

ONE IN EVERY *MINYAN*:
HOMOSEXUALITY AND THE REFORM MOVEMENT

BY

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Abstract

This thesis critically reviews the historical inclusion of gay and lesbian Jews in the Reform Movement from the early 1970s through the year 2000. By examining this significant case of institutional change, the author highlights the process by which the constituent arms of the Reform Movement—the Union for Reform Judaism (formerly the Union of American Hebrew Congregations), the Hebrew Union College-Jewish Institute of Religion, and the Central Conference of American Rabbis—interact to address new and pressing social, political, and religious issues. This thesis studies the development of gay outreach synagogues, the ordination of gay and lesbian rabbis, and the ritual sanctification of same-sex marriage as the three major moments in the Reform Movement's inclusion efforts. Drawing on the primary documents of the American Jewish Archives located on the campus of the Hebrew Union College-Jewish Institute of Religion in Cincinnati, Ohio, as well as other archival and personal collections, oral histories, and secondary literature, the author clarifies the process by which the Reform Movement came to champion gay and lesbian equality and the inclusion and integration of gay and lesbian Jews in congregations and communities. Though numerous narratives and inclusion materials regarding this subject exist, this paper offers a unique historical and comprehensive perspective to this very contemporary topic.

For all the “passionate defenders” amongst us.

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Introduction

Over the course of three decades, beginning in the 1970s, the Reform Jewish community began to address the needs of gay and lesbian Jews. In 1974, the Union of American Hebrew Congregations (UAHC) accepted for membership its first gay outreach congregation. Only three years later, in 1977, both the UAHC and Central Conference of American Rabbis (CCAR) passed resolutions demanding full civil rights for homosexuals. In 1990, Hebrew Union College-Jewish Institute of Religion (HUC-JIR), the Reform Movement's seminary, began to accept openly gay and lesbian students to its rabbinical program. Then, in 1996 and 1997 respectively, the CCAR and UAHC adopted resolutions in support of civil marriage for gay men and lesbians. Finally, in 2000, the CCAR passed a resolution that supported a reform rabbi's autonomous decision to officiate at same-gender marriage. These are just a few of the resolutions and statements that the Reform Movement has made in support of gay and lesbian Jews.

Despite the profound nature of these milestones for the gay Jewish community, the larger issues surrounding these decisions created palpable tensions within the Reform Movement. These decisions and declarations took significant hard work and time to create and implement. In fact, the Reform Movement struggled over the course of thirty years with three major decisions—the creation and affiliation of gay outreach congregations, the ordination of gay and lesbian rabbis, and the acceptance and support of gay marriage. Latent homophobia at all levels of the movement, concern over connection to *klal Yisrael*, and fear about what the institutional recognition of homosexuality as a valid form of Jewish sexual expression could mean for Reform

Judaism in the future slowed-down, and in some cases stymied, the Reform Movement's progress in these areas.

That is not to say that the Reform movement side-stepped its commitment to justice or egalitarianism. On the contrary, historians have long considered the Reform Movement a leader and champion for gay and lesbian rights, certainly among religious organizations. However, more often than not, the intense struggle that ensued within the movement over gay and lesbian inclusion has been left out of the story or, worse yet, simply forgotten. Struggle is not a foreign concept for Reform Jews. Reform Judaism commands its members to wrestle with tradition in an effort to bring forth meaning for contemporary Jewish life. The Reform Movement's struggle over gay and lesbian inclusion offers important insight into institutional dynamics, organizational change, and the very nature of religious reform.

Gay and lesbian inclusion within the Reform Movement continues to be a topic of conversation today. Though inclusionary efforts began over thirty years ago, much remains to be accomplished—especially as it relates to the areas of bisexual and transgender inclusion and the inclusion of diverse constellations of Jewish families. Through a study of the historical inclusion of gay and lesbian Jews in the Reform Movement, it is possible to analyze both the successes failures that have accompanied this evolving process. Indeed, there is much to be proud of and there is much from which to learn and grow.

Chapter 1: The Historical Backdrop

The Gay Rights Movement: Pre-Stonewall

The beginning of the gay liberation movement is often linked to the 1969 riots at the Stonewall Inn, a gay and lesbian bar in New York's Greenwich Village, where patrons stood up and fought back against an unprovoked attack by the police. Though Stonewall did usher in a new era in the fight for gay rights, the gay liberation movement began decades earlier, as far back as the 1860s and 1870s in Germany. In fact, authors John Lauritsen and David Thorstad, in their book *The Early Homosexual Rights Movement*, argue that Stonewall should be viewed rather as the 100th anniversary of the gay rights movement.¹

In the United States, gay organizations emerged in the 1950s and early 1960s. Among the most well-known and influential of these organizations was the Mattachine Society. The Mattachine Society was established in 1950 by community party organizer and cultural worker Harry Hay. Concerned over the increasing anti-gay sentiment from the U.S. government and fearful that the homosexual community would become the new scapegoat for American anti-Communist forces, Hay advocated for the development of a homosexual rights organization. Together with a group of his students from the People's Educational Center in Los Angeles, mostly Communists and former communists, Hay organized the Mattachine Society whose aim included "unifying isolated homosexuals and creating 'an ethical homosexual culture...paralleling the emerging cultures of our

¹ John Lauritsen and David Thorstad, *The Early Homosexual Rights Movement* (New York: Times Change Press, 1974).

fellow-minorities—the Negro, Mexican, and Jewish peoples.”² As well, the organization provided leadership to the homosexual community at large and assisted those plagued by acts of violence and discrimination because of their sexual orientation.

Among its activities, Mattachine utilized discussion groups as a way of empowering its members to address their homosexuality. “By sharing and analyzing their personal experience as gay men, the Mattachine founders radically redefined the meaning of being gay and devised a comprehensive program for cultural and political liberation.”³ As part of this program, the organization helped to launch a monthly, independent magazine, *One*, in 1953. In the early years of its publication, *One* published more technical articles about homosexuality from doctors, psychologists, and other similar professionals. In the later 1950s and 1960s, the magazine turned its focus to more personal and sociological pieces.⁴ *One* experienced early success, gaining over two-thousand readers in the months after its initial publication. Moreover, the magazine propelled gay culture into the American spotlight. Appearing in select newsstands across the country, *One* spread word about homosexual organizing to communities outside of the Los Angeles community where it developed. The magazine continued publication until 1967. However, with time, tensions developed between those who advocated for separate minority status and those who supported gay and lesbian integration into mainstream society. This tension played out within Mattachine. As new leadership came

² Neil Miller, *Out of the Past: Gay and Lesbian History from 1860 to the Present* (New York: Vintage Books, 1995), 334.

³ Will Roscoe, “History of the GLBT Movement in San Francisco: Mattachine Society,” *Shaping San Francisco Online Encyclozine*, version 3.0 (2004), <http://www.shapingsf.org/ezine/gay/files/gaymatta.html>.

⁴ Neil Miller, *Out of the Past: Gay and Lesbian History from 1860 to the Present* (New York: Vintage Books, 1995), 335.

to power, the organization adopted new tactics which typified those of the emerging Homophile Movement.

Reacting to continued attacks and increased police harassment, homosexual organizations adopted a new strategy of accommodation to the heterosexual norms of society during the second half of the 1950s. "Homophile," meaning "love of the same", replaced the clinical and sexual term "homosexual" as a means of self and group identification. In that same vein, the Homophile Movement maintained a low profile politically and attempted to work through society—not against it. They utilized education and sought the support of mainstream experts in their attempt to garner acceptance and decrease discrimination. However, Mattachine membership declined as a result of its more moderate approach and its influence was greatly diminished. The organization dissolved its national structure in 1961, though a number of regional groups remained active for a few more years.

One cannot dismiss the extreme significance of homophile organizations in the overall struggle for gay and lesbian rights. These organizations provided a necessary space, outside of the gay and lesbian bars, for gays and lesbians to meet and address their individual and communal needs. Miller concludes:

The pre-stonewall movement made important gains that opened the doors to what came afterward—it strengthened the legal status of gay bars in many states, pressured city officials in New York to end entrapment of gay men, brought about an end to bar harassment in San Francisco, and prompted the first sympathetic media coverage of the gay community. Above all, these organizations enabled many gays and lesbians to survive in the midst of a period in which the powerful forces of society appeared arrayed against them.⁵

⁵ Ibid., 352.

The Gay Rights Movement: Post-Stonewall

Even with the work of earlier homophile organizations, the Stonewall incident primarily defined the course of history for the gay rights movement. On Friday evening, June 27, 1969, the police in New York City raided a Greenwich Village gay bar, the Stonewall Inn. Contrary to expectations, patrons at the bar fought back, “provoking three nights of rioting in the area accompanied by the appearance of ‘gay power’ slogans on the buildings. Almost overnight, a massive grassroots gay liberations movement was born.”⁶

From the beginning of the 1960s, the environment proved ripe for major changes in American social and political life. The election of President John F. Kennedy in 1961 signaled the beginning of a new era of hope, idealism, and optimism. Kennedy called on a new generation of Americans to join him and each other in creating a better future for America and for all Americans. His powerful cry for activism empowered an entire generation to expect more from the world and settle for nothing short of their dreams.

In fact, the hopes of many minority groups began to be answered as the 1960s unfolded. By this time, the African American Civil Rights Movement garnered the attention necessary to force a modicum of change in American society. The movement successfully mobilized people in its fight and effectively utilized confrontational tactics and other forceful strategies in its work. The success of this civil rights movement inspired other minority groups to initiate their own fight for social change. Moreover, the African American Civil Rights Movement popularized a more aggressive, insistent style of protest that revolutionized the face of all subsequent social change movements.

⁶ Ibid., 513.

As well, the sexual revolution of the 1960s radically altered American social values. The advent of birth control pills transformed conversations around sex and sexuality. For the first time, it was possible—with nearly 100% certainty—to separate the issue of sex from that of procreation. This gave women a newfound control over their bodies and reproductive choices. It also raised questions about pre-marital sex, promiscuity, and the very meaning of a non-procreative sexual relationship.

This new cultural attitude towards sex and sexuality also affected American attitudes towards homosexuality. As Miller points out, “Although social attitudes towards homosexuality didn’t change overnight—far from it—there was an increasing frankness about the subject.”⁷ Gay characters emerged in fictional literature and movies. Among the most famous examples is *The Boys in the Band*, a 1968 play by Mart Crowley that depicts urban gay male life in America. Though the play is often castigated for its dark images of dissipation and self-loathing, “*Boys* was a brave new world, placing center stage what had previously lurked in the shadows.”⁸

Changes also began to emerge in legal and medical discourse. In 1961, Illinois became the first state to abolish its sodomy law, following closely the 1955 recommendations of the American Law Institute, a group of distinguished lawyers and law professors. The National Institute of Mental Health (NIMH) appointed a task force on homosexuality in September of 1967 that included behavioral, medical, social and legal scientists. All members had expertise in the area of sexuality and sexual deviations. The task force was mandated to “review carefully the current state of knowledge

⁷ Ibid., 342.

⁸ David Anthony Fox, “The Boys in the Band,” *Philadelphia Citypaper.net*, June 17-24, 2004, <http://www.citypaper.net/articles/2004-06-17/theater.shtml>.

regarding homosexuality in its mental health aspects and to make recommendations for Institute programming in this area.”⁹

The final report, completed on October 10, 1969, recommended the establishment of a Center for the Study of Sexual Behavior. This center would focus on two major areas, first, the traditional activities of research, training and education, prevention, and treatment, and second, questions of social policy with respect to sexual behavior.

While the task force unanimously endorsed research in the areas of sexual behavior, the question of social policy divided the group. One group of members believed that social policy questions should be addressed only after definitive scientific research on homosexuality became available. The other members of the task force felt that there was “sufficient evidence presently available to support a thorough review and possible alteration of at least some aspects of current social policy with regard to sexual behavior.”¹⁰

Among the second group was Dr. Robert I. Katz, then chairman of the Department of Human Relations at Hebrew Union College-Jewish Institute of Religion, in Cincinnati, Ohio. Katz served the group as a representative of the religious community and authored one of its background papers. His work, *Notes on Religious History, Attitudes, and Laws Pertaining to Homosexuality*, outlined the predominant views of western religious tradition on homosexuality, while simultaneously noting trends in religious thought that suggest changing attitudes vis-à-vis homosexual rights. Katz drew the following conclusion:

⁹ John M. Livingood, ed., “National Institute of Mental Health Task Force: Final Report and Background Papers,” (Washington, D.C: U.S. Government Printing Office, 1972), 1.

¹⁰ Ibid.

In concluding these notes, we observe that religious opinion concerning homosexuality is now subject to considerable modification. As a person and as a citizen, the homosexual will predictably be accorded some increase in respect by clergymen. At the same time the homosexual life-style will continued to be rejected on theological grounds. Individual clergymen are likely to view the homosexual as a soul to be saved; evangelical programs to this end are already in effect. Some national religious organizations may be expected to endorse legislation designed to protect the civil rights of the homosexual. Without seeming to break with the past and its tradition of outright condemnation of homosexuality, religious authorities are likely to accommodate to the climate of social change. Less reference will be made to the malevolent and punitive language of older religious sources, but the basic theological position which rejects homosexuality will be the last to change, if it changes at all.¹¹

It is difficult to determine what affect Katz's involvement in the National Institute for Mental Health Task Force on Homosexuality had on his teaching, students, or fellow faculty members at the College. However, his paper reflected deep study, masterful insight, and genuine concern in the area of homosexuality and homosexual inclusion. As well, his conclusions suggested a nuanced understanding of organizational change and a reasonably optimistic view of the potential for change in religious communities. It is hard to imagine a scenario in which his influence and expertise in this area had zero impact, especially in the classroom where he was responsible for teaching Practical Rabbinics to the student body.

Inspired by the hope and optimism of the 1960s, empowered by the successful liberation of other minority groups, and tired of waiting for change, the homosexual community responded to the police taunts and abuse at the Stonewall Inn with a renewed sense of assuredness, vigor, commitment. "[Stonewall] was the 'Boston Tea Party of the gay movement,' 'the hairpin drop heard around the world.' In just three nights, something had changed... the 'old' gay culture and the homosexual male that sustained it

¹¹ Ibid., 62.

was (mostly) laid to rest as well. From now on, everything would be described as 'pre-Stonewall' or 'post-Stonewall.'"¹²

The gay liberation movement represented a distinct cultural change. The community replaced the clinical and non-descript terms "homosexual" and "homophile" with the more ethnic and proud "gay" and "lesbian." As well, a distinct, fresh form of leadership emerged within the movement. As compared to the leaders of the homophile movement, the new leaders of the gay liberation movement were radical, non-conforming, un-apologetic young men and women who were no longer willing to conform to the ways of straight society. According to historian Dennis Altman, "No longer is the claim made that gay people can fit into American society, that they are as decent, as patriotic, as clean-living as anyone else. Rather, it is argued, it is American society itself that needs to change."¹³ Gay men and lesbians shed their protective pseudonyms, came out of the closet, and declared that "blatant was beautiful."¹⁴

The movement utilized consciousness raising groups as a means of uniting the gay community members through their common experiences. In this approach, individuals began to see their personal struggles as part of a larger, more communal battle for gay liberation. Community building activities became an essential part of this process. Gay men and lesbians also began to see themselves as a powerful political entity and voting bloc. Perhaps the most poignant picture of this power came on June 28, 1970, when between five and twenty thousand people marched from Greenwich Village to Central Park as part of New York's first Gay Pride Parade; the event marked the first

¹² Neil Miller, *Out of the Past: Gay and Lesbian History from 1860 to the Present* (New York: Vintage Books, 1995), 367.

¹³ Dennis Altman, *Homosexual Oppression and Liberation* (New York: Avon Books, 1984), 118-119.

¹⁴ Neil Miller, *Out of the Past: Gay and Lesbian History from 1860 to the Present* (New York: Vintage Books, 1995), 367.

anniversary of the Stonewall riots. The event garnered local and national media coverage. On the other side of the country, in Los Angeles, over a thousand gay men and lesbians similarly marked the day with their own gay pride parade on Hollywood Boulevard. Named Christopher Street West in homage to the street location of the Stonewall Inn in Greenwich Village, the Los Angeles pride parade drew tens of thousands of spectators to Hollywood. People lined the streets in both New York and Los Angeles to watch the historical events unfold.

The Gay Liberation Movement marched into the 1970s with vigor and force. Gay men and lesbians continued to make important strides, legally and politically. In 1974, Kathy Kozachecko became the first openly gay or lesbian American to run successfully for political office. Running on behalf of the local, progressive Human Rights Party, Kozachenko won a seat on the Ann Arbor, Michigan, city council. The next year, in 1975, two gay politicians were elected to state government positions; Elaine Noble was elected to the Massachusetts House of Representatives and Allen Spear to the Minnesota State Senate. Noble ran as an openly gay woman; Spear came out in a press interview after his election.

Yet, the most well-known gay political figure of the 1970s is Harvey Milk. Milk was raised on Long Island by a middle class Jewish family. He "lived a comfortable if closeted life in New York City in the 1950s and '60s: He worked as a financial analyst, went to the opera, and supported Barry Goldwater for president."¹⁵ However, he soon became involved in the early 1970s gay counterculture and set out for San Francisco in 1972. Shortly thereafter, Milk became involved in city politics. Making two unsuccessful runs for the city council in 1973 and 1975, he was finally elected to the

¹⁵ Ibid., 397.

Board of Supervisors on his third attempt in 1977. Despite this huge success, the gay community faced a huge set back when Milk was assassinated, along with San Francisco mayor George Moscone, on November 27, 1978.

Though the assassinations were carried out by one individual—Dan White—who had in his mind been slighted politically by Milk and Moscone over a city council seat, White's rage with the two men represented a new, growing concern over gay power in America. The very landscape of American life was changing as the 1970s came to an end. "Homosexuality could be made to stand for everything that many heterosexual Americans felt was wrong with the country—an increasing sense of social breakdown, growing sexual permissiveness, and the weakening of family and authority structures."¹⁶ The resurgence of the religious rights and the imminent election of Ronald Reagan only helped fuel the anti-gay fire.

The country began to see increased anti-gay sentiment, both in the legal and social arenas. In 1977, Anita Bryant, a former Miss Oklahoma, publicist for Florida orange juice, and evangelical Christian, made it her person campaign to derail a recently passed gay rights ordinance in Florida. Her "Save our Children" campaign, which sought to protect America's children from gay "recruiting," proved successful. On June 7, 1977, Dade County voters repealed the gay rights ordinance by a vote of 202,319 to 89,562.¹⁷ Energized by this success, gay rights opponents attempted to supplant other gay rights ordinances and create new laws to "protect" the community and its children from homosexuals. Perhaps the most notable attempt to produce anti-gay legislation is the 1978 Brigg's Initiative. Also known as Proposition 6, this referendum attempted to

¹⁶ Ibid., 409.

¹⁷ Ibid., 403.

implement discriminatory legislation that would make it legal to bar openly gay men and lesbians from teaching in the California public school system. Though the proposition was defeated, the mere fact that it was created and garnered the support that it did illustrated the changing tides for gay liberation.

Despite these external pressures, the gay community faced increasing internal angst over its own self-identity. Attacks like that of Anita Bryant highlighted the fact that homophobia and discrimination against homosexuals existed in America. However, at the same time, the gay community managed to achieve typical, post-war American success. "The countercultural visions of the gay liberation prophets gave way to a more mundane and middle-class gay world—the restaurants, discos, boutiques, softball and bowling leagues, marching bands and choral groups, churches and synagogues of the urban gay ghettos."¹⁸

In fact, gay liberation groups emerged in various church communities throughout the 1970s, including the Friends Committee for Concerns (Quakers) in 1970, the United Church of Christ Coalition in 1972, Presbyterians for Lesbian and Gay Concerns in 1974, Integrity (Episcopalians) in 1974, the Brethren/Mennonite Council in 1976, and the Seventh Day Adventist Kinship in 1977.¹⁹ Metropolitan Community Church (MCC), founded in 1968 by Reverend Troy Perry, remained the principal Christian denomination with a primary, positive ministry to gay, lesbian, bisexual, and transgender people.

Perry, defrocked as a Pentecostal clergyman because of his homosexuality, spent the majority of the early 1960s "struggling to reconcile his sexuality and his Christian

¹⁸ Ibid., 422.

¹⁹ James D. Anderson, "The Lesbian and Gay Liberation Movement in the Churches in the United States, 1969-1993," More Light Presbyterians, http://www.mlp.org/resources/history.html#_appendix.

spirituality.”²⁰ In the wake of an unsuccessful gay relationship and a failed suicide attempt, Perry had a spiritual awakening in 1968. He began to pray and received a prophetic message from a stranger that he was to pastor a congregation. After the unjust arrest of a close friend for buying a beer in a gay bar, Perry resolved “to start a new church that would reach into the gay community, but that would include anyone and everyone who believed in the true spirit of God's love, peace, and forgiveness.”²¹ MCC grew and heavily influenced other gay outreach, religious organizations.

Despite the development of this more moderate culture, the gay community maintained links to its more radical past in the area of sexual exploration. In particular, gay men exercised a new found sexual freedom in the 1970s as fears of entrapment or exposure continued to decline. “It was as if years of repression had suddenly shed its skin, as if every gay man were sixteen again and all the men about whom he had every fantasized...were suddenly available for a smile.”²² Promiscuity ran rampant and a gay male industry of bathhouses and bars quickly developed to meet growing demand. However, the hedonism of the decade gave way to the gay male health crisis of the 1980s—Acquired Immune Deficiency Syndrome (AIDS).

The clustering in the gay community moved many to dub the disease as “gay cancer.” However, as new groups of people— recipients of blood transfusions, intravenous drug users, hemophiliacs, and the sex partners of those already infected with the virus, experienced similar symptoms, researches understood that the disease had

²⁰ Reverend Troy Perry, “How Did MCC Begin,” Introduction, Metropolitan Community Church, http://www.mcccchurch.org/AM/Template.cfm?Section=About_Us&Template=/CM/HTMLDisplay.cfm&ContentID=662.

²¹ Reverend Troy Perry, “How Did MCC Begin,” Part 2, Metropolitan Community Church, http://www.mcccchurch.org/AM/Template.cfm?Section=About_Us&Template=/CM/HTMLDisplay.cfm&ContentID=662.

²² Neil Miller, *Out of the Past: Gay and Lesbian History from 1860 to the Present* (New York: Vintage Books, 1995), 423.

much greater reach. It took years for the scientific community to determine how the disease was transmitted and to design an effective test for the virus. Yet, by the mid-1980s, the medical community found itself better prepared to diagnose the disease and offer important information about disease prevention.

Despite denial and disregard from the federal government, safe-sex campaigns and AIDS-services organizations surfaced across the country, largely from within the gay community itself. However, the AIDS crisis cut to the very heart of gay male culture which had, up to this point, been expressed nearly exclusively in terms of sex. AIDS “threatened an entire way of life. Within the gay community (and without), the struggle to stop the spread of AIDS became a struggle over sex.”²³

AIDS moved the gay community to reevaluate itself once again. New gay organizations replaced the many bars and bathhouses. Gay religious communities continued to burgeon in this period, far beyond MCC and the other earlier groups. Social and political organizations opened chapters outside the traditional urban center, recruiting a new type of member in the gay rights fight. AIDS united the gay community in ways previously unseen. Gay men and lesbians joined forces in unprecedented numbers. Previously uninvolved gays and lesbians became involved in the struggle against AIDS.

AIDS also forced the gay community to tackle important legal issues. For many in the gay community, close friends substituted for “families of origin,” who often disowned a child over his or her homosexuality. As more and more people died from AIDS, the gay community recognized a need for laws that protected a surviving partner’s legal rights to property and assets. From this period until the present day, the gay community advocated and continues to advocate for domestic partnership legislation and

²³ Ibid., 441.

other laws that protect gay and lesbian couples. Of course, these issues remain pertinent as part of ongoing work in the area of gay marriage and gay adoption.

At the same time, a renewed anti-gay rhetoric emerged throughout the country. In Oregon and Colorado, Christian fundamentalists managed to garner enough support to place referenda on their November 1992 ballots that forbid the enactment of gay anti-discrimination policies. The effort failed in Oregon; however, Colorado voters in a 53 to 47 vote passed an amendment to the state constitution that forbid state and local governments from adopting measures to protect homosexuals from any type of discrimination. Shocked by the vote, the gay community and its supporters organized a boycott of Colorado and its industries which lasted for nine months. In the end, the state's district court ruled the amendment unconstitutional. However, the experience mobilized and united the gay community to political action.

In an unprecedented show of political partisanship and united will, the gay community poured money into the presidential campaign of then Arkansas Governor Bill Clinton. Rahm Emanuel, the Clinton campaign's national finance director, explained that "the gay community is the new Jewish community. It's highly politicized, with fundamental health and civil rights concerns. And it contributes money. All that makes for a potent political force, indeed."²⁴ The gay community found in Bill Clinton a glimmer of hope, both in the fight against AIDS and the general fight for gay and lesbian rights. However, his image soon tarnished as the battle over gays in the military ensued. Despite an initial commitment to lift the existent ban on gays in the military, Clinton compromised on "Don't Ask, Don't Tell," a policy designed to allow closeted

²⁴Jeffrey Schmalz, "Gay Politics Goes Mainstream," *The New York Times*, October 11, 1992, <http://query.nytimes.com/gst/fullpage.html?res=9E0CE1DB1130F932A25753C1A964958260&sec=&spon=&pagewanted=3>.

homosexuals to serve in the U.S. military. Gays and lesbians questioned Clinton's real loyalty; simultaneously, Clinton distanced himself from gay community in general.

Despite discouragement, the gay community cleared a high hurdle with the significant public discourse over gays in the military. Almost overnight, homosexuality became a topic of national attention. For example, in the political arena, national media outlets provided step-by-step coverage of the April 25, 1993, March for Gay Rights in Washington, D.C. In the world of entertainment, gay artists and gay-themed films and literature received increased attention and award. Among them was the movie *Philadelphia* that told the story of a young gay lawyer with AIDS. The critically acclaimed film earned two Academy Awards, one for Best Actor (Tom Hanks) and one for Best Song (Bruce Springstein). With these achievements, homosexuality assumed its spot as a "legitimate public issue and a recognized part of American society and culture."²⁵

The Jewish Response to Gay Rights

The secular struggle for gay rights heavily influenced gay and lesbian Jews in their own struggle for inclusion and visibility in the Jewish world. According to former executive director of the World Congress of Gay and Lesbian Jewish Organizations Aaron Cooper, "With the proliferation of gay and lesbian organizations during the early 1970s—political, social, educational, and religious—Jewish gay men and lesbians came forth to stake their claim."²⁶

²⁵ Neil Miller, *Out of the Past: Gay and Lesbian History from 1860 to the Present* (New York: Vintage Books, 1995), 535.

²⁶ Aaron Cooper, "No Longer Invisible: Gay and Lesbian Jews Build a Movement," in *Homosexuality and Religion*, ed. Richard Hasbany (New York: The Haworth Press, 1989), 83.

Empowered by the success of MCC, gay and lesbian Jews began to envision a Jewish communal world where their religious, spiritual, and personal needs could be met. This included the creation of synagogues specifically designed to meet the needs of the gay Jewish community. Before this time, gay and lesbian Jews often abandoned organized Jewish life out of frustration from its constant barrage of hetero-normative values. The traditional Jewish emphasis on marriage, family and procreation not only theoretically ostracized gay and lesbian Jews from the community, but also created an uncomfortable environment for them in Jewish communal organizations. "The synagogue, community center, and charitable organizations were usually avoided. Jewish homosexuals were well aware of the bias that characterized Jewish community life. Those who attended synagogues or joined organizations sacrificed a great measure of openness or comfort."²⁷ This sort of attitude and discrimination permeated all branches and streams of organized Jewish life.

Moreover, many homosexual Jews could not risk the economic hardship that would follow from exposing their sexual identity in the mainstream Jewish world. Beyond the great discomfort and feelings of unwelcome, openness about one's sexuality in the synagogue often meant professional suicide. For example, successful businessmen who were open about being gay could lose relationships with important colleagues or clients or face financial implications. These concerns were more than enough to keep the great majority of gay and lesbian Jews from actively engaging in organized Jewish life. However, these did not turn off the deep desire many in this community had for some sort of spiritual and religious fulfillment.

²⁷ Ibid.

Two major factors made it possible for homosexual Jews to imagine a community where they could be authentically gay and Jewish. First, the Jewish cultural renaissance of the 1970s changed the entire landscape of organized Jewish life. Baby-boomers, who had come of age during the countercultural revolution of the 1960s, began to criticize mainstream religion for its perceived over-institutionalization and lack of spirituality and meaning. Historian Jonathan Sarna points out in his book *American Judaism* that these young Jews “channeled their feelings of rebelliousness, assertiveness, and alienation into domestic programs aimed at transforming and strengthening American Jewish life.”²⁸ As society shifted from the rigid rules of the 1950s to the more flexible and fluid 1960s, this young generation of “new Jews” desperately sought to blend Judaism with the countercultural values that were fundamental to their own, radically changing worldview.²⁹

One response to this concern was the development of the Havurah Movement. *Havurot*, or small, intimate Jewish fellowships attempted to re-shape and transform Judaism to speak to this new generation of Jews. The goal of the *havurah* was to “jettison the bourgeois middle-class values of suburbia and to re-imagine Judaism ‘as a revolutionary force...[that works] toward liberation, toward greater freedom for the individual and the society.’”³⁰ *Havurah* worship also embraced egalitarian values. Small, intimate, non-assuming worship spaces replaced large, ornate sanctuaries, while circles of cushions on the floor took the place of the rows of hard, wooden pews. Members used *nigunim*, wordless Hasidic melodies, in order to renew the spirit and uplift the mind.

²⁸ Jonathan Sarna, *American Judaism* (New Haven: Yale University Press, 2004), 319.

²⁹ *Ibid.*, 318-323.

³⁰ *Ibid.*, 319.

Eventually, as time went on, these groups began to incorporate guitar, drums, and other forms of instrumentation that were popularized by the growing folk world.

This move back towards Jewishness and Jewish practice reflected the overall ethnic embrace of the 1970s. These young Jews, well adapted and comfortable with their American identity, thirsted for something more than the Americanized Judaism they found in mainstream synagogues. The conformist values, "Protestant-style" worship, and other remnants of 1950s suburban sprawl stifled these coming-of-age hippies. These men and women sought to fully and authentically combine all parts of their identity. They rejected the bifurcated lives forced upon them by normative Jewish values and they called for change in the very fabric of Jewish life. The same was true for gay and lesbian Jews.

Like the *havurah*, the gay outreach synagogue responded to the needs of gay and lesbian Jews, who after years of suppression, finally began to reconcile their gay and Jewish identities. Throughout the 1970s and 1980s, these congregations blossomed in all parts of the United States, from New York to San Francisco and Chicago to Houston. In fact, these congregations permeated the general culture of American life to the point that popular advice columnist Ann Landers included the following entry about Congregation *Bet Mispachah*, a gay outreach synagogue founded in 1975 in Washington, D.C., in her weekly newspaper address:

Dear Ann Landers:

You pride yourself on being 'objective, even-handed and fair.' We shall see. I bet my husband \$10 that you will not print this letter. It seems a young, intelligent, attractive male (employed by the Library of Congress) quit going to the synagogue because he could no longer stand to listen to that old refrain, "Have I got a girl for you!" The guy was gay.

So now he goes to a synagogue for homosexuals, both male and female. It is called *Bet Mishpachah*, which means 'House of Family.'

They meet in a Methodist church, and it is one of nine such groups for Jewish homosexuals.

It is estimated that there are 40 gay rabbis in the United States but only one has gone public. He lives in San Francisco, naturally. (Where else?)

Several years ago you gave a lot of coverage to Dignity, an organization for Catholic gays. You have also referred to Methodist and Unitarian gay groups, but never a word about Jewish gays—as if they didn't exist.

—A Wasp from McLean, Va.

Every ethnic and religious group has homosexuals. I know of no exception. The reason I have never mentioned a synagogue for Jewish homosexuals is because I never knew one existed. Thank you for letting me know so I can pass the word. The principle purpose of this column is to educate people, and that means all people. And now, please hand over the \$10 to your smart spouse.

—Ann Landers³¹

To be sure, gay outreach congregations provided gay and lesbian Jews with a new lease on Jewish life. In particular, the gay synagogue became a community hub where members found not only religious and spiritual life, but also a social outlet. Like other secular gay rights groups, gay outreach synagogues held dinners, dances, and other social events such as movie screenings or groups that went regularly to the theater. Additionally, the growing gay synagogue community worked to educate the larger Jewish community about gay and lesbian concerns. This included involvement in local area synagogue councils or working with individual congregations via discussion groups or pulpit exchanges.

Beyond the synagogue, many gay Jewish groups, fashioned in the image of Stonewall-type grass roots groups, emerged in the early 1980s. Though not explicitly a gay organization, the New Jewish Agenda (NJA), a progressive multi-issue organization, was founded in 1980 and committed itself to “building an inclusive Jewish community

³¹ Ann Landers, “A Synagogue for Homosexuals,” Near-print file on “Homosexuality,” The American Jewish Archives, Cincinnati, OH.

free of sexism and heterosexism.”³² The organization brought together a diverse group of progressive, gay, and lesbian Jews. In 1985, NJA published and widely disseminated an influential pamphlet entitled “Coming Out/Coming Home” about homophobia and gay rights within the Jewish community. The document highlighted the mutual relationship between the homosexual and Jewish community:

A look at the activities of the right-wing in the U.S. today highlights the fact that Jews cannot afford anti-lesbian and gay prejudice any more than the lesbian and gay communities can afford anti-Semitism. The same groups that blame the “decline of family values” on lesbian and gay people—and on feminists—blame the depressed rural economy of the Midwest on “Jewish bankers.” The very politicians who insist that the U.S. is a “Christian” country would deny full membership in the “American family” to lesbians and gay men. In a political climate increasingly dominated by the rhetoric of intolerance, both communities need each other as allies and friends.³³

NJA also sponsored a wide array of conferences and workshops designed to link the gay and lesbian and Jewish communities together. In April of 1986, the Brooklyn and Manhattan chapters of NJA sponsored the first New York community-wide conference on Lesbian and Gay Jews. In 1987, NJA organized a Jewish contingent and *Havdalah* service at the October 12th March on Washington for gay rights. Christie Balka and Andy Rose, the editors of the influential *Twice Blessed: On Being Lesbian and Gay and Jewish*, recalled the importance of this event and others like it:

Lesbian and gay Jews do not wish to live as the secret Jews of Spain. We have begun to affirm our identities publicly. On the eve of the October 1987 National March for Lesbian and Gay Rights, the nation’s largest civil rights march, we witnessed a striking example of this. Nearly six hundred lesbian and gay Jews and our friends streamed into a Washington, D.C., auditorium designed for half our number, creating near pandemonium as we greeted old friends, lovers, and strangers who seemed liked family. The lights dimmed and we grew silent, settling into chairs, floors,

³² Emily Nepon, “New Jewish Agenda: The History of an Organization, 1980-1992,” BA Thesis, Goddard College, 2006. <http://www.newjewishagenda.net/>.

