

This week,

A group of LGBTQ students are suing Yeshiva University, representing a club called the YU Pride Alliance, to get it officially recognized by the school. The court case speaks to the future of queer Jews in Modern Orthodoxy — so I talk with Rachel Fried, the executive director at JQY.

I'm Lev Gringauz, and welcome to The Jews Are Tired, your podcast about Jewish news.

As of the release of this podcast, it's day 358 of Russia's war in Ukraine. If you want to donate to help Ukraine, there's a link in the podcast notes with resources to do that.

By the way, there's a lot going on at Jewfolk, including our ongoing expansion to Cincinnati with Cincy Jewfolk; our new partnership with J. The Jewish News of Northern California to produce The Bagel Report, a podcast about Jewish pop culture; and our brand new Jewfolk TikTok.

Links to all of those projects are in the podcast notes in case you're interested in learning more.

Ok, let's connect the dots for this episode, keeping in mind that I'm condensing things a bit. If you want to take a deeper dive, links relating to all this information are in the podcast notes, with a special shout out to Julia Gergely for her reporting at the New York Jewish Week. And strap in for a bit of legalese and background before getting back to Rachael Fried and JQY.

So Yeshiva University, often just referred to as YU, is the flagship Modern Orthodox institution of higher education in the U.S., located — shock er — in New York City. And for several years now, the university has refused to recognize the YU Pride Alliance, an LGBTQ undergraduate student club.

Fed up with this, some students sued the university in 2021, arguing that they are being discriminated against, which is illegal under the New York City Human Rights Law. In response, YU has argued that as a religious institution, they have a First Amendment exemption from that law — basically arguing that they *can* discriminate because, well, we're Jewish.

YU is not having a good time with this argument, though, having lost twice in New York's courts. The problem is that Yeshiva University is a Modern Orthodox Jewish institution, sure, but the school's charter was amended in the 1960s to make it officially a secular organization and let it get taxpayer funding.

So catch-22: YU can't both be religious enough to not recognize the YU Pride Alliance, but also secular enough to get access to public government funding. Either recognize and keep the funding, or don't and lose the funding. Some state lawmakers are already on YU's case about this, looking into \$230 million in public funding that the university got a decade ago.

But this is all a technical way of saying that Yeshiva University is fighting like hell not to let these queer students have this official student group. And YU is a cornerstone for defining American Jewish Orthodoxy.

So this legal case is really putting the entire conversation on Orthodox acceptance of queer Jews out in the open. For supporters of YU, this is about religious freedom, Jewish autonomy from the government, and what they say are Torah values, as the Torah explicitly forbids sexual relations between men. For queer Jews, it's about whether they have a place in Modern Orthodoxy and recognized support for a student club that isn't about hooking up, but building community.

But things get even more complicated, because this is a case that might very well end up in front of a largely conservative Supreme Court. In fact, Yeshiva University previously appealed to the Supreme Court last year. They weren't asking for a decision then, but for something called a stay.

The thing is, because Yeshiva University lost the New York court ruling, they were supposed to now recognize the YU Pride Alliance, even as the university continued the appeals process. A stay would mean that the alliance wouldn't be recognized until all legal proceedings were over, assuming they won.

And the university really did not want to recognize the Pride Alliance, so they asked the Supreme Court for a stay. The Supreme Court said no, but indicated that they were interested in the case once it made its way through the rest of the court system.

If it gets there, there's a decent chance that the Supreme Court's conservatives could rule in favor of Yeshiva University, and set a precedent for institutions that receive public taxpayer money to still be able to discriminate if they say they have a religious

character. The nightmare version of that is public but Christian institutions saying they want nothing to do with Jews. I'll let your imagination fill in the blanks.

But wait, there's more. The feedback loop between the legal fight and university's response is kind of nuts. Because after YU didn't get its stay in September, it suspended all student clubs. In response, not wanting all students to get punished and to avoid pitting students against each other, the YU Pride Alliance voluntarily agreed to a stay.

Think about that: The LGBTQ students decided not to be recognized by YU — even though they were supposed to be — so the administration would leave all the other students alone. It was functionally a hostage situation, and YU got what they wanted out of it.

