

A Critical Examination of Israeli LGBT Advancements:  
Genuine Progress or Attempts at Elevated Global Status?

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## **I: Introduction**

Vibrant rainbow-colored flags dot the crowd. People of all gender and sexual identities unite in solidarity. The atmosphere is simultaneously one of celebration of LGBT achievements and hope for the future. This is one of the world's most lauded events, the Tel-Aviv Pride Parade. Tel-Aviv itself is frequently ranked one of the most gay-friendly destinations in the world, and Israel is often considered the most liberal country in the Middle East, especially in regards to LGBT matters. Despite this, critics claim that Israeli society is not as progressive as it portrays. As of today, Israel still does not recognize gay marriage, and a significant proportion of the population views the LGBT community as a disgrace. The interaction between the publicly Jewish sphere of Israel and the increasingly progressive nature of the state is fascinating because they are often at odds. As a result, some of Israel's actions appear to be strategic attempts at marketing itself to the Western hemisphere, rather than true societal advances. In this paper, we seek to examine Israeli societal progress in LGBT rights throughout its history and whether modern progress is still genuine or a strategy to elevate Israel's global status.

## **II: Advancements in LGBT Legislation**

### *i. Terra Incognita: Silencing of the Gay Identity*

The early days of Israel's statehood were marked by little public discussion of homosexual Jews, who were forced into leading underground lives. After the end of the British Mandate, the Israeli legal code incorporated the originally British anti-sodomy law which succinctly stated that "every man who allowed another man to have intercourse with him risked up to ten years of imprisonment" (Kama 2000:136-137). In practice, the law was not strictly enforced due to its impracticality, but the stringent codification of anti-sodomy sentiment drove many homosexual Jews into secrecy. This sentiment continued for several decades - in the

1960s, Dr. Yosef Burg, the Israeli Minister of Internal Affairs, even declared that the phrase “homosexual Jews” was an oxymoron because the Bible prohibited this as an abomination (Kama 2000:137).

Three other major societal pressures contributed to the overall secretive atmosphere, which some scholars call *Terra Incognita*, or the “Age of Annihilation” for gay men. First, Zionism dictated that collective societal needs including protection against the Arabs ought to overshadow individual ones. Homosexuality was an individual need because it broke the necessary uniformity of collective living. Second, the revisionist branch of Zionism emphasized the hyper-masculine “new Jews” ideal (Roginsky class, 17 Jan 2017), which was supposedly undermined by homosexuality. Finally, Israel needed more progeny, which gay men could not provide. Thus, from both an ideological and practical standpoint, homosexual Jews were looked upon unfavorably as sexual deviants who “egotistically broke the cherished ethos, and, therefore, might contribute to the dissolution of the beloved country” (Kama 2000:140).

For many years, any talk of homosexuality was quickly silenced or deemed a dangerous idea that would infiltrate the minds of young Jewish children, but this gradually changed first in the arena of art. In 1976, Yotam Reuveni published a book entitled *In Praise of Illusion* which explored his story of being a gay man. Today, Reuveni is described as the man who “penned the gay Bible before Israel even really knew the word ‘gay’ meant” (Buhbut 2016). While the book was not a shatteringly novel explanation of the gay experience, it was the first Hebrew novel to discuss such issues. After this, art exploring these themes proliferated. In 1983, for example, Amos Gutman released a film entitled *Afflicted*, about a confused gay man who eventually descends into the world of gay drag queens (Anderman 2012). The film explored the sordid existence of a lonely gay man, a familiar story for the LGBT community.