³³ Ibid.

windowsills, laps. We lit the braided *havdalah* candle, we smelled the spices, we extinguished the candle in the wine. And we recited these words from a *havdalah* blessing by Marcia Falk: Let us distinguish parts within the whole and bless our differences. Like Sabbath and the six days of creation, may our lives be made whole through relation.³⁴

One outgrowth of these sorts of groups and communal gay Jewish experiences was the advent of a collection of gay Jewish literature. Like the grass roots gay and lesbian organizations of the post-Stonewall decade, gay Jews utilized personal narratives as a source of strength and courage to move forward in the struggle for gay and lesbian inclusion in all aspects of Jewish life—personal and professional. The first major work in this area was Evelyn Torton Beck's *Nice Jewish Girls*. This lesbian anthology, published in 1982, included selections from a significant group of Jewish lesbians including Melanie Kaye, Irena Klepfisz, and Judith Plaskow, all leading figures in Jewish feminist and queer theory. Though each author told her unique story, most stressed a desire to unite the many parts of her life. As Torton-Beck noted, "Probably the single most insistent theme in this book, repeated with variation and from many different angles and perspectives, directed at both non-Jewish lesbians and non-lesbian Jews, is the desire of the contributors to be 'all of who we are.'"³⁵

The second watershed piece of gay Jewish literature, *Twice Blessed: On Being Lesbian or Gay and Jewish*, extended its scope to include lesbian and gay male voices. As well, this collection of personal testimonies, essays, and oral histories highlighted the changing experience of gay and lesbian Jews and their families. Whereas *Nice Jewish Girls* focused on the telling of personal stories, *Twice Blessed* moved beyond stories to

³⁴ Christine Balka and Andy Rose, ed., *Twice Blessed: On Being Lesbian and Gay and Jewish* (Boston: Beacon Press, 1989), 8.

³⁵ Evelyn Torton-Beck, ed., *Nice Jewish Girls: A Lesbian Anthology* (Watertown, Massachusetts: Persephone Press, 1982), xxx.

deal with issues of gay and lesbian communal identity, the history of gay and lesbian Jews, models of Jewish family for the future, and how to educate the Jewish community about homosexuality and homophobia. Most important, though, *Twice Blessed* made “one feel part of a thriving gay Jewish community.”³⁶ Christie Balka and Andy Rose, so influenced by the growing gay Jewish movement, weaved together pieces that not only considered the past and present of gay and lesbian Jews, but also envisioned the future role of gay and lesbian Jews in the general and Jewish community.

This included a piece by an anonymous lesbian rabbi. Entitled “Journey towards Wholeness: Reflections of a Lesbian Rabbi,” the entry was written under the pseudonym *La Escondida*, which in Spanish means “hidden ones.” The name also refers to the secret Jews of New Mexico, who though outwardly Catholic, secretly teach their children and practice, to the best of their ability, the ancient rituals of Judaism. Describing the author, *La Escondida*, Balka and Rose wrote:

La Escondida is a lesbian rabbi unable to write under her own name. Her powerful Jewish commitment and call to the rabbinate are moving in themselves, but made more so in that she must hide part of herself in the community which she so enriches. She compares her situation to that of the *Marranos*, the Spanish Jews who were forced to pretend they had converted to Christianity, only able to practice Judaism secretly and furtively.³⁷

However, just over ten years later, seventeen openly lesbian rabbis contributed pieces to the anthology, *Lesbian Rabbis: The First Generation*, which documents the incredible shift in liberal Judaism’s attitude towards gay and lesbians, not only as individuals, but as religious and communal leaders. Not surprisingly, more than half of

³⁶ Christine Balka and Andy Rose, ed., *Twice Blessed: On Being Lesbian and Gay and Jewish* (Boston: Beacon Press, 1989), back cover.

³⁷ *Ibid.*, 207.

these women were ordained from the Hebrew Union College-Jewish Institute of Religion, the seminary of Judaism's Reform Movement.

Though the Reform Movement did not formally acknowledge gay and lesbian rabbis until 1990, the Reform movement did lead the charge among the major Jewish denominations in the fight for gay and lesbian civil rights. In fact, the National Federation of Temple Sisterhoods (NFTS), today known as the Women of Reform Judaism, made the first statement on gay and lesbian inclusion from an organized, movement-affiliated religious body in American Jewish life. The statement, made at the 25th Biennial Assembly of NFTS, in 1965, stated:

The Bible treats homosexuality as an 'abomination' (Lev. 18:22, 20:13) and penalties for its practice were severe. Today, however, enlightened men understand that homosexuality may be a symptom of psychiatric disturbance which requires sympathetic understanding and psychiatric evaluation.

We, therefore, deplore the tendency on the part of community authorities to harass homosexuals. We associate ourselves with those religious leaders and legal experts who urge revisions in the criminal code as it relates to homosexuality, especially when it exists between consenting adults. While the young or nonconsenting person must be protected from the advances of disturbed individuals, the aberrations of such individuals must be considered as expressions of possible illness rather than of criminality. We further urge that all available resources of society be brought to bear on the alleviation of this problem.³⁸

Though in today's understanding this resolution on homosexuality seems antiquated and perhaps even cruel because of its clinical language and description of homosexuality as a psychiatric illness, in 1965 it represented a significant statement of acceptance.

³⁸ "Resolution on Judaism and the Family," National Federation of Temple Sisterhoods (NFTS), 1965. This resolution was received from Eleanor Schwartz, past-President of NFTS. The original can be found in the Women of Reform Judaism's *In Pursuit of Justice: Resolutions and Policy Statements*, p. H-3.

Based on its fundamental ideology, the Reform Movement positioned itself as the Jewish movement most apt to respond to the changing ways of American society. As evidenced by the Sisterhood statement, Reform Judaism tended to align itself with the “enlightened” thinking of the day as it responded to a variety of complex social issues. Here, Sisterhood embraced the prevailing medical and psychological definition of homosexuality. However, as research grew and developed and the medical community changed its opinions on homosexuality, the women of Reform Judaism shifted their understanding, too, and issued more appropriate statements on gays and lesbians.

Now, that is not to say that all Reform Jews embraced a particular stance on social and political issues. Even in first generation of American Reform Judaism, great figures disagreed over the appropriate response to these difficult matters. For example, David Einhorn and Isaac Mayer Wise, leading Reform rabbis in mid-19th century America, disagreed over slavery.

Einhorn expressed strong anti-slavery sentiments. Wise, on the other hand, supported a state’s rights to determine its own position on the issue. In a quick glance, it would be possible to think that Einhorn was anti-slavery and Wise pro-slavery. However, that was not the case. Wise actually opposed slavery, but a number of concerns—such as his close relationships with Southern business and the proximity of his hometown Cincinnati to the Mason-Dixon Line, forced Wise to consider a more unifying position.

As in the debate over slavery, Reform Jews held a variety of positions on the contentious topic of homosexuality. Moreover, like Wise, people were for or against homosexual inclusion in the Reform Movement for a variety of reasons—personal,

political, and more. However, despite the various sides and arguments that existed, the Reform Movement engaged in serious debate on the issue.

Gay consciousness from the secular world seeped into Reform Judaism. Many members of gay secular liberation were Jews. As well, as gay and lesbian Jews re-embraced Judaism, more often than not it was Reform Judaism that they sought out because of its progressive and liberal values in other areas, especially that of civil rights and women's rights. Because of this, the Reform Movement entered a process of self-reflection and self-understanding about its own attitudes towards homosexuality.

In places, the movement found great compassion and welcoming. In other places, there was great darkness and homophobia. Like any human facing difficult questions about his own identity, Reform Jews experienced a variety of emotions in this process—from fear to great excitement, and from justification to jubilation. Together, these feelings reflect the profound experience of a movement in flux, responding to new ideas and needs of its people.

Chapter 2: The Reform Movement and Gay Outreach Congregations

Introduction

"The year was 1972. Sally Preisand became the first woman rabbi, the Lakers won their first national championship, and the most welcoming congregation for gay and lesbian Jew was a church."³⁹ It is possible to see the humor in this statement today, over thirty years after the creation of Beth Chayim Chadashim (BCC), the world's first movement affiliated synagogue with specific outreach to gay and lesbian Jews. However, these words characterize the deep chasm that existed between the organized Jewish community and individual gay and lesbian Jews in the early 1970s.

Before this time, very little, if any, gay Jewish expression occurred in the realm of the organized Jewish community. More often than not, gay and lesbian Jews expressed their unique religious and cultural values through work with gay liberation and gay rights groups or through involvement with the gay affirming Christian church movement. Affirming church groups, the first of which was Metropolitan Community Church (MCC) in Los Angeles, California, began to grow in the late 1960s.

The creation of MCC marked the beginning of a "gay religious phenomenon."⁴⁰ Drawing on existing research in the area, Moshe Shokeid, author of *A Gay Synagogue in New York* explains, "Critics who have drawn on the gay religious phenomenon have interpreted it variously: as radical or conservative; permanent or transitory. Jeffrey Shandler, analyzing the presentation of gay synagogues through their names and logos,

³⁹Melissa Minkin, "Celebration of 'Life,'" *Jewish Journal*, June 28, 2002, <http://www.jewishjournal.com/home/print.php?id=8797>.

⁴⁰Moshe Shokeid, *A Gay Synagogue in New York* (New York: Columbia University Press, 1995), 16.

sees them as non-confrontational, marking in Martin Duberman's words, 'a shift within the gay world from a need to rebel to a need to belong.'"⁴¹

Gay and lesbian Jews moved from feeling doubly cursed in their minority status to "twice blessed,"⁴² proud of their combined gay and Jewish identities. These feelings, coupled with the experience of Stonewall, the overall ethnic embrace of the early 1970s, and the emergence of gay affirming churches propelled gay and lesbian Jews to demand their own gay Jewish space, most notably in the form of the gay outreach synagogue. As one gay synagogue member observed, "We are more than accidental friends, we are more than other congregations. There is something special to our connection."⁴³ The gay synagogue emerged as an important place where one's Jewish and gay identities could be openly affirmed. Moreover, these communities became like a surrogate family, providing much needed spiritual—and subsequently physical—support as gay and lesbian Jews tackled the difficult processes of coming out, returning to Judaism, combining Jewish and gay identities, and ultimately dealing with the devastating effects of AIDS and AIDS related illness.

Throughout the 1970s and 1980s, gay outreach synagogues emerged around the globe. By 1987, twenty-six gay outreach synagogues belonged to the World Congress of Gay and Lesbian Jewish Organizations⁴⁴, an international group dedicated to uniting and working on behalf of the world's gay and lesbian Jewish community. Of the twenty-six

⁴¹ Ibid.

⁴² This refers to the title of the 1989 book of the same name edited by Christine Balka and Andy Rose, a hallmark collection of writings by and about lesbian and gay Jews and their connection to Jewish life. The book is among the major works dealing with this topic.

⁴³ Moshe Shokeid, *A Gay Synagogue in New York* (New York: Columbia University Press, 1995), 77.

⁴⁴ In February 2001, the organization changed its name to The World Congress of Gay, Lesbian, Bisexual, and Transgender Jews: *Keshet Ga'avah* to include a wider population. As well, the use of Hebrew in its name reflected the increasing importance of Hebrew and Israel to the organization. See <http://www.glbtejews.org/>.

member synagogues, twenty-three were located in North America⁴⁵; four were affiliated with the Reform Movement.

These congregations supported gay and lesbian Jews as they sought to reclaim and reaffirm their place within the Jewish community, providing the necessary safe space to explore one's gay Jewish identity. However, they also served to educate the larger Jewish community on gay and lesbian issues and push for policies that allowed for the full inclusion of gay and lesbian Jews in the Reform Movement.⁴⁶ As Scott Thumma and Edward R. Gray note in their book *Gay Religion*, "The efforts of these denominationally aligned groups have been pastoral and personally transformative for individuals to be sure, but the groups' existence also characterizes how the large national organizations change and adapt from within through individual actions of revitalization and renewal."⁴⁷

The creation, development, and affiliation of gay outreach synagogues with the UAHC represented a significant first step in the process towards full gay and lesbian inclusion in the Reform Movement. Not only did these congregations provide important support to gay and lesbian Jews, but also helped shape the attitude of the larger Reform Movement vis-à-vis gay and lesbian issues. Gay outreach synagogues served to widen the definition of what it means to be a Reform Jewish community, and simultaneously, helped to break down many of the barriers that prevented the highest levels of gay Jewish expression.

⁴⁵ These included *Adath Rayoot* (Baltimore, MD), *Ahavat Shalom* (San Francisco, CA), *Am Tikva* (Cambridge, MA), *Aytz Chayim* (Houston, TX), *Bet Haverim* (Atlanta, GA), *Bet Mishpachah* (Washington, DC), *Beth Ahavah* (Philadelphia, PA), *Beth El Binah* (Dallas, TX), *Beth Chai* (Farmingdale, NY), *Beth Chayim Chadashim* (Los Angeles, CA), *Beth Simchat Torah* (New York, NY), *Beyt G'vurah* (Minneapolis, MN), *Chevrei Tikvah* (Cleveland Heights, OH), *Havurat Achayot* (Chicago, IL), Metropolitan Community Synagogue (N. Miami Beach, FL), *Mishpachat Am* (Phoenix, AZ), *Naches* (Montreal), *Or Chadash* (Chicago, IL), *Sha'ar Zahav* (San Francisco, CA), *Tikvah Chadashas* (Seattle, WA), *Tikvat Shalom* (Littleton, CO), and *Yachad* (San Diego, CA).

⁴⁶ Edward R. Gray and Scott Thumma, *Gay Religion* (Lanham, New York: AltaMira Press, 2005), 2.

⁴⁷ *Ibid.*

The Early Development of Gay Outreach Congregations

Beth Chayim Chadashim (BCC), one of the original twenty-six gay outreach congregations in the World Congress of Gay and Lesbian Jewish Organizations, was founded by four homosexual Jews in the Los Angeles community who felt the need for a synagogue of their own. Until this point, the three men and one woman sought spiritual fulfillment at the Metropolitan Community Church (MCC), a Protestant-based religious organization with specific outreach to the Los Angeles gay and lesbian community. Founded in 1968 by Reverend Troy Perry, MCC provided an important outlet for many religiously minded homosexuals. Though turned away and often shunned from mainstream religious communities, many gay and lesbian Christians and Jews craved spiritual fulfillment and religious meaning in their lives.

For this reason, Perry dedicated his efforts to providing a Christian congregation where gay and lesbians were openly welcomed and celebrated in the fullest sense. In a retrospective interview, Perry explained that “the church was organized to serve the religious, spiritual and social needs of the homosexual community of greater Los Angeles, but I expected it to grow to reach homosexuals wherever they might be. I made it clear that we were not a gay church—we were a Christian church...a general Protestant church to be all-inclusive.”⁴⁸ Indeed, the church blossomed; today, there are over one hundred MCC congregations on five continents.⁴⁹

The spiritual fulfillment and personal inclusivity found at MCC attracted a number of Jews to the congregation who had dissociated themselves from the organized

⁴⁸ Reverend Troy Perry, “How Did MCC Begin,” Part Three, Metropolitan Community Church, http://www.mcccchurch.org/AM/Template.cfm?Section=About_Us&Template=/CM/HTMLDisplay.cfm&ContentID=662.

⁴⁹ Metropolitan Community Church, “Find an MCC,” http://www.mcccchurch.org/AM/Template.cfm?Section=Find_an_MCC.

Jewish community in Los Angeles. Though the congregation was decidedly Christian, the ability to express one's self religiously and spiritually trumped the denominational divide. As history shows, this connection between MCC and individual gay and lesbian Jews proved very significant in the development of gay outreach synagogues.

Yet, a number of the gay and lesbian Jews who attended MCC in Los Angeles expressed concern over certain church policies. In April of 1972, Selma Kay, Jerry Gordon, Jerry Small, and Bob Zalkin gathered at an MCC rap session in order to voice their frustrations. The only four in attendance, the group soon realized they had more in common than their complaint with the church—they were all Jewish! And though they all participated regularly in MCC events, none had formally taken the next step and joined the congregation.

The power of this experience propelled the group to action. They asked themselves why they did not have a synagogue that, like MCC, reached out to what they assumed to be a rather significant gay and lesbian Jewish community in Los Angeles. Stephen J. Sass, president of the Jewish Historical Society of Southern California and a member of the BCC Board of Directors, wrote in his history of BCC, "While their being gay or lesbian brought them to the rap group, the coincidence of their shared Jewish background caused them to dare to dream of creating a synagogue, a safe place where they could worship, celebrate their heritage and create community—integrating and affirming their identities as lesbians, gay men, and Jews."⁵⁰ The changing milieu of the early 1970s made their dream more of a reality; they sought the help of Reverend Perry, who supported them and helped bring their visionary idea to fruition.

⁵⁰ Stephen J. Sass, "Our History," Beth Chayim Chadashim, www.bcc-la.org.

The second gay outreach congregation in North America, Congregation Beth Simchat Torah (CBST) in New York City, also began in a church. Jacob Gubbay, an Indian Jew who has been described as “a figure cloaked in mystery, an exotic Jew from outer space whose life is only dimly known,”⁵¹ had become a regular member at MCC in New York. The group met at the Church of the Holy Apostles, an inclusive Episcopalian parish located in Chelsea, a heavily gay neighborhood in New York City. Like in Los Angeles, gay and lesbian Jews flocked to the very open and welcoming religious community at MCC and soon began attending Sunday services regularly.

Despite its initial welcome, the church became overwhelmed with the number of Jews attending its events. Frustrated, church members nudged Gubbay and others to create their own congregation. Essentially pushed out of the church, Gubbay decided that the time had come to begin a gay synagogue in New York City. MCC arranged for the group to have use of the basement at the Church of the Holy Apostles on Friday evening February 9, 1973, at 8 PM, for a Shabbat service. Gubbay placed an ad in the *New York Times* and *Village Voice* that read: “Gay Synagogue, Friday Night Service and Oneg Shabbat, Feb. 9 at 8:00 PM, 360 West 28th street, basement entrance.”⁵² That night, ten other gay and lesbian Jews joined him for the first service of what would ultimately become the world’s largest gay, lesbian, bisexual, and transgender outreach congregation.

Despite their similar beginnings, however, BCC and CBST quickly diverged in a number of key ways that affected the congregations’ ultimate decision regarding movement affiliation. Perhaps the most significant difference was in regard to the congregational makeup. In Los Angeles, the earliest members of the congregation were

⁵¹ Moshe Shokeid, *A Gay Synagogue in New York*, (New York: Columbia University Press, 1995), 33.

⁵² Ibid.

typically Reform Jews or cultural Jews, many of whom were returning to Jewish life after a significant hiatus from the organized Jewish world. In contrast, CBST attracted members with more religious ties to Judaism. Many of the early members came from Conservative or Orthodox backgrounds and were heavily influenced by the Judeo-centric attitude and experience of New York City. As well, many of the first generation members of CBST had maintained a significant connection to Judaism over the years, suppressing their gay identities while in Jewish-specific space.⁵³

Personal interviews with early members of the two congregations reinforced this difference. Interviews were conducted by Rabbi Allan Bennett, then a graduate student at the Graduate Theological Union in Berkeley, California, over the course of two years, from 1986 to 1987. Bennett interviewed over forty members of gay outreach congregations across the United States. The interviews were conducted in person and recorded on audio cassette. Among the interviewees were three members from BCC and three from CBST, all at different stages in their lives and years of synagogue involvement.

The three BCC members articulated previous involvement in and connection to the Reform movement. Debra⁵⁴, an attorney in her mid-thirties who had been involved with BCC for ten years, was raised in a Reform congregation in the San Fernando Valley region of the City of Los Angeles. In her teenage years, she was active in the North American Federation of Temple Youth (NFTY), as well as its regional affiliate, the Southern California Federation of Temple Youth (SCFTY). Debra also attended summer camp at the Reform Movement's Camp Swig in Saratoga, California, and studied in an

⁵³ Interviews with gay synagogues members, interviewed by Rabbi Allen Bennett, 1986-7, personal collection of Rabbi Allen Bennett.

⁵⁴ This is a pseudonym. All names in this section have been changed to protect the respondent's identity.

advanced Jewish Studies Program in College. Similarly, Joey, in his forties, who had been involved with BCC almost from the moment of its inception, had significant involvement in the Reform Jewish world. Joey was raised in a Los Angeles Reform synagogue where he attended religious school, celebrated his Bar Mitzvah, and was confirmed. He also spent his summers at Camp Saratoga⁵⁵, the Reform movement's summer camp in California. Seth, a twenty-nine year old architect and graduate student, also grew up in a Reform household, though in his case the tendency was towards non-observance. He became a Bar Mitzvah, but only pursued one subsequent year of religious school education. Seth noted, "After [that year] I was out of Judaism, but always interested in it."⁵⁶

At CBST, however, the three interviewees had a significantly more religious upbringing. Sam, in his late-thirties, who had been a member at CBST for nine years of its then fourteen year existence, defined his religious upbringing as right wing conservative. He attended *Talmud Torah*, an afternoon religious school program at his synagogue, one year past Bar Mitzvah. Sam wanted to stay in religious school; however, he was failing out of the program because of an earlier lag in religious school education and simply decided to quit. During his college years in night school, he returned to Judaism, deciding to live a *frum*, or religious, life. He went to Jewish religious services two times a day and studied Talmud daily with the congregation's rabbi for over a year. Marvin, in his mid-forties, similarly grew up in a right wing Conservative household in Cleveland that he termed "Conservadox." He was always involved in Jewish things and his parents maintained a kosher style kitchen at home. For ten years, he attended

⁵⁵ Camp Saratoga changed its name to Camp Swig.

⁵⁶ Interviews with early gay synagogues members, interviewed by Rabbi Allen Bennett, December 7-8, 1987, personal collection of Rabbi Allen Bennett.

religious school four days a week and on Sundays; he also spent summers at Camp Massad, a residential summer camp outside Winnipeg, Manitoba, Canada, where the working language is Hebrew. Even further to the right was Scott, in his fifties, who grew up in an Orthodox home, though he rebelled against Orthodoxy early on in his adolescence. As he put it, "I rebelled against Orthodoxy, but found closeness to God within myself."⁵⁷

These differences in membership heavily influenced the ritual and liturgical decisions at the two congregations. BCC members described their worship as Reform with a tendency towards tradition. Early on the congregation utilized the Union Prayer Book which was published by the Central Conference of American Rabbis, the rabbinic wing of the Reform Movement. However, over the years, the congregation assembled its own prayer book with prayers and readings written by synagogue members. The congregation also created among the first non-sexist liturgies. The English, and to some extent the Hebrew texts, were reworked and gendered images of God replaced. CBST, on the other hand, used a traditional prayer book that matched that of any other traditional synagogue. The prayers were mostly done in Hebrew, with some English interpretive prayers added. The one similarity was that CBST added some interpretive readings and prayers that were written by community members and that addressed specific gay and lesbian Jewish experiences.

Fluency and familiarity with ritual and prayer also affected the congregational attitude towards hiring Jewish professional staff. From early on, BCC relied heavily on guidance and support from trained Jewish professionals, particularly within the Reform Movement. They engaged rabbinical students and rabbis from the greater Los Angeles

⁵⁷ Ibid.

area to aide in teaching and other congregational duties. They also received instrumental rabbinical mentorship from rabbis at the UAHC who worked to train BCC members and prepare the congregation for affiliation. BCC hired its first rabbi, Rabbi Janet Marder, in the spring of 1983. Rabbi Marder served the congregation part time until 1988, when BCC hired its first full time rabbi, Rabbi Denise Eger. Both women received rabbinical ordination from the Hebrew Union College-Jewish Institute of Religion. On the other hand, CBST rejected the notion of hiring a rabbi or trained Jewish professional. As Marvin noted in his interview, "We have too much of a wealth of talent [to merit the hiring of a rabbi]."⁵⁸ For nearly twenty years, the congregation relied solely on the knowledge and religious training of its lay leadership. Only in 1992 did CBST hire its first rabbi, Rabbi Sharon Kleinbaum, an ordinee of the Reconstructionist Rabbinical College.⁵⁹

For this reason and the others outlined above, CBST maintained an independent, unaffiliated congregation "to be as inclusive as possible."⁶⁰ Today, this is seen clearly in the congregation's clergy who represent the spectrum of Jewish denominationalism (currently, the congregation has both a Reconstructionist and Conservative-ordained rabbi, as well as a Reform invested cantor). Though CBST is unarguably a major force in the Jewish and gay world, its direct impact on the institutions of Reform Judaism is limited.

BCC, however, pursued a relationship with the UAHC from the beginning and ultimately affiliated with the Union in 1974. This decision not only affected the institutional history of BCC, but also the entire historical attitude of the Reform

⁵⁸ Ibid.

⁵⁹ Moshe Shokeid, *A Gay Synagogue in New York*, (New York: Columbia University Press, 1995) 61.

⁶⁰ Congregation Beth Simchat Torah, http://cbst.org/about_index.shtml.

Movement vis-à-vis gay and lesbian inclusion. As Al Vorspan, former Vice President of the UAHC, articulated, “[The Reform Movement] crossed a bridge when we took a gay congregation—it was a day of decision.”⁶¹

In stronger words, BCC’s acceptance as a member of the UAHC altered the course of gay and lesbian Jewish religious history. However, the decision to accept BCC into the Union did not occur overnight. Rather, there was a significant and emotional fight for BCC’s institutional acceptance in the Reform Movement that illustrates a great deal about the entire field of gay and lesbian inclusion. In this vein, the remainder of this chapter will focus on the historical relationship between BCC and the Reform Movement, including salient moments in the history of the congregation, major figures who shaped this relationship, debate in the Union over the institutional acceptance of BCC, and the influence of BCC on certain aspects of the Reform Movement’s decision making and policy.

The Metropolitan Community Temple

The UAHC became involved very early in the formation of Beth Chayim Chadashim. As noted before, four Los Angeles homosexual Jews approached Reverend Troy Perry of MCC to guide them in the formation of their own gay outreach synagogue. Reverend Perry provided programming space to the group at no charge and assisted them in identifying other Jews who participated regularly in events at MCC. From a list of twelve names, the four founding members—Selma Kay, Jerry Gordon, Jerry Small, and

⁶¹ CCAR Ad Hoc Committee on Homosexuality and the Rabbinate, Minutes of Meeting, March 4-5, 1987, The Selig Salkowitz Papers, MS 725, Box 3, Folder 1, The American Jewish Archives, Cincinnati, OH.

Bob Zalkin—convened an ad hoc committee in May of 1972 to discuss the possibility of founding a synagogue by and for gay and lesbian Jews.⁶²

At that meeting, the committee decided that they would call their group the Metropolitan Community Temple (MCT), in homage to its roots at MCC. The ad hoc committee also decided that MCT would sponsor a Friday night Shabbat service, in the Reform tradition, on June 9, 1972. The event was to be publicized both at MCC and through an ad placed in *The Advocate*, then a local monthly newspaper in the Los Angeles area.⁶³

During this time, the group also contacted the UAHC Pacific Southwest Council office for guidance. Jerry Small, one of the four founding members, reported to the ad hoc committee on his meeting with Rabbi Arnold Kaiman, an assistant to Rabbi Erwin Herman, the regional director of the Pacific Southwest Council and the national director of regional activities. Small and a handful of other members attempted to meet directly with Herman about the development of the congregation. However, at that time, Herman—who would later lead the charge for BCC—was hospitalized for over a month at Sinai hospital in Los Angeles. In his place, Rabbi Kaiman met with the group and on behalf of the UAHC gave full support to their endeavor. According to Small, the Union's only question was, “‘what can we do to help?’ They put at our disposal the prayer books, a Torah, candlesticks, everything we would need for a worship service. All we had to do was gather in a congregation.”⁶⁴

However, the UAHC added one significant caveat. They requested that the congregation limit its publicity until the viability of the congregation was assessed. This

⁶² Stephen J. Sass, “Our History,” Beth Chayim Chadashim, www.bcc-la.org.

⁶³ Ibid.

⁶⁴ Beth Chayim Chadashim Newsletter, Volume I, Number 1, September 1973, 3.

was at the direction of Rabbi Herman, who explained that he suggested this in order to protect the congregation and give members the time and space to prepare the congregation for what Herman believed would be a difficult affiliation process. The members agreed and limited any advertisements to those publications whose readers “might respond to such a venture with heightened interest rather than raised eyebrows.”⁶⁵

Despite this limited publicity, Metropolitan Community Temple mushroomed in membership. At its first service, fifteen people gathered together at the home of founding member Jerry Gordon in observance of Shabbat. The group passed around the Union Prayer Book and had an informal service. Later that summer, in July 1972, MCC formally welcomed and acknowledged MCT at a special ecumenical service held in its honor in the MCC sanctuary. Rabbi Kaiman, representing the UAHC, addressed the crowd. That service “was the beginning and since then we have been able to accomplish the impossible.”⁶⁶

After Herman’s recovery, he took over rabbinic support for MCT. Not only was he personally interested in the work of the congregation, but members also seemed to gravitate—literally and figuratively—toward him and his wife Agnes. During the couple’s first visit to MCT, Agnes recalled the warm welcome they received from the members of the congregation. “I remember going up those steps [at MCC] for a Friday night service and the members of the congregation met us half way.”⁶⁷ She asked her husband, “Have we ever walked into a congregation where they have met us half way? Usually we have to go searching [for them].” Moved by this experience, Agnes recognized the very special nature of this growing community. “Here were all these

⁶⁵ Rabbi Erwin Herman, “A Synagogue for Jewish Homosexuals,” *CCAR Journal* (Summer 1973): 34.

⁶⁶ Beth Chayim Chadashim Newsletter, Volume I, Number 1, September 1973, 3.

⁶⁷ Agnes Herman, Personal Interview, December 13, 2007.

people who were having difficulty in their lives and they were able to meet us half way.”⁶⁸

Individual community members worked tirelessly to ensure the survival of MCT. They prepared services, organized community dinners, arranged social events, and worked incessantly to raise money and funds to sustain the proper functioning of the synagogue. However, if the congregation was to become a member of the UAHC as it desired, there was a lot of work left to do. Rabbi Erwin Herman guided them through this process. Responsible for overseeing the development of new congregations for the Union, Rabbi Herman told the members he would be the first to lead them through the affiliation process once they proved themselves as a functional congregation. He explained, “You have to be a congregation, not just become one.”⁶⁹ This lit a fire under the members who continued the hard work of preparing the congregation for Union membership.

Yet, despite the significant accomplishments of its members, the dedication and unending support of Rabbi Herman and his wife Agnes proved the key ingredient in the acceptance of BCC for membership in the UAHC. The couple championed the efforts of the fledgling congregation both locally in Southern California and on a national level. They were the earliest pioneers of gay and lesbian inclusion in the Reform Movement, though the term was not known in those days.

Erv and Ag, as they are affectionately called by friends, were not particularly strong advocates or supporters of gay rights before 1969. In fact, Rabbi Herman saw

⁶⁸ Ibid.

⁶⁹ Rabbi Erwin Herman, Personal Interview, December 13, 2007.

himself as a “hard-nosed critic of homosexuality.”⁷⁰ His close friend Albert Vorspan corroborated this, noting that Herman was “very homophobic personally.”⁷¹ Vorspan, a former director of the Commission on Social Action of Reform Judaism and vice president of the UAHC, recalled a serious fight he had with Herman over the hiring of a gay staff member at the Union. Vorspan hired a young gay man as editor of *Reform Judaism* magazine. Herman, terribly upset by this, felt personally affronted. Vorspan noted, “It almost harmed our personal relationship. But we are still best friends today.”⁷²

Personal circumstances challenged Rabbi Herman’s homophobia years later when he learned that his only son Jeff was gay. Since that time, the Herman’s have been unparalleled supporters of gay rights, both in the general and Jewish world. Ag explained, “[Inclusion] has been a very big part of our lives since our son came out in 1969. We had a choice which way to go. Slam the door in his face or join him in his fight for a proper place. And we loved him too much to do anything but.”⁷³ Rabbi Herman agreed. Confronting Jeff’s gayness “toppled my bigotry in a hair, in a moment.”⁷⁴ Herman eased into his role as supportive father and rallying rabbi. For Herman, “When you free yourself from the bonds of that idiocy supporting becomes a very comfortable, easy and delightful role.”⁷⁵ Thus, when approached about creating a gay outreach congregation, the Herman’s responded with great interest and concern.

⁷⁰ Ibid.

⁷¹ Albert Vorspan, Phone Interview, November 18, 2007.

⁷² Ibid.

⁷³ Agnes Herman, Personal Interview, December 13, 2007.

⁷⁴ Rabbi Erwin Herman, Personal Interview, December 13, 2007.

⁷⁵ Ibid.

The personal experience of confronting a child's homosexuality moved Rabbi Herman and Agnes to become "passionate defenders"⁷⁶ of both gay and lesbian rights and gender equality. Their devotion to these causes is palpable not only in their writings and speech, but also in their actions. From early on, the Herman's have remained paying members of BCC. They have also gifted the majority of their Judaica collection to BCC, including a historical Persian Torah *tik* (bag) that will serve as the centerpiece of the collection. As well, the couple made a significant financial contribution to the Hebrew Union College-Jewish Institute of Religion in order to fund the creation of the Jeff Herman Virtual Resource Center (JHVRC), a part of the Institute for Judaism and Sexual Orientation (ISJO). According to its mission, the JHVRC "supports the efforts of HUC-JIR students, faculty, administrators, alumni, the larger Jewish community, and the general community. The JHVRC is a growing and dynamic tool for change, helping individuals to understand the religious, cultural, health and communal needs of lesbian, gay, bisexual and transgender Jews and their families and, ultimately, to become 'agents of change.'"⁷⁷ Today, Dr. Joel Kushner directs the Institute and oversees gay and lesbian inclusion efforts at HUC-JIR.

In light of his connection to the gay community, Herman personally attended to the needs of MCT. This included protecting the congregation and its formation at the most senior levels of the UAHC. According to Rabbi Herman, he shared little, if any, information about the development of the congregation with the senior executive leadership of the Union. What he did share was on a very personal basis, mostly with his

⁷⁶ Albert Vorspan, Phone Interview, November 18, 2007; this is the term Al Vorspan used to describe Rabbi Erwin and Agnes Herman.