But it gets even weirder! Yeshiva University doesn't want an LGBTQ student club. Except, in October, the administration created a new official LGBTQ student club, approved by senior YU rabbis, that they say will stick to Torah values. It's unclear if any actual students are involved in this student club created by the administration, but it's also not clear how this club is supposed to be any different than the YU Pride Alliance — other than having more of these undefined Torah values.

So here we are: A Jewish university that both is and isn't religious, potentially setting a new standard for legal discrimination, fighting a queer student group while creating its own queer student group minus any students, using its own students as leverage, and all of this sets the bar for how Modern Orthodoxy approaches LGBTQ Jews.

Rachael Fried is the executive director at JQY, an organization in New York City that supports LGBTQ youth and young adults from Orthodox homes. And JQY has been supporting the YU Pride Alliance throughout this saga, going so far as to step in and offer funding for other YU student groups after the university cancelled all activities. That was short lived, as after the Pride Alliance agreed to the stay in the fall, the university said the clubs were back on. But still, extremely notable.

Fried, who is herself queer, is also a graduate of YU, and so are several of the other staff at JQY. So I wanted to talk to her about the personal side of this saga, to bring it back from the big brain legal fight to the people at the center of this: LGBTQ Jews who have grown up in, feel an affinity for, and often are still in the Modern Orthodox community.

Our conversation covers what's at stake in this case for queer Jews, what they hear from YU in all this, and Fried also talks about her own story of navigating her queer and Orthodox identities, which I'm grateful for her being willing to speak about that with me.

So let's get to it. This conversation has been edited for length and clarity — enjoy.

Lev Gringauz

So to start, I want to orient listeners a little bit. The YU Pride Alliance is the student club that is suing Yeshiva University, and JQ Why is the outside organization supporting them? So explain what JQ Y does and what supporting the YU Pride Alliance actually sort of means in this situation?

Rachael Fried 09:05

Yes, so JQ Y stands for Jewish queer youth. And we are a nonprofit organization. And our mission is just to support and empower LGBTQ youth, with a focus on those who come from Orthodox, Hasidic and starteam is Rafi homes. The main program that we have is a drop in center we have we have a full time psychologists on staff, we have social workers, and we're really a mental health organization. Our goal is just to make sure that each individual person is happy and healthy and living their best lives as their best selves, basically. And so in that vein, in terms of the Pride Alliance, we really are just here to act as a supportive organization to support the Pride Alliance students and just queer students at NYU in general in whatever ways they need. So in terms of like the Pride Alliance itself, Jake Qi has been providing mental health Support and wellness support for students in need. And financial support, basically, for the students who have this club that is that doesn't have any funding, and doesn't really have any guidance or mentorship. So we've been funding them through our JQY eu program, which stands for JPY. University. And that's kind of how we're involved because an unofficial club, I think the clubs on campus, one of the benefits that a club gets is that they get to have funding from the school. And another benefit is that they get to have like guidance from the Office of Student Life, or from the Dean of Students from people who maybe know how events run who have been around the block, maybe in a different way. And so we also try to provide that as much as the private lines wants or needs that. And we've been, we've been running, like processing groups and different types of events just to support the students during this whole legal battle, which has been pretty taxing on I would say, most, if not all, LGBTQ identifying students on campus. So just to

Lev Gringauz 11:09

make sure also, we're understanding it. So even though you probably the lions isn't recognized by the school activities are still happening with support from you, and they're just happening off campus. But that's that continues to be something that it's not like the organization only exists in name while they're suing.

Rachael Fried 11:24

Correct. Yeah, the Pride Alliance has events all the time. And we help in whatever ways we can which can which can be financially but also with like space. But yeah, they're they're like an active club. They're having a karaoke night, next week. They have book clubs, they had what we had a puppy party at the UI office recently. And so it's, yeah, it's it's functioning as a club that is doing a lot of things and building community. And, you know, making stuff happen for why you students.

Lev Gringauz 11:57

And so what's your role in the legal proceedings going on? Are you helping to cover any legal fees while also submitting briefs to like the different courts in support of the why you're probably the lions? Are you more so just supporting the Alliance from the side while letting the legal process play out?