After the proliferation of LGBT materials that finally broke the silence on such issues, the gay community began to show signs of budding with the formation of organized groups. In 1975, the Society for the Protection of Personal Rights (SPPR) was formed to “provide a support network, constitute a hub of social activities, and furnish a focus of communal identification for a heterogeneous amalgam of disjoined individuals” (Kama 2000: 150). The group had difficulty growing membership at first because of ever-present stigmatization. However, the small, somewhat fragmented SPPR community would form the backbone of the powerful LGBT organizations present in Tel Aviv and Jerusalem today such as the Aguda (“Aguda” 2017). The SPPR’s first congregation in 1979 in City Hall Square in Tel Aviv was a major milestone to helping activists nationwide come out of the closet in support of the cause and would lead to the widely attended Pride Parades held today.

ii. *Terra Firma: The Formation of the Collective Israeli Gay Identity*

Attempts at reforming the Israeli legal code occurred shortly after the smaller activist groups began to focus on homosexuality. In 1971, a member of the Knesset (MK) tried to remove the anti-sodomy clause. Orthodox-Jews, who have always served in the Knesset, rejected the attempt on ideological grounds. 7 years later, 5 MKs attempted to do so again. Yet again, it was unsuccessful. Undeterred, several MKs were finally able to succeed in 1988 (Harrison 2000:1087). While removal of the law had few practical effects, it was certainly an ideological victory. As Kama puts it, “the decriminalization of homosexuality proved to be the most vital incentive in the self-empowerment of the gay community” (Kama 2000:143) Indeed, this decriminalization revitalized the SPPR community (which had begun to shift out of the public view) and refocused public discourse on these issues.

One major effect of the decriminalization was the creation of a major lobbying caucus called *Otzma*, which means “power” in Hebrew. *Otzma* lobbied for many progressive policies, including equal rights to same-gender couples, and organized conferences which further brought its issues to the limelight. These gatherings featured high-ranking officials, such as MK Rubi Rivlin of the Likud party, who said “I will not fight for homosexuality but I will fight for everyone who wishes to live like that” (Kama 2000:143). While Rivlin did not advocate for gay lifestyle, his decision to stand by the community despite his beliefs that it was deviant was consequential. Today, *Otzma* is the legal/political department of the Aguda, the umbrella LGBT organization in Israel. It remains in charge of legislative efforts and lobbying, but now also provides legal help to those who have suffered from discrimination (“Aguda” 2017).

The atmosphere of great public changes in the attitudes in homosexuality coincided with major legislative changes as well. In 1992, the Law of Equal Rights in the Workplace was amended to state that an employee cannot be discriminated based on sexual orientation. Shortly afterwards, a Supreme Court case gave full equality to homosexual couples. During the case, Vice President Aharon Barak asked, “Is a life of cooperation between spouses of the same gender any different in terms of collaboration, fraternity, and management of the social unit than a life of cooperation between spouses of different genders?” (Harel 1996:261). This very question has been repeatedly quoted in other cases, even in the United States. Furthermore, the Israeli Defense Forces officially lifted the ban on gay soldiers in 1993 (Kaplan and Ben-Ari 2000:396). Because IDF service is mandatory and is engrained in the fabric of society, Israeli gay youth were finally able to serve in a critical socialization agent that helped integrate them into society. Previously, IDF soldiers suspected of homosexuality were listed as “mentally disturbed” and were required to undergo increased psychiatric examinations (Levon 2008: 302).

One could also be stripped of ranks if suspected of homosexuality. In comparison, today, the IDF is very gay-friendly with a plethora of gay soldiers serving in elite units.

### **III: General Israeli Attitudes towards LGBT Rights**

#### **i. Nationwide Statistics and Trends**

The increase in tolerance of homosexuality in larger cities such as Tel Aviv and Jerusalem has largely echoed the legislative advancements, but nationwide statistics tell a different story. According to a 2013 research study (See Appendix A), 47% of Israelis answered “no” in response to the question “Should society accept homosexuality?”, while 40% answered “yes” (“Global Divide on Homosexuality | Pew Research”). In comparison, in the United States, 33% of respondents answered “no”, while 60% answered “yes,” in line with other countries in the Western Hemisphere. Globally, there is a broad acceptance of homosexuality in North America and the EU, but also widespread rejection in Muslim nations and Africa. In Lebanon, Egypt, and Jordan which border Israel, 80-90% of citizens say that society should not accept homosexuality, while less than 10% argue the opposite, a stark difference.

