

Doing the right thing for the right reasons

Parshat Korach

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During the past few days, I've been thinking about two Supreme Court cases that both, coincidentally, arose out of controversies that took place in Alabama.

The other day, the Supreme Court ruled unanimously that public employees can't be fired for testifying in court about misconduct they observed on the job. At first, I thought: Wow, a unanimous ruling! How did *that* happen? But that's not the only curious feature of the case. There's more. Let me tell you about it.

The case arose because an Alabama community college employee by the name of Edward Lane exposed terrible government corruption. He discovered that an Alabama legislator had created a fake job for herself at his college, for which she drew a salary. So he fired her. He was then called to testify against her at a criminal trial. Subsequent to that, he himself was fired, allegedly in retaliation for his testimony. So he sued. A lower court ruled that he had no right to sue. He was a public employee, so his rights were limited.

When the case reached the Supreme Court, Mr. Lane was vindicated. The Supreme Court found in his favor, and determined that he shouldn't have been fired.

This ruling will provide public employees with powerful protection. Whistle-blowers, who expose corruption in high places, can now be more confident that their employers will not retaliate against them.

However, there is one person who probably won't benefit from this ruling, and that is Mr. Lane himself. Because the legal rule wasn't entirely clear at the time he was fired, he isn't permitted to sue the school administrator who fired him. He could get his job back, but the job doesn't exist anymore.

So what does he get out of this? And why didn't he sue in the first place? All he gets out of this is the satisfaction of knowing that he stood up for what he believed to be the right thing, and that others will benefit from his actions.



Apparently, that's enough for him.

Mr. Lane told reporters that he didn't care about the money; rather, he brought the suit to make a point and to clarify the law – not to win monetary damages for himself or his family. He did what he did for the greater good.

Another example of that self-sacrificing approach to life, which also involved Alabama, came to my attention during the past week.

This one arose out of events that took place a long time ago, fifty years ago, to be precise.

Fifty years ago was the summer of 1964. It was called “Freedom Summer.” (See: <http://www.pbs.org/newshour/updates/recalling-freedom-summer-civil-rights-campaign-changed-america-50-years-ago/> .) During that spring and summer, many, many young people – by which I mean men and women in college and just out of college – came down to the southern states of Mississippi and Alabama to register black voters.

Why was that necessary? It was necessary because there were hundreds of thousands, if not millions of black men and women who were not registered to vote. Not out of their own choice, but because of deeply rooted discrimination. It had been one hundred years since Africans had been enslaved in the South, but old attitudes and old habits die hard, and Southern whites had no interest in granting their black neighbors the right to vote.

And so the so-called “Freedom Riders” came down from the North and rode up and down the country roads of the South registering black voters.

This didn't sit well with the locals. There was a great deal of resistance, hostility, and violence against the Freedom Riders and against those who cooperated with them. Churches were firebombed. One particular firebombing (of the Mount Zion Church in Longdale, MS) led to a particularly notorious incident that took place exactly fifty years ago today. On June 21, 1964, three Freedom Riders, Andrew Goodman, Michael “Mickey” Schwerner and James Chaney, were ambushed by local thugs. These thugs were members of the Ku Klux Klan, a notorious, racist organization, as well as members of the local police force, including the local sheriff, the sheriff of Neshoba County.

This was an era before cell phones, before GPS. When those three men disappeared, no one – except the perpetrators of the crime – knew what had happened to them. The police were useless – they were involved in the crime! And so federal investigators were sent in and eventually, after over a month and a half of investigation, someone confessed and the bodies of those three civil rights workers were found, buried in an earthen dam.

What happened next? After all, a vicious crime had been committed. Well, the state attorney general refused to prosecute any of the perpetrators, so it was necessary again for the federal government to step in. Over a dozen were charged, but only a half dozen were convicted, of minor crimes, and served very little time.

When you hear that story, you might conclude that all those efforts to solve the crime and to prosecute the guilty were in vain. But in fact, those efforts kept this story on the front pages throughout the nation for months, and this may very well have contributed to the passing of the 1964 civil rights law and the 1965 Voting Rights Law.

Fast forward 50 years. The Supreme Court recently ruled, in a bitterly contested 5 to 4 decision, that parts of the Voting Rights Law can no longer constitutionally be applied, that the level of discrimination in the South has moved to a point where it is no longer necessary and therefore lawful to treat it differently from other areas of the country which don't have that same history of discrimination.

My purpose in bringing this up today isn't to debate that question of whether enough discrimination to warrant the continued application of the Voting Rights Law still exists. Rather, I want to talk about the spirit and the passion that brought those young people to the South fifty years ago. They were willing to risk life and limb – and many of them gave their life and limb – to register voters.

Why? Why did they do that? After all, they already had the right to vote, they already were free! What motivated them?

I don't know, but I think it's an important question for us to consider.

For, as we all know, injustice hasn't disappeared.

The South may be a bit freer than it had been 50 years ago, but injustice persists, not just there, but all over the place.

Edward Lane knows that. We know that.

What is it that gets people to think not just of themselves and their own needs, but of others as well?

I'd like to think that religion has something to do with it.

Religion often gets a bad rap these days.

But at its core, I'd like to think that religion is all about getting us to think about the needs of the other- and then getting us to do something about those needs.

I remember when I first learned that two of those Freedom Riders who were beaten and murdered on that lovely country road in Alabama—Andrew Goodman and Michael “Mickey” Schwerner—were Jewish.

That was a source of pride for me—and for others as well.

The self-sacrifice of these young men gave us pride because it exemplified an important principle of Judaism, namely, that we should seek to do the right thing not in order to benefit ourselves, but because it's the right thing to do.

Fifty years after Andrew Goodman and Mickey Schwerner left the safety of their homes and travelled to meet their fates down South, we live in a different era. Jews are less closely associated with such struggles. Why is that? Is it because blatant inequality and discrimination are no longer apparent? Or is it because, two generations later, we've come no longer to identify with the downtrodden; we've come to identify with the privileged?

Could it be that we no longer see it as our religious duty to fight for the oppressed? Or could it be that our focus has shifted, and has become more parochial, that we care less for the greater good?

What I do know is that these two stories reveal the particular virtue of standing up for principle – even if it may come at a cost. The cost paid by Edward Lane was financial and emotional. He lost his job. Think what it was like for him during those years between losing his job and being vindicated by the Supreme Court! Goodman and Schwerner, on the other hand, paid with their lives. They were very much martyrs for a cause. Our entire nation has benefited from their willingness to risk their lives. What did these young men or the members of their families get out of it? All we can say is that perhaps those families have the satisfaction of

knowing that those young men did not suffer in vain. They gave their lives that others might live in dignity and freedom.

Are there no such struggles today worth fighting?

I don't think so. My charge to all of us is to identify injustice, at home or abroad, and to seek to alleviate it. To be a Jew is to be committed to justice; to seek to alleviate oppression; and to free the downtrodden.

Let's pursue those goals, even if we might not benefit from our labor, not in order to receive a prize, but because it's the right thing to do.

Shabbat Shalom.