Rachael Fried 12:11

Yeah, so we're not involved in the legal process. We are here to support just general LGBTQ youth like teens and young adults, which includes students at EY you. And if there's a student at NYU, who is super anti the lawsuit going on, like we're also an organization that's here to support them. So we really have no, we're not involved in the legal process. We are we're just involved in supporting the Pride Alliance, as the legal process goes on.

Lev Gringauz 12:38

And I'm just sort of also broadly curious, you know, the why you Pride Alliance first suit in 2021. Even if you're not directly involved, did you and J Qi expected Shivan University to fight this hard and this long against recognizing the alliance and your Shiva University just for listeners, has also played somewhat dirty at one point stopping all university club activities until the pride of lions agreed not to be recognized until all legal legal proceedings were over, as opposed to operating as a, you know, full way you club with recognition, even while while you continue to be the case. So what I mean, did you expect that this would all sort of end up like this?

Rachael Fried 13:15

Definitely not. I think that's been one of the most disheartening things for me, the legal system is not known to be a fast moving system. So it's not surprising that, you know,

things take time. But definitely, I did not expect and I know that other JPY staff members did not expect for why you to push back this hard. I think there was a feeling at the beginning that, you know, okay, maybe why you have, you know, has to fight back in order to appease their donors or the board, or maybe they just kind of feel like there's this obligation that they have to make a big deal. And then if they lose, like, then they try their hardest kind of thing. And so when they first appealed, it was like, Okay, maybe they still have to prove this a little to their people. And you know, they're just they have to take this strong stance. But when they took it to the Supreme Court, which I imagine we will talk about at some point, that was like, that was a moment where it was like, Oh, this is this is a hill, they're willing to die on. Right? Like this is something that they are willing to take this fight and this battle to the Supreme Court of the United States. That's how much they believe that there should not be this club on campus. I think, to me, that was the most shocking, and also the most disappointing, especially given that it's a club that just really wants to have like pizza and book clubs and puppy parties. But it was definitely that moment where it was like, Oh, this is not just to make somebody else happy or to say that we you know, did all we could and our sort of our hands are tied. This is like, you know, they're really fighting hard for this and that. That was really unexpected for me and I think a lot of community members.

Lev Gringauz 14:58

So now I want to sort of zoom out to the larger picture here, which is that for listeners, Yeshiva University is basically the flagship institution of modern Orthodoxy in the US. And this court case is really a conversation about whether Orthodox Jewish institutions and the broader and the broader community can and should accept LGBTQ and queer Jews and sort of what that looks like. So if you can boil it down, I mean, what's at stake with this court case? You know, what will happen to queer Orthodox Jews if why you wins, I am somebody

Rachael Fried 15:33

who I went to why you actually went to use University for 12 years in a row from high school all the way through grad school. So I don't know if that's a record or not, but many years of my life were spent a while you and I feel very, a lot of gratitude to the institution. And I had some really good years there. So I think that there's a lot at stake here. There's everybody's sort of looking to why you and what they're doing here and how they're going to react and respond. I know that there are high school students who are Orthodox, and likely not Orthodox, who are looking at this and feeling like there's really, especially the Orthodox buttons, like there's really no hope for me in this in this day. Like I already thought that I didn't belong here or like orthodoxy, whether it was set out loud or not, has made it pretty clear that they don't really want me here, and that my future in this community is like certainly up for debate and question. And it's not a given