The attitudes of children towards homosexuality are also worth noting, as the trends seen in the younger population will determine the trajectory of LGBT rights in the future. A 2004 study indicates that intergenerational transmission of attitudes toward what constitutes “traditional family life” is particularly strong in Israel (Kulik 2004: 345). The study analyzes 15-year-old adolescents, individuals in a formative time in their lives. Interestingly, the study also reveals that though attitudes toward gender roles and divorce are largely conserved through the generations, attitudes towards homosexuality were more accepting in the younger generation.<sup>1</sup>

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<sup>1</sup> This study only consisted of 300 participants, a relatively small sample size, and it did not include any Haredi adolescents.

Thus, though family tradition remains central, this intergenerational study shows an increasing trend of lenience. From the perspective of Israeli homosexual youth themselves, a 2011 study found that young homosexual participants in the study report a higher positive affect than those of previous generations (Shenkman and Shmotkin 2010:97) . This suggests that the youth, while still quite cognizant of the challenges they face, are also adapting to the current situation. This adaptation is likely fueled by the increasing openness as well.

## ii. Participation in LGBT Organizations and LGBT Popular Culture

One manifestation of the increasingly liberal attitudes towards LGBT rights is participation in Aguda, which serves as the umbrella organization of numerous smaller LGBT organizations with more targeted goals. In addition to *Otzma*, the Aguda contains a social services department and the Pride and Community Department. The social services department is responsible for operating a hotline called “Somebody to Talk To,” which has prevented suicides and reduced many at-risk behaviors for the vulnerable population. The department also operates the Bar-Noar Project which provides a safe environment where gay youth can share their experiences and meet others like them, as well as many other initiatives. The Pride and Community Department hosts pride and community events like Passover and Rosh Hashana dinners. According to the mission statement, these programs “make a connection between pride and equality in everyday life” (“Aguda: The Israeli National LGBT Task Force” 2017). Another manifestation of this philosophy is that people who are exempt from IDF service can volunteer in the Aguda as a form of national civil service.

Furthermore, increasing openness can easily be seen in larger cities in Israel such as Tel Aviv and Jerusalem. In 2012, Tel Aviv was ranked “the world’s best gay travel destination” ahead of cities such as New York City, Toronto, Sao Paola, Madrid, and London and frequently

tops such lists (Moti 2012). Known as “The City that Never Sleeps” and a “party capital,” the city is home to numerous nightlife venues that cater to the Israeli LGBT population. Drag culture is also mainstream; in fact, Israel’s “most famous drag queen,” Lior Yisraelov has integrated into popular culture. Yisraelov grew up in a religious Zionist community in south Tel Aviv and studied in the yeshiva for 12 years. During his final year, Yisraelov revealed his true self. He says, “when I started realizing I was gay, I was sitting every day and learning Torah, Talmud, Gemara and Mishnah. And you learn this is one of the most prohibited things in Judaism. So you look up at the sky and you ask God: Why did you make me something you don’t want me to be?”(Tobin 2015). Yisraelov has personally reconciled these contradictions by becoming more secular, marrying his boyfriend, and fully embracing his identity as a drag queen.

Interestingly, Yisraelov’s sister, Arizona, was the first transgender woman to marry a man under a *huppah* in Israel. Yisraelov notes that having an experienced guide proved to be crucial in his own transformation. While Arizona accepts him, his other two sisters have raised Orthodox Haredi families and have shunned his deviant ways. His mother wept when he came out and asked, “Why do I deserve this? What did I do? What didn’t I do? Where did I go wrong?”(Tobin). The reconciliation between traditional religious beliefs and the need to fully express one’s identity is evidently difficult, even for the family of Yisraelov and Arizona.

### iii. Transgender Rights Lag Behind “LGB” rights

While Arizona’s story is a huge success and is indicative of progress, transgender rights still lag behind gay rights because these issues came to the forefront of Israeli consciousness much later. The idea of being “transgender” was virtually unknown in Israel, until Sharon Cohen, a transwoman, won the Eurovision song contest in 1988 (“Dana International - TIME” 2012). Her unprecedented win eventually led to numerous other personal successes, including



her ascent as an international transgender icon named Dana International. Her visibility also eventually led to the creation of the “Miss Trans Israel” competition, a popular competition that values diversity.