⁷⁷ The Jeff Herman Virtual Resource Center, "About JHVRC," http://elearning.huc.edu/jhvrc/about_vrc.php.

best friend and Union Vice President Albert Vorspan. As Rabbi Herman plainly admits, “Concerning the Union, I didn’t trust anyone with this treasure.”⁷⁸

He had reason to be concerned. Years before the request from the gay and lesbian Jews in Los Angeles, the New York regional director received a similar request from a small grouping of gay and lesbian Jews in New York City who wanted guidance from the UAHC in the formation of a gay outreach synagogue. However, there was one major difference between the two groups. The New York group did not want to affiliate with the Union under any circumstances. This left the regional director, whose job it was to bring new congregations into the movement, in a significant quandry. He approached Herman, then National Director of Regions, for advice. Not yet a supporter of gay rights, Herman instructed the regional rabbi to “run his region how he wanted to run his region.”⁷⁹

In retrospect, however, Herman sensed more than a simple concern over aiding a congregation that would never affiliate with the Reform Movement. Rather, he felt that this rabbi—a “marvelous leader” in the national arena of social action—shared with him a reluctance to participate with a homosexual group.⁸⁰ This experience tarnished Herman’s thinking about many of the senior level leaders at the Union. He simply did not know who he could or could not trust in the arena of gay and lesbian inclusion.

Moreover, this was simply too important an issue for Herman to leave to chance. He recognized and understood the importance of creating a safe, serious, and spiritual place for the gay and lesbian Jews. As well, he realized the impact Union affiliation of this group could have on the larger Reform Jewish community. The creation of BCC

⁷⁸ Rabbi Erwin Herman, Personal Interview, December 13, 2007.

⁷⁹ Ibid.

⁸⁰ Ibid.

would inevitably open the doors of the national Reform Movement to gay and lesbian Jews. It would also force a conversation about the place of gay and lesbian Jews in organized Jewish life.

Knowing that the UAHC would have a very hard time turning away a highly functioning, solidly Jewish congregation, Herman went out of his way to make sure that the congregation developed in a systematic and sound fashion. Now, that is not to say that Rabbi Herman or Ag hoped for the creation of numerous gay outreach congregations that would exist indefinitely. On the contrary, they saw these congregations as a stop on the road to a much more inclusive and welcoming Reform Jewish community. "The goal of creating the congregation was for its disappearance. The goal would be that there would be such a warm reception by all of our congregations that it would not be necessary [to have a gay outreach congregation]."⁸¹

Whether this is the goal today is debatable for Rabbi Herman. He notes a flaw in his original thinking: "We did not take into consideration that a group of people of like disposition and interest would want to be together. The fact is that is the history of the development of synagogues. There was a synagogue for this group who followed this rebbe and then there was a synagogue immediately established for the group who did not follow the rebbe and then there was a third one that was created for those who did not follow the first two."⁸²

However, Herman's analysis reflects only part of the story. Not all of the synagogues which began as gay outreach congregations have maintained a primarily GLBT focus. Today, there are two alternative trends which have developed in the last

⁸¹ Agnes Herman, Personal Interview, December 13, 2007.

⁸² Rabbi Erwin Herman, Personal Interview, December 13, 2007.

two decades. First, the demographic make-up of many GLBT outreach congregations has shifted considerably. For example, Congregation Sha'ar Zahav in San Francisco, California, welcomes an increasing number of heterosexual individuals and couples into its gay friendly congregation. According to its website, "Sha'ar Zahav has become more and more popular among straight Jews in recent years. When it moved to the Mission District...Sha'ar Zahav became the largest Reform synagogue in that part of the city. And in a progressive city like San Francisco, many straight people feel just at home in an LGBT-friendly synagogue."⁸³ In this case, it seems, the location of the congregation has to do more with membership than the fact that the congregation has a historic outreach to gay and lesbian Jews. Sha'ar Zahav offers a convenient location for many Jews who make their home in a particular, urban part of the city. Location trumps other factors in deciding whether or not to affiliation with the congregation.

Congregation Kol Ami in West Hollywood, California, is another example of this trend. The stated purpose of the congregation is "to provide an appropriate means for religious worship and for the expression of the ideals and faith of Judaism; to afford religious education to the children of members of the Congregation; to afford facilities usual in a Jewish congregation; and to support worthy efforts for the betterment of humanity, with outreach to the Gay, Lesbian and Bisexual community."⁸⁴ The congregation boasts a diverse population, including a significant number of young families of all constellations who are attracted to the excellent congregational religious school. Here, the successful education program is a major draw for Jewish families.

⁸³ Congregation Sha'ar Zahav, "Our Rabbi," <http://www.shaarzahav.org/?q=rabbi-angel>.

⁸⁴ Congregation Kol Ami, "About Congregation Kol Ami," <http://www.kol-ami.org/about/index.html>.

Second, more mainstream congregations effectively and openly welcome gay and lesbian individuals and families. To borrow a term from the Christian world, these synagogues are “open and affirming.”⁸⁵ This is in part due to the changing attitude towards gays and lesbians in the general culture. However, there has also been a significant push from the Reform Jewish community. Prepared originally by the UAHC Task Force on Lesbian and Gay Inclusion and published by the UAHC Press, *Kulanu*, a handbook for congregations implementing gay and lesbian inclusion, provides tangible tools for developing and implementing inclusionary efforts. The first version included six chapters dealing with history and texts, steps to inclusion, life-cycles events, leadership training and education, (re)defining the family and temple membership, and employment practices, all as they related to gay and lesbian issues.

The Union for Reform Judaism (URJ, formerly the UAHC) revised and expanded *Kulanu* in 2007 to include material on bisexual and transgender inclusion, in addition to a growing field of literature and thought surrounding gay and lesbian inclusion. Rabbi Richard Address, Director of the URJ Department of Jewish Family Concerns, noted in his introduction to the manual, “In the years since the original *Kulanu* was published, there has been great progress in the way the Jewish community in general and the synagogue community in particular has welcomed gay, lesbian, bisexual, and transgender Jews. It is to the credit of the Reform Movement, its congregations, clergy, and leaders that this not always quiet revolution has emerged.”⁸⁶

⁸⁵ The UCC Coalition for LGBT Concerns, “The Open and Affirming Program (ONA),” <http://www.ucccoalition.org/programs/ona.html>.

⁸⁶ Rabbi Richard Address, Introductions to *Kulanu*, eds. Richard F. Address, Joel L. Kushner, and Geoffrey Mitelman (New York: URJ Press, 2007), xvii.

However, in the early decades of gay Jewish renewal, Reform Jewish support was not always a given. A particularly poignant example of this lack of support came during the High Holy Days in 1972. At that point in time, MCT had thirty paid members, with more than twice and sometimes three times that number attending regular Shabbat services. Noting the great significance and grandeur of the High Holy Days, the congregation requested rabbinic support from the UAHC. However, the Union was unsuccessful in finding a rabbi to fill the position. Herman explained, "Some colleagues to whom we turned were otherwise occupied or traveling elsewhere. Some others, however, available for High Holy Day placement noted candidly that the distance between 'Rabbi of the Homosexual Temple' and Homosexual Rabbi of the Temple' was too slim to permit their participation."⁸⁷

Ultimately, congregation members led services themselves, assisted by a local Reform Jewish educator Mary Anne Freiheiter (today known as Aviva Kadosh). Kadosh returned in both 1973 and 1974. In 1974, Rabbi Richard Sternberger, one of the UAHC regional directors from the Mid-Atlantic Council, joined the congregation for the entire High Holiday period.⁸⁸ That year, the congregation held High Holy Day services at Temple Akiba in Culver City, California, a Reform affiliated congregation.⁸⁹

These are just two of the many Reform affiliated individuals and institutions that supported MCT in the early years. This type of acceptance and support characterized the Los Angeles Reform Jewish community with regard to gay and lesbian inclusion, both in regard to the gay outreach synagogue and subsequent inclusionary efforts. As time would tell, this support proved immeasurable as MCT faced a difficult new year.

⁸⁷ Stephen J. Sass, "Our History," Beth Chayim Chadashim, www.bcc-la.org/.

⁸⁸ Beth Chayim Chadashim Newsletter, Volume II, Number 2, August 1974, 2.

⁸⁹ Beth Chayim Chadashim Newsletter, Volume I, Number 1, September 1973, 5.

MCT Gets a New Name

In the fall of 1972, MCT developed its first congregational mission and vision. According to this document, the existence of the congregation would enable members in the following ways: to worship God in accordance with the principles and practices of Judaism; to serve fellow human beings and work to see that all come to realize their own value and dignity; to cultivate greater knowledge of the history, traditions, and ideals of Judaism; to gather together for purposes of worship and fellowship; to stimulate an awareness of responsibility as Jews to the community and world in which we live; and to provide an outreach to gay and lesbian Jews and promote greater communication and understanding between the Jewish community and the gay and lesbian communities.⁹⁰ This constitutional mission, along with the accompanying by-laws, was adopted on January 26, 1973.

That same night, the congregation made two other important decisions. First, members elected the first slate of congregational officers. Second, the congregation chose a new name. From the beginning, the Metropolitan Community Temple fashioned itself in the image of the Metropolitan Community Church. Therefore, in choosing its original name, the congregation incorporated the key elements of the MCC name into its own title. However, as the congregation forged its own unique, Jewish identity, it needed a new, Hebrew name.

A steering committee suggested the name "Congregation Beth Ohr Shalom, the House of the Light of Peace." However, congregational members rejected the name and instead collected new ideas for consideration. Among the suggestions that evening were

⁹⁰ Beth Chayim Chadashim, Constitution and Bylaws, Small Collections-13824, The American Jewish Archives, Cincinnati, OH.

“Children of Pride—Yeladim Shel Gaavah,” The House of the Children of Peace—Beth Yeladim Sholom,” “The House of the Children of Unity—Beth Ylodim Shel Achdus,” “The House of Eternal Truth—Beth Tamid Emet,” “The House of Eternal Life—Beth HaChayim,” “Temple Emanuel,” and “Congregation Beth Ahavah—The House of Love.” According to BCC historian Stephen Sass, “[Jerry] Small, one of the first four founders and the congregation’s newly elected vice president, submitted the winning entry. Inspired by *New Life*, the name of Metropolitan Community Church’s newsletter, Small asked a friend to translate “House of New Life” into Hebrew, which was rendered as ‘Beth Chayim Chadash’ and which won by a vote of 26-0.”⁹¹ Upon adoption, Rabbi Herman corrected the Hebrew text to appropriately reflect the plural nature of *chayim*, rendering the name “Beth Chayim Chadashim.”

In celebration of the accomplishments of the evening, some members of the newly named BCC headed to Kanter’s, a local Jewish delicatessen, for a late night snack and well-deserved celebration. However, only minutes after midnight, Milton Jinowsky, a newly elected board member and ritual committee chair, learned on the car radio that the MCC building was on fire. Jinowsky notified the others who were still at the deli and together the group headed directly to the building that was already engulfed in flames.

Quickly, the twenty-or-so members gathered at the scene realized that their Torah—on loan from the UAHC—was still in the building. Frenzied and panicked, the group ambushed the fire chief who ultimately allowed Stu Zinn, the newly elected president of the congregation, to enter the burning building and attempt to retrieve the sacred scroll. One witness remembered the scene: “Out of the smoke, with his pants legs

⁹¹ Stephen J. Sass, “Our History,” Beth Chayim Chadashim, www.bcc-la.org/.

rolled up, came Stu tenderly carrying our Torah in his arms! We all broke into tears!”⁹² Despite the Torah’s dramatic rescue, all else was lost and the building ultimately torn down. The fire department ruled out arson, though doubt remains as to the cause of the fire.

Beth Chayim Chadashim Emerges from the Fire

Despite the fire, BCC continued to flourish and grow. However, the fire—in addition to destroying the MCC building—caused a number of other problems for the congregation. First, MCC and by extension BCC received significant media attention; articles about the fire and BCC appeared in a variety of Jewish publications across the United States. Until this point, BCC and its connection to the UAHC remained a sort of West Coast phenomenon. Moreover, very few members of the UAHC national leadership actually knew the history of the congregation and the active role Rabbi Herman played in its development.

National media coverage in the Los Angeles Times exacerbated the problem. The most significant article appeared in the February 14, 1973, edition of the Los Angeles Times. In this piece, John Dart, religion writer at the *Times*, highlighted the Union’s direct involvement in the formation and development of BCC and specifically named Rabbi Herman. He wrote:

...A 60-member synagogue for homosexual men and women has been forming [at MCC] since last summer with the aid of the church and local Reform Judaism officials....Of all the recent developments (the suspected arson and not allowing MCC ministers to go into jails), one most likely to stir controversy in coming months may be the assistance given to the new Jewish homosexual congregation by the Pacific Southwest office of the Union of American Hebrew Congregations.

⁹² Ibid.

Rabbi Erwin Herman, director of the UAHC (Reform Judaism) district of 50 congregations, said in an interview he helped the congregation with its worship services, obtaining speakers, acquiring a Torah and developing an adult education program...

Rabbi Herman said neither the UAHC's constitution nor the liberal tradition of Reform Judaism prohibits the assistance given to the new congregation. Nor would they bar its affiliation with the union, he said.

The UAHC director, whose office is in the San Fernando Valley, admitted that if the homosexual congregation applied—once it establishes itself as a chartered nonprofit organization—the resistance is likely at four local and national levels where approval must be obtained...

If the congregation affirms its attachment to Judaism and its liberal interpretation, he said, 'I believe it is incumbent upon our liberal movement to admit this congregation at the time it seeks to apply'...

Rabbi Herman predicted that the synagogue will not succeed fully 'until we find a gay rabbi willing to 'come out' and give leadership...' ⁹³

Dart's prediction proved correct. The incident caused "shock waves"⁹⁴ in the Reform Movement. The UAHC received strong negative reaction from a significant number of member congregations. One of the Midwest regional board members even threatened to submit a critical resolution regarding the existence of BCC at the upcoming Union Biennial scheduled to take place in New York City in November.

In order to preemptively strike, Rabbi Alexander Schindler, then vice-President of the UAHC, addressed the Executive Committee of the Union Board of Trustees about the subject on February 8, 1973, a few days before the *Los Angeles Times* article was printed. This was the first time that the upper echelons of lay leadership at the Union learned specifically about the development of the gay outreach congregation.

According to Albert Vorspan, Maurice Eisendrath, President of the UAHC at this time, wanted to support the congregation. However, he was very concerned that this one issue could tear the Union apart—internally and externally from the rest of the organized

⁹³ John Dart, "Growing Homosexual Churches Aid Many: Some Acceptance by Society, Including Politicians' Acknowledgements, Claimed," *Los Angeles Times*, February 14, 1973, Near-print file on "Homosexuality," The American Jewish Archives, Cincinnati, OH.

⁹⁴ Albert Vorspan, Phone Interview, November 28, 2007.

Jewish world. In no uncertain terms, Eisendrath believed that the UAHC would “catch hell” for its involvement with BCC. In an attempt to thwart any potential for greater problems, Schindler—who spoke to the Board on behalf of Eisendrath who was ill during this particular meeting—carefully and thoughtfully addressed the group. He shared only the most pertinent information about BCC and maintained ultimate control of the situation, stating, that the information was “not offered for [the Board’s] full discussion.” Rather, he explained, “There may be some repercussions. I think that you as leaders of the Union ought to know about it.”⁹⁵

Schindler started with a brief historical overview of the situation and explained exactly how the Union became involved in the development of the congregation. Then, he delivered a statement that outlined his own personal take on the issue noting that he offered his position with the understanding that the Executive Committee would have a chance to “address itself to the particular problem.”⁹⁶ In what seems to be material taken from a personal letter he wrote in response to an inquiry about the issue, Schindler made the following comments:

I have your note telling me that there have been some negative reactions to the press report that Erv Hermann has been helpful to a group of homosexuals in their effort to form a congregation on the west coast. You ought to know that Erv did not act on his own initiative. He discussed this matter with me first and I authorized him to respond to this group’s request, as it is his obligation to respond to any group of Jews who seek a regional director’s help in their desire to form a religious community.

I had no real legal grounds to counsel him otherwise. There is nothing in the Constitution of the UAHC which could prevent the giving of such service. Nowhere in the Constitution are any criteria for membership defined. The only fleeting reference to criteria for membership is contained in Article III Section 1, which states, ‘Any

⁹⁵ UAHC Board of Trustees, Executive Committee Proceedings, February 8, 1973, p. 139, Union of Reform Judaism Records, MS 72, microfilm 3663, The American Jewish Archives, Cincinnati, OH.

⁹⁶ Ibid., 140.

American Jewish congregation, upon approval by the Board of Trustees, may become a member of this Union by subscribing to its Constitution and By-Laws.'

I certainly had no moral grounds to refuse such aid. On the contrary, the moral imperative of the situation dictates that aid be given here. If we accept the orthodox psychological judgment that homosexuality is an illness, these people deserve compassionate understanding and not rejection, much in the manner say in which we help congregations for the deaf. And if we accept the minority view among psychiatrists that homosexuality is a state of being, not an illness, why then these people certainly have the right to be what they were born to be. As a matter of general principle, I would prefer it is homosexuals were to be integrated as individuals into existing congregations. At the same time, I recognize that they are not always made to feel comfortable in the heterosexual, family environment of the average congregation and hence the legitimacy of their desire for separate groupings ought to be respected.⁹⁷

It is important to note that it was not until later that year, in December 1973, that the American Psychological Association (APA) removed homosexuality from its Diagnostic and Statistical Manual of Psychological Disorders and not until 1975 that the APA released a public statement that homosexuality was not a mental disorder. Schindler's statement reflected the growing discussion within the country over the etiology and nature of homosexuality. Moreover, his words illustrated a deep commitment to the use of modern scientific information in discussing and developing policies on gay and lesbian issues in the Reform Movement. His final remarks reinforced this attitude:

To be sure, Biblical and early Talmudic tradition designates homosexual act as 'illicit intercourse' and proscribes it. It is a traditional attitude which must not impel the modern Jew to ostracize homosexuals and deny them the right to study Judaism and to practice it and to deepen their Jewish awareness through the community experience. Is this not what Reform Judaism is all about? It is our obligation to consult tradition, true, but we are not chained to it; other considerations—humane, civil

⁹⁷ Ibid., 140-141.

libertarian, logic and the fruitage of modern knowledge also must enter into our decision-making process...⁹⁸

At the conclusion of his remarks, Schindler allowed discussion on this subject. However, he noted that "ultimately, [the issue] must be resolved at the highest level of our Union, as I fully expect it would be once this group makes a move toward seeking official membership in our family of congregations."⁹⁹

Beyond this, Schindler made a number of important declarations in his speech. First, and most importantly, he encouraged conversations on the subject of homosexuality. By this time, Schindler knew that BCC was well on its way to inquiring about Union membership. Knowing this, Schindler understood that the more people could learn about homosexuality and even get to know members of the congregation, the better and smoother the process would be for the Reform Movement. Second, he empowered the rabbinical staff members in their actions to assist BCC. He boldly stated, "I believe that any rabbinical staff member of the Union of American Hebrew Congregations who offers religious services to a congregation of homosexuals making requests to that staff member for help, acts in good conscience and has in no way violated any tenets of Reform Judaism or the Constitution of the Union of American Hebrew Congregations."¹⁰⁰ Third, Schindler acknowledged that the issue of gay and lesbian synagogues was not limited to the case of BCC. In fact, he noted that similar requests were already made in New York, Chicago, and San Francisco.

Based on this, Schindler prophetically laid out a number of related "problems" that the Union would inevitably confront as gay outreach congregations grew in

⁹⁸ Ibid., 141-142.

⁹⁹ Ibid., 142.

¹⁰⁰ Ibid.

popularity and number. Among these concerns were whether or not the UAHC should actively help congregations form, what rabbinic services should be provided, whether Union membership should be granted in all cases, and “undoubtedly there would be the question of ceremony of marriage.”¹⁰¹ Already, in 1973, Schindler realized the significant link between the formation of gay and lesbian outreach congregations and gay marriage. Here, Schindler acknowledged that “the Central Conference will go out of its mind [on the issue of gay marriage]. But to the aid of the rabbi, the law of the country—there is not a single, solitary state in this country that legitimizes such kind of marriage ceremony.”¹⁰²

In light of these questions, the UAHC called for a process of study on homosexual congregations. A confidential letter went out to a number of Reform Jewish thinkers in an effort to gain a well-grounded, theological perspective on the issue. The letter included an article about the congregation from the most recent *Jewish Post and Opinion*, as well as four questions for consideration. The questions were as follows:

1. Should we encourage the formation of such congregations for homosexuals? Should they not be urged to integrate into existing congregations on an individual basis? Yet, what if they choose not to and want a grouping of their own, should we, as a Union of congregations and through our Regions, help them to organize themselves as a congregation?
2. Is it a rabbi's obligation to serve such a congregation?
3. If such congregations ultimately seek membership in the Union, should we accept them?
4. Should the answer to the above be affirmative, there is very little doubt that we will be confronted with demands for “marriage ceremonies? Or at least for some sort of ceremony which “blesses” the relationship between a man and a man or a woman and a woman, as the case may be. How would you respond to this request?¹⁰³

¹⁰¹ Ibid., 143.

¹⁰² Ibid.

¹⁰³ Rabbi Erwin Herman, letter to Dr. Eugene Mihaly, May 1973, The Selig Salkowitz Papers, MS 739, Box 5, Folder 7, The American Jewish Archives, Cincinnati, OH. This letter was also sent from Rabbi

Rabbis Eugene Borowitz and Eugene Mihaly, two professors at HUC-JIR, were among the rabbinic authorities who responded to the inquiry. Mihaly began his argument by placing his comments within the larger framework of Jewish legal thinking. Responding to the article from the *Jewish Post and Opinion* that accompanied the confidential letter, Mihaly disagreed with Rabbi Herman who was quoted as stating that as Reform Jews “we cannot say we are bound by halakha.”¹⁰⁴ This statement evoked severe criticism from Mihaly who was raised in the yeshiva world and placed significant weight on traditional Jewish thought. He argued, “We are obligated to confront our tradition, to struggle with it—and, at some level, consistently applied—discover a guiding principle which will help us in determining our attitude towards contemporary problems.”¹⁰⁵ He went on to say, “We cease to function as Rabbis if we cavalierly dismiss our historic experience and do not wrestle with it as the essential first step in defining our attitude.”¹⁰⁶

In this vein, Mihaly argued within the halacha in order to present a more liberal understanding of the homosexual. Based on his assumption that a homosexual “is the way he is” from birth or early childhood, Mihaly stated that a homosexual should not be treated as a “willful, volitional rebel,” but as an *ones*, which he defined as “one who acts under duress and merits all the sympathy, consideration, kindness that the halakha extends to the victim.”¹⁰⁷ In his halakhic read, Mihaly maintained the non-normative

Alexander Schindler to Dr. Eugene Borowitz. See The Alexander M. Schindler Papers, MS 630, Box 4, Folder 8, The American Jewish Archives, Cincinnati, OH.

¹⁰⁴ Dr. Eugene Mihaly, Responsum, 1973, The Eugene Mihaly Papers, MS 739, Box 5, Folder 7, The American Jewish Archives, Cincinnati, OH.

¹⁰⁵ Ibid.

¹⁰⁶ Ibid.

¹⁰⁷ Ibid.

nature of homosexuality, but allowed for a compassionate embrace of the individual homosexual.

In this light, Mihaly argued against the creation of separate gay outreach congregations. Instead, Mihaly believed that homosexuals should be welcomed openly into mainstream congregations and integrated into existing religious communities. For Mihaly, homosexuality did not constitute a legitimate means by which a congregation should organize or base its membership. In his words, "A congregation which uses the criterion of homosexuality as the basis for membership and as the basis for its organization is contrary to the fundamental spirit of Judaism."¹⁰⁸ He went on to compare the situation of the homosexual to that of a blind or deaf Jewish community. "[Reform Jews] have encouraged and subsidized congregations of blind Jews or deaf-mutes because special, trained personnel and equipment are required in order to fulfill the synagogue's legitimate function. No such justification exists with regard to the homosexual. He can pray with the larger congregation, study with them, participate in social action groups—share in religious the total life of the synagogue."¹⁰⁹ Not surprisingly, Mihaly rejected UAHC affiliation for homosexual congregations.

With regard to the question of gay marriage, Mihaly denounced the idea as "absurd within the context of the Jewish concept of marriage and in terms of the Jewish ceremony which hallows the union."¹¹⁰ However, he did grant an individual rabbi a certain degree of autonomy in his decision regarding officiation. "Whether [the rabbi] is ready to offer a prayer for two men or two women would depend on the Rabbi's

¹⁰⁸ Ibid.

¹⁰⁹ Ibid.

¹¹⁰ Ibid.

inclination in a particular circumstance, the relation of the individuals involved, the Rabbi's perception of the particular situation, etc., etc."¹¹¹

Perhaps the most striking part of Mihaly's responsum, however, regarded the protection of children from homosexual influences. He wrote in no uncertain terms, "Since children can be seduced into homosexuality and through homosexual acts in childhood and adolescence can be influenced toward a mode of conduct which predominates all of their lives, it is the right of society, its obligation, to protect minors from homosexual seduction and molestation through legislation. It is also the moral obligation of parents to protect children from such influence."¹¹² It is hard to ignore the deep pain and hurt that screams from this passage. Yet, at the same time, it is unfair to make any decisions or unsubstantiated judgments about Mihaly or his experiences based on the tone of the passage. Suffice it to say, the deep seated emotions that moved Mihaly to make such an aggressive statement undoubtedly influenced him and his decision making on issues concerning homosexuals, such as that of homosexuals serving as rabbis.

Rabbi Eugene Borowitz, like his colleague Mihaly, argued ardently against the creation of a separate homosexual congregation. Utilizing covenant theology, Borowitz set out to show that homosexuality, while arguably an acceptable expression of one's personhood, comes into direct conflict with a Jewish existence under the Covenant. He stated:

As against some minority of Reform Jews, I am not of the opinion that everything which is good for people as persons is permitted to Jews. The word 'Jew' is not synonymous with the word 'person'; and the Jewish people is not, in essence, the same as any group seeking to enhance personhood. To me, to be a Jew is to be a certain kind of person, one whose personhood is fulfilled in terms of the Covenant. That is, a Jew is a

¹¹¹ Ibid.

¹¹² Ibid.

person whose existence is lived out not only in terms of his own needs and desires but in terms of God, whose image the Jew seeks to emulate, and in terms of the Jewish community's expression of its historic relationship with God. Thus the question of the acceptability of homosexuality in Judaism is dependent not on whether it enables some people to be persons—a thesis I have accepted for the sake of argument—but whether it is a way of life compatible with the Covenant between God and the Jews.¹¹³

For Borowitz, homosexuality remained a sub-standard form sexual expression for Jews. Thus, institutional recognition of homosexuality as a valid sexual expression ran counter to the very idea of Jewish life under the Covenant. In Borowitz's own words, "Homosexuality is not a pattern of existence to which we should lend any official Reform Jewish credence or sanction."¹¹⁴ The acceptance of a gay outreach congregation as a Union member gave the Reform Jewish Stamp of Approval not only to individual homosexual Jews who intended to live out their Judaism and homosexuality to its fullest extent, but to the very institution of homosexuality as an acceptable form of Jewish sexual expression. Borowitz believed this to be the real reason for the congregation's request for Union assistance noting, "I do not believe homosexuals are interested in the help of the Union because they desire technical aid but rather because they seek some measure of formal Jewish acceptance."¹¹⁵

For this same reason, Borowitz rejected the idea of homosexual marriage. "The request for [rabbis] to provide or conduct homosexual marriage ceremonies seems essentially a request for official Jewish recognition or sanction to homosexual marriage."¹¹⁶ He went on, "Since I do not believe Judaism can consider such a marriage

¹¹³ Dr. Eugene Borowitz, Responsum, May 9, 1973, The Alexander M. Schindler Papers, MS 630, Box 4, Folder 8, The American Jewish Archives, Cincinnati, OH.

¹¹⁴ Ibid.

¹¹⁵ Ibid.

¹¹⁶ Ibid.

the equivalent of a heterosexual marriage and since I do not believe that Judaism should encourage homosexuality, I do not believe that we should create or conduct homosexual marriage ceremonies.”¹¹⁷

In addition to these two responses, Alexander Schindler, then president-elect¹¹⁸ of the UAHC wrote a more formal *she'elah*, or question, to renowned Reform *posek* (a “decider”; one who makes Jewish legal determinations) Rabbi Solomon Freehof. Schindler asked, “A rabbi on the West Coast, the regional director of the Union of American Hebrew Congregations, has organized a congregation of homosexuals. He has said: ‘These are people facing their own situation. They have become a social grouping.’ Is it in accordance with the spirit of Jewish tradition to encourage the establishment of a congregation of homosexuals?”¹¹⁹

Freehof vehemently rejected the idea of separate homosexual congregations. Like Mihaly, Freehof argued that Jewish law requires the homosexual be welcomed into existing Jewish communities. In fact, he stated “not only do [Jews] not exclude sinners, we are actually forbidden to do so; they are a necessary part of the congregation.”¹²⁰ If this is the case, Freehof—like Borowitz—questioned the ulterior motives of the congregation. He asked, “Why do [the homosexuals] want to commit the further sin of ‘separating themselves from the congregation?’”¹²¹ Freehof articulated two underlying reasons for their actions. First, like Borowitz, he saw the creation of gay congregations

¹¹⁷ Ibid.

¹¹⁸ Schindler was chosen to succeed Maurice Eisendrath as President of the UAHC in June of 1972. He became president of the UAHC in November of 1973 upon the death of Eisendrath who died on the eve of his presidential address at the 1973 UAHC Biennial. Schindler delivered Eisendrath’s address verbatim to the plenum.

¹¹⁹ Dr. Solomon Freehof, “Judaism and Homosexuality,” in *American Reform Responsa*, ed. Walter Jacob (New York: CCAR Press, 1983) 115-119.

¹²⁰ Ibid.

¹²¹ Ibid.

as an attempt to gain institutional recognition for homosexuality. Successful creation of gay outreach congregations would undoubtedly, in Freehof's opinion, "bolster [homosexuals] propaganda for other rights."¹²²

Second, Freehof believed that gay outreach congregations would inevitably encourage homosexuality, both in terms of sexual behavior and identity. In this opinion, homosexual congregations, like gay bars and other same-sex social venues, would serve as a place to meet sexual partners. Thus, these congregations would allow the exploration of latent homosexual identity. Freehof asked, "What, then, of young boys who perhaps have only a partial homosexual tendency, who will now be available to inveterate homosexuals?"¹²³ The suggestion that exposure to homosexuals could turn boys gay reveals a deep seated fear of homosexuality and a belief that homosexuality is an infectious disease from which one needs protection. Freehof's summative comments drive this notion home, "Homosexuality is deemed in Jewish tradition to be a sin, not only in law but in Jewish life practice. Nevertheless it would be in direct contravention to Jewish law to keep sinners out of the congregation. To isolate them into a separate congregation and thus increase their mutual availability is certainly wrong."¹²⁴ In Freehof's opinion, the Reform Movement's allowance of such a congregation to exist aids and abets the homosexual in his sin. The CCAR Journal published Freehof's responsum in the 1973 summer volume which included a number of written responses on the topic of gay congregations generally and BCC specifically.

Despite the very negative responses from Mihaly, Borowitz, and Freehof, other Reform Jewish leaders spoke out and acted on behalf of the BCC. Under the leadership

¹²² Ibid.

¹²³ Ibid.

¹²⁴ Ibid.

of senior Rabbi Leonard Beerman and then assistant Rabbi Sanford Ragins, Leo Baeck Temple stood up and spoke out in support of BCC. Leo Baeck Temple hosted BCC in their congregation after the MCC fire, providing space and ritual items necessary for the BCC to conduct its own Friday night worship. In fact, only a month after the fire, over four hundred people gathered in the Leo Baeck sanctuary to dedicate BCC's new Torah scroll, which was donated by an anonymous donor who, as a professional in the area, could not risk identifying himself as gay.

The September 1973 BCC bulletin included the following eyewitness account from W. Dorr Legg, a founder of ONE Inc., an early gay rights organization:

What the visitor to the dedication ceremony saw was a gathering of several hundred people held in the impressively modern Temple Leo Baeck, a lengthy service which included a procession of the Torah through the Temple so that the faithful might kiss its wrappings, or even touch it. There were Scriptural readings, singing by the Cantors, three rabbis in attendance, excellent speeches by the officers of Metropolitan Community Temple itself.

Then the rear wall of the sanctuary was rolled back to let the crowd move into the social hall. There, a grand collation had been spread, the ladies of the Temple presiding at the tables while everyone ate and talked. The question which one could not help asking was what other religious group could match such an event? For, despite all their friendliness and high level wrestlings over public declarations, what Church, Catholic or Protestant, had turned over its main sanctuary for a 'homophile service.' What denomination had produced its solidly plump, business men and ladies in mink to attend such an occasion? And for a group but a year old! That the Temple has strongly liberal leanings begs the question. So do the Unitarian and Episcopal Churches, but where are their ladies in mink?¹²⁵

Additionally, Rabbi Ragins wrote a compelling piece in favor of BCC in the same journal that published Freehof's negative responsum. In this piece, Ragins gave a very personal and emotional reflection on the dedication of BCC's Holocaust Torah at the Leo Baeck ceremony. He wrote, "It was a deeply moving evening for me and for those who

¹²⁵ Beth Chayim Chadashim Newsletter, Volume I, Number 1, September 1973, 8-9.

were there: witnessing an act of resurrection as a dead *Torah* came alive again; watching a group of homosexual Jews affirming their dual identity, as members of a double minority, part of an old and persecuted people, and at the same time, part of an old and persecuted group, the only group, as we were reminded that night, that it is still possible to hate publicly in America.”¹²⁶ For this reason, Ragins supported the creation of gay outreach congregations as a means for gay and lesbian Jews to express their unique identities in a world that was still homophobic and heterosexist. He wrote:

And what of this Metropolitan Community Temple, this Beth Chayim Chadashim established to reach out to Jewish homosexuals? Is its existence justified? Should it receive our support and cooperation? Again, I believe the answer is clear. In principle, such a synagogue should not exist, because all synagogues should be so open that all Jews may feel fully welcome and at home in them. But clearly, that is not the way our world or family-oriented congregations are constituted today. Until the temples we already have are able to accept Jewish homosexuals *in their homosexuality*, as they are and not as we would want them to be, homosexuals who want their own congregations should not only be allowed to have them, but encouraged and assisted, and accorded full membership in the Union of American Hebrew Congregations. To do anything else would make us accomplices of the repressive patterns of our culture, patterns that should be broken and discarded on the junkheap of civilization.¹²⁷

The example of Rabbi Ragins and Leo Baeck Temple shines light on the considerable work and commitment of individual people and synagogues in the Los Angeles area in the fight for gay and lesbian inclusion in the Reform Movement. There are other examples. As noted earlier, even before the fire forced MCT from the church, Temple Akiva in Culver City, California provided space for two years for BCC to use for the High Holy Days. Moreover, Wilshire Boulevard Temple, a wealthy congregation in

¹²⁶ Rabbi Sanford Ragins, “An Echo of the Pleas of Our Fathers,” *CCAR Journal*, Summer (1973): 42.

