



The following is a statement issued by the Masorti Beit Din to Members of the Australian Parliament on the question of marriage equality.

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Statement On Marriage Equality to the Parliament of Australia by the Masorti Beit Din of Australasia

Marriage Equality is an issue which has been addressed in different ways in a number of English speaking countries (and beyond) over the last couple of years. Ireland approached it as a constitutional issue while both the New Zealand and United Kingdom parliaments legislated on it. In the United States of America, the Supreme Court recently declared same-sex legal in all 50 states.

The Masorti Beit Din is guided in its deliberations by the Rabbinical Assembly¹'s Committee on Jewish Law and Standards (CJLS). In December 2006, the CLJS adopted a responsum entitled "Homosexuality, Human Dignity and Halakhah"² which states that rabbinic prohibitions banning gay and lesbian intimate acts "are superseded based upon the Talmudic principle of kvod habriot, our obligation to preserve the human dignity of all people (p19)."

The responsum also "normalizes the status of gay and lesbian Jews in the Jewish community," and declares "stable, committed, Jewish relationships to be as necessary and beneficial for homosexuals and their families as they are for heterosexuals (p19)."

Subsequently, in Spring 2012, the CLJS adopted an addendum entitled "Rituals And Documents Of Marriage And Divorce For Same-Sex Couples."³ This document states "we are convinced that the nomenclature of gay marriage and divorce should be equal and clearly stated as such, not obscured in ambiguous language (p3)."

¹ The Rabbinical Assembly is the international association of Conservative/Masorti rabbis.

² www.rabbinicalassembly.org/sites/default/files/public/halakhah/teshuvot/20052010/dorff_nevins_reisner_dignity.pdf, or <http://tinyurl.com/pcrpw23>, accessed 12 June 2015.

³ www.rabbinicalassembly.org/sites/default/files/public/halakhah/teshuvot/2011-2020/same-sex-marriage-and-divorce-appendix.pdf, <http://tinyurl.com/cmsgpk6>, accessed 12 June 2015.

This Beit Din, cognizant of the above documents and precedents, calls on the Australian Parliament to legislate for Marriage Equality.

We base our call not only on the above CLJS decisions but upon the following principles:

1. The Hebrew Bible tells us that we are all created in the Image of G-d. G-d does not distinguish between heterosexuals and homosexuals.
2. One of the gifts G-d has placed in the world is love. G-d did not discriminate between the love experienced by people who are heterosexual and those who are homosexual

Much of the opposition to monogamous homosexual relationships is based on the assumption that it is a lifestyle choice. It was not that long ago that homosexuality carried a diagnostic category as a mental illness (the American Psychiatric Association removed it by a vote of the APA membership, and homosexuality was no longer listed in the seventh edition of DSM-II, issued in 1974).

Judaism has never seen the role of sexual intercourse as only for procreation. Judaism has seen it also as a way in which a loving relationship can be expressed between two individuals.

The Beit Din rejects the spurious argument advanced by some who oppose marriage equality that the best environment in which to raise children is one where there is one father and one mother. Rather the Beit Din sees the best environment being one in which the child is raised in a loving, caring environment which may be with either one or two parents, of either or both genders.

The current debate in Australia regards the civil and government recognition of same sex marriages. We see no reason to oppose such legislation. Rather, we encourage all Jews who care about respect and dignity for everyone in Australian society to support marriage equality.

The Jewish community, and the broader Australian community, should be aware that the rabbis and other communal leaders who oppose marriage equality DO NOT represent the whole Jewish community, nor probably even a majority of it .

We are happy to use values and principles drawn from Jewish text, law, and tradition, and well as proven research, to support the basic rights and dignity of fellow Australians.

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Masorti Beit Din of Australasia

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The Beit Din is the Rabbinic/Ecclesiastical Court for Masorti Judaism in Australia and New Zealand