

# Litmus test

TOM GROSS

**H**omosexuals have traditionally been discriminated against almost everywhere, but today attitudes toward them are increasingly seen as one of the key tests by which we can judge how tolerant and progressive a society is.

The recent decision by the annual convention of American Reform rabbis (representing 1.4 million American Jews) to support single-sex weddings will be seen by liberal-minded people as a welcome development.

Israel, too, scores high marks in this area. It now offers one of the most liberal legal environments for homosexuals in the world. While still trailing behind the pacesetters — Norway, Sweden, Denmark, Hungary and the Netherlands — it is now ahead of other Western countries such as the US, Britain, and Italy.

The Knesset decriminalized homosexuality in Israel in 1988, and outlawed all discrimination against gays in the workplace in 1992. The Supreme Court has further advanced employment rights for homosexuals, as a result of which employers like El Al and Tel Aviv University have granted full benefits to the partners of their gay employees.

Last year saw a number of other moves towards full equality. The Interior Ministry approved the registration of same-sex partners under one family name, and gay men and lesbians identifying themselves as belonging to a couple maintaining a common household were officially counted as spouses in the national census.

In the military, British and American gays look to the Israeli example, the IDF having granted homosexuals full equality. By contrast, in the Arab world homosexuals enjoy no rights and anti-gay violence is common. Punishments in Iran for homosexual activity range from 74 lashes to death and there have been unconfirmed reports of summary executions by armed

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## Tolerant societies don't discriminate against gays

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gangs in the Palestinian-administered territories.

**YET** in spite of the advances, a good deal of prejudice still exists in this country, and gays here feel they need to maintain a low profile.

This is partly because this is such a small country and any prejudiced gossip travels fast.

It is also because the haredim are incapable of dealing with this entire category of people except in the most rigid theological terms. Last year, Shas MK Rabbi Moshe Maiya implied in the Knesset that the Jewish penalty for homosexual sex is death.

But the most important factor liable to prevent us from keeping up with the most progressive states is that we remain a country deeply committed to (heterosexual) marriage, an institution which in other Western countries is on the wane (over one-third of babies in France and Britain are now born out of wedlock; in Iceland and Sweden the figure is almost 60 percent).

**AS LONG** as marriage itself continues to exist in its present form, there's no reason why homosexual partners shouldn't enjoy the same rights as heterosexual ones. Homosexuals need emotional and economic stability no less than heterosexuals. Those gays who want to consummate their relationship through a marriage service with rabbi and family, should be allowed to do so.

This is precisely what's happening in the US, where there are more than 50 gay synagogues. One in New York regularly attracts over 1,500 congregants, and the synagogue's female rabbi has officiated many marriages. Although these aren't yet legally binding, following a court decision in Hawaii, they may soon become so.

In this country, the issue of same-sex marriage comes within the wider issue of civil marriage, which remains in the grip of the rabbinical courts.

It's a great pity that both marriage reform and homosexual rights are not more prominent election issues. To support homosexual rights doesn't necessarily mean endorsing the tactics of radical gay protest groups but, as a litmus test of liberalism, those rights ought to be of concern to all of us, not just to gays themselves.

*The writer works for The Jerusalem Post.*