¹²⁷ *Ibid.*, 46.

the area, provided the congregation with prayer books.¹²⁸ As well, a small number of Jewish professionals from the local community provided support to the group as they formed. In addition to Aviva Kadosh, a Reform Jewish educator in Los Angeles who led High Holy Day services for two years at BCC, Rabbi Earl Kaplan of Temple Judea in Tarzana, California, contacted BCC and expressed a desire to lead Shabbat services for the congregation. The congregation invited him to conduct the Friday night service on May 21, 1976.¹²⁹

These examples illustrate the significant commitment of individual Reform Jews to the survival and success of BCC. Just as these supportive people existed in the Los Angeles area, so too they existed at the highest levels of the UAHC. Rabbi Herman deserves the majority of credit for the achievements of BCC. In his position as director of new congregations, he understood the road to affiliation and paved it smoothly for BCC's arrival. With the push of Rabbi Herman, Rabbi Alexander Schindler and other lay leaders of the Union defended the right of BCC to become a full-fledged congregational member of the UAHC. In the end, these voices of affirmation proved louder than the dissenting voices coming from within the CCAR and HUC-JIR.

Beth Chayim Chadashim: Member of the UAHC

At the Friday evening Shabbat service on July 19, 1974, the congregation celebrated its second anniversary and officially received its charter from the UAHC. Rabbi Herman served as the service leader and presented the charter to the congregational leaders. The road to official Reform recognition proved challenging for

¹²⁸ Aaron Cooper, "No Longer Invisible: Gay and Lesbian Jews Build a Movement," in *Homosexuality and Religion*, ed. Richard Hasbany (New York: The Haworth Press, 1989), 85.

¹²⁹ Beth Chayim Chadashim Newsletter, Volume III, Number 11, May 1976.

the young synagogue. Despite the strong support from many leaders in the regional and national UAHC offices, the congregation waded through a difficult, multi-step process that lingered for years. There were four major hurdles that BCC had to overcome in order to be accepted for membership in the UAHC. The congregation needed to win approval from the regional new congregations committee, regional delegates' meeting, national new congregations committee, and final approval by the UAHC Executive Board. From its earliest meeting until its acceptance as a Reform congregation, the process for BCC took approximately two years to complete.¹³⁰

The first step in the affiliation process was approval by the Regional New Congregations Committee. This group met for a lengthy meeting in early 1974 specifically to address the affiliation of BCC with the UAHC. The group consisted of twelve individuals, including three rabbis. The group deliberated and debated and ultimately voted eleven to one to accept the congregation into the Union. The next step was approval from the larger regional assembly of delegates. The assembly included one hundred delegates from across the entire Pacific Southwest region; there were also twenty to thirty additional guests there at the meeting. After lengthy discussion, the assembly voted ninety-one to nine in favor of BCC. The minutes point out that at both votes the dissenters were female.¹³¹

Once approval came from both regional groups, the application proceeded to the national UAHC level. On June 6, 1974, the national New Congregations Committee met to make its recommendation. Here, too, the issue received great attention and debate. After a "full airing" of the subject, the committee voted seven to one, with one

¹³⁰ UAHC Board of Trustees, Executive Committee Proceedings, June 8-9, 1974, p. 12, Union of Reform Judaism Records, MS 72, microfilm 3691, The American Jewish Archives, Cincinnati, OH.

¹³¹ Ibid.

abstention, in favor of BCC's acceptance. Upon this vote, the ultimate decision was left to the highest lay leadership of the Reform Movement, the Executive Committee of the UAHC Board of Trustees.

Like the other committee and assemblies, the Executive Committee struggled with its decision vis-à-vis BCC. In fact, discussion of the issue constituted the majority of discussion about new congregations at the June 9, 1974, UAHC executive committee meeting, even though nine other congregations were accepted to membership that day. Mr. Joseph Kleiman, chair of the committee, put aside the issue of BCC in order to first vote on the acceptance of these other congregations. All nine were accepted with a simple "aye" vote. After the motion concluded, Kleiman made a number of comments about BCC and its historical relationship to the UAHC:

The last subject which I wish to bring to you is Temple Beth Chayim Chadashim, a lone congregation in Los Angeles. I have set it aside not to try to isolate it as being different but because it consists of a membership which wishes to be honest and because the Region felt that there were aspects of this association with the Union that needed to be understood.

I was to take just a few moments to review history and possibly indulge a little bit to my personal reactions to this situation.

About two and one-half years ago a group of non-Jews started a community church in mid-city Los Angeles, in a very depressed area of Los Angeles and it was stated on the basis of a group of homosexuals who felt the need to get together and develop some sort of religious experience. They had some sort of non-denominational service and also had an active adult education program. At one of their adult education meetings, four of the parties 'schmoozing,' turned out they were all Jews and they asked themselves whether there wasn't a purpose to have a synagogue to suit their needs rather than the non-denominational experience which they were having, as then existed.

They elected to start a synagogue, and it was a synagogue, whose attendance built up very rapidly, and they came to the Union office very early in their origins and asked for assistance, and the Union indeed assisted in the usual way that it assists any new congregation, by providing them with the accoutrements of service. And because they were moving

quite rapidly in the development, they applied early for affiliation with the Union.

The Region elected not to act precipitously in considering this temple, as it doesn't act precipitously in considering any temple for membership. It wanted to determine that this was indeed a viable congregation in Israel. So the consideration at the regional level has been going on for approximately two years...

I think it would be only fair to this committee to indulge for just a few moments on the type of content of these meetings so that you can get the flavor of the discussion.

First of all, we should be aware there has been a very strong attitude all through this discussion that the consideration was accepting a synagogue and not endorsing a way of life. The fact that this group in its majority, not its totality, adopts a way of life that may be different from most of us would elect for ourselves, if not all, that was not a subject which we were dealing with. I will inject a caveat into the motion that I will make—that the Union treat this matter and the congregation in every sense a normal congregation. What we are considering today is accepting a congregation in Israel into the UAHC. I trust we can rely on the Union staff in its action to follow that caveat totally. No publicity given to this that would not be given to any congregation being brought into the Union; no national debates established on the rightness or wrongness of homosexuality, at least insofar as the acceptance of the congregation into the Union is concerned.

This is not a personal opinion; this was the desire of the New Congregations Committee.

Just to briefly give you some personal reactions. I, as most of the people in this room, were raised in an era when we were well indoctrinated if not in Halachic principles, that principle that was trying to preach that was to look negatively at homosexuals.

This whole experience has been for me adding words to my vocabulary, previously only in a humorous way, not in a serious vein. As the new president remarked—homosexuals today are the only minority group for which there is broad acceptance of discrimination against them. This was one time in my own life I felt comfortable being the discriminator rather than discriminating against, not in this situation today. As a young person raised in a Middle-Western community, that was the attitude. I am sure most of us in the room have that same kind of background. Very difficult—presented with the premise this is a congregation of homosexuals, formed originally by homosexuals, how can this be something that the Union can consider accepting.

I would now deal briefly with the kind of questions that were asked. The first question, a rabbinic question, and the answer, if we are going to base it on Halacha, you cannot accept these people, but if you reach that premise you can't accept them, not only in their congregation, we cannot accept them in our own congregation, if indeed homosexuality

is an abomination, the locale of the abomination becomes immaterial, and if we were to follow the biblical principles, we would come to the temple with stones and stone them out of the temple. That argument is the Reform Jewish Movement sounds vacuous.

Second question. Why can't these people be happy in existing congregations? They answered they are not uncomfortable in any existing congregations if they go there for the service. If a couple of two men, living together, are interested in regular practice and want to come to services every Friday night, they say they are very uncomfortable and it is only a matter of time until they become a focus of attention because there is something and that something different gives them discomfort. They feel the need to have a synagogue to go to where they can be totally comfortable in their religious experience.

Another question raised: Children—several children among the members of this group. Broken homes involved, heterosexual situations which may have broken off because of the emergency of the homosexual problem. So you have a broken home, and there is no certainty with which half of that family the children may be.

They do intend eventually to have a religious school in this congregation, but not today, and I have to say I didn't see any children there when I attended services at this temple.

I have mentioned that I did go to a service at the temple, and was a very warm, enriching experience. I would like to make it very clear to you that it was not warm or enriching because of a great compassion I had for the people who were there. It was warm and enriching because it was very Jewish, it was conducted by lay leaders who knew what they were doing; their Hebrew, immaculate; their preparation of the service, complete. They do use creative services but this evening they used the Union Prayer Book, and it was a beautiful service.

By the way, one other question: population at the services. Fifty-five percent of the people there were male, forty-five percent female—roughly the proportion of their membership.

Another comment I would like to make. This is a unique temple in more ways than one. Attendance regularly at Friday night services exceed the head count of their membership.

I have tried to give an overview of the situation. I know you have a busy agenda. I will have to stop what I have told you so far. I would like to say this is not an exclusive congregation. Its membership is not restricted to homosexuals and they have several non-homosexual members, the majority of whom have a link to the temple through a child, but some of whom have no other links that this is a place where they find comfort and religious experience, in fact, one such member on their board.

And with that much background, Mr. Chairman, I move the acceptance of Temple Beth Chayim Chadashim into the UAHC.¹³²

¹³² Ibid., 10-18.

The Executive Committee heeded the recommendation of the national Committee on New Congregations and accepted BCC to the Union by a vote of 61 to 22. However, this significant majority vote masks the difficult discussion and debate that preceded it.¹³³ There were three major arguments made against the Union's acceptance of BCC as a member congregation. These included concerns regarding the institutional recognition of a group of homosexuals, the Reform Movement's connection to *klal Yisrael* (the community of Israel), including its attitude towards *halakha*, and the potential media frenzy that a vote on this subject could incite. These concerns of the national executive committee largely paralleled those of both the earlier regional and national groups. Similarly, heavy debate preceded those successful votes as well.

The concern over the institutional recognition of BCC proved problematic for many on the Executive Committee. The strongest proponent of this argument was then CCAR President Rabbi Arthur Lelyveld. Lelyveld, who simultaneously served as the rabbi at Fairmount Temple in Cleveland, Ohio, drew a serious distinction between civil rights for individual homosexuals and the Union's recognition of a synagogue that not only reaches out the gay and lesbian Jewish community, but articulates that homosexuality is a valid expression of one's sexual and Jewish identity. He noted:

There have been known homosexuals, many of them very dear friends of mine, who have been in the top leadership of our UAHC and other branches of our Union, and their form of life, while private, was obvious to those who were close to them, and I do not reject them from the

¹³³ Upon reading the transcript from the 1974 UAHC Executive Committee Meeting in which BCC was admitted to the Union, Rabbi Erwin Herman noted, "I have read the 1974 Board minutes that you shared and thank you for refreshing my memory. I call your attention to the fact that these minutes do not represent the word-by-word exchange that took place! But what memory allows me to add does not alter the numbers of conclusions. Either the transcriber or the editor eliminated certain facts that did not shine favorably on two of my colleagues: Arthur Lelyveld and Joe Glaser...I cite the above to provide you with the additional color that actually marked the debate." Rabbi Erwin Herman, Personal letter to Amy Hertz, January 16, 2008.

community of Israel; I accept them as fellow human beings searching for a form of life acceptable to them.

But this is quite different from the structuring into our life of a body which regards homosexuality as a normal form of behavior which should be considered as an option by all human beings.¹³⁴

A number of other executive committee members articulated similar or related points. Mr. Irvin Husin, a Manhattan attorney and former president of the New York Federation of the UAHC, couched his concern over the institutional recognition of gay and lesbian Jews in more benign rhetoric. In his argument, Husin explained that the New York Federation had considered a similar group to BCC about a year and half earlier. Though the group showed interest in Union affiliation, met regularly, and attempted to engage in Jewish learning, the leadership of the New York Federation found the group to be insufficiently knowledgeable about Judaism to be considered for Union membership. Yet despite this elaborate exercise in identifying why this group was not suitable to be affiliated with the Reform Movement, Husin's final statement sealed the deal. He simply stated, "I do not think we can possibly sponsor a congregation of homosexuals."¹³⁵

Mr. Nathaniel Hess, of Community Synagogue in Port Washington, New York, seemed paranoid about the connection of BCC with the Union. He did not outright reject the notion that this particular grouping of Jews in Los Angeles be prohibited from joining the Union as a congregation. However, he rejected the notion that homosexuality should be considered at all—or even mentioned—in its application. Hess insisted that any mention of their homosexual status be eliminated and stricken from both their application and the recorded discussion of the Executive Committee. He stated, "This particular

¹³⁴ UAHC Board of Trustees, Executive Committee Proceedings, June 8-9, 1974, p. 20-21, Union of Reform Judaism Records, MS 72, microfilm 3691, The American Jewish Archives, Cincinnati, OH.

¹³⁵ Ibid., 32.

application should be withdrawn and this wording deleted from the report and get another application from this congregation on a simple basis.”¹³⁶

However, Hess’s concern stemmed from a deeper and more difficult issue. Like Lelyveld, Hess understood the potential impact of this decision on the Union’s reputation and future decision-making. Official Union recognition for BCC meant that homosexuality would be viewed as a valid form of sexual expression, an earlier argument also made by Rabbis Freehof and Borowitz. Early leaders in gay outreach congregations demanded this recognition and deemed it necessary to their own self-understanding and personal reconciliation. As Hess noted in his remarks, the identification of BCC as a homosexual congregation “is something that [BCC members] want stated and it is going to open up a pandora’s box.”¹³⁷

In this era of social change, gay and lesbian Jews demanded more and would not settle for less from the Reform Movement. They did not want to be pitied, but rather counted—as full equals, deserving of their own congregation amongst the congregations of Israel. As one of the early Presidents of BCC noted, “The Temple was formed in spite of, not because of our gayness.”¹³⁸

The establishment and official recognition of BCC and other gay synagogues signified a change in status for many gay and lesbian Jews who, up to this point, felt exiled from their fullest and best existence. As anthropologist Moshe Shokeid noted in *Gay Synagogue in New York*:

The emergence of gay synagogues, as much as that of gay churches, signifies a movement out of this physical and mental differentiation. For

¹³⁶ Ibid., 33.

¹³⁷ Ibid., 32-33.

¹³⁸ Beth Chayim Chadashim Newsletter, Volume III, number 5, November 1975, 2; remarks were part of Milton S. Jinowsky’s presidential address.

while they embody a social segregation akin to other gay establishments, they symbolically represent a movement into what was heretofore deemed exclusively mainstream territory: institutionalized religion, and Judaism in particular. They present as well, a claim by their participants to full status as moral personae. That this religious co-option marks an encroachment onto mainstream Judaism's turf can be sensed by the resistance to it contained in a letter to the editor of the *Journal of Reform Judaism* written by Rabbi Jacob Petuchowski, mockingly referring to the LA Synagogue Beth Chayim Chadashim, as 'Beth G'neva Chadasha', the 'House of the New Theft'.¹³⁹

Rabbi Petuchowski, like Mihaly, taught on the Cincinnati campus of HUC-JIR. On a psychological level, Petuchowski's play on words indicates a feeling of being taken advantage of by the gay and lesbian Jewish community. Though it is impossible to speculate any more about the motivation for such a comment, suffice it to say that members of the HUC-JIR Cincinnati faculty were decidedly anti-gay and likely homophobic. Of course, the opinions of the faculty affected the campus-wide attitude towards homosexuality and the late 1980s debate over the admission of gay and lesbian rabbinical students to the College-Institute.

The second most pressing concern articulated during the discussion was the Reform Movement's relationship with and connection to *klal Yisrael*, the larger Jewish community. This included a concern for the Jewish legal categorization of homosexuality as an abomination. Here too, Lelyveld waged war against the idea of a gay congregation. He saw the acceptance of BCC and the legitimization of homosexuality as the "last straw" in the break between Reform Judaism and the rest of the Jewish world. He wrote:

We are in an era in which we are reaching out to our brethren and seeking to mitigate the effects of the rejection of Reform Judaism by some Orthodox authorities. We are carrying on conversations with our Conservative brethren. We are having such difficulty with the

¹³⁹ Moshe Shokeid, *A Gay Synagogue in New York*, (New York: Columbia University Press, 1995), 28.

overwhelming problem of conversion and of mixed marriage, and now to add to all the problems that stand on the agenda of relationships with the rest of the Jewish religious community, the problem of our recognition of homosexuality is to add the last straw to an intolerable burden.¹⁴⁰

Lelyveld furthered his argument through the use of a rather crude and distasteful joke, though he apologized for the "introduction of a note of levity."¹⁴¹ According to Lelyveld, he had recently been asked by the president of an organization of homosexuals in New York City to serve as a Jewish sponsor of the group. In his refusal letter, he indicated that he was unable to serve, because although he was sympathetic to the rights of individual homosexuals, he did not accept homosexuality as "a normal form of human behavior." Upon receiving this response, the young president of the gay organization questioned Lelyveld's dismissal of Jewish law in areas such as kashruth, but the strong enforcement of laws against homosexuality. In his response letter to the young man, Lelyveld concluded with the following joking statement:

The attempt to equate Leviticus 11 with the other arguments of Leviticus that deal with abnormal sexual behavior reminds me of the Chosid who came to his Rebi and said to him,

'Rebi, is it all right, is it in order to eat ham on Motzah?' And the Rebi said, 'Get out of here, a ridiculous question. Eating chaser (pig) is akin to committing adultery.'

The Chosid left and a few weeks later came back to the Rebi and said, 'Rebi, I'm sorry to tell you that you are wrong. Now I have tried both and there's no comparison.'¹⁴²

Like Lelyveld, Mr. Husin also questioned the effect acceptance of BCC could have on the Reform Judaism's relationship with the larger Jewish world. He noted, "[The UAHC leadership] has been talking about rapprochement with Brother Jews who worship in other manners, and I think of the divisiveness that has occurred through some recent

¹⁴⁰ UAHC Board of Trustees, Executive Committee Proceedings, June 8-9, 1974, p. 19-20, Union of Reform Judaism Records, MS 72, microfilm 3691, The American Jewish Archives, Cincinnati, OH.

¹⁴¹ Ibid., 22.

¹⁴² Ibid.

situations in our own congregations, in our own groups, and I just wonder what the effect of this kind of thing would be on the rest of our congregations.”¹⁴³ Likely, Husin referred to the recent UAHC resolution on patrilineal descent. Many used the issue of patrilineal descent to argue against BCC, noting that the Reform Movement could not burn any more bridges with the world Jewish community. The inclusion of a gay and lesbian outreach congregation would be, as Lelyveld argued, the straw that broke the camel’s back in the Reform Movement’s connection to *klal Yisrael*.

The third major concern in regard to the acceptance of BCC as a member of the UAHC related to projected media coverage. Again, Rabbi Lelyveld railed against BCC over fears that acceptance from the UAHC would evoke significant media attention and necessarily cause strife for the Reform Movement. Here, the issue rested in exactly how the congregation would be presented and characterized, whether simply as a Reform synagogue or gay Reform synagogue.

In Lelyveld’s opinion, it was impossible to divorce the issue of gayness completely from the congregation. Though the UAHC committee chair argued that media coverage and publicity for the congregation would be limited to BCC as a regular synagogue, Lelyveld was convinced otherwise. He argued:

Of course, we are assured that there will be no publicity about this congregation as a homosexual congregation. I wonder to what extent we can rely on that assurance which I know is given with integrity, but which, nonetheless, in a public action by a body as large as this reported to the entire UAHC is impossible of fulfillment. No one can tell me that we will keep Gabriel Cohen of Indiana from finding out what took place at this meeting, and I do not know that we can be altogether sure that this group as a congregation will itself refrain from publicizing its homosexual nucleus, because if it refrains from publicizing, it will soon become a

¹⁴³ Ibid., 32.

straight congregation and at that point it will have no problem joining the Union.¹⁴⁴

To Lelyveld's credit, the likelihood of actually reigning in all media coverage of BCC's specific outreach to the gay community seems, even before the advent of e-mail and cell phones, unlikely. Neither Lelyveld nor Husin wanted the Union to receive negative press. Yet, what really underlies this particular concern is again the issue of institutional recognition of homosexuality as a valid expression of human sexuality. Lelyveld's insinuation that a "straight congregation" would have no problem affiliating with the UAHC underscores this idea. It was not the fact that BCC welcomed gay and lesbian Jews or had a predominately gay and lesbian population that concerned Lelyveld, though it is clear that he did not approve of homosexuality. Rather it was that the idea of gay synagogue was a complete oxymoron for him. To Lelyveld, the idea that the UAHC would not only support, but give their approval to such an institution was wrong and ran counter to his Jewish values and beliefs.

However, Mr. Matthew H. Ross, chairman of the board, clarified the issue of publicity and reminded Lelyveld and others present that the concern was not media suppression, but the way that the UAHC and its leaders thought about and discussed the congregation. According to Ross, no special attention was to be given to BCC. The congregation was to be thought of as any other group applying for Union membership. Ross noted in his response to Lelyveld that "[the UAHC is] not trying to do anything devious from a public point of view."¹⁴⁵

His statement hints at a sense of distrust from Lelyveld, which is interesting given the often tenuous relationship between the UAHC and CCAR. The issue of homosexual

¹⁴⁴ Ibid., 20.

¹⁴⁵ Ibid., 23.

synagogues heightened this tension. Already, three of the great rabbis of the day, Rabbis Freehof, Borowitz, and Mihaly, had argued definitively against the formation of gay congregations. Yet, here, the UAHC pushed forward, determining its own agenda to the exclusion of the rabbis. Popular lore also indicates that Rabbi Schindler, president of the UAHC, would present controversial ideas in his Biennial presidential address without notifying his colleagues at the CCAR or HUC-JIR. To some degree, this sort of trailblazing reflected the entire UAHC presidency of Alexander Schindler. The UAHC, particularly under the leadership of Schindler, pushed the agenda of North American Reform Judaism.

This sort of forward-thinking attitude was seen among many of the executive committee members of the Board of Trustees who disagreed with Lelyveld and spoke up on behalf of BCC. One of the most influential and powerful speakers was Mr. Kivie Kaplan, an ardent advocate of social justice and a past president of the NAACP from 1966 to 1975.¹⁴⁶ Kaplan asserted that the fight for gay and lesbian synagogues was nothing more than an issue of justice. He stated:

I have the greatest respect for Rabbi Lelyveld and have had for many, many years. There aren't many finer fighters for justice than Rabbi Lelyveld. But I think he overlooks this as a case of justice where Judaism teaches us that all men are created equal in the eyes of God, that we would be practicing discrimination if we discriminated against this congregation, and I think that we would be making a serious mistake not to accept this congregation into our fold though Rabbi Lelyveld points out he has known of many homosexuals in our movement over the years and just because they happen to be segregated, which he and I have been fighting against all of our adult lives, are to opposed to anything like that, and I think we ought to accept this congregation into our fold without making a big thing out of it.¹⁴⁷

¹⁴⁶“Biographical Sketch of Kivie Kaplan,” Kivie Kaplan Papers, MS 26, The American Jewish Archives, Cincinnati, OH, http://www.americanjewisharchives.org/aja/collections/01_k.html.

¹⁴⁷UAHC Board of Trustees, Executive Committee Proceedings, June 8-9, 1974, p. 24-25, Union of Reform Judaism Records, MS 72, microfilm 3691, The American Jewish Archives, Cincinnati, OH.

Dr. Jerome S. Mehlman, president of the Chicago region of the UAHC, argued in favor of BCC, not from a justice point of view like Kaplan, but from the experience of science. As a physician, Mehlman drew on changing attitudes about homosexuality to offer his opinion. He explained to the group:

It is very hard to say what is normal and what is abnormal. In a society of cannibals, cannibalism is a perfectly normal form of behavior. In the United States, up until now at least, homosexuality has been regarded as distinctly abnormal but with our more enlightened knowledge of mental and emotion processes, today we are getting to the point of view where we don't feel it is anywhere near the gross abnormality, if anything it may be the type of abnormality that society can live with.¹⁴⁸

Heavily influenced by their work in the secular world, Kaplan and Mehlman presented significant arguments and information that informed the discussion at hand and likely affected the subsequent vote. It is interesting to note that this decision, to accept BCC as a member of the UAHC, was the only decision vis-à-vis gay and lesbian Jews in the Reform Movement that was decided exclusively among the lay leadership. In the other cases of ordination of gay and lesbian rabbis and the issue of gay marriage, decisions were either made with a combined group of representatives from the three arms of the movement or exclusively by rabbis.

After further discussion and support from various lay leaders, the motion to admit BCC as a member of the UAHC was carried by a vote of 61 to 22. Chariman Ross praised the action of the executive board, noting that the decision followed the feeling of the UAHC officers who discussed the issue at great length the night before. He stated, "I might tell you, it might be of interest to you that this question was discussed at great length at an officers meeting the other night, at very great length, and if I sensed the

¹⁴⁸ Ibid., 25-26.

feeling of that meeting, what you did today is wholly consistent with the views and majority feeling of the officers, and I think it represents the feeling of the entire officers of the Union.”¹⁴⁹ Ross thanked Joe Kleiman, the chair of the new congregations committee, for a job well done. He reiterated his commendation to the group, noting “I think you have done a great service for the Union in the way you have handled this matter.”¹⁵⁰ There was applause from the committee.

The acceptance of BCC as a member congregation of the UAHC marked a significant moment in gay and lesbian Jewish history. Though the Board made it quite clear that BCC was admitted to the Union despite its gay and lesbian specific outreach, the successful acceptance of the congregation indicated some degree of institutional recognition for homosexuality as a valid, if not celebrated, form of Reform Jewish sexual expression. However, the question of an “ideal” Jewish sexual identity remained the central question in subsequent debate over inclusion efforts in the movement, particularly in regard to the ordination of gay and lesbian rabbis.

Rabbinic Leadership at Beth Chayim Chadashim

Throughout its formation and affiliation processes, BCC received significant support from rabbis—both locally and nationally in the Movement. The congregation also benefited from the work and involvement of a number of student rabbis from the HUC-JIR Los Angeles campus from 1975 to 1983, when Rabbi Janet Ross Marder became the first ordained rabbi to serve the congregation. The list of rabbinical interns included Scott Sperling, Mark Hurvitz, Keith Stern, Leah Kroll, Margaret Holub, Holly Cohn, and Sharon Gladstone. However, the Reform rabbinical seminary, HUC-JIR, did

¹⁴⁹ Ibid., 35.

¹⁵⁰ Ibid.

not lend real support to BCC in its attempt to find rabbinic leadership. Moreover, many rabbis who considered serving BCC received strong advice from within the Reform Movement to avoid the job so as not to be assumed gay or lesbian.

In the case of HUC-JIR, student rabbis typically receive credit towards their rabbinical degrees for serving in a rabbinical internships or student pulpit. However, HUC-JIR resisted granting credit to BCC's first rabbinical intern, Scott Sperling, now regional director of the Mid Atlantic Region of URJ, for his work with the gay congregation, though his rabbinical duties mirrored those of any other rabbinical intern. He led services, hosted a Passover seder, taught numerous classes, provided pastoral care, and facilitated many interesting conversations. One such discussion looked at a variety of questions related to the gay Jewish experience. The event was publicized in the February 1975 BCC bulletin. The ad read:

Stop and Look! Are we second class Jews? What do Jews think of our Temple? Why is the Jewish Community important? Does our Temple have anything to offer the Jewish community? Does the Jewish community have anything to offer our Temple? Are we a 'novelty' within the Jewish community? Will we ever have a sister congregation in Israel?

These and other exciting, relevant questions will be explored in depth by members of the congregation and Scott Sperling, our rabbinic intern, in a series of open forum discussion sessions. Multi-media presentations and guest lectures will highlight this new Temple program. Together we will be exploring aspects of the meaning of our rituals; selections from the wealth of Jewish literature; and the resources available through the various agencies and organizations of the Jewish community.¹⁵¹

The stress on "our" student rabbi emphasizes the deep appreciation and excitement BCC felt for their new student intern. This marked the first time that the congregation had the ongoing support of a rabbi or rabbinical student on a bi-monthly basis. Sperling, who began his tenure with the congregation on January 31, 1975, shared

¹⁵¹ Beth Chayim Chadashim Newsletter, Volume II, number 8, February 1975.

the pulpit duties with Cantor Saul Silverman of Temple Israel of Hollywood, who led services for the congregation on the second and fourth Fridays of the month.¹⁵²

Scott Sperling became involved in BCC through the efforts of Rabbi Erwin Herman. During his fourth year, Sperling found himself in need of work after being forced to leave his rabbinical internship over a serious disagreement with the senior rabbi. Herman, who knew Scott as a teenager growing up in Los Angeles, wanted to help him and knew also that BCC was actively looking for a student rabbi. Sperling noted, "Erv Herman knew me well enough to know that the idea of doing something that was in direct contradiction and opposition to the stated policy of the president of the college and doing something that no one else had done before was going to appeal."¹⁵³ And though his father thought it was a bad decision, he took the job, becoming BCC's first rabbinical intern.

Sperling accepted the job for many reasons, the least of which was a financial concern. Sperling noted that, although it was uncomfortable not to have a job, he was not concerned about his immediate physical needs being met. His parents lived about twenty minutes away and he had their support and that of his roommate, a close friend from his days in NFTY. Rather, the job at BCC attracted Sperling for a greater reason, the opportunity to do something important and to make a difference. He also had the support of the women in his life. His mother encouraged him noting that the experience at BCC was "an opportunity to accomplish something."¹⁵⁴ His fiancée Laura, now his wife of over thirty-years, was "absolutely 100% supportive."¹⁵⁵ And though most everybody else

¹⁵² Ibid.

¹⁵³ Rabbi Scott Sperling, Phone Interview, November 13, 2007.

¹⁵⁴ Ibid.

¹⁵⁵ Ibid.

in his life warned him against working with a gay congregation, this support and encouragement gave Sperling the confidence he needed to go for what proved to be a truly “life- changing experience.”¹⁵⁶

However, despite the incredible experience and training he received in this job, Sperling did not receive credit for his rabbinical internship with BCC. This was one of the ways that the College-Institute tried to thwart Sperling’s work with the gay group. As well, HUC-JIR gave Sperling three ultimatums before they allowed him to take the job. First, he was not permitted to enroll in the Practical Rabbinics class for students serving rabbinical internships or student pulpits. Second, Sperling did not receive credit for the internship. This meant that he had to take another internship the following year in order to fulfill his rabbinical ordination requirement. Third, Sperling’s name and the name of the College-Institute were never to appear together in any publication or document in relation to BCC.

Sperling received the parameters from then Los Angeles dean, Rabbi Lewis Barth, who served in that capacity from 1971 to 1979 and from 1997 to 2007.¹⁵⁷ According to Sperling, the limitations placed on him pained Barth, who advocated and supported him in his decision. Yet, Barth made it very clear that he had little to no control over the situation which was determined by then President of the HUC-JIR Alfred Gottschalk. Despite what Sperling identified as short term limitations such as not receiving credit for the pulpit, he accepted the offer and served the congregation until the end of the academic year.

¹⁵⁶ Ibid.

¹⁵⁷ “HUC-JIR/LA Historical Timeline: 1947-2002,” <http://www.huc.edu/chronicle/60/latimeline.shtml>.

Though Sperling admitted that his association with BCC did have some impact on his career in the long run, he adamantly stated that he would not have traded that experience for anything. "It helped make me into the rabbi that I have been for the last thirty-one years. It also began a lifelong involvement in issues pertaining to the gay and lesbian community. I would not trade that experience for anything even given the difficulties that it brought for me in the long term. I am really proud of that experience."¹⁵⁸

The following year, Mark Hurvitz, the rabbinical intern at BCC, experienced none of the same restrictions that were placed on Sperling. In Sperling's opinion, that was the result of two things: "I kept my mouth shut and I didn't argue with the powers that be and I demonstrated that student rabbis could responsibly serve BCC without bringing undue negative attention to the College-Institute. I accepted the rules of engagement and just did what I needed to do."¹⁵⁹

However, accepting the restrictions and trouble from HUC-JIR proved not to be the most difficult part of the job. Sperling noted that the most challenging part of his experience with BCC came years after his internship. Scott and his wife remained in close touch with BCC upon their return to the Los Angeles area after his ordination in 1976 from HUC-JIR New York. In that time, the AIDS crisis took a toll physically on the bodies of many BCC members and personally and emotionally on Sperling's spirit. In tears, he explained: "The most difficult part of my experience with BCC had nothing to do with being at BCC; it came six, seven, eight, and nine years later. Even now when I think about it is very hard for me to talk about this without getting very emotional.

¹⁵⁸ Rabbi Scott Sperling, Phone Interview, November 13, 2007.

¹⁵⁹ Ibid.

Virtually the entire male population with whom I served in that formative moment I watched die.”¹⁶⁰

Sperling grew significantly from his experiences with BCC, both as a rabbi and person. He has lived out his commitment to social justice and gay and lesbian rights through his diverse and significant rabbinic experiences. However, one story summed up Sperling’s feelings about what it meant to serve BCC. Sperling had just finished having a meeting with the education committee from BCC at Kanter’s Delicatessen in Los Angeles. During the meeting, he learned from one of the members that an ad about the upcoming adult education series he was facilitating was in the current issue of the *Advocate*, a weekly gay and lesbian newspaper in Los Angeles.

According to Sperling, “I was standing on the west side of Fairfax and I knew perfectly well that the little machine that sells the *Advocate* was on the east side. I said to myself, you are standing in the middle of the busiest Jewish street in Los Angeles and you are about to cross the street. Go put your fifty cents into the machine and pull out a copy of the paper. What is going to happen if people see you?”¹⁶¹

In the end, Sperling got his copy of the *Advocate*, saw the advertisement, and lived to tell of the experience. This story is emblematic of the experiences of many of the early pioneers and leaders in gay and lesbian inclusion efforts in the Reform Movement. Individual men and women, like Sperling, Schindler, and Herman, made serious and significant choices to “cross a bridge” and bring others along with them in their attempt to serve a special and unique Jewish community.

¹⁶⁰ Ibid.

¹⁶¹ Ibid.

These efforts led to a number of significant resolutions regarding gay and lesbian rights and inclusion from the different arms of the Reform Movement. In 1977, both the UAHC and CCAR passed resolutions demanding civil rights for homosexuals and the decriminalization of homosexual acts between consenting adults. The UAHC also called upon its congregations to promote educational efforts about homosexuality as to encourage more understanding and a greater welcome for gays and lesbians in existing congregations. These resolutions intended to make Reform Jewish institutions more open and inviting for gay Jews and to sensitize existing membership regarding these issues.

