Adopted by the Executive Board of the

Commission on Social Action of Reform Judaism

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SUPPORT FOR THE INCLUSION AND ACCEPTANCE OF THE TRANSGENDER AND BISEXUAL COMMUNITIES

BACKGROUND:

Throughout the Reform Movement's history, we have worked tirelessly to fight discrimination, support equality, and strengthen the rights of minorities and women. Similar to past systemic injustices that prevented a litany of minority communities from realizing equal rights, so too have the transgender and bisexual communities in North America been condemned to live as second-class citizens.

The transgender community has had an especially difficult experience in North America due to the community's unique needs which are overlooked or ignored by society. The barriers the transgender community faces have led to a high incidence of mental illness and an especially high suicide rate. Transgendered individuals are frequent victims of hate crimes and employment discrimination. Transgenderism remains a virtually unspoken and unaccepted element within our society; this has led to discrimination in health care and insurance coverage, access to public facilities, police, paramedic, and other emergency services and a variety of as yet fully unexplored legal issues ("Introduction," by Jamison Green to *Transgender Equality: A Handbook for Activists*

and Policy Makers, by Paisley Currah and Shannon Minter, the Policy Institute of the National Gay and Lesbian Task Force).

The bisexual community has also suffered discrimination. Victims of workplace discrimination and hate crimes, bisexuals are consistently left unprotected by legislation created to protect America's minorities from xenophobia.

As currently defined by the National Gay and Lesbian Task Force, transgendered people are individuals of any sex whose identity or behavior is perceived to be gender atypical or falls outside of stereotypical gender norms. Biblical tradition teaches us that all human beings are created *b'tselem Elohim*—in the Divine image. As it says in Genesis 1:27, "And God created humans in God's image, in the image of God, God created them; male and female God created them." From this bedrock principle stems our commitment to defend any individual from the discrimination that arises from ignorance, fear, insensitivity, or hatred. Knowing that this community is often singled out as victims of discriminatory violence and has a high suicide rate, we are reminded of the Torah's injunction, "do not stand idly while your neighbor bleeds" (Leviticus 19:16).

The Written Torah initially seems very exclusionary in this regard (see, for instance, Deuteronomy 23:2, which would exclude from the Jewish community one whose genitalia have been disfigured or removed). However, this position already was tempered by the time of Isaiah (56:3 ff.), and even more so by the rabbis of the Talmud, who argued that one's status as a Jew in such cases was not changed.

Two key Reform responsa lay the groundwork for the inclusion and acceptance of transgender and bisexual communities in accordance with Jewish tradition. A 1990 responsum (CCAR 5750.8) affirmed that transgenderism alone is not grounds to deny someone conversion to Judaism. A 1978 responsum affirmed that a rabbi may officiate at the wedding of two Jews if one partner has transitioned from one gender to another ("Marriage After a Sex-change Operation" in *American Reform Responsa*, Vol. LXXXVIII, 1978, pp. 52-54).

The UAHC 1987 resolution entitled “Support for Inclusion of Lesbian and Gay Jews” states: “Sexual orientation should not be a criterion for membership or for participation in an activity of any synagogue. Thus all Jews should be welcome, however they may define themselves.”

THEREFORE, BE IT RESOLVED that the Commission on Social Action of Reform Judaism:

1. Applies all aspects of the policy created by the Union of American Hebrew Congregations in 1977 in its “Human Rights of Homosexuals” resolution to the transgender and bisexual communities;

2. Supports legislation that both opposes discrimination based on gender identity and allows individuals to be treated under the law as the gender by which they identify;

3. Urges all UAHC congregations to continue or develop inclusive policies toward all Jews regardless of sexual orientation and gender identity; and

4. Invites the Central Conference of American Rabbis and the American Conference of Cantors to engage in discussion regarding ritual participation of and for transgender Jews within the Reform Movement.