׁם עַל־כֵּן אֲנֹכִי מְצַוֶּה לַעֲשׂוֹת אֶת־הַדְּבָר הַזֶּה:

17 “You shall not subvert the rights of the stranger or the fatherless; you shall not take a widow’s garment in pawn.

18 Remember that you were a slave in Egypt and that the Lord your God redeemed you from there; therefore do I enjoin you to observe this commandment.”

Again, we have repeated,

כב וְזָכַרְתָּ כִּי־עֶבֶד הָיִיתָ בְּאֶרֶץ מִצְרַיִם עַל־כֵּן אֲנֹכִי מְצַוֶּה לַעֲשׂוֹת אֶת־הַדְּבָר הַזֶּה:

22 “Always remember that you were slaves in the Land of Egypt. And that’s why I’m commanding you to do this thing.”

Why this special concern for the laborer? Because so often he or she is on the margins of society, and the Book of Deuteronomy has deep concern for those on the margins: the widow, the orphan, the destitute. If a laborer is oppressed, we are all diminished. And we are constantly reminded that we, too, were on the margins; we, too were victims of those more powerful than us, who treated us with contempt, who abused us. When we look upon the plight of the laborer, we should say: there, but for the grace of God, go we.

All these thoughts were in my mind as I continued to listen to the President’s speech. He gave words of encouragement, words of hope, words that emphasized that the historic goals of the labor movement—a safe working environment, decent wages, health insurance—that these goals shouldn’t be thought of a gifts sought from employers, but rather as rights.

It was a stirring speech, but it got me thinking: how many of us actually

believe what the President said? And how many of us practice what he preached? So many of us employ people in our homes, as cleaners or landscapers, who in fact don't benefit from the legislation that our grandparents and great-grandparents worked so hard to achieve. How many of us, when we hire construction workers for a project, whether it be a home renovation or a commercial project, insist upon union labor? And if we don't, if for whatever reason, we decide to exercise our freedom to hire workers who are not unionized, how many of us provide the same benefits to non-union labor that we would to union labor?

I made sure to take lots of pictures of the President -- pictures which, if you look at them with a magnifying class, you can confirm that he was really there, and I was really there watching him.

When the President concluded his remarks with a rousing crescendo, shook hands with some of the folks in the front, and then made his way out of the area,¹ it got me thinking: What's left of Labor Day for Jews? Is it the end of an era? Are we now more commonly identified with the owners and the bosses, than with employees, whether new or seasoned?

"Which side are you on?" is the name of a song written in the 1930s that remained popular for decades. Here are some of the lyrics:

Oh workers can you stand it?
Oh tell me how you can
Will you be a lousy scab
Or will you be a man?

Which side are you on boys?
Which side are you on?

Don't scab for the bosses
Don't listen to their lies
Poor folks ain't got a chance
Unless they organize

Which side are you on boys?
Which side are you on?²

Must we choose sides? Or is there a way to address the abuses that laborers endure without unions?

Perhaps we have romanticized unions, ... or perhaps we've romanticized the good old days when employers didn't have to provide this and that and the other benefit to their employees.

My sense is that those days weren't so good. Yes, unions can be corrupt; yes, sometimes unions want things—and sometimes they are able to achieve them using collective bargaining—that are bad for the economy, or that reward sloth or inefficiency, or that are, literally, counterproductive.

Sometimes, unions can do bad things. But, lest we forget, so too can employers. That doesn't mean that employment should be abolished. Similarly, unions shouldn't be abolished.

That trip to Milwaukee turned out better than I'd expected. Even though all those tourist sites were closed, I came away enriched and inspired. I'm not sorry about that.

Let's always remember this message of our parashah, that we must not oppress the worker. Let's always remember to treat laborers as we would want to be treated – and to take steps that others do so as well. I think if we keep that in our consciousness, then the causes, the policies and the legislation we will support, should be clear.

Shabbat shalom!

¹ The full text of the President's speech can be accessed here: <http://www.whitehouse.gov/the-press-office/2014/09/01/remarks-president-milwaukee-laborfest> .

² The complete lyrics of "Which Side Are You On, Boy?" can be seen here: <http://www.azlyrics.com/lyrics/natalimerchant/whichsideareyouon.html> . Pete Seeger can be heard singing the song at the following URL: <https://www.youtube.com/watch?v=msEYGql0drc> .