However, these resolutions and a number of subsequent responsa from the CCAR pointed to the fact that the Reform Movement continued to struggle with homosexuality as a valid and holy form of Jewish sexual expression. It was one thing to grant civil rights for gays and lesbians and to welcome them into the congregation and UAHC, but it was another thing entirely to celebrate gay Jewish life. The growing gay and lesbian Jewish community pushed the entire Reform Movement to think differently and more inclusively.

Similarly, the acceptance of gay outreach congregations opened the door to a number of larger, institutional issues. Would Reform Judaism celebrate gay Jewish life, not just tolerate it? Would Reform Judaism allow gay men and lesbians to serve as Jewish role models openly and proudly, including in the role of Reform rabbis? How would the movement respond to the AIDS crisis? Would the Reform Movement respond to the call for appropriate sanctification rituals for gay and lesbian couples? How will the movement respond to the diverse constellations of families in the Reform Jewish community today? There were many tough questions and even more difficult answers.

Chapter 3: Background to the Ordination of Gay and Lesbian Rabbis

Introduction

Today, the Reform Movement champions the efforts of inclusion, integration and equal standing of gay, lesbian, bisexual and transgender (GLBT) people in congregations and communities. This includes the Reform rabbinate. In fact, nearly twenty percent of the 2003-2004 Year in Israel program on the Hebrew Union College-Jewish Institute of Religion (HUC-JIR) Jerusalem campus identified their sexual orientation as something other than heterosexual.¹⁶² This included the first transgender rabbinical student in history. Though the statistic is unique to this particular academic year, GLBT students have been and continue to be a steady contingency contingent in current and recent rabbinical school classes on all four campuses of HUC-JIR. However, it is only in recent decades that gay and lesbian students could apply openly to the rabbinical program.

Impact of Outreach on Gay and Lesbian Jews

By the 1980s, gay outreach congregations and organizations held a significant place in the Jewish community. The first formal international meeting of gay and lesbian Jewish organizations was held in 1976 in Washington, DC. Representatives gathered together from Washington, DC, Philadelphia, New York, Miami, Chicago, Los Angeles, London, Montreal, Toronto, and Tel Aviv “to discuss common concerns and set in motion a way for gay and lesbian Jews to work together.”¹⁶³ This group officially became the World Congress of Gay and Lesbian Jewish Organizations in 1980. As of spring 1987, twenty-six member groups belonged to the World Congress, including four

¹⁶² This statistic is based on informal survey of the 2003-2004 Year-in-Israel class.

¹⁶³ The World Congress of Gay, Lesbian, Bisexual, and Transgender Jews: Keshet Ga'avah, “History,” http://www.glbtejews.org/article.php?id_article=121,

Reform-affiliated congregations.¹⁶⁴ Today, the renamed World Congress of Gay, Lesbian, Bisexual, and Transgender Jews: *Keshet Ga'avah* (Rainbow of Pride) includes nearly fifty member organizations in Argentina, Australia, Austria, Canada, France, Germany, Hungary, Israel, Mexico, The Netherlands, Spain, Sweden, the United Kingdom, and the United States.¹⁶⁵

Similarly, individual homosexual Jews demanded full acceptance in Jewish life. For some, this included the right to be or become openly gay or lesbian rabbis. Rabbi Alexander Schindler, President of the Union of American Hebrew Congregations (UAHC) from 1973 to 1996, played a significant role in the inclusion of gay and lesbian Jews in the Reform Movement. Under his watch, the Reform Movement admitted to membership the first gay synagogue in history, supported legislation that decriminalized sodomy and protected gay people from discrimination, responded to the AIDS crisis, welcomed gay and lesbian Jews to membership in mainstream congregations, eliminated the ban against homosexual rabbis, promoted equal employment opportunities within the Reform Movement, opposed discrimination against gays in the military and by the Boy Scouts of America, responded to anti-gay rights referenda, and called for civil marriage and all accompanying benefits for gay couples.¹⁶⁶

Schindler recognized the outreach potential to gay and lesbian Jews early on in his presidency. However, the sheer magnitude of this outreach potential sank in during a meeting with Rabbi Allen B. Bennett, the first openly gay rabbi in the world. Early in

¹⁶⁴ World Congress of Gay and Lesbian Jewish Organizations, *Digest*, Volume 6, Number 2, Spring 1987, Near-print file on "Homosexuality," The American Jewish Archives, Cincinnati, OH.

¹⁶⁵ The World Congress of Gay, Lesbian, Bisexual, and Transgender Jews: *Keshet Ga'avah*, homepage, <http://www.glbtejews.org/>.

¹⁶⁶ Rabbi Margaret Moers Wenig, "Tribute to Rabbi Alexander M. Schindler" (address given at the Religious Action Center's Consultation on Conscience, Washington, DC, May 2, 1995). Reprinted in *Kulanu*, ed. John Hirsch and Rabbi Julie Spitzer, (New York: UAHC Press, 1996) viii.

1979, shortly after publicly announcing his homosexuality and before becoming the rabbi at Sha'ar Zahav, San Francisco's gay outreach congregation, Bennett traveled to New York City for vacation. While there, he decided that he wanted to meet Union President Rabbi Alexander Schindler because of Schindler's great interest in outreach and his concern for gay and lesbian inclusion. So, Bennett decided to stop by the UAHC headquarters to arrange a meeting. Edie Miller, Schindler's "gatekeeper", scheduled an appointment for 9am the following morning. The next day, Bennett entered Schindler's office, sat down, and prepared himself to meet the great leader of Reform Judaism. Schindler began by asking, "You are the Allan Bennett from California, right? So how many gay Jews do you think there are in North America?"¹⁶⁷

Stunned by the question, Bennett did not know how to respond to Schindler's direct inquiry. Pushed to give him some sort of idea, Bennett determined that if there were six million Jews in North America and roughly 10% were gay, then there should be around 600,000 gay Jews in North America. Schindler "hit his head like that 'Oh, I could've had a V8 thing.'"¹⁶⁸ The utter possibility of reaching out to 600,000 Jews astounded him. Schindler pushed further by asking Bennett how many of the 600,000 were affiliated with synagogues. Unaffiliated at that point himself, Bennett reasoned that no more than 2,000 gay Jews in the entire continent were members of a synagogue. Schindler responded, "Oh my God, what an opportunity."¹⁶⁹

It is unclear from his answer whether Schindler saw this as an opportunity to strengthen the Union's membership or to reach out to the "untouchable Jews"; it turned out to be both. "The fact that there were un-churched Jews who might be brought into

¹⁶⁷ Rabbi Allan B. Bennett, Phone Interview, October 12, 2007.

¹⁶⁸ Ibid.

¹⁶⁹ Ibid.

the fold of Reform Judaism because God knew they weren't going to go to Conservative Judaism or Orthodox Judaism, he just thought that this was the greatest thing since the invention of air," stated Bennett.¹⁷⁰ Schindler, the great outreach rabbi, worked to enfold these men and women into the fabric of Reform Judaism, nurturing them, helping them, and enabling them to achieve the highest levels of personal and spiritual satisfaction as Jews. This included the opportunity to become openly gay and lesbian rabbis. However, there was no subsequent action on this front from Schindler for the next five years.

Rabbi Schindler Addresses the Issue of Gay and Lesbian Rabbis

On February 28, 1984, Schindler sent a personal and confidential memo to Dr. Eugene Mihaly¹⁷¹, Executive Dean for Academic Affairs of HUC-JIR, which sought elucidation regarding Mihaly's personal and professional attitudes towards the admission of avowed homosexuals to the rabbinical program. Schindler had learned that Mihaly opposed the admission of a particular applicant to the College-Institute after the student admitted to being a homosexual. In his memo, Schindler pointed out that "the general population statistics are 5% homosexual and there is no reason why the rabbinate should not be paralleled with that—that is to say that we must have 50-70 rabbis who are homosexual."¹⁷² Schindler's logic is not without flaws. At least some gay and lesbian Jews probably self selectively refrained from applying if they felt that a rabbinical career

¹⁷⁰ Ibid.

¹⁷¹ According to Rabbi Ken Erlich, Dean of HUC-JIR, Cincinnati, who worked closely with Mihaly, Dr. Mihaly was Alexander Schindler's personal "halakhic source." Schindler checked with Mihaly on all sensitive halakhic issues, though the two often disagreed on the legal argument and outcome. In this sense, Erlich notes, "Mihaly had a profound effect on Schindler's policies and therefore the Union's motions." Rabbi Ken Ehrlich, Personal Interview, October 19, 2007.

¹⁷² Rabbi Alexander Schindler, personal and confidential memo to Dr. Eugene Mihaly, February 28, 1984, The Alexander Schindler Papers, MS-630, Box 4, Folder 8, The American Jewish Archives, Cincinnati, OH.

was incompatible with being “out.”¹⁷³ Yet despite these flaws, Schindler correctly argued that HUC-JIR and the CCAR had accepted, ordained, and subsequently placed gay rabbis. His memo seemed to press Mihaly to take a permissive view and thus adjust the practices of the College-Institute.

Two major incidents seemingly affected Schindler’s attitude towards gay and lesbian ordination and motivated his inquiry to Mihaly. In 1984, the Reconstructionist Rabbinical College made explicit its policy to admit openly gay and lesbian students to its rabbinical program. Undoubtedly, Schindler knew of this development and it affected his concern and interest in the issue. Gay and lesbian Jews who wanted to become rabbis could now freely and openly combine these two parts of their lives. No longer could Reform Judaism—the major leader of progressive Judaism—shy away from the issue of gay ordination. Schindler understood this and pushed the College-Institute to deal with the issue.

Second, significant inconsistencies regarding the admission of openly gay and lesbian students to HUC-JIR surfaced that same year. In 1983, the College-Institute admitted Eric Weiss, an openly gay student, to its first year class. However, the following year, another qualified student applied openly as a lesbian to the school and was denied admission based solely on her sexual orientation. These discrepancies highlighted the internal conflict at HUC-JIR over the admission of gay and lesbian students. As well, this alerted fellow Reform Jewish leaders, like Schindler, to the problem and motivated his inquiry.

Weiss, currently the executive director of the Bay area Jewish Healing Center in San Francisco, California, originally applied and was accepted to HUC-JIR in 1979.

¹⁷³ Dr. Jonathan Krasner, Correspondence, November 5, 2007.

However, sensing a need for more life experience, Weiss requested and received a one-year deferment for entrance to the College-Institute. He noted, "My age and life experience level was not up to par with what in my own mind... it meant to be a rabbi. I realized I would go through rabbinic school and be a rabbi before I was thirty and be expected to do all this stuff that I couldn't possibly do with authenticity."¹⁷⁴

Weiss relocated to San Francisco upon his graduation from the University of California, Santa Cruz in the spring of 1979, and remained there for five years, thus forfeiting his one-year postponement. Together with his then lover, he moved into an exclusively gay male house and, with the help of a friend from college, got a job in a downtown San Francisco law firm. During that time period, Weiss lived what he termed the typical pre-AIDS gay male life. He explained:

By no pre-thought out intention, I essentially became de facto a gay male separatist. The only people that were straight that I ever interacted with were people in my work when I went to work. The entirety of the rest of my life was exclusively gay men... I worked, but I spent my life celebrating being gay and I did the regular stuff that you read about in books...a lot partying and a lot of living in the most wonderful way...we talked about those years as the golden years¹⁷⁵

After some time, though, he began to question his future and how he could contribute to the improvement of society. Together with one of his roommates, Weiss interviewed and was accepted as a hospice volunteer with Shanti, a San Francisco based non-profit agency that provides peer support to those living with HIV/AIDS and other life-threatening illness. Weiss gravitated towards hospice volunteering, finding it personally meaningful. He noted, "I could do something that will really help people and

¹⁷⁴ Rabbi Eric Weiss, Phone Interview, December 2, 2007

¹⁷⁵ Ibid.

make me feel like I am part of something larger in this world than just myself.”¹⁷⁶ This experience inspired his decision to re-apply to rabbinical school.

Yet, during those five years in San Francisco, Weiss had grown increasingly aware of HUC-JIR’s critical attitude towards openly gay and lesbian students. While he knew of a number of closeted gay and lesbian students enrolled at HUC-JIR, he also knew that no openly gay and lesbian student had yet been admitted to the College-Institute. He also had the chance to meet and talk with Rabbi Allen Bennett, then rabbi at San Francisco’s gay outreach congregation Sha’ar Zahav, about his personal experiences as a gay man, albeit closeted, in rabbinical school.

Despite the abundant negative signs, Weiss decided that he would re-apply to HUC-JIR as an openly gay candidate, noting “I couldn’t possibly sell myself short.”¹⁷⁷ His decision came out of his own sense of personal authenticity; it was not a political statement. Thus, in 1983, Weiss once again sent in his rabbinical school application to the College-Institute and interviewed on the Los Angeles campus. Two major events, one during the interview process and one immediately after, occurred.

First, Weiss disclosed his homosexuality during the admissions process. Wanting to come out in a personally authentic way, Weiss determined that the best way for him to come out was during the psychological interview, through his answers to the Minnesota Multiphasic Personality Inventory (MMPI), a popular personality test given to all rabbinical school applicants, and during his mandatory meeting with the school psychologist. Weiss explained, “I knew the psychological report was part of the entire

¹⁷⁶ Ibid.

¹⁷⁷ Ibid.

admissions process. I knew that it was reported to the entire committee and so that is how I decided to come out.”¹⁷⁸

On the MMPI, Weiss answered true to the question, “I am very strongly attracted by members of my own sex.” He noted, “If anything came up from that perspective it was because the school had instructed the scorer to specifically do so.”¹⁷⁹ As well, Weiss discussed his homosexuality openly with the school psychologist. In the process of that meeting, the psychologist probed Weiss’ answer to the aforementioned MMPI question, noting that most people who answer true to that question are gay. Weiss responded, “I am [gay].”¹⁸⁰ Weiss also talked about his experiences as a gay man in San Francisco and what it was like to be part of gay liberation. At the end of the hour, the psychologist noted that the results of the test and interview would be reported to the dean of the rabbinical school, Rabbi Lee Bycel, and the rest of the admissions committee.

Second, after receiving his acceptance letter, Weiss learned that Bycel had questioned two of Weiss’ acquaintances about his sexual orientation. The two individuals broke Bycel’s confidence and reported the incident to Weiss. Bycel, who served as head of the Los Angeles rabbinical program from 1982 through 1986, never brought the issue up directly with Weiss. However, knowledge of the inquiry made it clear to Weiss that Bycel knew he was gay. Between this experience and coming out during the interview process, Weiss assumed that the entire HUC-JIR system knew that he was gay and that the first openly gay student had been accepted to the Reform Movement’s rabbinical program.

¹⁷⁸ Ibid.

¹⁷⁹ Ibid.

¹⁸⁰ Ibid.

However, an experience during Weiss' Year-in-Israel challenged this assumption. In the fall of 1983, at the beginning of his first year, Weiss arranged a meeting with the Jerusalem campus dean, Rabbi Shaul Feinberg, to discuss suggestions he might have for an openly gay student in Jerusalem. Much to Weiss' surprise, Feinberg had no idea that Weiss was gay. According to Weiss, "That was the first cue to me about not knowing whether the right hand knows what the left hand was doing or if those things were deliberate." Later that same year, while still in Jerusalem, Weiss learned that there was an inquiry from another student, this time a lesbian, who wanted to know about coming out during the rabbinical application process. Her Hillel rabbi from a university in the San Francisco area contacted Bycel to gather more details for her. According to Weiss, Bycel responded that it was not a problem because HUC-JIR already had already accepted and enrolled an openly gay student. Of course, Bycel was referencing Weiss.

The above incidents indicate overwhelmingly that Bycel knew of Weiss' homosexuality. However, when Weiss returned to Los Angeles and met with Bycel to discuss being the first openly gay student on the Los Angeles campus, Bycel denied knowing that Weiss was openly gay. Weiss, in a very "straightforward, calm, regular way,"¹⁸¹ pressed Bycel on the issue, citing all the incidents that proved Bycel's knowledge of the situation. Ultimately, Bycel recanted his statement and admitted that he did in fact know about Weiss' homosexuality. He promised to speak with Rabbi Uri Herscher, then dean of the entire Los Angeles campus, and tell him honestly about Weiss' sexual orientation and the fact that Weiss had applied and been accepted openly to the rabbinical program. According to Weiss, this experience caused him to realize that

¹⁸¹ Ibid.

Lee Bycel, “out of his own sense of *tikkun* (repair, making things right)...‘played with the rules.’”¹⁸²

Based on the timeline and sequence of events, it seems plausible that these developments indeed prompted Schindler to write Mihaly and question him about the difference between someone who was discovered to be a homosexual after being admitted to the College-Institute and yet not dismissed and an applicant who professed his homosexuality upfront. It seems very likely that Weiss was the student mentioned who was discovered to be a homosexual but not dismissed from the program. Even though Weiss disclosed his homosexuality up front during his interview in Los Angeles, the incidents with Feinberg and Bycel illustrate that the national leadership of the College-Institute and the other branches of the Reform Movement likely did not explicitly learn about Weiss’ sexual orientation until well into his first year, around the time of the Schindler-Mihaly letter.

Mihaly responded to Schindler’s inquiry about the admission of an avowed homosexual in a 4-page, singled-spaced letter on March 2, 1984. In the letter, he first articulated the policy of the College-Institute vis-à-vis the admissions of gay and lesbian students to the rabbinical program. According to Mihaly, HUC-JIR did not knowingly admit homosexuals to the program. He wrote:

Let me first make clear that it has been the long-standing policy of the College not to admit homosexuals. Though we never publicized the fact and did not want to make a public issue of it, if a person either professed that he/she was a homosexual, or if our elaborate psychological testing and personal interview indicated as much, that applicant was not admitted to the College. This policy has been in effect through the years, considerably prior to my assuming any administrative responsibility. Our internal guideline, ‘Standards for Admission,’ which was drafted a number of

¹⁸² It is important to note that Weiss made this comment in what he termed the “most respectful way.” Rabbi Eric Weiss, Phone Interview, December 2, 2007.

years ago, states, 'A student must be mentally and physically healthy. Psychological testing (required of candidates prior to final consideration of their applications) is designed to screen out deviates, psychotics, and those students unable to cope with the stresses and pressures of graduate work and ultimately rabbinic responsibilities.'¹⁸³

However, Mihaly also noted that "closeted" homosexual students had been admitted and ordained by the College-Institute.

It is true that some of our students who turned out to be homosexuals were ordained. To my knowledge, however, these men and women were closet homosexuals. They did not, in other words, proclaim the fact publicly, nor was it definitely known by the College until after their ordination. Through the years, the few instances of known homosexuals (and they were very few indeed) quietly left when their homosexuality became known beyond doubt.¹⁸⁴

Though Mihaly noted that students "quietly left" upon being discovered to be gay, anecdotal evidence suggests that students were unsympathetically ousted from the campus immediately when exposed as homosexuals.¹⁸⁵ In such a hostile environment, extreme secrecy about one's sexual orientation became tantamount to survival in the days before the 1990 statement affirming the ordination of gay and lesbian rabbis.

Second, Mihaly directly addressed Schindler's accusation regarding his opposition to the "admission of an applicant to HUC-JIR who admitted that he was a homosexual."¹⁸⁶ At the outset, Mihaly corrected Schindler and identified the applicant as a lesbian, not a gay man. This statement corroborated Weiss' experience during his year in Israel in which Bycel told a woman that her application as an open lesbian would be fine because the College-Institute already had an openly gay student in its first year class.

¹⁸³ Dr. Eugene Mihaly, personal and confidential memo to Alexander Schindler, March 2, 1984, The Alexander Schindler Papers, MS 630, Box 4, Folder 8, The American Jewish Archives, Cincinnati, OH.

¹⁸⁴ Dr. Eugene Mihaly, personal and confidential memo to Rabbi Alexander Schindler, March 2, 1984, The Alexander Schindler Papers, MS 630, Box 4, Folder 8, The American Jewish Archives, Cincinnati, OH.

¹⁸⁵ Dr. John Hirsch, Phone Interview, October 30, 2007.

¹⁸⁶ Rabbi Alexander Schindler, personal and confidential memo to Dr. Eugene Mihaly, February 28, 1984, The Alexander Schindler Papers, MS 630, Box 4, Folder 8, The American Jewish Archives, Cincinnati, OH.

Subsequently, Mihaly addressed the issue of homosexuality and HUC-JIR admissions more globally. He wrote:

Recently, and this was a first, a student applied who stated in her bio (required of all applicants) that she is a homosexual; all her previous contacts with Reform institutions have been through a homosexual congregation; and her letters of recommendation were from homosexuals. As a result, the question was raised whether we should study the matter anew or not. At a recent meeting of the Deans' Council, we decided, a decision which I supported, to consider the matter in the light of more recent developments and the most competent advice of experts, etc. We shall proceed to do so.¹⁸⁷

Third, Mihaly addressed the jurisdiction of each admissions committee in determining the appropriateness of a candidate for entry into the rabbinical program. He explained:

In admitting students as candidates for the rabbinate, we consider...many factors. We test a student, for example, to determine his/her academic and intellectual capacities. If a student's GRE scores are below a minimal level, we do not admit him/her. This certainly does not involve any moral judgment regarding the student. It is just that we do not feel that we would be fulfilling our obligation to our constituency by ordaining such a person. Similarly, if a person has serious health problems, or if he/she does not have sufficiently strong commitment to Judaism, or if he/she tends towards being misanthropic, or if he/she had not commitment to the Jewish people or its history, we would not admit him/her. The admissions committees, in other words, have the responsibility of determining whether an applicant, in terms of his/her total personality, would be an effective rabbi. The College has always viewed this process as one of its most serious and onerous responsibilities.¹⁸⁸

Though Mihaly and the rest of the national administration of HUC-JIR may have believed that each campus utilized the same exact criteria in making these determinations, research suggests otherwise. The Los Angeles administration and faculty handled the application and subsequent treatment of gay and lesbian students markedly

¹⁸⁷ Dr. Eugene Mihaly, personal and confidential memo to Rabbi Alexander Schindler, March 2, 1984, The Alexander Schindler Papers, MS 630, Box 4, Folder 8, The American Jewish Archives, Cincinnati, OH.

¹⁸⁸ Ibid.

differently than the other campuses. As noted before, this was likely the result of the positive relationship between HUC-JIR Los Angeles and the local gay Jewish community, as well as the progressive and cutting edge nature of Los Angeles in general.

There were also individuals on the Los Angeles campus who sympathized with the gay and lesbian students. It was already noted that Bycel adjusted the rules in the case of Weiss. In addition, Dr. Stanley Chyet, a professor at HUC-JIR and father of a gay son, served as an advocate to many gay and lesbian students. In 1984, when Weiss arrived on the Los Angeles campus, Chyet sent word for Weiss to visit him, and during that meeting, instructed Weiss to inform him if he ever felt threatened as a gay student, either on the Los Angeles campus or at any point in his HUC-JIR career. Weiss explained, "[Chyet] wanted to make sure that my ordination would never be in jeopardy."¹⁸⁹ Knowing the hostile situation towards gay and lesbian students in New York and Cincinnati, Chyet tried to protect Weiss and others from encountering any problems down the line. There is also some indication that Chyet looked out for some of the closeted gay students in Cincinnati during his tenure there from 1960 until 1976.

Finally, Mihaly concluded his letter with a harsh statement condemning the ordination of gay and lesbian rabbis. He wrote:

It has been the judgment of the College, a judgment which I have shared, that an overt homosexual will not serve effectively as a rabbi, will not be able to find placement, and will not find fulfillment for him/herself in the profession. There is no moral judgment involved in this. This is simply a view of the practicalities of the situation. Alex, not everyone has to be a rabbi. Every Jew is entitled to be given an opportunity to participate in the institutions of religion, but not everyone is either qualified or suited for, or will find fulfillment in, the rabbinate.¹⁹⁰

¹⁸⁹ Rabbi Eric Weiss, Phone Interview, December 2, 2007.

¹⁹⁰ Dr. Eugene Mihaly, personal and confidential memo to Rabbi Alexander Schindler, March 2, 1984, The Alexander Schindler Papers, MS 630, Box 4, Folder 8, The American Jewish Archives, Cincinnati, OH.

In many ways, Mihaly's determinations about gay and lesbian rabbis paralleled the attitude towards the first generation of women rabbis—that women would not serve effectively as rabbis, that women rabbis would not be able to find placement, and that women would not be fulfilled by life in the rabbinate.¹⁹¹ To be sure, the earliest women in the rabbinate faced difficulties and challenges unique to their generation. Yet, HUC-JIR admitted these women to the rabbinical program before preparing or readying the Reform Movement for them. It was the CCAR that, after the ordination of the first woman rabbi in 1972, addressed these concerns, through the passage of the 1972 resolution asserting the equality of women in the Reform Movement and in the Reform rabbinate and the creation of the Task Force on Women in the Rabbinate in 1976 to further advance the ideals set forth in this resolution. However, the College-Institute perpetuated the ban on openly gay and lesbian rabbis until it was challenged from the outside.

In a fleeting statement at the very end of his letter, Mihaly noted that the College-Institute “propose[d] to enter a deliberate process to study the situation.”¹⁹² However, HUC-JIR continued to ignore the issue until forced to address it as part of the CCAR Ad Hoc Committee on Homosexuality and the Rabbinate, which met from 1986 through 1990. Even then, the College-Institute remained rather vague and unclear about its admissions policy and how an affirming statement regarding gay and lesbian ordination from the CCAR would affect its written and unwritten policies.

¹⁹¹ Task Force on Women in the Rabbinate, MS 677, <http://www.americanjewisharchives.org/aja/FindingAids/task-force.htm>, The American Jewish Archives, Cincinnati, OH.

¹⁹² Dr. Eugene Mihaly, personal and confidential memo to Rabbi Alexander Schindler, March 2, 1984, The Alexander Schindler Papers, MS 630, Box 4, Folder 8, The American Jewish Archives, Cincinnati, OH.

The minutes from the first meeting of the Ad Hoc Committee on Homosexuality and the Rabbinate also painted a very different picture of the admissions process than Mihaly's letter written just over two years earlier. The committee's minutes state:

The HUC-JIR representative stated that the admissions policy of the College-Institute is that there is no official policy now, neither from the President or the Board of Governors. The whole matter of admissions is complex. The four schools have four separate committees. Each committee has its own integrity. The Dean of each can influence each committee. There is no official statement.

A faculty member of HUC-JIR basically concurred. He stated that he never heard the issue [of homosexuality] raised: *de jure*—there has been no discussion; *de facto*—gay persons have been ordained. No one has ever been asked to leave HUC-JIR in regard to this issue. Psychological testing is administered as part of the admissions process and there can be multiple interpretations of the results of those tests, but they are not set up to determine or exclude homosexuals.

If a homosexual profile does emerge, there is great diversity on each of the four campuses—each committee votes its conscience.

Members of the faculty, as all colleagues, are divided on this issue. Dreyfus stated that he has been on the admissions committee since 1967 and the issue of sexual orientation has never been discussed. In the event that tests or indications point toward a homosexual orientation, each admissions committee still has discretionary power in decision-making.

A discussion then ensued in which it was stated that certain leaders of HUC-JIR have declared that the Rabbinical School does not knowingly admit gay or lesbian candidates and that certain members of the faculty would not sign the ordination degrees of known homosexuals.¹⁹³

The two accounts are remarkably different and point to the significant internal strife and incongruity at HUC-JIR over the admission of gay and lesbian rabbinical students. To note two of the major difference, according to Mihaly, the issue of homosexuality was raised in 1984 in regard to the application of a lesbian who applied for admission to the rabbinical program. However, a faculty member from the College-Institute, as a representative of the school, noted that the issue of homosexuality had

¹⁹³ CCAR Ad Hoc Committee on Homosexuality and the Rabbinate, Minutes of Meeting, November 24, 1986, The Selig Salkowitz Papers, MS 725, Box 3, Folder 2, The American Jewish Archives, Cincinnati, OH.

never been raised explicitly as part of the admissions process. In addition, Mihaly's letter suggested that students had left, or been forced to leave, HUC-JIR solely based on sexual orientation. This letter, however, states that no student was ever asked to leave the College-Institute because he or she was gay. The only piece confirmed by both the minutes of the Ad Hoc Committee on Homosexuality and the Rabbinat and the Mihaly letter was the diversity in the attitude towards gay and lesbian students on the different campuses of the College-Institute.

The Experience of Gay and Lesbian students on Campus

As detailed in this chapter, the "rules" vis-à-vis gay and lesbian students differed greatly across the three stateside campuses, especially before the 1990 formal policy addressing the ordination of openly gay and lesbian rabbis. Until that point, the majority of gay and lesbian students at HUC-JIR remained ostensibly closeted about their sexual orientation. As noted before, Rabbi Allen Bennett, now senior rabbi of Temple Israel of Alameda, California, was the first rabbi in the world to acknowledge his homosexuality. He entered HUC-JIR in 1969 and was ordained from the Cincinnati campus in 1974. Bennett came out just five years later in 1979.

During his time at HUC-JIR, Bennett remained officially closeted. As Bennett recounts, the policy of the College-Institute during his student years was to openly ask students about their sexual orientation. In the course of his psychological screening interview, Bennett was blatantly asked whether or not he had "affectional inclinations" towards people of the same sex. Knowing the bias against gays, he lied and was accepted into the rabbinical program.

According to Bennett, there were other gay students at HUC-JIR during that time, though he does not know how many. Most were deeply closeted and terrified of being discovered. On ordination day, Bennett remembered an exchange with his classmate and now openly gay Rabbi Howard Berman. According to Bennett, “[Howard] took me aside before the ordination ceremony began and said to me don’t ever come out because the minute you do your career as a rabbi will be over. That is exactly where we were in 1974, at least organizationally. The college would not on a bet have accepted an openly gay or lesbian student.”¹⁹⁴

In the 1970s, gay rabbinical students at HUC-JIR had to live two lives—a public and a private life. In Bennett’s public life, he worked on campus in the community services office, served as president of his class a few times, and had an extremely limited social life. In his private life, he was the “unofficial chaplain” of the gay cruising area which was conveniently located across from the College-Institute in Burnet Woods. Many of the men he met there became life-long friends; in fact, he notes, many ended up in Master’s programs at HUC.

Rabbi Denise Eger, now the rabbi of Congregation Kol Ami in West Hollywood, California, expressed many of these feelings in recounting her time as a rabbinical student on three of the four HUC-JIR campuses in the early 1980s. Eger began her rabbinical school studies in 1982 in Jerusalem. She continued her studies on the Los Angeles campus and was ultimately ordained in New York in 1988. Eger expressed a major distinction vis-à-vis the attitude towards gay and lesbian students on the Los Angeles and New York campuses. In her opinion, Los Angeles was an easier place to be open about one’s sexuality, though she in no way officially came out. Eger noted,

¹⁹⁴ Rabbi Allen Bennett, Phone Interview, October 12, 2007.

“Everybody knew, but it was not part of the formal record. One did not dare come out in the context of an interview. [Alfred] Gottschalk had been dean of the LA campus before becoming President of the College. That imprint was still here.”¹⁹⁵ Legend had it that Gottschalk refused to ordain gay and lesbian rabbis, though official institutionalization of this practice never occurred.¹⁹⁶

However, Bennett confirmed the rumors about Gottschalk’s position in his personal recollections. At a Pacific Association of Reform Rabbis (PARR) convention, Gottschalk expressed his fury and anger at Bennett for coming out and in his mind embarrassing the rabbinate. With Uri Herscher, then Executive Vice President and Dean of Faculty of the four campuses HUC-JIR, serving as a witness, Gottschalk declared to Bennett that if he had known then what he knew now, he would never have ordained him.¹⁹⁷ In a recent personal conversation with Gottschalk, he did not state whether or not gay and lesbian rabbis should be ordained, only that one cannot look at the historical values of the College-Institute with 21st century eyes. “It was a different time and one cannot anachronistically assume the values of today were the reigning values of then.”¹⁹⁸

Back in Los Angeles, though, the structure of the school made it possible for Eger to simultaneously live a fulfilling personal and professional life. She explained, “It was really a commuter school and there wasn’t really community at all at HUC. You could live your life separately from HUC and never the two shall meet.”¹⁹⁹ The need to separate out one’s gay and Jewish identities became less necessary in this environment. Eger became more open about her sexuality and began to date a fellow student from the

¹⁹⁵ Rabbi Denise Eger, Phone Interview, October 23, 2007.

¹⁹⁶ Rabbi Ken Ehrlich, Personal Interview, October 9, 2007.

¹⁹⁷ Rabbi Allen Bennett, Phone Interview, October 12, 2007.

¹⁹⁸ Dr. Alfred Gottschalk, Personal Interview, September 27, 2007.

¹⁹⁹ Rabbi Denise Eger, Phone Interview, October 23, 2007.

education program. They were known fairly openly by her classmates and the faculty. She even recounts house sitting—with her partner, as a couple—for one of her professors in Los Angeles. However, she was one of the only “open” students at the time.

Yet, being open was distinct from officially “coming out.” On the record, there was no indication of Eger’s homosexuality; however, in her everyday interactions at the College-Institute, she was known to be a lesbian. There were other gay students on campus, though most remained deeply closeted. She noted a “really weird bifurcation of lives in the early 1980s. On the one hand, the AIDS crisis was raging and on the other hand HUC had its head in the sand.” Still, things in Los Angeles were markedly better than they would prove to be in New York.

Rabbis were not ordained on the Los Angeles campus of Hebrew Union College until 2002. Before that time, students spent two years on the Los Angeles campus and concluded their studies in either Cincinnati or New York. The move from Los Angeles to New York was extremely difficult for Eger. She and her partner made the move to New York because in her own words, “You just didn’t go to Cincinnati. There were some [gay students] that did go to Cincinnati but they were so closeted they couldn’t even live their life outside of school.”²⁰⁰ The conservative nature of the city and the close-knit community on campus made it exceedingly difficult for gay and lesbian students to come to Cincinnati, though it is clear that there were gay and lesbian students, like Bennett, among those who studied and were ordained by the Cincinnati campus.

