

A communal, not an Orthodox, newspaper

VIEWPOINT
KARYN EDELSTEIN



The attempted interference by the Beth Din in the editorial independence of the *AJN* threatens the value of freedom of the press. This freedom is indivisible, pertaining equally to Jewish and other publications. No newspaper worth its salt would surrender its independence — the right and capacity to report on the subjects of its choosing in the manner of its choosing — to an external body. That the *AJN* is a communal, rather than an Orthodox, Jewish paper, reflective of the community, cannot be overstated. It is incumbent on it as a communal paper to report on news within the community and external to it where relevant, as well as to provide a forum for debate of contentious issues.

It would be wholly destructive of its credibility as a communal newspaper were it to censor news of relevance to the community in the name of “receptivity and sensitivity to the voice of Torah” (as suggested by the Beth Din), or on any other basis as imposed by an outside body. The *AJN* has a duty to determine its own edito-

rial policy, impervious to outside interference.

The Beth Din would have legitimate grounds for complaint if it or members of the rabbinate were denied a voice or coverage by the *AJN* in this or any other matter. Yet the *AJN* has been unstinting in providing an open forum for all interested parties in the current dispute, including the fundamentally important views of the rabbinate. Indeed, there would be no valid discussion of the status of homosexuality in *Halacha* and the community without the contribution of the rabbinate.

The *AJN* has presented balanced coverage of an emotive issue, giving all sides a similar opportunity to voice their opinions. The objection of the Beth Din to this reasonable stance betrays a paternalism in its regard to the community, arrogating to itself the right to censor what we may read and debate in the *AJN*.

Included in the Beth Din's statement is an allowance that “synagogues, schools, communal and Zionist organisations, welfare agencies

and cultural facilities all have an obvious place within a Jewish newspaper”. These institutions are an essential part of our community and are reflected by the *AJN* as such, but are not exhaustive of its totality. This line of argument is extended in the Beth Din's claim that “a responsible Jewish newspaper cannot and must not give the impression that everything that some Jews do is automatically a legitimate Jewish activity”.

It is not likely to want to appear to favour, for example, a Bondi Road parade of Jews who (if they exist) make a point of committing adultery”. This reasoning conflates mere coverage of an event or an issue with an endorsement or a conferral of legitimacy, and misconstrues the function of a free press in a democratic society. The *AJN* should indeed be free to report on a hypothetical Bondi Road parade of Jewish adulterers; as should be the rabbinate and Beth Din to comment from a *Halachic* perspective on the conduct of the marchers!

The Beth Din seemingly hankers for the theocracy of old, forgetting that we live in the secular-rational context of a Western democratic society, with a long established separation of powers between it and other communal bodies.

The honour of authoritatively interpreting and ruling on *Halachic* matters belongs to the Beth Din. It has, however, exceeded its jurisdiction in attempting to limit the editorial independence of the *AJN*. The Beth Din's conduct in this matter is open to the reading that it regards the *AJN* less as a community resource than the site of a struggle for hegemony in depicting the “official”, institutional version of the composition and state of contemporary NSW Jewry. This conflict is destined to be played out in a number of guises and is ultimately resolvable by the will of the community.

The conflict also highlights the difficulties of resolving the contradictions between *Halachic* precepts and imperatives and contemporary values.

With the utmost respect to the Beth Din, our interests as a community are best served by communal institutions remaining within their proper jurisdictions.

■ Karyn Edelstein is president of *Womanpower*. However, this article was written in her private capacity.

THE Sydney Beth Din is correct in identifying the “question of Jewish journalistic ethics” as an issue regarding the *Australian Jewish News'* coverage of Jewish gay and lesbian participation in the Mardi Gras. However, this identification is right, but for all the wrong reasons.

The statement by the Beth Din (*AJN* 31/3/00) defines “the issue” as “not whether homosexuality is approved of or disapproved by Judaism ... the answer is that it is prohibited by the Torah”, but as “how a Jewish newspaper should handle some Jewish people's participation in the Mardi Gras. It is thus a question of Jewish journalistic ethics”.

The hollow inadequacy of this is exposed by the fact that it is the subject matter of the coverage in question that has given the Beth Din offence. Their statement attempts to place the status of gays and lesbians within Judaism outside the realm of communal discourse. There is literally, in their view, nothing to discuss, since homosexuality is *Halachically* proscribed. Communal reaction to the “Stars of David Come

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Out” float in the Mardi Gras and to the plight of Jewish gays and lesbians in general, suggests that there is indeed something to discuss.

Leaving aside the *Halachic* and communal status of Jewish gays and lesbians, the matter of “Jewish journalistic ethics” is of fundamental importance as a litmus of the value we place on a free press and pluralism and inclusiveness within our community.