that I have any kind of space here, which is how a lot of people felt before this court case, I think it's important to note that most people, most people who come to JGI are not out to anybody outside of JQ, why most people come from modern Orthodox homes, which is kind of like in within the why you were all I would say, most people are the thing they are afraid of before they come out. It's not that they're concerned about like the theological conversations. Most youth are afraid, okay, am I going to come out and lose my friends? Am I going to be kicked out of my school? Am I going to? Is my family going to look at me differently? Am I going to ruin my Shut up prospects like matchmaking prospects for my siblings? If they're, you know, if somebody has a queer sibling that's out? How is that gonna impact their family. And for these youth, their entire lives are in the Orthodox community, right? So they go to shul synagogue and camp and school and their after school activities, all of them are part of the Orthodox community. So I think it's important to note that because a lot of times people will say, Well, if where people are not allowed in Orthodoxy, then why don't they just leave orthodoxy? And that's like, surprisingly, a common question. And the question in and of itself means that there's a lack of understanding of what's actually going on here. So that we're talking about youth who, number one, many of them cannot leave orthodoxy. Number two, many of them do not want to leave orthodoxy. It's like, when something when a place is your home, and a community is your home, you don't just like get up and leave, because you feel uncomfortable there. You stay because it's your home, or you do leave, but it's a really big deal when you do, right. It's not like a light. It's not a light thing. And see what's going to why you I think people have assumed like, Well, why would any gay student let's say go to why you given a situation. And that assumes that people know that they're queer before they go to why you. And it also assumes that they're out to themselves, it assumes that they would be out if they went elsewhere, there's a question of, like, do they, theoretically, everybody has a choice of where they want to go to college. But if your grandparents went to this institution, and your parents went to this institution, and your siblings went there, like, you could just say, you're not going to go, but it would be a really big deal. And it's, and you'd be basically going against the defaults, that was like assumed of you since you were born. Okay, the original question of how this impacts orthodoxy, I think, I think that beforehand, there was this thought of like, is there a place for me in the community? I know, I personally, before I came out, felt like I looked into the future and just saw darkness. Like, I couldn't imagine myself being part of the Orthodox community, and being out and I couldn't imagine myself, like, I knew I wasn't straight. So I couldn't imagine. Or I had tried to pretend that for a long time, and that didn't work. And so I kind of looked into the future and just saw like, darkness. And as more and more people come out, there's more and more representation and there's more community and more or more resources. And until now, I think the community has not said out loud, there's really no place for you here. And I think that why you what they're saying without saying it, and in fact, they're

saying the opposite of this, but what they what they're really what they're doing, set As we are confirming that there is no place for you here, like we are so anti your existence, that we're willing to take it to the Supreme Court of the United States. And okay, fine. If you want to have some kind of club, we'll figure it out. But it has to be on our terms. Right, coming from people who are not queer, it has to be on the terms of the SIS straight people who are not students, and we must like the power has to come from us. And and basically, you're not in control. And there's no place for you here. If you think that if you think you are, I think it's a really powerful statement to make. I also think that what it's saying, there used to be this conversation about, okay, what's not allowed, like, what is the torah say is not allowed? What did the different Rabbi say is not allowed? And there's, you know, like any good Jewish text, there's a bunch of debates about what certain things mean or who said it in where was it said And when was it said, like, all of the, you know, all the good to Jews, three opinions or whatever this The saying is, but I think there was an understanding of like, LGBTQ people are allowed to exist as people. And the thing that's not allowed that is, like, more controversial and more complicated is sexual activity between specifically between sis gay men, right? Like, that's the that's like the real violation. That's half that habit that's written about in the Torah. And there's sort of been this conversation of like, okay, fine, the students are not arguing that that is what the Torah says, or that that's the thing that's allowed, that's not part of the conversation. But what why you is saying now, is basically, to a group of students who are just trying to gather based, like they're there, the thing that these students have in common that they are gathering based on is a shared identity, which has nothing to do with their actions, or behaviors or any, you know, just descriptive parts of them. The institution is kind of saying, like, actually, it's not just that you're not allowed to do that one thing that that one physical thing, it's more than that, it's like, you're not allowed to gather, because you're out like, as a group of as a community, you're not allowed to build community around this thing. And that, I think, is something different than the message that's been said before, where it's like, it's just not only are you not allowed to do those things, you're also not allowed to like exist openly as a human. And that's your full self. I think that's, that's, I think that's new. And I think, I definitely thought where we were beyond that, I think, you know, there's a lot of progress even in the Orthodox community. In this arena, there's been movement forward from where we were five years ago, and definitely 10 years ago, and I think orthodoxy sort of trails behind secular society in terms of in terms of all kinds of things, right, like, even ranging from fashion to whatever acceptance of LGBTQ people. But I think that I thought we were farther along than this. And this, to me feels like many steps backwards to a time where I, I just didn't, I thought we were past this.