Despite numerous lobbying efforts, Israeli laws are still not transgender-friendly. Nora Greenburg is one of the most outspoken transgender advocates for the Aguda, and has argued that transgender people be able change their identity cards without undergoing surgery as well as several other basic human rights. Her efforts, however, have not yet been successful. For example, in July 2016, a bill in the Israeli parliament that would have protected transgender people from hate crimes was withdrawn from consideration under pressure from Israel’s ultra-Orthodox health minister (Lis 2016). The bill, sponsored by Amir Ohana, an openly gay legislator of the Likud Party, would have added “gender identity” to the criminal code detailing targets of hate crimes. However, Health Minister Litzman, a member of the United Torah Judaism Party shot it down, commenting that the bill would had no chance. In addition, transgender people still cannot change their identity cards without undergoing gender reassignment surgery nor can they be legally married to the opposite sex without such surgery. These legal restrictions have far-reaching societal consequences: for example, homeless shelters separated by gender are inaccessible to transgender Israelis (Steigerwald 2015).

#### **IV: The Haredim: Opponents of the LGBT Advancements in Israel**

##### **i. Reasoning Behind the Haredi Belief System and Consequences**

One group in strong opposition to the LGBT movement is the ultra-orthodox sector, the *haredim*, who comprise almost 20% of Israeli society (Roginsky lecture, 10 Jan 2017) and whose numbers are growing rapidly. The haredim disapprove of same-sex marriage because it is a clear biblical prohibition. In the bible, homosexual intercourse is described as *to’evah*, and the Talmud

views the word as a composite of *to'eh atah bah*, or “you have gone astray” (Weiss 2015). No homosexual marriages can be conducted in Israeli courts, and the haredim view such relationships as an abomination. Haredi have consistently had representation in the Knesset and also consistently vote against pro-LGBT laws.

Extreme haredim include Yishai Schlissel, who stabbed three people in the 2005 Jerusalem Pride Parade, a shockingly horrendous action that epitomized his extreme viewpoint. Schlissel served 10 years in prison for his crime, often getting in fights with other inmates over his beliefs. Shortly after his release, he distributed a homophobic letter which read “It is the obligation of every Jew to keep his soul from punishment and stop this giant desecration of God’s name next Thursday<sup>2</sup>” (Levon 2008: 302). Days later, Schlissel stabbed 6 more people in the 2015 Jerusalem Pride Parade. One of the victims, 16-year-old Shira Banki, died as a result. Clearly, he had not changed. Like many Haredi who hold protests against the annual pride parades, Schlissel believed that he was merely doing God’s work.

Schlissel’s actions were widely condemned by Israelis and reveal one of the many divides between the Haredi and the rest of Israeli society. PM Netanyahu offered his condolences to the families, saying that he would “deal with the murderer to the fullest extent of the law” (Levon 2008: 303). Jewish law firmly forbids murder, which made some Haredi take a hard look in the mirror. Asher Gold, who wrote an article entitled “But We Are Guilty” for the ultra-orthodox website Kikar Shabbat, says that Schlissel committed the actions *because of* the ultra-orthodox view, and that when he committed the stabbing, “announcements [condemning the parade through wall posters plastered throughout Jerusalem] flashed through his head” (Levon 2008: 302). However, most haredim disagree with Gold, arguing that Schlissel was probably

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<sup>2</sup> This was the day of the 2015 Tel-Aviv Pride Parade.

insane and that his actions do not represent the community as a whole, especially since murder is explicitly prohibited in Jewish halakhic law.

