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Resolution on the Rights of Transgender and Gender Non-Conforming People



Submitted by the Commission on Social Action of Reform Judaism

Background

Throughout the Reform Movement's history, we have worked tirelessly to fight discrimination, support equality, and strengthen the rights of minorities and women. In 1977, both the Union for Reform Judaism and the Central Conference of American Rabbis passed resolutions affirming "the rights of homosexuals." We welcome and celebrate people of all sexual orientations in our congregations and oppose laws that fail to uphold principles of equality for all. North American culture and society have, in general, become increasingly accepting of people who are gay, lesbian and bisexual, yet too often transgender and gender non-conforming individuals are forced to live as second-class citizens.

"Transgender" is a term for people whose gender identity, expression or behavior is different from those typically associated with their assigned sex at birth. Gender non-conforming is a term for individuals whose gender expression is different from societal expectations related to gender.

Although much work remains to be done to fully overcome discrimination against lesbian, gay and bisexual people, members of the transgender and gender non-conforming communities face particular ongoing legal and cultural bigotry and discrimination. Transgender individuals are often unable to easily update their government documents, such as passports and birth certificates, in order to reflect their correct gender and name. As a result, transgender individuals can be denied the right to vote because their documents do not match their gender. In Canada, six provinces (Ontario, 20 Saskatchewan, Manitoba, Nova Scotia, P.E.I., and Newfoundland) and one territory (Northwest 21 Territories) offer protections based on gender identity yet a federal bill has long been stalled in Parliament.¹ In both the U.S. and Canada, transgender individuals experience frequent incidents of hate crimes and harassment, and often face discrimination in employment, healthcare and housing. Simply

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for transgender and gender non-conforming individuals. The combined impact of all of these factors has contributed to higher than average poverty, homelessness and suicide rates among transgender people.^{2 3}

Efforts within the Reform Movement over the past decade reflect our commitment to greater inclusivity of transgender and gender non-conforming people. In 2003, Hebrew Union College-Jewish Institute of Religion admitted its first openly transgender rabbinical student. Recently, both NFTY and URJ camps have taken steps to become more inclusive of transgender participants in their material, application forms, facilities and programs. In 2015, the Central Conference of American Rabbis' Rabbinical Placement Commission updated its policies to require that congregations and other organizations seeking a rabbi commit to including in their search all candidates regardless of gender identity. The Reform Movement has also built partnerships with organizations like Keshet (www.keshetonline.org), to create and improve resources for our congregations, institutions, affiliates and programs. Despite this important progress, there is more work to be done to make our Movement and our society fully inclusive of transgender and gender non-conforming people.

Two key Reform responsa highlight the imperative toward full inclusion of transgender people in accordance with Jewish tradition. A 1990 responsum ([CCAR 5750.8](#)) affirmed that being transgender alone is not a basis 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 to the gender with which they identify, as opposed to the one they were assigned at birth ("Marriage After a Sex-change Operation" in *American Reform Responsa*, [Vol. LXXXVIII, 1978, pp. 52-54](#)). These responsa reflect biblical tradition that 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." From this bedrock principle stems our commitment to defend any individual from the discrimination that arises from ignorance, fear, insensitivity, or hatred. Knowing that members of the transgender and gender non-conforming communities are often singled out for discrimination and even violence, we are reminded of the Torah's injunction, "do not stand idly while your neighbor bleeds" (Leviticus 19:16).

THEREFORE, BE IT RESOLVED THAT the Union for Reform Judaism:

1. Affirms its commitment to the full equality, inclusion and acceptance of people of all gender identities and gender expressions;
2. Affirms the right of transgender and gender non-conforming individuals to be referred to by their name, gender, and pronoun of preference in our congregations, camps, schools, and other Reform affiliated organizations;
3. Encourages Reform congregations, congregants, clergy, camps, institutions and affiliates, including NFTY, to continue to advocate for the rights of people of all gender identities and gender expressions;
4. Urges the adoption and implementation of legislation and policies that prevent discrimination based on gender identity and expression, and that require individuals to be treated equally under the law as the gender by which they identify. This includes establishing the right to change without undue burden their identification documents to reflect their gender and name and ensuring equal access to medical and social services;
5. Calls on the U.S. and Canadian governments at all levels to review and revise all laws and policies to ensure full equality and protections for people of all gender identities and expressions;
6. Urges Reform Movement institutions to begin or continue to work with local and national Jewish transgender, lesbian, gay and bisexual organizations to create inclusive and welcoming communities for people of all gender identities and expressions and to spread awareness and increase knowledge of issues related to gender identity and expression. These activities may include cultural competency trainings for religious school staff, the new congregational resource guide on transgender inclusion being created by the Religious Action Center, education programs on gender identity and



7. Recommends URJ congregations and Reform Movement institutions, facilities and events ensure, to the extent feasible, the availability of gender-neutral restrooms and other physical site needs that ensure dignity and safety for transgender and gender non-conforming individuals;
8. Urges Reform Movement institutions to review their use of language in prayers, forms and policies in an effort to ensure people of all gender identities and gender expressions are welcomed, included, accepted and respected. This includes developing statements of inclusion and/or non-discrimination policies pertaining to gender identity and gender expression, the use when feasible of gender-neutral language, and offering more than two gender options or eliminating the need to select a gender on forms; and
9. Will work in collaboration with other Reform Movement institutions to create ritual, programmatic and educational materials that will empower such institutions to be more inclusive and welcoming of people of all gender identities and expressions.

[1] <http://www.macleans.ca/news/canada/transgender-bill/>

[2] <http://transgenderlawcenter.org/archives/11393>

[3] <http://www.transequalitynow.ca/ten-points>

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