Lev Gringauz 23:08

So if you're okay with it, I actually want to dig a little bit more deeply into sort of what this is like for you. Because you've mentioned before your why you graduate. Not only that you helped lead some of the first big LGBTQ conversations at EY, you. And your even named one of his Shiva University's Presidential Fellows in university and community leadership. Under current leadership, it seems like those conversations wouldn't happen now. And maybe not even a queer graduate being a Presidential Fellow. So you know, how, how does this feel for you in terms of that, I mean, you're, you're such a product of the wider community. And you're so you know, as you mentioned, such a part of that, because you decided not to leave, you've stuck it out there and had great times there. And then you have all this happening at the same time. So first

Rachael Fried 23:51

of all, I'll say I was not out when I was at NYU. It was out to myself at some point, but I was not out publicly. And as I was the president of Student Council, and like you said, a Presidential Fellow, and as a leader in the you community once I was like, out to myself, I had this really this realization of like, if this group of people of whom like I am one of the leaders knew who I really was, I wouldn't be accepted, like, I wouldn't be allowed to be here, I wouldn't be accepted I would be, you know, I'm like, bleeding and doing all these things. And it's kind of like I felt like I was kind of living a lie. And that if they really knew this part about me, I wouldn't it wouldn't be able to be in the position that I was in. So that was really difficult for me as it goes now I think like it feels pretty personal to me. And I know that you know, many of the JQ staff members also our why you graduates and many other queer alum from why you don't work at JHU I have felt really disheartened by this and really like you know, this is our alma mater. This is like some supposed to be a place that we are really proud of. And I don't feel proud to be a part of this version of why you? To me it feels like why are you doing this? Who's doing this? Who's saying this? Why. And I think that's also the thing that really frustrates me like, it's a pretty Jewish thing to do to have, you know, at least orthodox in my orthodox education thing to do to name the sources and the reasons why certain things are allowed or not allowed. And this is something where like, the institution, the nameless institution is just saying, like, No, this is against this is a violation of our halacha and Jewish law and Torah. And we will go again, we'll go to the Supreme Court for it. But we don't even have a real we're not even telling you a real reason why, like, what's the what's the like, show me the texts, or show me the the name of the rabbi even who said it. And all of that seems to be missing. To me, it feels like it feels political and not religious. That, you know, the institution is sort of on this. In this like political conversation about weird people. And the way they're talking about it feels kind of like Fox newsy instead of Torah II, right. And that, to me feels also like, that's not really my that's not my Judaism. You're politicizing this under the guise of religion. And it's, it's kind of really just like, queer phobia. But you're saying that it's Jewish. And so therefore,

people can't question it, and therefore, it equals religious freedom. But in terms of like Jewish conversations, like this is not this is a conversation, a Jewish conversation, quote, unquote, that is happening in a way that feels really not according to the Orthodox Jewish culture that I know so well.

Lev Gringauz 26:53

Yeah. So let's, let's unpack why use response a little bit more. you've alluded to this earlier in the conversation, so I want to bring it up now. But why you and Rabbi supporting why use fight against recognizing the Pride Alliance, keep using a particular kind of language. And for listeners, you're sort of an example why you President Ari Berman wrote in a press statement in September that quote, our commitment to and love for our LGBTQ students are unshakeable, we continue to extend our hand and invitation to work together to create a more inclusive campus life consistent with our Torah values. That's the statement Berman referred the New York Jewish week to after he suspended all student clubs after a ruling told by you to recognize the pride of lions. So as much as you can say, basically what is going on here in the sense of they keep saying we love our LGBTQ students, and they also keep this phrase, Torah values seems like it has become all the rage in a new way, and I can't quite figure it out, sort of what happened here. So what what did they mean by that? As much as you can say, and again, a little more deeply, what do you and other queer Orthodox Jews hear when they use these phrases?