Some orthodox Israelis have managed to reconcile their religious beliefs with their concerns with human rights. In a piece entitled “Why I, as an Orthodox Rabbi, Support Legalizing Same-sex Marriage,” Rabbi Avi Weiss outlines some of his thoughts. While Weiss refuses to officiate gay weddings, he also is a proponent of the separation of church and state. He notes that lacking a strict distinction between church and state would inevitably lead to vulnerable minority populations. Furthermore, he notes that “If I welcome with open arms those who do not observe Sabbath, Kashrut or family purity laws, I must welcome, even more so, homosexual Jews, as they are born with their orientation...To single out homosexuality from other biblical proscriptions is unfair and smacks of a double standard” (Weiss 2015). Weiss is not representative of many orthodox rabbis, but his acceptance of one’s natural orientation without being complicit in conducting marriages is one method of reconciliation.

### **V: Is Enough Being Done?**

#### **i. Israeli Activists’ Complaints about Government Support**

In contrast to the Haredi, some LGBT activist groups in Israel have the opposite complaint – they criticize the disproportionate funds being spent on LGBT tourism in comparison to the meager funds allocated to actual organizations. In 2016, LGBT leaders even threatened to cancel the popular Tel Aviv Pride Parade. The Tourism Ministry had spent 11 million shekels (\$3 million) to attract foreign tourists advertising “hot guys, a magnificent gay beach, and never-ending 24-hour nightlife” (Lior 2015). This budget was over ten times the amount of funding Israeli LGBTQ organizations receive every year. Disappointed and angry by this fact, Chen Arieli and Imri Kalman, then co-chairs of the Israel LGBT Taskforce, demanded

that either the tourism budget be diverted to LGBT community development initiatives or the parade be canceled. Eventually, the Ministry suspended the tourism budget, though much of it had already been spent. The parade continued as planned on June 3, 2016, and since then, the ministry has added line items in the budget to pacify the LGBT organizations (Lior 2015).

ii. Allegations of Pinkwashing

Israel's emphasis of LGBT tourism as well as several other recurring issues have led to inner Israeli LGBT groups as well as critics worldwide to claim that the Israeli government is not genuinely concerned with LGBT issues and has actively been engaging in pinkwashing. This term is based on the term "whitewashing" and is defined as the attempt by "a state or people to highlight its treatment of gays to show how progressive it is, in turn covering up human rights violations from which it wishes to detract attention" (Salem 2011: 2). The rise of pinkwashing coincided with a 2005 governmental plan called "Brand Israel," which spent more than \$90 million to portray Israel as relevant and modern (Sadeh 2012), a move which proved largely successful. LGBT groups point the stark difference in funding that Brand Israel gave to market gay pride parades to tourists with the money provided to the organizations, which seems to indicate a non-genuine attempt at rectifying human rights issues.

Israel has been accused of using pinkwashing to paint itself as the only modern democracy in the Middle East, and to portray the Palestinians as primitive and backwards because they supposedly do not support LGBTQ rights. Aeyal Gross, a law professor at Tel Aviv University writes that "gay rights have essentially become a public-relations tool" (Puar 2013: 336). The creation of the binary between Israel and Palestine also more dangerously seeks to undermine and delegitimize Palestinian causes, including the ongoing Israeli-Palestinian conflict over ownership of the land. The message is echoed at the highest levels of politics. Politicians

like Benjamin Netanyahu frequently contrast Israeli LGBT advancements with the intolerance of Palestine, noting that the rest of the Middle East is a “region where women are stoned, gays are hanged, and Christians are persecuted” (Salem 2011:3). On the other hand, most Israeli officials argue that pinkwashing is an overly exaggerated. They claim that Israel has indeed become more gay-friendly over the years and that the pride parades and celebrations of LGBTQ rights should not be viewed as if they have nefarious intentions (Salem 2011:3). Despite valid arguments from those who do not believe that pinkwashing is real, it is also true that the presence of gay soldiers and other often-quoted facts about the openness of LGBT rights in Israel are incomplete indicators of human rights.

