

The *AJN* and the Sydney Beth Din

COMMENT

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IN order to protect the independence of the *Australian Jewish News*, and, in our view, to help safeguard the pluralism of this community, I have declined the invitation from the Sydney Beth Din and the NSW Rabbinical Council to attend a meeting to discuss our coverage of Jewish-gay issues, and Jewish involvement in the Mardi Gras in particular.

In taking this view, I have the complete support of the *AJN*'s publishers and managers.

We reached our decision in a spirit of respect for those two bodies. But we concluded that neither the *AJN*'s interests nor the community's would be served by such a meeting. As we believe there are serious issues at stake in the Orthodox rabbinate's actions, we owe readers an explanation of our position.

The "invitation" to appear before a body which describes itself as "an ecclesiastical court", at a time which the rabbinate had set unilaterally and at short notice, and in circumstances where the rabbinate made clear in advance its dissatisfaction with what the *AJN* had published, was one that no editor who values press freedom and independence could accept. For three reasons:

■ **Independence.** In a pluralist community, editorial independence and credibility are values which take years to establish. Ultimately, they are this newspaper's most important values, alongside its preparedness to defend the community when its interests are under threat. But values depend also on how they are perceived. Accepting such an invitation would create a perception among readers and across the community that the *AJN* is accountable to the Orthodox rabbinate. But the *AJN* is not an Orthodox synagogue newspaper. It belongs to no religious group, indeed to no organisation. Its value to the community lies in its independence, which should not be compromised and, as importantly, should not appear to be compromised. We do not claim a perfect score in this area, but we constantly strive to achieve it.

■ **Precedent.** It would create a disturbing precedent because it would send the message that the Orthodox rabbinate can summon the editor whenever it disagrees with the newspaper's reporting or editorial stance. In the example we cited last week, what about Maccabi matches on Shabbat? Is the Beth Din ready to summon the editor to protest that our coverage of sport encourages desecration of Shabbat?

■ **Community.** It is at least a century since Jewish communities in Western democratic societies, certainly in Australia, established a system of communal governance which invested authority in lay bodies. Rabbinical bodies such as the Beth Din exercise jurisdiction in certain areas, and we recognise their role in such matters as kashrut,

conversion, divorce and where there are disputes that individuals wish to have resolved. On other issues — from the peace process to the millennium to the role of a newspaper in covering Jewish homosexuals — we are prepared to listen carefully to what the rabbis have to say. But in these, more general, areas, we do not see them as having a special status that derives from their rabbinical positions.

Let us have the discussion on the basis of respect for the full range of views and values, including those of press freedom

They have now said that the issue here is not *Halachic* prohibition of homosexuality, but how the Jewish press should deal with the issue. In such a debate, they are another voice. An important voice, agreed. But not the sole, ultimate or decisive voice. In this case, furthermore, the Orthodox rabbis seem to be saying they are in dispute with the *AJN*, and want the editor to appear before them sitting as an "ecclesiastical court" and rabbinic association. They may present it as "a friendly chat"; we see it as an attempt to wind the clock back to a system of control which we do not believe the vast majority of Australian Jews would support.

Moreover, the *AJN* and its editor do not see themselves as in dispute with the Beth Din. Indeed, the *AJN* welcomes the rabbis' views in its

pages, and believes this is the appropriate place for the rabbis to express them. The pages of the newspaper are where their views must stand the test of reader acceptance, alongside others. For the record: we extended such an offer to the president of the Rabbinical Council, Rabbi Moshe Gutnick, immediately after the Mardi Gras parade; he declined.

One result of our coverage of the Jewish-gay issue has been the unprecedented outpouring of support for Jewish gays as participating community members. For many readers, the issue has not been about acceptance or rejection of a gay lifestyle, but about accepting the reality that Jewish gays want to be part of our community. That has been a paradigm shift. For the Orthodox rabbinate to suggest that this is not news for the *AJN* because Jewish gays do not form an acceptable "organisation" in their eyes, firstly misses the point that the *AJN* covers news of interest to and about Jews, not just about communal "organisations"; and secondly, it suggests a refusal to acknowledge reality.

The rabbis are entitled to argue that the *AJN* should ignore it because not all realities need to be reported, and that changing attitudes to Jewish gays are not in the community's interest. Let us have that discussion as a pluralist community should — on the basis of respect by all for the full range of views and values in the community, including those of press freedom and press responsibility.