Rachael Fried 28:03

That phrase of our, in our love for LGBTQ Jews that our students is unshakable was super offensive. There was a particular email that was sent out by Rabbi Berman. It was like FAQ is about the court case. And it was sent to all why you current students, and I believe alumni, because I also got the email. And it was all these different basically frequently asked questions. I don't know who was asking these frequently, but it said frequently asked questions about the court case. And one of the things in there was like that, that, that build their love for their LGBTQ students is unshakable. And they said, and there are also some clubs that we cannot have on campus, for example, I believe they referred to a gun club, and the Jews for Jesus Club, which I would say are not comparable to the Pride Alliance in a way that is, and that was a super offensive thing. Also, we had one of the processing sessions that we had here at JQ y for the y ou students ended up being a conversation of like, Where were you when you receive this email. And, you know, there were people who said that they were in class, they were sitting in their classes and an email sort of arrived in the in their inbox and the inbox of all of their other students around them, basically talking about them. There were all different kinds of reaction, but people were furious. People were really embarrassed, people had to leave their classrooms like one person had to leave their class and had a

panic attack another person, like had to go to the bathroom and just couldn't be in this space. It was like this email to everybody about them in a way that was really hurtful and it's sort of like painting the students as these like villains or threats to this institution. And then like the students are sitting in the classes with While the school is painting them as a threat to their own school. And so I think I think that's like definitely noteworthy. People can say whatever they want to say. But if their actions don't match that, then it doesn't matter what they say. So the school can say like, we love you unconditionally, we are love for you is unshakable. But as long as you're taking somebody to the Supreme Court to not allow them to gather over pizza, it doesn't matter if you say that your love for them is unshakable, because it's just empty words. And I think that's something really important for all institutions to know like, if people in your, in your institution are afraid to come out, which many people at why you are afraid to come out. And many people in many other institutions in the world, not just in Orthodox institutions, but all different places are afraid to come out. If the institution says, We're super open place, we love our LGBTQ people, we just don't have anybody here who's out. Or we're just, you know, we only have a few people, if you don't have people who are out in your school, or if you have very few people, and you know that there are many, many more closeted people, then it means you're not doing a good job of making the school lovely place, and that you're not showing that your love is unshakable. That's not just a y ou thing. It happens a lot where people say like, yeah, we're totally open. We're totally welcoming. We love everybody, but us, especially with LGBTQ people and with the community, a community who has felt so othered. And, you know, we're talking about youth who have their whole life felt like they don't belong in this, this community, and have had to combat all kinds of shame, and just all of the different things that come with knowing that you really don't fit in there. And that that message has been like drilled into their minds, since they were really little, again, even in ways where it wasn't said out loud. But when you're dealing with a community who already feels so disempowered, and so not a part of the sort of like, majority of the community, you have to do more than just say out loud, that you love them. It's kind of like saying you love someone while like stomping on them at the same time, it like makes it even worse, like, it would be better almost to just say like, actually, we don't really want you here, and then have their actions match what they're saying. But it's it's more confusing and arguably more damaging to say, actually, we love you, we want you and be stepping on you at the same time. It's gaslighting, honestly, making people feel like they're the ones who are like delusional or, you know, like they are the ones who are crazy. This reality has felt like their reality for so long. And now the institution is saying, No, that's never been the case. Like we we've loved you the whole time. We still love you. And we're also willing to fight to the end to make sure that you don't have your gathering space here. There has there haven't been any apologies, which I also think is noteworthy. Like it's, it's okay for institutions or people or to mess up and to say, like, we did this thing, and we

recognize that it hurts too. And even if it's like we, we must do this, it is against our quote unquote, Torah values, we must do this. And we know that it hurts you and we're sorry. Like, that's a different thing than saying, We must do this. And we love you and you're fine. Right? That's kind of how it's coming across. And I think that the acknowledging of the pain would really go a long way. There hasn't been that probably there's some legal things around it, where they're not allowed to apologize, because then it means they know they're doing something wrong. And I'm sure there's, you know, all kinds of complicated things that all of the little language has a lot of nuance. And the thing that seems easily to me, like it seems kind of easy to say, you know, that your heart and your queer students, your queer students have, like said it out loud, numerous times, in numerous ways. And you keep saying, No, you're fine. That's not really a good way to have a relationship with anybody. I also think somebody I forgot, I don't know who it was. But I saw this posted on Facebook somewhere that we should be very cautious of anybody that uses the term torah of the word Torah as an adjective, right? So a total like what is a Torah value? I actually not 100% Sure, I don't really know what Torah values are at stake here. I imagined that there are like family values and but like, that's not a Torah value. Like the families in the Torah are actually kind of complicated, messed up and a little queer, even if you if you look at them, and all in all of the like, polyamory and they call the midwife all just the way the different ways that like families are structured, family values is it can be a Jewish value, but it's Torah values. I don't know I don't know what it is. And I don't and no one's really saying what it is. So I think that's really noteworthy to like, just say it, there's a lot of things here like that, just say it, just say it out is just say what it is. And then everyone will know. But there's a lot of stuff that nobody's saying. And it's all like read between the lines are like, it's kind of like if you know, you know, but nobody really knows.

