



Advocacy Update

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#LoveWins at the Supreme Court

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Last week, the Supreme Court issued an historic decision in *Obergefell v. Hodges* that makes marriage equality the law of the land. [In a 5-4 opinion](#) authored by Justice Kennedy and joined by Justices Ginsburg, Breyer, Sotomayor, and Kagan, the Court held that the Fourteenth Amendment requires a State to issue marriage licenses to same sex couples and to recognize such marriage licenses issued out-of-State. The decision is a profound victory in the long fight for equality, granting same sex couples [“equal dignity in the eyes of the law.”](#)

On the occasion of the decision and the close of Pride Month, my colleague Jordan Dashow [looked back on the LGBT milestones](#) that we celebrated and decried throughout the month of June. Following the decision, [WRJ past president Lynn Magid Lazar shared a personal reflection](#) about how the decision impacts her family.

In a [poignant reflection on the decision](#), WRJ Executive Director Rabbi Marla J. Feldman saw the victory as a sweet reminder of why we advocate for justice:

I confess to being a bit jaded after 30+ years as a public policy activist ... But today, I simply cannot contain my emotion. The Supreme Court’s landmark ruling this morning confirming a constitutional right to same sex marriage is the latest and most significant expansion of civil rights that I have witnessed in my lifetime. I was a child when the civil rights and voting rights acts were passed and when *Loving v. Virginia* declared state bans on interracial marriage unconstitutional. So this ruling reflects my generation’s victory, and it is sweet indeed.

Rabbi Feldman also celebrated the decision as a triumph for the faith community, a clear marker that conservative voices of faith cannot—and do not any longer—dominate national debate on social issues, LGBT civil rights included:

My joy today is not just because my gay and lesbian friends and relatives now enjoy all the rights to which they are entitled. Today’s Supreme Court ruling marks a victory for progressive values writ large. Many different voices of faith weighed in on this decision. Some of those voices who claim to speak for God and religious values argued that same sex marriage is an abomination that violates the fundamental values on which America was founded. Today, progressive voices of faith drowned out the purveyors of doom, proclaiming loud and clear that our faith and our understanding of God’s law demand equality and justice for all of God’s children.

Indeed, as Jews, we are taught that all human being are created *b’tzelem Elohim*, in the Divine Image (Genesis 1:27) and are therefore deserving of equality, respect, and inclusion. As Reform Jews, we have a religious and moral obligation to advocate for protections for the LGBT community so that no one is denied their basic rights or sees their fundamental dignity undermined by inequality in the eyes of the law.

As we celebrate the marriage equality decision, we heed the Jewish charge to fight for justice in areas of the law that still do not provide equal protections for LGBT individuals—and there are many. No federal law explicitly prohibits discrimination based on sexual orientation and gender identity. Many same-sex couples

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who can now legally wed in their state still have to hide their marriage at work; without prohibitions against employment discrimination based on sexual orientation or gender identity, simply putting a wedding photo on their office desk could legally result in their being fired.

A [2014 Human Rights Campaign report](#) highlights the many areas in which LGBT people continue to face discrimination: not just employment, but also housing, public accommodations, education, credit, federal funding, and jury selection. Currently, only a minority of states offer non-discrimination protections in these areas based on sexual orientation and gender identity. Yet, as the report illustrates, anti-LGBT discrimination is rampant across the United States.

While federal laws exist to prohibit discrimination in a variety of areas for most minorities and historically marginalized populations, there is no such federal law banning anti-LGBT discrimination. Representative David Cicilline (D-RI-01) and Senator Jeff Merkley (D-OR) will soon introduce a comprehensive LGBT non-discrimination bill that would address this injustice by banning discrimination on the basis of sexual orientation and gender identity. In the wake of the historic ruling in *Obergefell*, Congress must act quickly to ensure that all LGBT people are afforded the same non-discrimination protections as other marginalized groups. Keep an eye out for opportunities to support this bill!

WRJ and the Reform Movement are also advocating for the Student Non-Discrimination Act (SNDA), which would prohibit discrimination in public schools based on a student's actual or perceived sexual orientation or gender identity or their association with LGBT people. [WRJ signed onto an interfaith letter](#), alongside the Union for Reform Judaism, the Central Conference of American Rabbis, and 33 other religious denominations and faith-based organizations urging the Senate to include SNDA in any reauthorization of the Elementary and Secondary Education Act (ESEA), the provisions of which are currently being debated. [**Urge your Senators to support the Student Non-Discrimination Act!**](#)

The Reform Movement has long been a leading faith voice in [opposing discrimination against LGBT individuals](#). WRJ is proud of its history as the first Reform Movement institution to call for gay and lesbian rights, in [a 1965 resolution urging the decriminalization of homosexuality](#). The Union for Reform Judaism and the Central Conference of American Rabbis joined in the fight shortly after, passing resolutions to affirm the right of gay and lesbian individuals to [equal protection under the law \(URJ, 1977\)](#) and calling for the [prohibition of discrimination against gay and lesbian individuals \(CCAR, 1977\)](#). Since then, we've continued our advocacy for equality, from our recent leadership advocating for the [Employment Non-Discrimination Act](#) and, now, in fighting for comprehensive protections for LGBT individuals so that no one is denied their fundamental rights on the basis of sexual orientation or gender identity.

Love won out at the Supreme Court last week, and for that we rightly celebrate. Yet, we cannot allow this victory to make us complacent in the face of continuing injustices against lesbian, gay, bisexual, and transgender individuals. Let us keep up our advocacy for robust protections for the LGBT community so that true equality, and not just love, wins out.