



# Advocacy Update

Sent January 2, 2013

## **Equality at the Kotel**

The issue of equality at the Kotel is one that we at WRJ have worked on passionately over our history. Most recently, we launched the “Sh’ma Smackdown” in response to IRAC Director Anat Hoffman’s arrest for wearing a tallit and saying the Sh’ma at the Western Wall.

After many years, the Jewish Agency has finally agreed to investigate the issue of equality at the Western Wall. It is essential that the North American Jewish community supports this endeavor, and makes its voice heard. It is time for Judaism’s holiest site to represent all Jews.

Click here to write to the Jewish Agency and tell Chairman Natan Sharansky that we support him in this initiative and want him to represent our voice.

## **Religious Freedom in Canada**

The issue of religious freedom is one of WRJ’s core values. Yet it is a value that is complicated and nuanced. As people of faith, we recognize the need for spirituality in everyday life and even in providing guidance for difficult public decisions. But as a religious minority, we remember the need for religious pluralism and a clear separation to guard against discrimination.

This tension came to the Canadian Supreme Court recently in a case involving a Muslim woman defending her right to wear *niqab* (veil) while testifying in court. The core issue at stake here is a conflict of rights: on the one hand, the right to religious expression and on the other, the right to a fair trial (in this case, the right to confront one’s accuser).

In the end, the Court handed down a narrow decision, which did not rule directly on the case at hand but instead presented a test for judges to use in similar situations that arise in their courts:

“A witness who for sincere religious reasons wishes to wear the niqab while testifying in a criminal proceeding will be required to remove it if (a) this is necessary to prevent a serious risk to the fairness of the trial, because reasonably available alternative measures will not prevent the risk; and (b) the salutary effects of requiring her to remove the niqab outweigh the deleterious effects of doing so.....” (Religion Clause).

The Court tried to institutionalize a method of weighing this tension. What do you think of their solution? Does it cut too far into one right or the other? Is its use plausible? Click here to express your thoughts!