Lev Gringauz 35:23

I also want to come back to the sort of JQ why stepping into this situation when when the club activities got canceled? Because that's sort of really interesting in general, and I wanted to ask a little bit more of why did you decide to do that, because it can't have been easy from an organizational standpoint, to suddenly program for extra expenses of giving grants and helping, you know, organize events. And also something about it feels full circle in the sense of, you know, you graduating from NYU, and helping to sort of start many of the conversations about accepting queer Jews, to now a queer Jewish organization stepping into support students, while you know, the administration sort of uses them against you,

Rachael Fried 36:04

it definitely was not an easy decision to make in general J Qi, we are all about the positivity. And not I know, this, maybe seems kind of ironic or funny, but not being super

controversial. Obviously, we're inherently controversial, just in the subject matter that we are in. But our like, our mission is to support youth. And that's it like it, but it's pretty non controversial if we want to make sure that kids are happy and healthy, and basically, that they want to live and that they can have a healthy and meaningful life. That's like our, that's That's our mission. And there shouldn't be anything controversial about that. We try not we don't take political stances on anything, our line is that support should never be contingent upon belief. And that, you know, people come to J Qi with all kinds of beliefs, and all kinds of political views and all kinds of ways of observing religion, and all of it is welcome. And all of it is supported at J Qi. And so, US offering to us taking a stance on the on the clubs on supporting the clubs was more, I would say, more political, and more controversial than something we would normally do. So it definitely it wasn't a decision made lightly. I mean, we decided to do it because it was unfair of the school to say all the students can't do something, because of the queer students. And that, you know, every single club should suffer, because one unofficial club, is asking for their rights, is asking to not be discriminated against. I think until that moment, it was kind of like why it was a really big institution that sort of like it felt a little bit sort of David and Goliath to me where there's like this, and it still kind of feels like that in some ways. Or there's this one like giant institution. And then on the other side, like, there are people on the private lines, some of whom are named in the lawsuit, and some of them are anonymous, because they're not out. And there's a there's really a lack of power, and not being able to use your voice or speak up. And I do see it as part of JQ as mission to empower to be a voice and leader on behalf of those who can't be. So I think there was a part of the conversation around how can we give some power back to the LGBTQ, not necessarily students at why you like to LGBTQ youth in the Orthodox community in general. And I think this was one of the one of the ways where we could say, like, actually, we have some power here, like we have institutions that can back this population. That is so I would say, so like a vulnerable population that, again, doesn't always have the ability to have the loudest voice. And it was a moment where we were able to say, like, actually where we can be loud voice and we, we can make things happen. And we can have some power in this situation. We being the, like queer Jews in general. So I think that's where it came from. It definitely was not easy decision. And it wasn't, it wasn't made lightly. And that in terms of like, yes, financially, but also just in terms of like our standing in different in the community, and in terms of not taking a stance and providing support to everybody. And we also don't want to be pitted against why you like we've done different trainings that why you we work with why you students like it's better for queer youth and for J Qi. And I believe it's better for why you for J Qi and why you to work together. And so this move, you know, offering to support the clubs. It was I recognize that it might have hurt that, you know, that it might be harder to work together after that, though. I don't think that actually happened. I think I think that there's still opportunity to work together. And I think at the end of the day, I do have

hope But that take UI and why you will be able to work together one day to support your students and all the things that they need. And and maybe that means like outsourcing certain things to J Qi, because it's too controversial for why you to do it. Or maybe it means being, you know, subtle behind the scenes together? I don't know. But I do think that the whole community would be better off if we were to all work together.