Eger found the New York campus to be a hostile environment for gay and lesbian students. She and her partner, who had graduated from the Rhea Hirsch School of Education in Los Angeles, chose to live away from other rabbinical students in an effort

²⁰⁰ Ibid.

to distance themselves from the College community. And though some students knew she was gay, Eger made sure that her partner never came to school or any school functions. They also socialized outside of any HUC circles. "We didn't really socialize in many ways because...we didn't want it anywhere for Borowitz or Kravitz or any of the big honchos of the time and it was getting closer to ordination and we really felt like we would get kicked out and we had worked too hard, I had worked too hard."²⁰¹

It was very difficult to move from the accepting and even supportive experience on the Los Angeles campus to the "toxic" environment in New York. In Eger's opinion, the Los Angeles campus was shielded and isolated from the latent homophobia and anti-gay rhetoric that existed on the New York and Cincinnati campuses. The tremendous success in gay and lesbian outreach in the Los Angeles area may have contributed to this marked difference. There were strong connections between Beth Chayim Chadashim (BCC), the first synagogue in history with specific outreach to gay and lesbian Jews, and the Los Angeles campus of the College-Institute. From 1975 until 1982, students from HUC-JIR Los Angeles served as rabbinical interns at BCC. As well, Rabbi Janet Marder, a graduate of the College-Institute and future President of the CCAR, served BCC as its first ordained rabbi from 1983 until 1988.

The Push for Change on the New York Campus

In the 1970s and 1980s, and perhaps even beyond that, serving a gay outreach congregation carried a stigma. Rabbis Scott Sperling and Janet Marder, the first rabbinical student and rabbi to serve BCC, were advised not to work with the gay congregation for fear of being considered gay and lesbian. Similarly, when Congregation

²⁰¹ Ibid.

Sha'ar Zahav, the gay outreach congregation in San Francisco, California, entered the rabbinical placement process in 1985, the director of placement discouraged the new rabbis-to-be from applying for the position.

As part of the rabbinical matching process, Rabbi A. Stanley Dreyfus, former director of the Rabbinical Placement Commission, visited the senior students in New York and Cincinnati to explain the process and discuss job openings. According to Rabbi Yoel Kahn, a member of the 1985 ordination class, Dreyfus told the senior students in New York that "whoever goes to [Sha'ar Zahav] will have the shmutz of homosexuality on his resume."²⁰² Nonetheless, Kahn accepted the job at Sha'ar Zahav that year, serving the congregation from 1985 until 1996. It is important to note that Kahn qualified his statement about Dreyfus' statement. He explained, "Rabbi Dreyfus always had the best interest of the rabbinate in mind. He was extremely good to me in the years after I went to Sha'ar Zahav. [Rabbi Dreyfus] thought he was doing the right thing by cautioning people away from this potentially dangerous job."²⁰³ Though Dreyfus' statement was made out of genuine honesty and concern for the students and not homophobia, it set off a storm at HUC-JIR New York. The student body reacted vigorously and vocally.

One particularly important reaction came in the form of a sermon preached by 4th year student Margaret Holub. Holub began her rabbinical studies in Jerusalem in 1980. She returned to the Los Angeles campus in 1981 where she served as a rabbinical intern at BCC for two years. Her internship at BCC proved to be transformative experience. Holub noted that "it was pretty amazing to see Jews in the 20th century hiding and also

²⁰² Rabbi Yoel Kahn, Personal Interview, December 14, 2007.

²⁰³ Ibid.

coming out in all kinds of amazing ways.”²⁰⁴ Her experiences at BCC opened her up to the suffering and anxiety so many gay Jews experienced both in their religious and personal lives. This experience and her compassion towards the GLBT community made her the close confidant of many of her closeted male classmates in New York where she completed her rabbinical studies after taking a year off from 1983 to 1984.

For Holub, the entire situation at HUC-JIR was like a “Shakespearian drama.”²⁰⁵ She recalled that some classmates planned on being ordained and coming out the next day. Others carried on covert relationships. The entire situation was painful and crazy. This was complicated not only by Dreyfus’ statement, but by the surrounding issue about Professor Eugene Borowitz who is oft quoted as stating that he would not sign the *s’micha* (ordination certificate) of a gay or lesbian rabbinical student.

Watching all the pain unfold in front of her own eyes, Holub was compelled to speak out. She felt safe to do so both as a heterosexual woman and as a student who did not plan to pursue congregational placement the following year. In fact, Holub had already decided to return to Los Angeles to continue her work with Legal Aid post-ordination. Her circumstances liberated her and enabled her to issue a very bold call to the College-Institute and the UAHC to make it possible for gay and lesbian rabbis and student rabbis to come out publicly. She delivered her bold sermon in the spring of 1985, right before Passover. Right up front, Holub declared:

Let me state my thesis right up front. I believe that it is just as good, just as moral, just as worthy to be gay or lesbian as it is to be straight. More than that, I believe that any less than this statement is homophobia—fear

²⁰⁴ Rabbi Margaret Holub, Phone Interview, November 6, 2007.

²⁰⁵ Ibid.

of homosexuals, bigotry against homosexuals. Anything less than this statement is the equivalent of racism, of sexism, of anti-Semitism.²⁰⁶

This statement challenged the fundamental position that would come to frame the subsequent report of the ad hoc committee on homosexuality and the rabbinate. With her bold statement, Holub challenged the idea that heterosexuality was somehow inherently higher on the ladder of sexual expression than homosexuality, at the same time denouncing thousands of years of Jewish thought and the opinion of some of the most influential and significant rabbis in the Reform Movement. She went on to call for the immediate and unilateral acceptance of gay and lesbian Jews in all areas of Reform Jewish life. Here, Holub rebuked the CCAR and HUC for its lagging response to these issues:

Now, will all this said, from the theoretical to the concrete: because I believe that it is as good and as right to be gay as to be straight, I would call for an immediate and unilateral invitation to all lesbian and gay Jews to come out of the closet and into every part of Jewish life, at least Reform Jewish life, since that is where we might have some say. And I am grieved and ashamed that this invitation is not forthcoming. It has been extended by the UAHC to congregations, thanks to some very exemplary leadership there. Rabbi Erv Herman is one leader who deserves *kavod* (respect) in this regard, and there are others. This invitation has not likewise been extended by the Central Conference of American Rabbis to rabbis, not by Hebrew Union College to rabbinical students.²⁰⁷

With her final statement, the message of freedom and Passover stung the hearts of the sea of listeners—HUC faculty, administration, and students alike. Holub finished with the following words: “Let me finish by saying in plain English what I wish didn’t have to be said at all in my school, in my Jewish community, to my teachers and friends: homophobia, in its personal manifestation, which is hatred, and in its political

²⁰⁶ Rabbi Margaret Holub, 4th year sermon (sermon delivered at HUC-JIR New York, March 28, 1985); copy of sermon received from Rabbi Margaret Wenig.

²⁰⁷ Ibid.

manifestation, which is disenfranchisement and persecution is wrong. And I pray that I will live to see the day of liberation when gay men and lesbians will live in freedom among us.”²⁰⁸

The sermon elicited extreme reaction on campus. At the review, which followed directly after the sermon, Holub was greeted by a standing ovation, something extraordinary and unheard of at HUC-JIR during this particular time. As discussion about the sermon ensued, those present were moved to ask what could be done to address Holub’s charge. Present at the discussion was then Professor of Human Relations and chair of the CCAR Resolutions Committee, Rabbi Stephen Pearce. Pearce, now senior rabbi of Congregation Emanu El in San Francisco, suggested to Holub and others there that they submit a resolution on the issue to the Resolutions Committee of the CCAR. As a student, Holub was ineligible to submit the resolution. Rabbi Margaret Moers Wenig, rabbi of Beth Am, the People’s Temple in New York City, instructor of homiletics at the College, and sermon advisor to Holub, agreed to co-author the resolution

Wenig and Holub submitted the resolution entitled “On Gay and Lesbian Rabbis” to the Resolutions Committee of the CCAR in December of 1985. The proposed resolution concerned itself mainly with the admissions procedures of HUC-JIR and the CCAR, as well as the policies of the CCAR Rabbinical Placement Commission (RPC). They sought anti-discrimination policies and support from both Reform institutions. Wenig and Holub intended to present the resolution at the 1986 CCAR Convention in Snowmass, Colorado. However, the leadership of the CCAR blocked the resolution and, instead, decided to study the proposed resolution in more detail. Wenig agreed to

²⁰⁸ Ibid.

withdraw the resolution with the agreement that a task force or committee would be established to study and address the issue appropriately.

Meanwhile, the buzz surrounding this issue continued on campus in New York. Gay and lesbian students and their allies joined together to form a gay and lesbian student organization, announcing themselves to the community as *Hinenu* (Hebrew for “Here We Are”) at Passover time in 1987. Eger, one of the founders, noted that “the group used to meet in my living room. We put up anonymous flyers in the elevator because it was just so intolerable and noxious [on campus].” The flyers were meant to educate and bring awareness to HUC students and faculty about homosexuality and tolerance. One such flyer boldly stated:

IMAGINE...

...not being able to mention your spouse.

...not being able to talk about what you did on the weekend.

...not being able to bring your spouse to your pulpit.

...not being able to tell anyone that you are seeing someone.

...worrying about inviting people to your home.

...taking off your wedding ring when you go to interview.

...taking down pictures when your congregants or classmates come over.

...not being able to use your life experiences in a sermon.

...not being able to dance at a wedding.

IMAGINE ALWAYS LYING AND HIDING WHO YOU REALLY ARE
AND WHOM YOU LOVE.²⁰⁹

Despite the incredible effect of Holub’s sermon, an air of fear continued on the New York campus. “It was just a horrible feeling to have been out and treated like any of the other people with spouses in Los Angeles and come to New York and totally be in fear of losing what you had worked so hard for,” stated Eger. *Hinenu* served as an important outlet for gay students and their partners. The main focus was support, but it also became a safe place to talk about issues surrounding ordination, how to handle

²⁰⁹ *Hinenu*, flyer posted at HUC-JIR New York, The Selig Salkowitz Papers, MS 725, Box 4, Folder 2, The American Jewish Archives, Cincinnati, OH.

placement, and other pertinent concerns. In these years, a core group of gay and lesbian students developed on campus making the group possible and viable. To be sure, the group followed closely the developments in the CCAR with regard to the ordination of gay and lesbian rabbis.

Together, the various situations pointed to the need for a large scale inquiry into the issue gay and lesbian rabbinic ordination in the Reform Movement. Through a four year process of in-depth study and reflection, the CCAR Ad Hoc Committee on Homosexuality and the Rabbinat issued its 1990 report in which it affirmed the right of openly gay men and lesbians to enter the rabbinical program at HUC-JIR. However, the committee's process was fraught with great disagreement and diversity of opinion. What began as a resolution submitted by a rabbinical student and newly ordained rabbi resulted in a seismic shift in institutional identity and policy, a change that had long-lasting and permanent effects for the Reform Movement.

Chapter 4: The Ordination of Gay and Lesbian Rabbis

The Formation of the Ad Hoc Committee on Homosexuality and the Rabbinate

In December of 1985, at the request of then CCAR President Rabbi Jack Stern, Rabbis Margaret Wenig and Margaret Holub²¹⁰ withdrew their resolution “On Gay and Lesbian Rabbis” so that the matter could be considered in greater detail by the newly formed CCAR Ad Hoc Committee on Homosexuality and the Rabbinate. The primary goal of the committee was to evaluate the effect that a non-discrimination policy towards gay and lesbian rabbis would have on the various parts of the Reform Movement, in particular admissions to HUC-JIR and the rabbinical placement process. Ultimately, the committee issued its final report at the 1990 CCAR Convention in Seattle, Washington. The report affirmed the right of gay and lesbian rabbis to “fulfill the sacred vocation which they have chosen,” yet simultaneously retained the model of heterosexual, monogamous procreative marriage as the ideal in Judaism.

Rabbi Stern, in his role as CCAR President, appointed Rabbis Norman J. Cohen, Walter Jacob, Yoel Kahn, Samuel Karff, Peter Knobel, Joseph Levine, Selig Salkowitz, Harvey Tattelbaum, Margaret Wenig, and Gary Zola, as a representative of HUC-JIR, to the committee. Rabbi Stern also served on the committee. Rabbi Selig Salkowitz of Brooklyn, New York, was appointed as chair. Subsequent to the first meeting, the committee engaged representatives from the other Reform organizations to provide a larger context for its deliberations. These members included Rabbis A. Stanley Dreyfus and Ronald B. Sobel from Reform Placement Commission (RPC), Rabbis Joseph B.

²¹⁰ Since Margaret Holub was still a rabbinical student at this time, Rabbi Margaret Wenig technically submitted and withdrew the resolution on their behalf.

Glaser and Elliott L. Stevens from the CCAR, and Mr. Albert Vorspan and Rabbi Richard Sternberger from the UAHC.

Altogether, there were seventeen members of the CCAR Ad Hoc Committee on Homosexuality and the Rabbinate. Eight of the members were congregational rabbis, including Rabbis Stern, Jacob, Kahn, Karff, Knobel, Salkowitz, Tattelbaum, and Wenig. Rabbi Levine was a lifelong Hillel professional.²¹¹ As noted, the other members represented the various arms of the Reform Movement, as well as other Reform organizations that would be affected by a change in policy regarding gay and lesbian rabbis.

Salkowitz was chosen to chair this committee because of his prior work as the chair of the CCAR Sub-Committee on Sexual Behavior. As well, he brought noteworthy counseling and chaplaincy training to his position. Salkowitz obtained a Doctorate of Ministry in Pastoral Care and a Certificate in Pastoral Counseling from the Post Graduate Center for Mental Health in New York City. He is also a licensed marriage counselor, serving as a staff therapist at the Pastoral Counseling Center in New Jersey. Salkowitz was a member of the American Association of Pastoral Counselors and the American Association of Marriage and Family Therapists. He has been involved in various mental health and counseling programs in Fair Lawn, New Jersey, where he spent the most significant portion of his rabbinate as the rabbi of Temple Avoda.²¹²

None of the members of the Ad Hoc Committee on Homosexuality and the Rabbinate were openly gay or lesbian during the tenure of the committee, though Rabbis Wenig and Kahn subsequently acknowledged their homosexuality. Wenig was in a

²¹¹ Rabbi Janet Marder, "Our Invisible Rabbis," *Reform Judaism*, (Winter 1990): 6.

²¹² Rabbi Selig Salkowitz, Letter to Rabbi Elliott Stevens, March 11, 1996, The Selig Salkowitz Papers, MS 725, Box 5, Folder 4, The American Jewish Archives, Cincinnati, OH.

straight marriage. Kahn remained closeted, though he was out in his congregation. This manifested itself as a palpable divide between Wenig, Kahn and the rest of the committee. Wenig noted, "Yoel and I felt like we were alone, fighting an uphill battle."²¹³

Initial Meetings of the Ad Hoc Committee on Homosexuality and the Rabbinate

The committee held its inaugural meeting on November 24, 1986. The first half of the meeting focused on the committee members' concerns vis-à-vis the final outcomes of their deliberations. These included fears over time constraints and what the committee would be able to achieve in its mandated one year process, the effect their determinations would have on the larger Jewish and Christian communities, and the effect their determination would have on gay Jews and their choice to come out.²¹⁴

There was also great concern over the controversial nature of the committee's work, especially as it related to the Reform Movement's recent and divisive statement on patrilineality. Just a few years earlier, on March 15, 1983, the CCAR Committee on Patrilineal Descent issued its final report entitled "The Status of Children of Mixed Marriages." The report, which declared that the child of one Jewish parent is "under the presumption of Jewish descent,"²¹⁵ received widespread criticism as "breaking the ties of Reform Judaism to Jewish peoplehood and community."²¹⁶ Similarly, the majority of the Ad Hoc Committee on Homosexuality and the Rabbinate feared that a forceful statement

²¹³ Rabbi Margaret Wenig, Phone Interview, December 5, 2007.

²¹⁴ CCAR Ad Hoc Committee on Homosexuality and the Rabbinate, Minutes of Meeting, November 24, 1986, The Selig Salkowitz Papers, MS 725, Box 3, Folder 1, The American Jewish Archives, Cincinnati, OH.

²¹⁵ CCAR Committee on Patrilineal Descent, "The Status of Children of Mixed Marriage," March 15, 1983, <http://data.ccarnet.org/cgi-bin/resodisp.pl?file=mm&year=1983>.

²¹⁶ Steven Bayme, "Patrilineal Descent Revisited," in *Contemporary Debates in American Reform Judaism: Conflicting Visions*, ed. Dana Evan Kaplan (New York: Routledge, 2001), 143-144.

on homosexual rabbis would further separate Reform Judaism from “normative” Judaism. The committee minutes cautioned that “the CCAR and Reform Judaism are still bleeding from the resolution passed on patrilineality—and we don’t have to deal with the total issue all at one time. We can take the matter in a series of steps. It took the gay community in New York City fifteen years to enact the ‘gay rights’ bill.”²¹⁷

For some, though, the issue of homosexuality far surpassed patrilineality in its perceived harm and divisiveness for the Reform Movement. Rabbi Walter Jacob, then senior rabbi of Rodef Shalom Congregation in Pittsburgh, Pennsylvania, and chair of the CCAR Reform Responsa Committee, noted that homosexuality was “not to be confused with Patrilineality and the Feminist Movement. [The Reform Movement] lived with Patrilineality for decades. We made it de jure. [This is the] same [as] with Feminism.”²¹⁸ Because of his concern, Jacob articulated the need for a clear theological position vis-à-vis homosexuality.²¹⁹ Rabbi Peter Knobel, rabbi of Beth Emet the Free Synagogue in Evanston, Illinois, echoed Jacob’s views. He noted, “The way in which the CCAR takes positions is rarely well grounded in theology, [but] to Reform Jew[ish] pattern...our statements have to grow out of theological grounding.”²²⁰

However, in an attempt to create a solid theological framework, the committee often resorted to regressive attitudes about the biblical and rabbinic prohibitions against homosexuality. Whereas in the past the Reform Movement broke easily with *halakha* (Jewish law), attempts were overwhelmingly made to ground every conversation about

²¹⁷ CCAR Ad Hoc Committee on Homosexuality and the Rabbinate, Minutes of Meeting, November 24, 1986, The Selig Salkowitz Papers, MS 725, Box 3, Folder 1, The American Jewish Archives, Cincinnati, OH.

²¹⁸ CCAR Ad Hoc Committee on Homosexuality and the Rabbinate, Minutes of Meeting, March 4-5, 1987, The Selig Salkowitz Papers, MS 725, Box 3, Folder 1, The American Jewish Archives, Cincinnati, OH.

²¹⁹ Ibid.

²²⁰ Ibid.

homosexuality and the rabbinate in text and tradition. Few noted this seeming contradiction, though Rabbi Yoel Kahn, then Rabbi of Sha'ar Zahav in San Francisco, California, expressed his disappointment in the committee's failure to take up a substantive "theological/ethical discussion based on the extensive research that was done."²²¹ For sure, he referred in part to his own paper, *Judaism and Homosexuality: The Traditional/Progressive Debate*, which reviewed modern Jewish attitudes towards Judaism and homosexuality and offered a new, contemporary view based on covenant theology and liberal Jewish interpretive methods. The abstract reads:

This article critically reviews modern Jewish teaching on Judaism and homosexuality. The historical prohibition of homosexual acts is grounded in a world-view that views heterosexuality as natural and heterosexual marriage as the only route to religious and personal fulfillment. Progressive Jews have begun in recent years to question the underlying premises of traditional Jewish teaching on sexuality. Employing the categories of covenant theology and applying the interpretative methodology of liberal Judaism, the author argues for the valuation of the person as homosexual as a legitimate expression of human and Jewish covenantal obligation.²²²

Kahn presented his paper at the first meeting of the Ad Hoc Committee. It was also used as one of four position papers that were developed for the committee and subsequently presented to the entire membership of the CCAR before the 1989 CCAR convention in Cincinnati. The other papers included "Halakhah and Homosexuality: A Reappraisal," by Rabbi Robert Kirschner, "On Homosexuality and the Rabbinate, a Covenantal Response," by Dr. Eugene Borowitz, and "Homosexuality: A Liberal Jewish Theological and Ethical Reflection," by Rabbi Peter S. Knobel.

²²¹ Ibid.

²²² Rabbi Yoel Kahn, "Judaism and Homosexuality: The Traditional/Progressive Debate," in *Homosexuality and Religion*, ed. Richard Hasbany (New York: Haworth Press, 1989), 1.

Until this point, the Reform Movement handled the issue of homosexuality little by little, as situations arose. For sure, the UAHC issued resolutions and the CCAR issued resolutions and responsa to address specific questions or situations. However, as the attitude towards homosexuality developed and progressed in the general culture, it became apparent that the Reform Movement needed a solid and comprehensive statement upon which to evaluate its program of inclusion. As the minutes stated, "The notion was expressed that the Reform Movement has dealt with this issue in piecemeal fashion—and we must now deal with substance. In a sense, the study of the resolution for which this Committee was formed is now secondary—and this Committee now must deal with much wider and inclusive issues."²²³

Thus, the committee realized that it needed outside information and expertise to address the movement wide concerns. Debate ensued with regard to the appropriate structure for the committee, that is, whether to continue as an exclusive CCAR committee or create a representative, movement-wide task force including both Jewish professionals and lay leaders. The minutes reflected this decision-making process:

It was felt at first that initial steps in the study of the issue should be taken together with representation of the UAHC, the HUC-JIR, and the CCAR and as Task Force to be formed with representation of the entire movement.

The wisdom of this general approach was then questioned, and the committee swung back to more of an in-house (CCAR) endeavor which would be sure to include Placement Commission representation and Rabbinic/UAHC leadership. It was felt that the 'Task Force' idea is too cumbersome and costly.²²⁴

²²³ CCAR Ad Hoc Committee on Homosexuality and the Rabbinate, Minutes of Meeting, November 24, 1986, The Selig Salkowitz Papers, MS 725, Box 3, Folder 1, The American Jewish Archives, Cincinnati, OH.

²²⁴ Ibid.

Compromising between the two, the committee requested representation from both the UAHC and Rabbinical Placement Commission; beginning with the next meeting, representatives from the Union and RPC joined the Ad Hoc Committee on Homosexuality and the Rabbinate.

Research and Study within the Committee

Next, the Ad Hoc Committee on Homosexuality and the Rabbinate delineated four major areas of further study and formulated a list of necessary research initiatives. The four areas included the personal attitudes of the committee members toward human sexuality in general, and homosexuality in particular, the perspective of and from the Jewish community, the consequences to the CCAR if it were to endorse homosexuals as religious leaders, and the implications for the Reform movement in terms of admission to the College-Institute; the possibility of placement in UAHC congregations; and the potential responses of the Jewish and Christian religious communities, and general community at large.²²⁵

From this broad set of categories, the committee developed an actual outline for further study. The first major component was bibliographic research into medical, biological, genetic, psychiatric, and legal materials about homosexuality. The committee outlined specific questions to be addressed. These included whether or not sexuality is a learned behavior, if there was a correlation between homosexuality and psychological deviance, if one can distinguish between a heterosexual and a homosexual person by psychological testing, and whether or not sexual orientation is a choice. This last question was of particular importance to the committee in its debate over bisexuality and

²²⁵ Ad Hoc Committee on Homosexuality and the Rabbinate, "Report of the Ad Hoc Committee on Homosexuality in the Rabbinate," *CCAR Yearbook*, vol. XCVII (1988): 107-109.

whether or not homosexuality can be acceptable when choice is involved. They also studied the issue of promiscuity and the differences in attitudes towards this behavior among the homosexual and heterosexual peoples.

The second major component of study focused on the Jewish perspective. Committee members mined biblical and rabbinic texts, previous Reform responsa and literature on the topic, contemporary ethical approaches to sexuality, and responses of other Jewish and religious groups for attitudes towards homosexuality. The committee also collected "testimony of the Jewish people." This included personal testimonies of closeted gay and lesbian rabbis and student rabbis, parents of gays and lesbian children, and members of Reform congregations that welcomed gay and lesbian members.

The final component focused on prevailing attitudes regarding Jewish Rabbinic leadership. Committee members outlined a variety of questions including whether homosexuals could serve as rabbis, if there were different standards for leaders in contrast to standards for lay individuals, whether or not a Jewish community would or should accept known homosexuals as rabbis, and whether or not there should be a more explicit policy toward homosexuals in the Rabbinate and the implications of such a policy. Members also considered the practical implications of such a policy on the admissions and ordination policy of HUC-JIR, the placement policy of the RPC, the current CCAR policies, UAHC affiliated congregations, and *k'lal yisrael* (community of Israel). Members of the committee accepted research tasks and prepared to present their findings first in written form and subsequently at the follow-up meeting on March 4, 1987.

As noted above, part of this information gathering stage included the collection of personal narratives and statements from gay and lesbian rabbis and student rabbis. Some of the respondents were openly gay, while others remained closeted. Rabbi Yoel Kahn played a major part in collecting this personal testimony. In a personal letter to all CCAR members, Rabbi Kahn asked for his colleagues help in answering the following questions:

1. How do you perceive yourself as a gay/lesbian person who is a rabbi?
2. How has being a lesbian or gay person impacted on your rabbinate?
3. How has homophobia and/or prejudice affected your rabbinate? (We are also seeking to reach people who may have left the rabbinate or been discouraged from applying to HUC-JIR because of homophobia)
4. How would a policy of non-discrimination on the part of the CCAR affect your own life and rabbinate?²²⁶

The responses were exceedingly emotional and personal. Included are just a few of the many documented and archived responses.²²⁷ The responses to the first question demonstrated the fear of harassment and job discrimination that existed at this time.

Serendipitously your letter/packet of December 17 reached me after the New Year. Since we are not complete strangers, I will try to answer the Ad Hoc Committee questions by speaking with you in written form; I pray my confidence in you is not misplaced, because by so speaking out I am well aware that I empower you to destroy me and my career...I welcome this choice to speak, wishing it could be other than anonymous because if Rabbis are lonely then there is no Rabbi lonelier than those who are gay.²²⁸

The responses to the second and third questions addressed the impact that a policy of non-discrimination could have for gay rabbis.

...let me say that I believe that being a gay/lesbian person has made me a better rabbi. I am much more sensitive to my congregants, to

²²⁶ Rabbi Yoel Kahn, letter to Dr. Stanley Chyet, December 17, 1986, The The Selig Salkowitz Papers, MSS 725, Box 3, Folder 3, The American Jewish Archives, Cincinnati, OH.

²²⁷ Additional responses are included in the appendix.

²²⁸ Anonymous rabbi, letters to CCAR Committee on Homosexuality and the Rabbinate, The The Selig Salkowitz Papers, MSS 725, Box 3, Folder 3, The American Jewish Archives, Cincinnati, OH.

their pain and their need for institutionalized approval. Traditional Jewish themes, such as freedom from slavery, redemption, the courage to be who we are, the experience of being a despised minority, the Kol Nidre (being forced to say "yes," when we meant "no,") live and resonate in me as a gay/lesbian Jew.

More than anything else, homophobia has made me tired. I put an incredible amount of energy into standing tall and being proud of who I am. I am tired of being assumed "single." I am tired of having no validation of my personal relationship. I am tired of not being able to celebrate my love as I support others in theirs. I am tired of trying not to be bitter.

I do not believe that a CCAR policy of non-discrimination would change my choice to keep my sexuality a private matter. However, I do believe it would allow me to live my life with a little less fear. It seems too good to be true that I might actually have recourse with the CCAR should my congregation choose to discriminate against me.

I am encouraged by your resolution. My sincere thanks for taking up such a righteous cause.²²⁹

A policy of non-discrimination on the part of the CCAR would be a giant first step toward beginning to bridge this enormous gap. I do not believe that it would mean that every gay/lesbian rabbi would immediately then feel comfortable enough to "come out." But it would alleviate some of the fear. Having the support of our movement would be a tremendous relief and support to us. I know that I would feel free to make my own decisions about who I would come out to, without being as worried about losing my job. It would be a first step in breaking down the wall that I have had to erect between myself and the congregants with whom I work. I would be able to serve them as a more complete person, which would ultimately be better for all of us: rabbis, congregants—our whole movement.

Our movement has always encouraged people to feel comfortable being who they are. I do not understand why we have lagged behind so much on this issue. We are causing unnecessary pain to so many of our rabbis, as well as congregants. Approximately 10% of the population is gay/lesbian, which would include rabbis and congregants, alike. This means that we are also doing our gay/lesbian congregants a tremendous disservice, especially the children, by hiding their gay/lesbian role models from them. As hard as it is to be a female rabbi with no female role models, it is even harder to be a gay/lesbian person with no role models in any field. How wonderful it would be for our gay and lesbian young people to be growing up knowing they are totally accepted, and that they, too, can grow up to be rabbis, rather than growing up wanting to reject the Judaism and Jewish community which so strongly reject them.²³⁰

²²⁹ Ibid.

²³⁰ Ibid.

There were others who did not believe a resolution would have any positive impact on the current situation and plight of gay clergy.

I am not quite sure what you want, but I believe that some personal reaction to the proposed resolution on HUC and the Homosexual is what you seek. I have been a homosexual for twenty years, or at least aware of that primary sexual orientation. I have now been in the rabbinate approximately fifteen years and am married. My wife has had a difficult time accepting my orientation, but has finally been understanding and has helped me. I seek my homosexual outlet in neighboring communities where no one knows me and so follow the Talmudic dictum. I have tried some long term relationships, but they have not succeeded and I do not know any colleagues whose homosexual relationships have endured longer than half a dozen years.

There is little that the CCAR or any official body of Reform Judaism can do for me. Even the best intended resolutions would not enable me to come into the open as that would hurt my young children and probably leave me without a job or the possibilities of one. I can function like this just like some colleagues who have mistresses and do not expect any change in Jewish views. I am not sure that I want them either. Perhaps there are aspects of the tradition which even I do not fully understand. Please retype this letter and destroy the original although it is already rather anonymous.²³¹

An HUC-JIR rabbinical student responded with palpable anger to the question, how has homophobia/prejudice affected your rabbinate?

At HUC, [homophobia] manifests itself in many ways. I hear professors make comments about homosexuals that they wouldn't dream of making about any other group. One professor, upon seeing a sign in the elevator discussing Homosexuality and Judaism, laughed and asked how anyone could possibly assert that this was an affirmative lifestyle. Another professor asked how anyone could legitimize Jewishly a person "choosing" to be a homosexual. When I wanted to write a paper which dealt with the possible ramifications of homosexuality on certain rituals, I was advised by one of the faculty not to do it or else 'they might think you're gay.' (God forbid!) This is not to say that I have a desire to run screaming down the hall of HUC 'I'm gay' but this underlying atmosphere of rejection and suppression, that is, having to hide myself and my relationship, really wears down enthusiasm. The same professors and students who I should be looking upon as mentors and colleagues often become 'enemies' who if they knew I was gay, would suddenly turn me

²³¹ Ibid.

into a non-person. This really came home to me the other day when the Board of Governors was visiting and it just hit me that they probably really wished that all of us 'troublemaker' gays would just disappear. It is not a pleasant feeling knowing that the people who are supposedly supporting you would really like you gone. I can't talk to my advisor about it, even though I really think I should. Other gay rabbis have told me its just not worth the risk of being 'screwed over' by the school...HUC and the CCAR are in theory supposed to give support to the students and rabbis. In the case of a homosexual, it does precisely the opposite. I feel obliged to say here that the vast majority of the student body is very supportive and accepting. For that I am very grateful and encouraged that the future will be brighter than the past.²³²

Though the committee members were deeply moved by these personal expressions of pain, fear, and hope, most "sensed the inevitable tension between feelings of compassion for individual human suffering and conflicting ethical imperatives."²³³

Together with these narratives, collected research materials were presented at the committee's meeting on March 4-5, 1987, in New York. These other material included psychological and scientific material, legal materials on the status of homosexuals in America, and materials pertaining to homosexuals in other religious organizations/bodies. In the context of these presentations, major questions arose about the issue of bisexuality, and the limited scope of the committee's current task. Bisexuality was particularly problematic for Rabbi Peter Knobel, senior rabbi at Beth Emet the Free Synagogue in Evanston, Illinois, who brought up the matter in regard to a "spectrum of desirability." He asked, "Is there any order of preferred sexual behavior for those who have choice in sexuality: heterosexuality, bisexuality, homosexuality?" In this question, Knobel foreshadowed perhaps the biggest tension amongst members of the Ad Hoc Committee, namely whether or not a heterosexual ideal exists in Reform Judaism. The minutes

²³² Ibid.

²³³ Ad Hoc Committee on Homosexuality and the Rabbinate, "Report of the Ad Hoc Committee on Homosexuality in the Rabbinate," *CCAR Yearbook*, vol. XCVII (1988): 107.

recorded the personal reflections of Rabbi Gary Zola, then Director of Admissions at the College-Institute:

I cannot accept homosexuality as an equivalent to heterosexuality. I consider it an alternative—don't find [it] reprehensible but cannot endorse putting it on [the] same ethical position.

No doubt homosexuals are functioning and functioning well in HUC School, Rabbinate and are entitled to all civilities—and certain degree of satisfaction and that there is much happiness. The happiness comes in the professional areas—on personal side: pain and hurt that troubles me deeply—there are love relationships that must be hidden—this disturbs me.

Some similarity in my mind to students who ask me re: personal happiness. I understand that my spouse expected to participate—what do you say—I watched my Rabbi—great with kids—hated his own kids—I don't want that to happen. I wish I could say: Don't worry. Have counseled homosexual students have not turned them away categorically. Have counseled like others. This is an issue I cannot offer a solution.

We have nothing to offer in terms of a solution.

Homosexuals do serve professionally with effectiveness—personal lives torn, distorted.

Move on a movement-wide consciousness-raising campaign.

Have a persistent determined program of education—also concerning the great difficulties in being a Rabbi generally.

Real problem for people going into the rabbinate generally.

Can't provide guarantees.

Educate the movement.

Not ignore.

Continue to raise the level of concern but without making promises that are shallow and misleading to people who want to be helpful.²³⁴

In addition to the question of a heterosexual ideal, the committee wrestled with the limited scope of its present work. They debated whether or not to expand the vision of the committee beyond its narrow focus on the ordination of gay rabbis. Norman Cohen, then professor at HUC-JIR New York, contended that the entire issue of homosexuality needed to be handled in a much wider and broader way. "Not the

²³⁴ CCAR Ad Hoc Committee on Homosexuality and the Rabbinate, Minutes of Meeting, March 4-5, 1987, The Selig Salkowitz Papers, MS 725, Box 3, Folder 1, The American Jewish Archives, Cincinnati, OH.

