



Jewish Community Center of Paramus
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A Shabbat Message from Rabbi Arthur Weiner

Friday, June 18, 2021 ~ Parsha: Chukkat

Dear JCCP/CBT family,

Yesterday morning, the Supreme Court announced its decision in *Fulton vs. City of Philadelphia*, a case with significant ramifications for religious life in America. I believe this is one of the most important cases regarding religious rights and freedoms in years.

And once again, the Supreme Court got it right.

The issue in the case was again the clash between our society's need to root out discrimination in all of its forms, and freedom of religion and expression in all of its forms. As a religious minority which has relied on the benefits of religious freedom AND laws that prevent discrimination, the Jewish community has much at stake in this decision and others like it.

Our security and freedoms are, in large measure, tied to each of these values. Which value, however, will take precedence when society must choose between them?

Fulton vs. City of Philadelphia involved a local Catholic social services agency which had a contract to facilitate vetting for the placement of foster children and providing adoption services in Philadelphia for over a century. In 2018, the city of Philadelphia canceled its contract with CSS, citing their refusal, actually their policy, (which is of course based on Catholic doctrine and beliefs) against placing children with same sex couples. This was perceived as discrimination against members of the LBGTQ community, especially same sex couples, and initial court rulings favored the city of Philadelphia, which had cancelled their contract on this basis. But yesterday morning, the Supreme Court announced in a unanimous decision that the city of Philadelphia could not bar CSS from screening potential foster parents.

I will leave it to you to review the various arguments and merits of this case. As I have explained on so many occasions, just as I am not a real doctor, I'm also not a real lawyer, so I'm probably not the person to explain it them to you. But what I can share with you is my real fear that growing secularization in our great nation is leading many people to conflate sincere and deeply held religious beliefs with bigotry. The abandonment of our Judeo-Christian heritage by so many does not ipso facto mean that there can be no principled opposition to

same sex marriages or aspects of the LBGTQ legislative agenda. Whereas we do not want our civil society to discriminate, we must allow for religious belief to be exercised freely in this great nation. And when the two values clash, as they will continue to do in a society that seeks to uphold both values, we must not assume a default position that sincere, deeply held religious beliefs are evil or bigoted, and thus may be discarded on that mistaken basis.

I'd like to explain this in terms that perhaps more members of the congregation might understand. Imagine a situation where we need to hire a new custodian for the synagogue. Given the nature of the work that this position entails, this job would include service and activities on Shabbat that are forbidden to Jews.

If this were a job at CVS or Walgreens, those businesses must hire anyone that is qualified for the job. But the synagogue is allowed (actually, let's not mince words - we have the right!) to limit that job to non-Jews. On one hand, you could argue that that is discriminatory. But our understanding of our religious obligations, and the freedom to pursue them must be protected, even though it does on some level potentially discriminate against a Jew interested in the position who does not follow or practice those Shabbat restrictions. I have warned the congregation for years, with full awareness of the possible negative ramifications, that we must always side with those arguing for the maximal expression of deeply held religious convictions.

Or let's put it another way. Let's imagine the synagogue is hiring a Rabbi, Cantor, or educational director. Is there anything wrong with the synagogue stating that the person who occupies those positions must be Jewish? If future court rulings favor the important value of non-discrimination over religious freedoms guaranteed by the First Amendment, I fear that the answer might not be so self-evident. And what a dangerous day for religious minorities that would be.

Shabbat Shalom,

Rabbi Arthur Weiner