Lev Gringauz 40:23

So the last question I have for you, where do you see things going? From here, because why you has now lost in several lower court rulings telling it to recognize the pride of lions, there's still the question of the Supreme Court and the conservative Supreme Court. And whether they will accept why use argument that this is about religious freedom for the institution, rather than about discrimination that a university that has received public funding and that in its charter does not define itself as a religious institution so that it could get public funding? So what's your outlook for this case, and for the broader conversations around the acceptance of Orthodox queer Jews given all of this?

Rachael Fried 41:03

So again, I'm not a legal expert. To me, it seems like it seems pretty obvious that the prime alliance is winning in the New York courts, though, again, I'm not an expert on this, but it seems like the Wii U students will win in the third New York court. And I don't know what happens from there. I imagine that I don't I don't have a lot of faith in the current Supreme Court. Unfortunately, it's a broader question of the religious freedom and what that really means and which religion that's for, I think, is a really important conversation. To me, this seems like a pretty dangerous religious freedom conversation to have as a minority religion, it seems like a bad idea for a Jewish institution to argue that they are allowed to discriminate against another minority, because to me, it feels pretty obvious that that could really easily be turned on Jews at any second. So like, there was a case, there was an adoption case, I think it was a Christian adoption agency that there were there was a ruling that they didn't have to allow queer couples to adopt babies. And then they use that same logic to not allow Jewish couples to adopt babies. I think that's kind of where this is going, which I It feels kind of scary to me as it as a Jewish person, let alone like, get the you know, forget the queer stuff for a second. I think that if this were to be a landmark case, which I really hope that it is not, that says that like religious institutions are allowed to discriminate it against something that is infringing on their religious freedom. I think that's pretty close to saying that like a vaguely religious institution like Fordham, let's say, it wouldn't be crazy, it's not such a far stretch to say that Fordham could then say, okay, then we're not allowing the Jewish group on campus, because something about that is anti our beliefs in some way. So my my hope is that it's not it's kind of a low bar. But my my hope is that this does not

become a case that allows for any majority to discriminate against a minority, especially in a college institution. And I think that we as Jews should be really should think about that a lot. Like we we really need to be careful about opening up doors to discrimination against minorities, because we are certainly a minority in the country and in the world. It's like, what's this? It's like shooting ourselves in the foot, I hope I do think that this situation has, has opened up the eyes of many people. If not, this is a conversation that has come really to the forefront of many Orthodox communities, and many non Orthodox communities. You know, this has been in headlines in the New York Times and The Washington Post that, you know, CNN, like pretty mainstream media, I think that it has made people sort of think about where they stand in interesting ways, where they weren't really forced to think about that before. So there are now people who I know who will like weren't necessarily allies, who were kind of like, why doesn't Why don't you just allow them to have their club? Like, why does this have to be such a big deal? And it sort of like made them into allies is a strong word because I feel like they knew you wouldn't get wouldn't identify or feel like aligned with that word, but sort of made people talk like speak out against discrimination in some ways. That is the silver lining of what's going on here that there's one there's like weirdly, a club now that was made by your Roshni that why you and who knows what's gonna happen with that, but like, the fact that that happened is like kind of cool and fascinating and interesting. And, and I think the other silver lining is that like, a lot of people have spoken out against this and have stood or have stood up for LGBTQ people and queer students out why you and your students in general and i i I hope that that is the trend that continues that that the community, and individuals in the community are able to say, we don't see this as the thing that should be taken to the highest court in the land. And we don't see this as something that is worth all of this effort and negative publicity and time and energy. And instead, let's just like, we can just support them, we can just allow them to have their pizza. And I think that's really like what it comes down to. And I kind of hope that's where it goes that that that's where the world is that we just let people be themselves and support them in that and allow people to gather and build communities in the ways that are best for them.

End:

This has been this week's The Jews Are Tired podcast, I'm Lev Gringauz, don't forget to subscribe and share, and hopefully next week, the Jews will get some rest.

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