Conference, not the College-Institute, but the Movement itself must grapple with a unified program vis-à-vis homosexuality.”²³⁵

As debate ensued, the Committee realized that it needed a clearer picture of the HUC-JIR admissions policies. Zola, on behalf of the College-Institute and its President Dr. Alfred Gottschalk, noted that there was “no stated or official policy of discrimination regarding homosexuality.”²³⁶ However, as noted before, the official and unofficial actions of the College-Institute were not one in the same. As of 1987, the College-Institute continued to make no formal statement regarding homosexuality in its Admissions Standards. However, a personal and confidential note dated September 18, 1987, from Dr. Eugene Mihaly to Dr. Alfred Gottschalk, Deans Le Bycel, Kenneth Ehrlich, Samuel Greengus, Uri Herscher, Michael Klein, Lawrence Raphael, and Paul Steinberg, as well as Dr. Norman Cohen, and Rabbi Gary Zola, stressed an “internal and confidential guideline” that stated:

The sexual preference of a candidate—whether we become aware of it through the candidate’s bio, during the interview, or in the psychological report—shall not automatically bar any candidate from being included in the admissions process or interview. A person’s sexual preference is, in other words, to be viewed within the context of a candidate’s overall suitability for the rabbinate, his/her qualifications to serve the Jewish community effectively, and to find personal fulfillment within the rabbinate.²³⁷

Though this statement reflected a significant change from Mihaly’s earlier letter to Alexander Schindler in 1984, in no way did this represent a non-discrimination policy towards homosexual candidates. The policy remained ambiguous and vague. As well, as noted earlier, it was applied differently on the four campuses of HUC-JIR. President

²³⁵ Ibid.

²³⁶ Ibid.

²³⁷ Dr. Eugene Mihaly, letter to the members of the HUC-JIR Deans’ Council, September 18, 1987, The Selig Salkowitz Papers, MS 725, Box 3, Folder 4, The American Jewish Archives, Cincinnati, OH.

Gottschalk reiterated his opinion in a letter to Rabbi Lawrence J. Goldmark, then of Temple Beth Ohr of La Mirada, California. Gottschalk wrote:

Our statement "Admissions Standards," a public document, has been in effect for decades and guides our various Admissions Committees in their evaluation of candidates. In essence, what we say is that the College will consider any qualified candidate in terms of an applicant's overall suitability for the rabbinate, his/her qualifications to serve the Jewish community effectively, and to find personal fulfillment within the rabbinate. The Deans' Council did issue a clarifying statement a few years ago to the effect that a person's sexual orientation shall not be a consideration in a candidate's entering the admissions process. I underline, however, that this does not commit us to the acceptance or rejection of any single student. Each applicant is judged as an individual on the basis of his total profile. It is up to the Dean of Admissions and each of the Admissions Committees (there are four—one at each of our campuses) to apply these criteria with intelligence and sensitivity, and on that basis to make its recommendations...

The College has for some time now been under considerable pressure to specify that it welcomes various groups of applicants, including homosexuals. The College has continuously refused to issue such a statement. We have been ordaining women since 1972; we have ordained a Japanese; we have accepted Black students (though regretfully they did not pursue their studies to ordination), etc. In no case have we issued a list specifying the categories of students whom we may or may not accept. Each applicant is considered as an individual and, on the basis of his/her total dossier, the Admissions Committee make a judgment. We do not, nor are we obliged to, give the reasons for the actions of a committee. We cannot do so, since there are numerous people involved, and it is impossible to ascertain what particular factor may have motivated an individual to vote for or against acceptance of a particular candidate.²³⁸

Though Gottschalk's statement may represent the post-"clarifying statement" (i.e. post-1987) attitude of the College-Institute vis-à-vis the admission of gay and lesbian students, research indicates that before then students were turned away from the rabbinical program at HUC-JIR solely on the basis of sexual orientation. Rabbi Eric Weiss was accepted openly to the rabbinical program in 1983, however, as earlier evidence suggests, these standards were not applied systemically at the College-Institute.

²³⁸Dr. Alfred Gottschalk, letter to Rabbi Lawrence J. Goldmark, February 8, 1990, The Selig Salkowitz Papers, MS 725, Box 4, Folder 3, The American Jewish Archives, Cincinnati, OH.

Moreover, the clarifying statement of the Dean's Council in 1987 was not a statement of non-discrimination towards gay and lesbian rabbinical applicants. The statement merely indicated that students would not immediately be turned away from the application process on the basis of sexual orientation. However, individuals on the admissions committees maintained complete autonomy in their determination about who to admit or turn away from HUC-JIR. If desired, an individual committee member could vote against an applicant solely on the basis of sexual orientation. This remained in effect both up to and after the adoption of the final report of the Ad Hoc Committee on Homosexuality in the Rabbinate on June 25, 1990.

Only three days before the 1990 vote in Seattle, in a Baltimore Jewish Times article, "Reform Rabbis to Vote on Gays in Pulpit", Rabbi Gary P. Zola, the national dean of the HUC Admissions committee stated:

At the Hebrew Union College, the Reform movement's rabbinical school, the admissions committee has for several years considered a candidate's sexual orientation within the context of [his] overall suitability for the rabbinate. There are some members of our committee who feel that an avowed homosexual is unqualified for the rabbinate, ipso facto. [A candidate's homosexuality] has to be evaluated along with other things that constitute an application. Much depends on how a particular human being represents him or herself. This was basically our working position for at least the last ten years.²³⁹

Two months later in August 1990, Rabbi Zola reacted in a more nuanced way to the affirmative vote of the CCAR. In an article entitled "Homosexual candidates may be barred at door," Rabbi Zola argued that "if anybody who is openly gay or lesbian is feeling that the Reform Jewish movement has taken a position of non-discrimination, my

²³⁹ Noam M. Neusner, "Reform Rabbis To Vote on Gays in the Pulpit," *The Baltimore Jewish Times*, June 22, 1990, The Selig Salkowitz Papers, MS 725, Box 4, Folder 8, The American Jewish Archives, Cincinnati, OH.

feeling is that they are very much mistaken."²⁴⁰ Feeling deceived by the recently passed report of the Ad Hoc Committee on Homosexuality in the Rabbinat, Rabbi Rosalind A. Gold, then of Northern Virginia Hebrew Congregation, responded strongly and emotionally to Zola's comments:

"Dear Gary,

Please tell me that you were misquoted in the attached article from the National Jewish Post and Opinion. If what I read is true, then your statement represents the opposite of the sense of the Report that was voted upon in Seattle.

While each member of an admissions committee has a right to his or her feelings and opinion, I don't believe that the College-Institute would stand for a committee member to exclude a candidate because the candidate were, say, female, even if the committee member were opposed to women in the rabbinat; I don't believe the College-Institute would stand for a committee member to exclude a candidate because the candidate ate pork, even if the committee member believed that all rabbis should keep kosher. These are the stated policies of our Movement; we don't leave them open for question. Why should the policy be any different regarding gay/lesbian candidates?

No longer can gay or lesbian candidates be denied admission simply because of sexual orientation. Period. End of discussion. If our policy is different, then the College-Institute ought to let us know that through a medium other than the Post and Opinion.

Sincerely,

Rabbi Rosalind A. Gold"²⁴¹

Rabbi Zola responded to these accusations by stating that "our official admissions policy has been incorporated (almost word for word) into the Statement of the CCAR Ad Hoc Committee on Homosexuality which was endorsed by the Conference during the Seattle Convention. All of our admissions committee will function in complete accordance with this statement—of this you may be certain."²⁴²

²⁴⁰ "Homosexual candidates may be barred at door," *N.J. Post*, August 1990, Near-print file on "Homosexuality," The American Jewish Archives, Cincinnati, OH.

²⁴¹ Rabbi Rosalind Gold, letter to Dr. Gary Zola, September 5, 1990, The Selig Salkowitz Papers, MS 725, Box 4, Folder 4, The American Jewish Archives, Cincinnati, OH.

²⁴² Dr. Gary Zola, letter to Rabbi Rosalind Gold, February 8, 1990, The Selig Salkowitz Papers, MS 725, Box 4, Folder 4, The American Jewish Archives, Cincinnati, OH.

Still, confusion mounted with regard to the actual policies of the College-Institute. One month after the Jewish Post and Opinion article, on September 7, 1990, Rabbi Zola sent an internal memo to Professor Eugene Borowitz who questioned the insinuations made in that same article. Zola offered a clarifying, "off the record" statement regarding the College-Institute's attitude vis-à-vis gay and lesbian students. He wrote:

This internal guideline constitutes a fair and accurate description of our current approach. I interpret this statement to mean that if, after having thoroughly scrutinized a candidate's total academic, interpersonal, etc., profile, a rabbinic admissions committee votes to admit an open, self-avowed homosexual—that applicant will be admitted. However (and this is, in my opinion, a crucial caveat), each and every member of an admissions committee at the College-Institute is entitled to vote his/her conscience. Officially, the College-Institute recognizes a committee member's inalienable right to turn away a given applicant solely on the basis of his/her sexual preference. This is, as your letter implies, entirely unlike the College-Institute's policy vis-à-vis women. There will be committee members who would abhor such a criterion, and there will be those who support it. Nevertheless, the institution has not adopted (from my perspective) an official policy of "non-discrimination" toward homosexuality as it has toward women. Personally, I agree with this approach, and I will apprise our committees of this policy once again this year as I have in the past.²⁴³

In response to this letter, Borowitz recused himself from sitting on any admissions committees at HUC-JIR. In a letter to Rabbis Leonard Kravitz, Sam Karff, Selig Salkowitz, Joe Glaser, Margaret Holub, Yoel Kahn, and Margaret Wenig, he wrote:

Friends,

I did not understand an interview with Gary Zola which had him saying the College might still turn down homosexual applicants only because they were homosexual. I wrote him and raised some possible cases to get a clarification of our policy. Here is a copy of his letter which I share with you—with his permission—because of your interest in this matter. If you are interested in my letter to him, please let me know and I'll send a copy. In any case, I will refuse to sit on the Admissions Committees if asked.

G'mar Tov,

²⁴³ Dr. Gary Zola, letter to Dr. Eugene Borowitz, September 7 1990, The Selig Salkowitz Papers, MS 725, Box 4, Folder 4, The American Jewish Archives, Cincinnati, OH.

Regarding his decision, Borowitz explained, "I am not in a position to be able to carry out wholeheartedly the position of the college."²⁴⁵ He still does not serve on the committee.

As evidenced above, HUC-JIR continued to struggle with its admissions process, even after the 1990 Report of the Ad Hoc Committee on Homosexuality in the Rabbinate. To this day, certain members of the faculty do not believe that homosexual students should be admitted to the rabbinical program.²⁴⁶ Yet, in general, a culture of non-discrimination exists on all four HUC-JIR centers of learning.

A formal non-discrimination policy was added to the Admissions Statement of HUC-JIR in 1987. Rabbi Kenneth Ehrlich remembered this change occurring at one of the three annual Deans' Councils that preceded each Board of Governors meeting. At these councils, deans from all four campuses met with the President of the College. Many of the College-Institute's most controversial issues were handled through the Deans' Council. Ehrlich noted, "I do remember it was at a Deans Council meeting that we decided to add that phrase to the college catalog and to all the admissions things that the college does not deny admissions solely on the basis of this and that I think then we added sexual identity."²⁴⁷

When asked about concerns with regard to this change in policy, Ehrlich noted that most people were supportive and that there was little difference in feeling among the four campuses. "The only objection that was raised about the College taking a more

²⁴⁴ Dr. Eugene Borowitz, letter to Rabbis Leonard Kravitz, Sam Karff, Selig Salkowitz, Joe Glaser, Margaret Holub, Yoel Kahn, and Margaret Wenig, September 27, 1990, The Selig Salkowitz Papers, MS 725, Box 4, Folder 4, The American Jewish Archives, Cincinnati, OH.

²⁴⁵ Rabbi Eugene Borowitz, Phone Interview, October 2, 2007.

²⁴⁶ Dr. Leonard Kravitz, Phone Interview, October 8, 2007; Kravitz explained the affirmative change in his personal thinking on the issue; however, he noted that others professors at HUC-JIR have not changed their thinking and still adamantly oppose the ordination of gay rabbis.

²⁴⁷ Rabbi Kenneth Ehrlich, Personal Interview, October 9, 2007.

forceful stand on the admission or ordination of gays and lesbians was that we had to be cautious not to alienate...the Union to the extent that it would jeopardize significantly our financial support from the Union.” Here, the term “Union” refers more broadly to the synagogue layity and major financial donors to the College-Institute, not to the leadership of the UAHC which was generally out in front of the College-Institute and CCAR on this issue. Ehrlich himself expressed that concern. He noted, “Where some may have thought that [my] caution [meant] don’t admit or ordain gays or lesbians what I was saying [was that] our admission of gays and lesbian has to be accompanied by an outreach to the Movement so that they fully understood what we were doing and why we were doing it and that we would help them however we could to adjust to this changing world.”²⁴⁸

Concern over potential placement for homosexual rabbis also existed. At its first meeting, the Ad Hoc Committee requested formal representation from the Joint Placement Commission. Ronald Sobel represented the RPC at the next meeting; A. Stanley Dreyfus, director of the RPC from 1979-1991, who also attended, “spoke to the allegations that the Placement Commission discriminated against self-avowed homosexuals. He denied this was the case.” Yet, as with HUC-JIR, the RPC maintained no formal non-discrimination policy. Rabbi Margaret Wenig responded to Dreyfus’s statements. She stated “that she (and others) hoped that the Placement Commission might formally state its opposition to discrimination regardless of sexual preference.” However, Stern and Dreyfus stated unequivocally that “this kind of phrase would not be

²⁴⁸ Ibid.

signed by member-congregations.”²⁴⁹ Today, when searching for a rabbi, congregations must attest to the fact that they will not “exclude a candidate from consideration based on age, gender, sexual orientation or marital status.”²⁵⁰ However, this statement was added to the application recently to address the rapidly changing make-up of the rabbinate, including more single rabbis, women rabbis, and homosexual rabbis. Despite the statement, however, congregations make decisions regarding the employment of a rabbi based on very personal and subjective criteria. To be certain, though often unstated, some congregations would certainly refrain from hiring a gay or lesbian rabbi, in the same way that some may choose not to hire a rabbi who is a woman.

In essence, the committee overwhelmingly noted that one’s sexual orientation was and would continue to be a liability in the placement process. At the December 2, 1987, Ad Hoc Committee meeting, Sam Karff made the following remarks in regard to placement of gay and lesbian rabbis:

If a confirmed bachelor applied to a congregation for a position and he feels compelled to announce to the committee that he never intends to get married and the pulpit committee chooses someone else he may feel discriminated against. Our advice to such an individual would be that from a practical perspective there is no reason to make such a statement, but if he felt that he could not remain silent he should be prepared to take the consequence. The same would apply to a gay or lesbian colleague.²⁵¹

Karff’s statement reflected the committee’s overwhelming feeling that the ideal rabbinic candidate was committed in a heterosexual, procreative marriage. Moreover, his statements emphasized the idea that gay rabbis should remain closeted, or at least,

²⁴⁹ CCAR Ad Hoc Committee on Homosexuality and the Rabbinate, Minutes of Meeting, March 4-5, 1987, The Selig Salkowitz Papers, MS 725, Box 3, Folder 1, The American Jewish Archives, Cincinnati, OH.

²⁵⁰ Central Conference of American Rabbis, “Guidelines for rabbinical congregational relationships,” <http://www.ccarnet.org>.

²⁵¹ CCAR Ad Hoc Committee on Homosexuality and the Rabbinate, Minutes of Meeting, December 2-3, 1987, The Selig Salkowitz Papers, MS 725, Box 3, Folder 1, The American Jewish Archives, Cincinnati, OH.

understand that if one is gay and wants to be a rabbi, that s/he will have to decide which aspect of his/her identity is most important.

In fact, the question of a heterosexual, procreative ideal surfaced again later at this December 1987 committee meeting. Rabbi Jack Stern moved the committee from a simple conversation about homosexuals in general to one specifically attacking the issue of gay and lesbian rabbis. Stern argued that it was important that "we should grant full validation to the homosexual as a human being, but the rabbi is a role model and therefore his/her case is different."²⁵² Karff responded to Stern's question stating, "There is a difference between acknowledging that homosexuals can achieve *kiddushin*, lifelong monogamous relationships, and a rabbi who is both a role model and teacher."²⁵³ Rabbi Gary Zola expressed a similar sentiment, blatantly raising the question of a heterosexual ideal. Zola proposed the following questions: "Can we accept the notion of a rabbi who by example and teaching expresses the view that homosexuality and heterosexuality are equal? Is it possible to make distinctions between rabbis and *baal habatim*? How do we define overt sexual behavior? The committee should focus also on the pain of homosexuals but presenting a resolution would be an error."²⁵⁴

A small part of the committee expressed minority views with regard to the question of gay rabbis serving as role models. Rabbi Normal Cohen reframed the question as one of rabbinic qualifications. He argued "that what qualifies a person to be a rabbi is his/her ability to affirm the essentials of Judaism not whether he/she decides to get married. Therefore there is no impediment to homosexuals becoming a rabbi."²⁵⁵

²⁵² Ibid.

²⁵³ Ibid.

²⁵⁴ Ibid.

²⁵⁵ Ibid.

Similarly, Rabbi Yoel Kahn suggested that the entire question needed to be reevaluated. As stated in the minutes, "Yoel Kahn is asking for a new understanding of the ideal. Procreation is less important in a birth controlled world. The standard ought to be a sanctified relationship."²⁵⁶ Despite Kahn's passionate argumentation, the majority of the committee agreed with Karff and his sentiment persisted into the final report of the committee.²⁵⁷

The inquiry into the question of homosexuality and the rabbinate proved much larger than expected. The policies of HUC-JIR and the RPC were complicated and convoluted. The leading information in the fields of medicine, psychology, and law offered little guidance in this decision making process. The barrage of evidence was inconclusive, disjointed, of no real help. The personal narratives were moving, but not motivating for the members of the Ad-Hoc Committee on Homosexuality and the Rabbinate. There was also limited help from the other religious communities. Among the Christian denominations, only the Unitarian Church ordained homosexual clergy at this time. Within the Jewish denominations, the Reconstructionist Rabbinical College (RRC) ordained the first homosexual rabbi in 1984.²⁵⁸ Ultimately, the Ad-Hoc Committee on Homosexuality and the Rabbinate decided that a movement-wide program of education within the Reform movement was necessary.

The committee spearheaded a program of education and discussion for clergy, congregations, and the College. Meetings took place at various events, including the 98th CCAR Convention in Tarpon Springs, Florida, the centennial CCAR convention in 1989

²⁵⁶ Ibid.

²⁵⁷ Ibid.

²⁵⁸ Rabbi Sue Levi Elwell, *Lesbian Rabbis*, ed. Rabbis Rebecca T. Alpert, Sue Levi Elwell, and Shirley Idelson (New Jersey: Rutgers University Press, 2001), 24.

at HUC-JIR in Cincinnati (no serious business was discussed at the 1988 convention in Israel), regional *kallot* and conventions, and at the UAHC Biennials in Chicago, Illinois in November 1987, and in New Orleans, Louisiana in 1989.

The committee presented its first official report to the CCAR Convention in Tarpon Springs, Florida, in May of 1987. Salkowitz delivered an address which was well received by the delegates. In this presentation, Salkowitz discussed the formation of the committee and its actions thus far. As well, he noted that the committee deliberations in the coming months would focus on the effects of any decision on the members of the conference, the constituencies that Reform rabbis serve, the Reform movement and its institutions, and the Jewish community at large, which we recognize as a factor, but not a deciding factor. In his post-convention letter to the members of the Ad Hoc Committee, Salkowitz noted:

There was considerable favorable reaction to [the presentation] and to the open forum the night following the presentation. The forum was well attended and the comments made indicate a broad range of attitudes and concerns among our colleagues. It is becoming increasingly clear that we need to continue our deliberations with sensitivity and a clear awareness of the potential results of whatever action we take.²⁵⁹

The late-night meeting at Tarpon Springs was exceedingly moving for many of the CCAR and committee members in attendance. Over 300 rabbis attended the meeting and expressed deep and often painful feelings about gay rabbis. At the follow-up December meeting of the Ad Hoc Committee, Zola noted how he was "startled by how emotional the meeting in Tarpon Spring was."²⁶⁰ The emotional outpouring at this

²⁵⁹ Rabbi Selig Salkowitz, letter to members of ad hoc committee on homosexuality in the rabbinate, June 1, 1987, MS 725, Box 3, Folder 4, The American Jewish Archives, Cincinnati, OH.

²⁶⁰ CCAR Ad Hoc Committee on Homosexuality and the Rabbinate, Minutes of Meeting, December 2-3, 1987, The Selig Salkowitz Papers, MS 725, Box 3, Folder 1, The American Jewish Archives, Cincinnati, OH.

meeting moved Zola to question the way in which the report would ultimately be presented. This concern burdened the committee until the very end of its life.

On December 3, 1987, the second day of committee deliberations, Sam Karff presented a seven point statement as a starting point for the committee's discussion. The seven points were as follows:

1. A preface on sexuality—A Jewish theology of sexuality which clearly affirms the ideal of heterosexuality where there is choice
2. Recognizing that for those for whom there is not choice there can be meaningful spiritually valuable monogamous homosexual relationships
3. In our teaching and preaching we need to acknowledge both dimensions 1 and 2
4. Acknowledge that there are colleagues who are homosexual who function effectively as rabbis
5. Use Walter Jacob's responsum on appropriate behavior for heterosexual and homosexual leaders in the Jewish community.
6. Reflect understanding and endorsement of HUC's present admissions policy (homosexuality does not automatically preclude a candidate from admissions but once revealed becomes part of the total profile considered by the committee. This position is to be distinguished from that of the Reconstructionist Seminary)
7. We call for pastoral support for our homosexual brothers and sisters acknowledging the dignity of all of us as God's creatures.

This statement marked a significant change for Karff who originally favored no action on the part of the committee. He noted, "I have moved from *shev v'al ta'se*. Buber said that the test of true dialogue is after listening to another if you can say something that you could not say before."²⁶¹ Still, Karff was concerned about media reaction and stated that he wanted "an honest headliner to be stymied."²⁶² He noted his concerns the previous evening when he said, "Our statement should carry us beyond the status quo. We need to communicate with homosexual students and colleagues that we

²⁶¹ Ibid.

²⁶² Ibid.

cannot deliver what they are asking. We need to lower expectations and to offer compassion.”²⁶³

Certain members of the committee could not sign on to Karff's statement. Margaret Wenig noted her problem with the concept of the inherent superiority of heterosexuality over homosexuality. Yoel Kahn passionately stated that he “cannot support the current consensus because I serve a dying congregation. My congregants have total commitment to each other. Therefore, I cannot abandon my people and their relationships.”²⁶⁴ Karff forcefully declared, “I cannot subscribe to a statement that does not include a preference for heterosexuality.”²⁶⁵ Halted by this very core issue, the committee concluded that a majority and minority report should be drafted by a subcommittee of Ad Hoc members. Gary Zola and Sam Karff volunteered to work on the actual report. Margaret Wenig agreed to formulate the minority point of view. The committee planned to meet again in New York on May 23-24, 1988.

A number of other key items developed out of the Tarpon Springs convention. Salkowitz noted in his convention speech that “it must be the concern of the CCAR to develop a position on human sexuality and sexual standards grounded in Jewish theology, and in keeping with Reform Jewish frames of reference.”²⁶⁶ In an attempt to address this concern, Salkowitz approached Eugene B. Borowitz, Professor at HUC-JIR New York, and Robert Kirschner, Rabbi of Congregation Emanu El, San Francisco, California, to prepare position papers for the Ad Hoc Committee. Together with essays developed by committee members Rabbis Yoel Kahn and Peter Knobel, these position papers were

²⁶³ Ibid.

²⁶⁴ Ibid.

²⁶⁵ Ibid.

²⁶⁶ Ad Hoc Committee on Homosexuality and the Rabbinate, “Report of the Ad Hoc Committee on Homosexuality in the Rabbinate,” *CCAR Yearbook*, vol. XCVII (1988): 109.

presented at the December 1987 Ad Hoc Committee meeting in New York and as part of the preparatory background materials delivered to all CCAR members before the 1989 convention in Cincinnati.

The second major development post-Tarpon Springs came in the form of an ultimatum to the Ad Hoc Committee on Homosexuality and the Rabbinat to produce a final report within the next two years. On May 13, 1987, Rabbi Selig Salkowitz received the following letter from CCAR Executive Vice President Joe Glaser:

The Executive Board at its post-Convention Board meeting at Innisbrook, heard a report from the open meeting of the Committee on Justice and Peace held in Innisbrook that your Committee on Homosexuality in the Rabbinat be mandated to make its final report to the convention in 1988 in Jerusalem. After discussion, the Board took the following action: It requests that the Committee make an interim report to the Executive Board sometime during the next Conference year, and that it make report to the convention in 1989.²⁶⁷

To be sure, the internal pressure from the CCAR Committee on Justice and Peace motivated, at least in part, the leadership of the CCAR to mandate the Ad Hoc Committee on Homosexuality and the Rabbinat's report. However, there was also pressure mounting from the UAHC. On April 8, 1987, just a little over a month before Rabbi Salkowitz received the mandate from Rabbi Glaser, the Commission on Social Action (CSA), a department of the UAHC, produced an internal resolution entitled "Support for Inclusion of Lesbian and Gay Jews." The resolution read as follows:

BACKGROUND

God calls upon us to love our neighbors as ourselves. The prophet Isaiah charges us further: "Let my house be called a house of prayer, for all people..." (Isaiah 56.7). And, armed with the other teachings of our faith, we Jews are asked to create a society based on righteousness, the goal being tikkun olam, the perfection of our world. Each of us, created in God's image, has a unique talent which can contribute to that high moral

²⁶⁷ Rabbi Joseph Glaser, letter to Rabbi Selig Salkowitz, May 13, 1987, The Selig Salkowitz Papers, MS 725, Box 3, Folder 4, The American Jewish Archives, Cincinnati, OH.

purpose; and to exclude any Jew from the community of Israel lessens our chance of achieving that goal.

While strongly affirming Judaism's historic commitment to the traditional family, we recognize the reality of non-traditional familial relationships. The word "family," today, defies simply definition. And sexual orientation has never been, nor should it be, a criterion for membership or participation in an activity of any synagogue. Thus single Jews and members of Jewish families should be welcome, however they may define themselves.

THEREFORE, BE IT RESOLVED that, in reaffirmation of the UAHC's 1977 resolution on civil and human rights for homosexuals and in conjunction with recognizing our gay congregations, the Commission on Social Action urges all UAHC affiliates to:

1. Continue to develop educational programs in the synagogue and the community which promote understanding and respect for lesbians and gays.
2. Implement programs supportive of Jewish lesbians and gays.
3. Encourage lesbian and gay Jews to share and participate in the worship, general congregational life, employment, and leadership of mainstream synagogues.
4. Maintain a non-discriminatory policy in seminary admissions and final rabbinical ordination at Hebrew Union College-Jewish Institute of Religion.²⁶⁸

In addition to reaffirming the civil and human rights of homosexuals, the resolution addressed the two major issues under consideration by the Ad Hoc Committee on Homosexuality and the Rabbinat, namely the employment of gay and lesbians in congregations, understood here to include the employment of gay and lesbian rabbis, and the admissions and ordination policies of HUC-JIR. If presented to the UAHC Biennial in November 1987 for approval, the CSA resolution had the potential to thwart the efforts of the Ad Hoc Committee on Homosexuality to present a carefully studied and articulated policy vis-à-vis the ordination of gay and lesbian rabbis. Salkowitz noted this concern in

²⁶⁸ Commission on Social Action, Resolution on "Support for Inclusion of Lesbian and Gay Jews," April 8, 1987, received from the URJ Commission on Social Action, December 6, 2007.

his subsequent letter to members of the Ad Hoc Committee on Homosexuality and the Rabbinat on June 1, 1987. He wrote:

I believe that those who are trying to hasten our task are doing so without an awareness of what the 'big picture' is, and have an agenda of their own, a part of which I do not want to be. The Commission on Social Action wrote and then tabled indefinitely a resolution for 'Support for inclusion of Lesbian and Gay Jews.' I understand that one congregation will submit a similar resolution to the UAHC Resolutions Committee prior to the October Biennial.²⁶⁹

It is unclear what motivated the CSA to indefinitely table the resolution. It seems plausible that the CCAR leadership placated the CSA, and by extension the UAHC, by mandating that the Ad Hoc Committee on Homosexuality and the Rabbinat present a final report within two years, by the time of the subsequent UAHC Biennial. However, the CCAR was not as successful in preventing Stephen Wise Free Synagogue, New York City, from presenting a similar resolution for consideration at the 1987 UAHC Biennial.

In his June 1, 1987, memo to the members of the Ad Hoc Committee on Homosexuality and the Rabbinat, Salkowitz all but told Al Vorspan and Richard Sternberger, the Union representative to the Ad Hoc Committee on Homosexuality and the Rabbinat, to "use their offices and influence to keep the [congregational] resolution from being presented, in keeping with our decision to work together as a movement to bring a well grounded theologically sound, Reform position, for consideration and acceptance by all the national bodies of the movement."²⁷⁰

However, the Stephen Wise Free Synagogue, a congregational leader in the area of gay and lesbian inclusion, presented a resolution on "Support for Inclusion of Lesbian

²⁶⁹ Rabbi Selig Salkowitz, letter to members of the Ad Hoc Committee on Homosexuality and the Rabbinat, June 1, 1987, The Selig Salkowitz Papers, MS 725, Box 3, Folder 4, The American Jewish Archives, Cincinnati, OH.

²⁷⁰ Ibid.

and Gay Jews” to the UAHC Resolutions Committee. The Stephen Wise resolution, which was endorsed by the CSA, was nearly identical to the internal CSA resolution. There were three major differences between the two texts. First, the resolution added the short paragraph to the background section which highlighted Reform Judaism’s historical commitment to gay and lesbian rights. The text read, “In consonance with these [background] teachings, in 1977 the Union of American Hebrew Congregations resolved to support and defend the civil and human rights of homosexuals, and we have welcomed into the Union congregations with special outreach to Lesbian and Gay Jews. But we must do more.”²⁷¹ Second, the resolution encouraged lesbian and gay Jews to participate fully in “all synagogues,” not just “mainstream synagogues” as was stated in the CSA resolution.²⁷² Presumably, this statement affirmed the existence of gay outreach congregations and their place in the Reform Jewish community. Finally, and perhaps most significantly, the resolution deleted all reference to the admissions and ordination policies of HUC-JIR. The UAHC Resolutions Committee accepted the resolution for consideration at the November Biennial on August 16, 1987.

In a final effort to prevent the resolution from coming to a vote, Rabbi Salkowitz contacted Judge David Davidson, Chairman of the UAHC Resolutions Committee, on October 21, 1987. He wrote:

Dear Judge Davidson,

I am writing to you as chairman of the CCAR Committee on Homosexuality in the Rabbinate. Our committee was appointed in 1986 and directed to present a final report to the Convention of the CCAR in 1989. Because the committee needs to consider the interrelationship of all the national institutions of Reform Judaism, we asked the UAHC and the

²⁷¹ Stephen S. Wise Free Synagogue, Resolution presented to the UAHC Resolutions Committee, August 16, 1987, The Selig Salkowitz Papers, MS 725, Box 3, Folder 4, The American Jewish Archives, Cincinnati, OH.

²⁷² Ibid.

College-Institute to designate staff members to serve as members of our committee.

There has been unanimous agreement in the committee that no one national institution should act independently prior to the issuance of our report. Such unilateral action would pre-empt debate, hamper the deliberations of the committee and undermine the potential unifying position that could emerge from such a report.

It is with this background that I address the resolution submitted by the Stephen Wise Free Synagogue, New York City, entitled "Support for Inclusion of Lesbian and Gay Jews." I refer specifically to line 22 and the word "employment."

In recent telephone conversations, Al Vorspan—who serves as one of the UAHC members of this committee—told me that the legislative intent of this resolution as finally adopted by the Resolutions Committee was not to include rabbinic employment.

Our committee would appreciate from you a letter memorializing the discussion during which that intent was made clear. We would then have on the record that this was indeed the legislative intent of your committee, so that if at some future time, someone should maintain that rabbinic employment was the intent of this resolution the true intent could be made clear.

We are all aware of the extremely sensitive nature of this situation. A position hopefully agreed upon by all institutions of the Reform community will be most effective within our movement and among its constituent members.

I thank you for your attention to this request and your agreement with it.

Yours truly,
Rabbi Selig Salkowitz²⁷³

Following Salkowitz's request, the resolution was changed to exclude the rabbinate from its purview. The updated resolution included the following disclaimer:

Service of lesbian and gay Jews as rabbis is currently under consideration by the Central Conference of American Rabbis. It has appointed a Committee on Homosexuality in the Rabbinate to consider all aspects of the subject. The committee is directed to present a final report at the 1989 CCAR convention. Representatives of the UAHC and the Hebrew Union College-Jewish Institute of Religion are serving on the committee.²⁷⁴

²⁷³ Rabbi Selig Salkowitz, letter to Judge David Davidson, October 21, 1987, The Selig Salkowitz Papers, MS 725 Box 3, Folder 4, The American Jewish Archives, Cincinnati, OH.

²⁷⁴ Union of American Hebrew Congregations, "Support for the Inclusion of Gay and Lesbian Jews," April 1, 2006, http://urj.org/Articles/index.cfm?id=7336&pge_prg_id=29601&pge_id=4590.

As well, the final resolution, which was passed at the 59th UAHC Biennial in Chicago, Illinois, in November 1987, made three additional changes to the Stephen Wise resolution. First, the resolution removed all references to the definition of Jewish family. Second, the resolution resolved that UAHC congregations and affiliates should “employ people without regard to sexual orientation.”²⁷⁵ This was the strongest language of all three resolutions, the CSA, Stephen Wise, and final resolution; however, this was the only resolution that specifically excluded the Reform Rabbinate from the non-discrimination statement. Finally, the resolution urged the CSA to “bring its recommendations to the next General Assembly after considering the report of the CCAR committee and any action of the CCAR pursuant to it.”²⁷⁶ This statement affirmed the CSA’s, and by extension the UAHC’s, right to reconsider the issue in two years if unsatisfied by the conclusions of the CCAR Ad Hoc Committee on Homosexuality and the Rabbinate.

Disappointed by the revision to the resolution, Chicago Biennial participant Dr. John E. Hirsch wrote a post-convention letter to Rabbi Schindler. Hirsch was “greatly troubled” by Schindler’s State of the Union address, which reminded people of the desperate need for Reform Rabbis and charged young Reform Jews to consider the Rabbinate as a career. Hirsch wrote:

As I am sure you are aware, there was much wrangling about the language in Resolution XV regarding the inclusion of homosexual Jews in all aspects of congregational life. The language was watered down to specifically exclude the Rabbinate from that resolution. It is apparent that, despite the social values we are taught regarding discrimination, the Reform Jewish Rabbinate reserves its right to discriminate against homosexuals.

²⁷⁵ Ibid.

²⁷⁶ Ibid.

Rabbi Schindler, there are honorable, talented committed men and women in this country who would make dynamite Reform Rabbis but who are excluded because of their sexual orientation...