#### **VI: Gay Arabs in Israel**

One particularly interesting group to examine are gay Arabs from the West Bank, Gaza, and countries in the Middle East who have sought refuge in Israel. It is no surprise that that many come to Israel to escape the intolerance back home. However, these people constantly live in danger, trapped between two worlds that do not accept them. Yariv Moser, a filmmaker who documents the lives of gay Palestinians illegally living in Tel-Aviv says, “[Gay Arabs are] trapped in an impossible situation...They can’t go back home, because they’re afraid of being killed by the own families, and they can’t get asylum in Israel because of their perceived security threat” (Hod 2014). In the film, some Palestinians claimed that when caught, the Israeli government forces them to become confidantes against their home countries so that it can use this information as propaganda. The Israeli government has unsurprisingly refused to comment. Such claims, if true, would lend credence to the argument that Israel does not genuinely care for human rights and is merely attempting to portray itself as modern and more Western than its

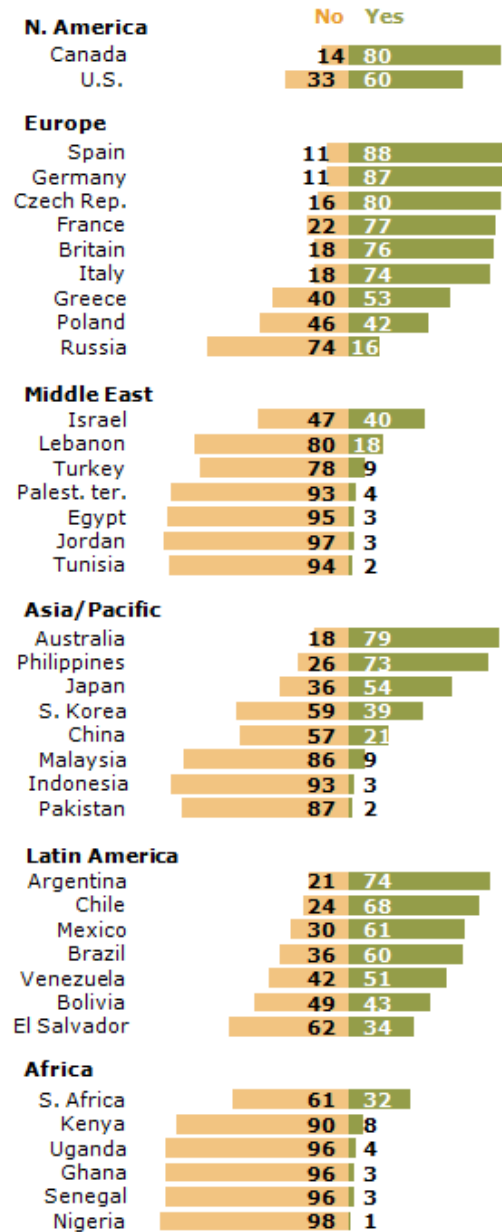
neighbors. However, skeptics of these claims note that Israel would not hesitate to deport Palestinians because they pose a security threat.

## **VII: Future Directions**

Israel's LGBT rights are indubitably some of the most advanced in its region. Despite this, there are many critics of the movement. Some, like the Haredi, come from within society and argue that the advancements are causing great moral damage to Israel. Others argue that not enough progress is being made – they claim that Israel invests in gay tourism to strategically market itself and legitimize its claims to the land of Israel. One must remember though that, given its size and location, Israel depends heavily on its Western allies and some strategic portrayal is necessary for its safety. Additionally, Israel is a much younger democracy than other Western countries, and has been fraught with unique challenges such as rapid immigration and security threats. Even with such challenges, LGBT advancements have been lightning fast – within only a few decades, previously oppressed citizens have come out of the shadows and now regularly celebrate their identities. Furthermore, the lobbying power of organizations like the Aguda will likely lead to many more advancements in the near future, including increased funding for LGBT organizations. Many aspects will need to be reconciled as these changes are made, especially the divide between religious and more secular modes of thought. All in all, however, in relation to LGBT rights, there is much to look forward to and much genuine progress to be celebrated.

## Appendix A

### Should Society Accept Homosexuality?



PEW RESEARCH CENTER Q27.

Figure 1. Pew Research Study (2013) Worldwide Responses to the question “Should Society accept homosexuality?”

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