Dr. Julius Morgenstern came to my hometown for retirement from the HUC. He was a wonderful man who, as a mentor, took me under his wing to "make me a Rabbi." There was a point as a teenager that I really wanted to enter the Rabbinate. Although I was only seventeen, not yet sexually experienced, and not even in possession of the vocabulary for what I was...I knew intuitively that life for me as a Rabbi would be impossible. It is too late for me, but there is a generation out there to whom we must reach out. A life in the Rabbinate should not be impossible for any young man or woman who really wants it.²⁷⁷

In his response, Rabbi Schindler stated that the question of gay rabbis was removed from the Union resolution at the specific request of the CCAR Resolutions committee. He explained that the Union was pressing hard for a more open policy and "gradually selling the representatives of the CCAR and College-Institute."²⁷⁸ But, ultimately he admitted, the final decision would be made exclusively by the CCAR. Schindler's response was based entirely on an attached internal memo he received from Al Vorspan, the UAHC representative to the Ad Hoc Committee on homosexuality and the Rabbinate. As is evidenced from these collected correspondences, the UAHC was out ahead of the clergy and College-Institute. However, the CCAR had a process in place and it did not want to see it subverted.

The committee made no formal statement of its work at the CCAR Convention in 1988. However, significant behind the scenes work was taking place. On May 23-24, 1988, the Ad Hoc Committee met for its fourth meeting to discuss the draft statements prepared by Karff, Zola, and Wenig. Despite significant efforts, the majority of committee members remained disappointed with the statements. The remainder of the

²⁷⁷ Dr. John E. Hirsch, letter to Rabbi Alexander Schindler, December 17, 1987, The Alexander Schindler Papers, MS-630, Box 4, Folder 8, The American Jewish Archives, Cincinnati, OH.

²⁷⁸ Rabbi Alexander Schindler, letter to Dr. John E. Hirsch, December 17, 1987, The Alexander Schindler Papers, MS 630, Box 4, Folder 8, The American Jewish Archives, Cincinnati, OH.

afternoon was dedicated to “hammering out” the language of the statement. Ultimately, late in the day on May 24, the committee unanimously accepted a proposed document, that included a report in tandem with a minority opinion. The following tasks remained for the committee: (1) Set up full report; (2) Authorize Chair to give report to the Board; (3) 1989 Debate format; and (4) Testing of Document.²⁷⁹

Selig Salkowitz presented the committee’s statement to the Executive Board of the CCAR on June 15, 1988. In an update letter to the committee, Salkowitz noted, “The Executive Committee was unanimous in their appreciation and commendation of our accomplishing a task they considered impossible. The unanimity ended here.”²⁸⁰ The Board raised questions and concerns over the language, inconsistencies, and theological disagreements, and what materials should be retained and what omitted. Salkowitz opined that “if the Executive Board, as a test group, is a barometer of what we may expect on the Convention floor, our resolution will meet insurmountable difficulties.”²⁸¹

The Executive Board determined that the Ad Hoc Committee needed to meet again in order to address its concerns. A meeting was set for October 30-31, 1988, in New York. Two major developments emerged from this meeting. First, the committee apparently came to a decision not to present a resolution to the 1989 plenum; rather, the committee decided to recommend a process of dialogue and education among CCAR members. This is corroborated in two letters, one from committee member Rabbi Margaret Wenig to Salkowitz and one a draft letter from the Ad Hoc Committee to the

²⁷⁹ CCAR Ad Hoc Committee on Homosexuality and the Rabbinate, Minutes of Meeting, May 23-23, 1988, The Selig Salkowitz Papers, MS 725, Box 3, Folder 1, The American Jewish Archives, Cincinnati, OH.

²⁸⁰ Rabbi Selig Salkowitz, letter to the Members of the Ad Hoc Committee on Homosexuality and the Rabbinate, July 29, 1988, The Selig Salkowitz Papers, MS 725, Box 3, Folder 5, The American Jewish Archives, Cincinnati, OH.

²⁸¹ Ibid.

delegates of the 1989 Cincinnati CCAR convention. In the first letter, Wenig declined an invitation to present a statement of her support for the committee's decision not to present a resolution at the convention. She wrote:

I am writing to decline the committee's invitation to me to present a brief explanation of my support for our decision not to present a resolution at our 1989 Convention. What I would have to say would be partisan to one side of the issue and I don't think the introduction to our session is the place for a partisan view to be expressed. Moreover, my feelings about our committee's current position are somewhat negative (albeit I support that position but only because I don't believe we can do 'better' at this point—nonetheless I am saddened by that fact). I do not think my negative feelings will help start the session on a positive note.²⁸²

The second letter explicitly stated the decision of the committee. "After a lengthy discussion, and taking into account the comments made by the Executive Board, we have unanimously decided to recommend a process of dialogue among the members of the Conference, and a movement-wide process of education."²⁸³

Second, as part of the education and discussion process, the Ad Hoc Committee invited Rabbi Yoel Kahn and Professor Leonard Kravitz to make presentations to the 1989 CCAR Convention. In letters dated December 13, 1988, Rabbi Salkowitz requested that each man prepare fifteen minute papers to be presented at the CCAR Convention on Monday morning, June 26, 1989. Both men agreed.²⁸⁴

The centennial CCAR convention on June 21-26, 1989, was a pivotal moment for the Ad Hoc Committee on Homosexuality in the Rabbinate. The committee presented its

²⁸² Rabbi Margaret Wenig, letter to Rabbi Selig Salkowitz, November 15, 1988, The Selig Salkowitz Papers, MS 725, Box 3, Folder 5, The American Jewish Archives, Cincinnati, OH.

²⁸³ Rabbi Selig Salkowitz, letter to members of the Ad Hoc Committee on Homosexuality in the Rabbinate, February 1, 1989, The Selig Salkowitz Papers, MS 725, Box 4, Folder 1, The American Jewish Archives, Cincinnati, OH.

²⁸⁴ Rabbi Selig Salkowitz, letter to Rabbi Yoel Kahn and Dr. Leonard Kravitz, December 13, 1988, Selig Salkowitz, Papers, MS 725, Box 3, Folder 5, The American Jewish Archives, Cincinnati, OH.

educational agenda in full. Committee chairman Rabbi Selig Salokowitz addressed the plenum:

Good colleagues, after three years of arduous, intensive, and sincere study and debate, your committee recognizes that what is need is *not* a resolution which at best would be a pyrrhic victory to whatever group might narrowly achieve a parliamentary majority. We would serve ourselves, our movement, and the Jewish community best by entering into, and encouraging among our congregational bodies, programs of study and heightened awareness of the available sources, resources, and disciplines. Some congregations have begun this process with positive results. It should be our goal to seek understanding, not coercion; reason, not emotion; unity within diversity.²⁸⁵

Following Rabbi Salkowitz's remarks, Rabbi Yoel Kahn and Professor Leonard Kravitz, presented their individual views on the following two questions: (1) Since Judaism teaches, and Reform Judaism has affirmed, that monogamous heterosexual marriage is the ideal relationship for sanctification and sexual expression, is it Judaically possible to grant spiritual value to monogamous homosexual relationships? (2) How do you react to the claim that sexual orientation is not chosen; and how does your conclusion affect your position on question one? Rabbi's Kahn's response was entitled "The *kedusha* of homosexual relationships," while Professor Kravitz's work was called simply "Address." Kahn based his presentation on the theme of *b'tzelem Elohim*, creation in the image of God, arguing that he did not believe that God created in vain. Professor Kravitz argued that Reform Jews must "look at Torah as a means of guidance"²⁸⁶. He urged that the CCAR and, by extension, the College-Institute must not "passively accept"

²⁸⁵ Ad Hoc Committee on Homosexuality and the Rabbinat, "Report of the Ad Hoc Committee on Homosexuality and the Rabbinat," *CCAR Yearbook*, vol. XCIX (1990): 135.

²⁸⁶ Don Canaan, "600 rabbis meet here for CCAR convention," *The American Israelite*, June 29, 1989; Near-print file on "Homosexuality," The American Jewish Archives, Cincinnati, OH.

homosexual rabbis; Kravitz borrowed this term from Professor Eugene Borowitz's who regarded the College admissions policy as "passive permissiveness."²⁸⁷

Today, Kravitz supports the ordination of gay rabbis. He noted in a recent phone interview, "The key issue is that I suddenly realized that being gay is a fact of nature. Once this is a fact of nature, there is nothing else to say. Once the tradition hurts, you have to make a change."²⁸⁸ Kravitz compared his fundamental change in belief to water repetitively dripping on a rock. "Slowly over time the rock cracks and changes."²⁸⁹ Similarly, Dr. Eugene Borowitz's thought on the ordination of gay and lesbian rabbis has evolved significantly over the last twenty years. As he explained, "It took me some time to clarify what the root issue was."²⁹⁰ Today, Borowitz identifies the root issue as that of progeny and Jewish continuity, not sexual orientation. He explained:

...whether it is homosexual students or heterosexual students, the issue seems to me to be progeny. And while I would put it that way now, I did not put it that way twenty years ago. I think this makes it much clearer. I have nothing against homosexuals. I would perform a marriage for two persons of the same sex. I can understand the holiness involved in that relationship. No difficulty with that whatsoever. But it seems to me that the issue of progeny and continuity is a critical one and I think rabbis ought to exemplify it.²⁹¹

Despite this affirming statement, Borowitz questioned whether or not substantial numbers of gay and lesbian couples were actually having one, let alone, two or more children. This remained a difficult obstacle for Borowitz. Yet, he articulated this as a problem among heterosexual couples as well. "I think those reservations apply to heterosexual couples as it applies to homosexual couples. I don't think heterosexual

²⁸⁷ Ibid.

²⁸⁸ Dr. Leonard Kravitz, Phone Interview, October 8, 2007.

²⁸⁹ Ibid.

²⁹⁰ Dr. Eugene Borowitz, Phone Interview, October 29, 2007.

²⁹¹ Ibid.

rabbinic couples are setting a proper model if they are not either having or adopting children. I think it is trying to understand...autonomy doesn't mean for a Jew just in my lifetime."²⁹²

Back at the convention, the Conference divided up into small "break-out" groups for a variety of educational and role-playing activities after the presentations to the plenum. Committee members Rabbi Harvey Tattelbaum and Richard Sternberger developed a variety of scenarios to be discussed. These scenarios included such situations as what would happen if the dean of HUC found out a student was gay or if a student was granted an interview and in that interview shared his sexual identity.²⁹³ All reactions and comments were recorded in moderator packets, one of which is retained in The American Jewish Archives on the campus of the Hebrew Union College-Jewish Institute of Religion in Cincinnati, Ohio.²⁹⁴ The following scenario yielded a wide array of responses, some of which are included.

Scenario: Active young Reform Jewish man who is gay. Desire to commit his life to Judaism and wants to be a Rabbi, especially since as a homosexual he will not have a family.²⁹⁵

Responses:

- Go into academia
- Tell him that there are many rabbis who have a strong impulse to cheat, but don't because they think that it is wrong; similarly, what you are doing is wrong and you must stop
- Analogy to mixed marriage—even if you disagree, still receive the couple with understanding and guide them, Might send him to another rabbi
- Still need to raise consciousness; Homophobia workshops for CCAR members at Conventions and for our congregations, like Camp Ramah

²⁹² Ibid.

²⁹³ Harvey M. Tattelbaum, letter to Selig Salkowitz, June 7 1989, The Selig Salkowitz Papers, MS 725, Box 4, Folder 1, The American Jewish Archives, Cincinnati, OH.

²⁹⁴ Amy R. Perlin, Moderator Guide for Break Out Groups, The Selig Salkowitz Papers, MS 725, Box 4, Folder 2, The American Jewish Archives, Cincinnati, OH.

²⁹⁵ This presupposes that gay and lesbian rabbis would necessarily not have form families, especially families with children. As is known, this is not true and a serious misconception on the part of the committee.

Summer Experience in the anti-women rabbi days. Girls protested going to services “because we don’t count”. I trained them to lead their own service. I wanted to see and one of women shut the door-the tears welled up-I feel firsthand the shutting of the door.

- Gay rights movement today is our civil rights movement. Ultimately, talking about education and sensitizing people
- Educating for what?—we need a goal!!
- Homosexuality is not a determinant of being a Rabbi-serving the people of Israel is. Can’t ask our friends to live and lie. Issue separate from HUC. What are we going to do for our colleagues and classmates. Two taboos in society, sex and food. We had no problem disregarding the food and use of *halacha* as a crutch for the 2nd.
- Is the CCAR a trade union? Or is this an ethical issue? I am fully in favor of equal rights. Opposed to gays serving as a role model.
- I disagree with you (regarding the point directly above). Trade-union support women, physically handicapped—connected to all other issues
- How can we allow gay congregations and reject gay Rabbis. We have the responsibility to advocate and educate
- Homosexual relationship is moral. We shouldn’t wait for the congregants to get ready. We are talking about prejudice at a time when people are dying. We are moral leaders!
- Sense that CCAR will be mocked again.
- Brit Banot, other ceremonies—we are asked to create new private ceremonies and this is precedent for ceremony of commitment
- We are using the congregation as scapegoat—we are reluctant to make move!

At the end of the convention, a draft report was sent with rabbis to the congregations for one more year of reflection and evaluation.

Still, the Ad Hoc Committee and proceedings garnered a lot of support and media coverage. The *American Israelite* reported on Thursday, June 29, 1989, that “the final day of the Central Conference of American Rabbis’ six-day centennial convention brought forth the Ad Hoc Committee on Homosexuality’s report. The issue was discussed but remained unvoted upon—still in the closet.”²⁹⁶ Newspaper articles appeared throughout the summer months in small regional papers, as well as large national papers such as *The New York Times*.

²⁹⁶ Don Canaan, “600 rabbis meet here for CCAR convention,” *The American Israelite*, June 29, 1989; Near-print file on “Homosexuality,” The American Jewish Archives, Cincinnati, OH.

There were a number of key developments in the months after the Cincinnati convention. The CCAR Executive Board asked that the Ad Hoc Committee continue to meet for at least one more year. Within the year, the committee was expected to review the reactions from the presentations in Cincinnati, as well as, consider and develop a model for study to be used at regional CCAR *kallot* and regional UAHC meetings and biennials. In light of this task, the Ad Hoc Committee gathered for a meeting on September 5-6, 1989, in New York.

At the outset of the meeting, a number of simple comments reflected the growing battle between the CCAR and UAHC regarding the process of the Ad Hoc Committee on Homosexuality and the Rabbinate. The minutes noted that Al Vorspan had to "cool down the UAHC Social Action Committee re: resolution on homosexuality."²⁹⁷ As in 1987, the CCAR went out of its way to stymie the actions of the UAHC as they related to homosexual rabbis. In this case, the CCAR attempted to stop Alexander Schindler from discussing the developments vis-à-vis gay rabbis in his Presidential Address at the 1989 UAHC Biennial in New Orleans, Louisiana.

In a September 15, 1989, letter, Joseph Edelheit, then Rabbi of Emanuel Congregation in Chicago, Illinois, wrote to Alexander Schindler in order to address manipulative behavior on the part of Rabbi Sam Karff. Edelheit stated:

...I also want you to know that after some consideration, I fear that I might have unwittingly been a part of Sam Karff's inappropriate manipulation at the Board meeting. I say this within the following context. Bo O'Mansky called me several weeks ago to inform me that the offer for the CCAR to join the AIDS Committee as a joint commission had been turned down by you and the Chairman of the Board, Mr. Goldman. While he was not fully clear why, certainly I did not

²⁹⁷ CCAR Ad Hoc Committee on Homosexuality and the Rabbinate, Minutes of Meeting, September 5-6, 1989, The Selig Salkowitz Papers, MS 725, Box 3, Folder 1, The American Jewish Archives, Cincinnati, OH.

understand. Bo asked me to call Sam Karff, since it had been a committee meeting at the CCAR convention which had prompted the CCAR Executive Committee to ask to join on a joint commission level. In my conversation with Sam Karff, he asked my view of why the UAHC was not prepared to join the CCAR on this joint level regarding AIDS. I said I wasn't sure, due to the fact that the UAHC had taken a leadership role, and that in many ways had allowed the rabbinate to remain peripheral except for the leadership roles that a few of us have taken on the UAHC committee level. We both noted your very strong statement in your Erev Shabbat sermon in Cincinnati, and both of us were aware that in the area of AIDS as well as your supportiveness of the gay and lesbian community that the UAHC was certainly at a far different place than the Conference.

I hope that I in no way fostered his attempt to preempt your saying anything. Sam knows that I am very much opposed to the position that the Conference is taking with regard to homosexuality, most specifically with regard to homosexuality and the rabbinate. I apologize if in my conversation with Sam, I led him to a place where he has attempted to preempt you.²⁹⁸

Here, too, the CCAR, under then President Sam Karff attempted to prevent Rabbi Schindler from critically addressing the response of the Reform Movement to AIDS and other gay and lesbian inclusion issues. According to this correspondence, the CCAR wanted to join the UAHC in its efforts with regard to AIDS. However, the UAHC decided not to involve the CCAR in their work, presumably feeling that the Conference might hinder the Union's strong stance on the issue. Bo O'Mansky, a national lay leader in the UAHC, informed Rabbi Edelheit of the decision, who in turn alerted Rabbi Karff to the situation. This prompted Karff to inquire as to why the UAHC would turn the CCAR down for such a joint venture. Edelheit, who discussed the issue with Karff, raised the point that the UAHC was far ahead of the CCAR on these issues. Undoubtedly, this sparked Karff to question what the UAHC, particularly Rabbi Schindler, had planned regarding this issue at the upcoming November 1989 UAHC Biennial in New Orleans, Louisiana.

²⁹⁸ Rabbi Joseph Edelheit, letter to Rabbi Alexander Schindler, September 15, 1989, The Alexander Schindler Papers, MS 630, Box 4, Folder 8, The American Jewish Archives, Cincinnati, OH.

The situation deteriorated from here. On September 25, 1989, Selig Salkowitz contacted Alexander Schindler to address the same concerns. Salkowitz reiterated to Schindler, "That a resolution on this subject is the one direction I know that we should not pursue. The committee is in agreement with this position. Succinctly put, Alex, our committee is seeking your support in achieving a goal of a sensitive, informed lay and rabbinic constituency working together to develop understanding and respect for the legitimately different approaches to this matter."²⁹⁹

However, despite Salkowitz's direct contact with Schindler, the conflict continued between Schindler and leaders of the CCAR. Between October 24 and 25, 1989, a series of correspondences traveled between Schindler and Rabbis Joe Glaser and Elliot Stevens, both executive officers in the CCAR. Significant misunderstandings surfaced regarding who said what and when. According to Schindler, Stevens allegedly made a number of inappropriate comments at the New Jersey regional CCAR Kallah regarding the role of the CCAR in limiting Schindler's Presidential remarks in New Orleans. These remarks made their way to Schindler who was enraged by such behavior on behalf of the CCAR. In an angry fax to Joe Glaser, Schindler fumed:

I didn't hang up on you. Our conversation was over.

I made three more phone calls this morning. They confirm the substance of the reports which I received. Elliot even referred to the letter which Selig sent me and in whose drafting 'Joe and Sam assisted.'

I think it is a shame for Conference leaders to try to direct what I say in my Presidential Message and then have the temerity to brag about it to other colleagues.

I will not discuss this issue any more. What has happened convinces me that the UAHC Executive meeting was orchestrated.

²⁹⁹ Rabbi Selig Salkowitz, letter to Rabbi Alexander Schindler, September 25, 1989, The Selig Salkowitz Papers, MS 725, Box 4, Folder 2, The American Jewish Archives, Cincinnati, OH.

I'm not angry at all, I'm just bitterly disappointed that people like you and Sam, for whom I have the utmost respect, would attempt to censor a colleague and then gloat in public about it.³⁰⁰

Stevens responded to Schindler and answered accusations about his involvement in this matter:

...I think it best to share with you my record, because there has been some misrepresenting and misunderstanding, and therefore, I think some unnecessary anger.

After describing our process and the reasons of content why our committee felt that a resolution would not be the best means of addressing the many issues which had been raised in committee over its several years, I further described the current process, which insofar as it concerns homosexuality and the rabbinate has led the committee to the preparation of study and syllabus materials, for use at regional kallot, and based primarily on papers already written and circulated to members of the CCAR, and the speeches at our Cincinnati convention. One rabbi—I think Howard Jaffe, called the CCAR approach 'bullshit,' and castigated the CCAR for not having the courage to take a stand and adopt a resolution, as a ringing affirmation of CCAR support, at least for those of its members who are homosexuals. Most others in the room applauded his comment, and one rabbi asked why the UAHC always seemed to take leadership on important issues, while the CCAR seemed to duck them, and what would Alex Schindler be saying at the Biennial? I answered that I had no idea what you would be saying at the Biennial, nor could anyone guarantee what you would or wouldn't say, but I understood that you had discussed your comments with Selig Salkowitz, whom I believed had written you on the subject, and you had also had discussions with Joe; and my understanding was that Selig, at least, had shared with you his hope that you would see fit to endorse the process in which we were engaged, rather than encouraging resolutions while our deliberations were still in process. That's all. I never mentioned Sam Karff, nor did I mention any attempts at pressure or attempts to dictate what you would say. I firmly believe that pressure is (in general) counterproductive and (in this case) out of place. Words like 'brag' (your FAX) are totally out of place. I was very cautious and careful in what I said. Anyone who interpreted my remarks as 'gloating' can only be investing their own emotional stake in the subject into their interpretations of what I said. It simply didn't happen that way. When you quote a draft in which 'Joe and Sam assisted,' Alex that is simply untrue as well; as I state above, I never mentioned Sam at all...³⁰¹

³⁰⁰ Rabbi Alexander Schindler, facsimile letter to Rabbi Joseph B. Glaser, October 25, 1989, Selig Salkowitz Papers, MS 725, Box 4, Folder 2, The American Jewish Archives, Cincinnati, OH.

³⁰¹ Rabbi Elliott Stevens, letter to Rabbi Alexander Schindler, October 25, 1989, Selig Salkowitz Papers, MS 725, Box 4, Folder 2, The American Jewish Archives, Cincinnati, OH.

Despite Stevens' clarifications, Schindler remained frustrated by the plotting of the CCAR. Though he did not approach the issue of gay rabbis in his address, he eloquently and forcefully recommitted the UAHC to efforts of education and inclusion for gay and lesbian Reform Jews. He challenged all of us. "We who were beaten in the streets of Berlin cannot turn away from the plague of gay-bashing. We who were Marranos in Madrid, who clung to the closet of assimilation and conversion in order to live without molestation, cannot deny the demand for gay and lesbian visibility!"³⁰²

Schindler did not stop there. In his unending passion for gay and civil rights, he covertly addressed the CCAR manipulation that had taken place in the preceding months. He wrote:

Our Rabbinic Conference, through its Committee on Homosexuality, which has yet to render a final report—has called on the Union to embark on a 'movement-side program of heightened awareness and study.' Very well! I endorse the notion of dialogue and education in regard to sensitive issues. But, education in a vacuum is not enough. Ultimately, there must be a policy enunciated by which the many gay and lesbian Jews of our community can know that they are accepted on terms of visibility, not invisibility. Ultimately, they must know that we place no limits on their communal or spiritual aspirations.³⁰³

Schindler attacked—though politically and eloquently—the internal scheming of the CCAR and the Ad Hoc Committee on Homosexuality in the Rabbinat.

In line with the UAHC's commitment to more education about gays and lesbians in Union congregations, the Ad Hoc Committee determined that education efforts were necessary at all regional CCAR Kallot. Representatives from the committee were sent—

³⁰² Union of American Hebrew Congregations, Department of Jewish Education, *Torah at the Center*, volume 4, number 3, March 2001, http://urj.org/_kd/items/actions.cfm?action=Show&item_id=3507&destination=ShowItem.

³⁰³ Rabbi Alexander Schindler, "Including Gay and Lesbian Jews," *Kulanu*, Task Force on Lesbian and Gay Inclusion (New York: UAHC Press, 1996), 5.

at the CCAR's expense—to the kallot in order to facilitate conversations, present the work of the committee, and glean some regional perspective.

One particularly interesting report came from the Pacific Association of Reform Rabbis (PARR) *kallah*, January 7-11, 1990. Sixty-eight rabbis responded to the following set of seven statements relating to the issue of homosexuality and the rabbinate:

1. The CCAR should affirm traditional Jewish teaching concerning homosexuality.
[Strongly Agree: 2; Agree: 2; Unsure: 6; Disagree: 15; Strongly Disagree: 42]
2. The CCAR should reject traditional Jewish teaching concerning homosexuality.
[Strongly Agree: 35; Agree: 15; Unsure: 10; Disagree: 4; Strongly Disagree: 4]
3. The CCAR should affirm the religious equality of homosexual Jews.
[Strongly Agree: 44; Agree: 14; Unsure: 7; Disagree: 0; Strongly Disagree: 0]
4. The CCAR should take no position at this time concerning homosexuality.
[Strongly Agree: 9; Agree: 6; Unsure: 9; Disagree: 18; Strongly Disagree: 23]
5. HUC-JIR should ordain qualified candidates who are homosexual.
[Strongly Agree: 44; Agree: 12; Unsure: 6; Disagree: 2; Strongly Disagree: 0]
6. HUC-JIR should establish an explicit policy of non-discrimination in admissions on the basis of sexual orientation.
[Strongly Agree: 44; Agree: 5; Unsure: 10; Disagree: 7; Strongly Disagree: 1]
7. The CCAR should take no position at this time concerning ordination of candidates who are homosexual.
[Strongly Agree: 8; Agree: 9; Unsure: 5; Disagree: 15; Strongly Disagree: 29]

In his report to the president of PARR, Rabbi Richard A. Block, Chair of the PARR Board committee, articulated two important gleanings from the surveys. First, he noted a “readiness on the part of those surveyed for a policy statement or resolution by the Central Conference with respect to homosexuality and the rabbinate that would view homosexuality and homosexuals in a considerably more accepting way than the *halacha* and Jewish tradition.” Second, Block stated that the results “do not necessarily demonstrate readiness to accept homosexuality as the moral or theological equivalent of heterosexuality, to confer on committed homosexual monogamous relationships between Jews the same approval granted to monogamous heterosexual marriage among Jews or

willingness to officiate at wedding or wedding-like ceremonies between two people of the same sex.”³⁰⁴ Similar results were gathered from other regional meetings.

The Ad Hoc Committee continued to struggle over the question of presenting a resolution or report at the end of its two-day meeting in September 1989. Ultimately, the committee decided to submit a final report with recommendations to the 1990 CCAR Convention in Seattle. A letter from Selig Salkowitz to the Ad Hoc Committee dated April 1990 said:

1. At our meeting on April 4th, we decided to submit a final process report with recommendations for the convention. A draft report, submitted by Peter Knobel, was read, discussed, revised, and returned to Peter for final editing.

All present agreed to sign onto the report, making it unanimous, and to send copies to committee members who were absent, asking for their comments and significant revisions, all of which would be resubmitted to the entire committee for final approval and sign-on.

2. Since that meeting, two major changes have been made—one in language, and one in procedure, at the request of several members who attended the meeting.

The language change was from “The Committee” to “we” to make it possible for the convention/conference to adopt our position as the will of a conference in Seattle.

The second change, in procedure, is to remove the suggested highlighted recommendations and to submit the report in its entirety so that the recommendations of the committee can be understood within the context of the entire report. These changes were made after extensive telephone conversations among most of those committee members who were at the meeting, and are reflected in the enclosed statement.³⁰⁵

³⁰⁴ Rabbi Richard A. Block, letter to Rabbi Lawrence J. Goldmark, January 19, 1990, The Selig Salkowitz Papers, MS 725, Box 4, Folder 3, The American Jewish Archives, Cincinnati, OH.

³⁰⁵ Rabbi Selig Salkowitz, letter to members of the Ad Hoc Committee on Homosexuality and the Rabbinate, April 1990, The Selig Salkowitz Papers, MS 725, Box 4, Folder 6, The American Jewish Archives, Cincinnati, OH.

Salkowitz's April letter garnered quick and angry response from committee members Yoel Kahn and Margaret Wenig. Both returned passionate statements to the committee expressing frustration with the last minute changes made to the report after the committee meeting and without the committee's consensus. Kahn addressed his concerns in a letter to Sam Karff on April 23, 1990:

Dear Sam,

I was very disappointed to learn from Peter Knobel of the latest substantial revision to our Committee's report, the substitution of the "the CCAR" for "the Committee." After four years of work, I think it's most unfortunate that the basic nature of our product is being altered at the last minute. Instead of being discussed with the Committee as a whole—at whose last and reportedly final meeting, a unanimous vote was taken—this re-drafting is now taking place over the telephone between individuals.

The disagreement between members of the Committee on what I continue to refer to as "Point 1" (heterosexual ideal) has been known for at least two years. How to responsibly represent this fact in our final presentation to the Conference has been a continuing theme. We also have been debating for at least as long, it seems to me, the question of whether a report or a resolution is most appropriate. We agreed a while ago, as I recall, that a resolution was counterproductive and that a 'comprehensive report is in the best interest...of the movement as a whole.' We recognized that any report, once presented to the floor, could be amended by the house but felt that a narrative report stood a better chance of passing unamended, and more accurately represented the interrelation of the separate sections.

I am now led to understand that some members of the Committee feel that the voice of the report should not be "the Committee" but "the CCAR." The purpose of this, I understand is to make clear that we are making a CCAR policy statement. The effect of this change is to transform our report into a lengthy resolution. This is exactly the opposite of what the Committee had previously agreed unanimously to do...

Our Committee has struggled for a long time to produce a report which we could all endorse without reservation. We have discussed at length the political and spiritual significance of a unanimous report. We have all stretched our positions in order to accommodate one another without asking anyone to compromise the integrity of his or her theological and personal beliefs. I was prepared to vote, as a member of the Conference, for a document which contained language with which I fundamentally disagreed because my minority position was clearly and

equally recognized. I was prepared to go out and do my best to convince others to support the work and report of the Committee...

I do not support this most recent change to the document and decline to have my name put to it. I sincerely regret that we may not be able to make a unified presentation to the Conference...

Respectfully,
Rabbi Yoel H. Kahn³⁰⁶

On May 7, 1990, Elliott Stevens alerted the Ad Hoc Committee that the wording of the final report had been changed back to reflect the committee's original conclusions. Committee members were instructed to return confirmation of endorsement of the final report by Monday, May 14. Stevens noted, "Once we have your endorsement, this report will be sent out to all members of the CCAR, along with other resolutions to be presented at the convention."³⁰⁷ Stevens further noted that the presentation and adoption of the report would be made with a single motion endorsement on Monday, June 25, 1990. Following the disbursement of the report, individual amendments from CCAR members flooded the CCAR offices.

The Ad Hoc Committee presented a slightly emended final report to the general membership of the CCAR at the 101st CCAR Convention in Seattle, Washington. Rabbi Selig Salkowitz, in introductory remarks stated, "The committee views this report not as an end, but as a beginning."³⁰⁸ After a formal introduction of the report, the floor was opened up for debate. Following the period of open debate, the question of adoption of the report was called and the motion to adopt the report approved.

³⁰⁶ Rabbi Yoel Kahn, letter to Rabbi Sam Karff, April 23, 1990, The Selig Salkowitz Papers, MS 725, Box 4, Folder 3, The American Jewish Archives, Cincinnati, OH.

³⁰⁷ Rabbi Elliott Stevens, letter to members of the Ad Hoc Committee on Homosexuality and the Rabbinate, May 7, 1990, The Selig Salkowitz Papers, MS 725, Box 4, Folder 7, The American Jewish Archives, Cincinnati, OH.

³⁰⁸ Ad Hoc Committee on Homosexuality and the Rabbinate, "Report of the Ad Hoc Committee on Homosexuality and the Rabbinate," *CCAR Yearbook*, vol. XCX (1991): 99.

The debate included a wide variety of comments both for and against the report. The statements against the report centered around three major arguments, including the biblical prohibition against homosexuality, the concern over distancing Reform Judaism from *klal Yisrael* and the mainstream Reform community, and the question of whether a gay or lesbian rabbi should serve as a Jewish role model.

Among the most controversial respondents was Rabbi Philmore Berger of Oceanside, New York, who cited the biblical prohibition against homosexuality in his argument against the report. He stated:

It is with much pain and anguish that I rise to speak against the resolution by the ad hoc committee...to speak of *kedusha* in homosexual relationships is to use the term *kedusha* in a way that is alien to me. I am committed, as are most of us, to the belief that the Torah was written by human beings who were divinely inspired. Now we have amended and amended and squeezed biblical verses for no other apparent reason than to get a better understanding. My problem today is with a verse in Leviticus, chapter 18, verse 22 "Thou shalt not lie with mankind as with womankind. It is an abomination." To the best of my knowledge this verse has not yet been reinterpreted by any Jewish biblical scholar. It speaks of the immorality of homosexual relationships. How am I to deal with it? I am aware that the question of homosexuality is very much a cultural one, but that does not mean that we as rabbis must approve that which the present proclaims. It is my duty as a rabbi to love all human beings. I think I do that. But it is not my duty as a rabbi or as a human being to approve the actions of all human beings. Much of the behavior of our society needs correction. The sexual act is and should be a private matter between two consenting adults. When it involves biblically forbidden relationships, such as homosexuality, the best advice is that of our sages, "*shev ve-al ta'aseh* (passive permissiveness)." For over 20 years I have been rabbinic director of the counseling center of the New York Federation of Reform Synagogues. I have dozens of cases in my files dealing with homosexuals who came to the center for help. They wanted to end their homosexual relationships. In all the cases I dealt with, homosexuality was not a genetic matter, nor something that the clients who came to see me were born with; it was rather a chosen way of life. Assuming that homosexuality is a chosen way of life, we are most assuredly distorting and twisting our moral values by accepting this report. The one who

chooses this way of life sins and most assuredly ought not to be a rabbi in Israel.³⁰⁹

Rabbi Berger's arguments reflected a very orthodox understanding of Jewish tradition, textual exegesis, and homosexuality. However, other rabbis opposed the report for more subjective reasons. Rabbi Robert Miller of Newton, Massachusetts, argued against the report for fear of alienating Reform Judaism from *klal Yisrael*, the larger Jewish community. Moreover, he argued, the report would cause a rift between the Reform rabbinate and laity. Miller cautioned, "I think that if we were to survey our own people they would overwhelmingly state that they do not want to have gay or lesbian rabbis in the pulpit. They will vote that way and we will turn around one day and find that we are leaders without a people."³¹⁰

Rabbi Robert Seigel of Charlotte, North Carolina, questioned whether a gay or lesbian Jew could serve as a role model. He argued:

I think there is a distinction between a gay or lesbian member of a Reform synagogue actively engaged as an individual, on the one hand, and another person in the congregation serving as a role model such as a rabbi. Using the words of the resolution itself on page 4, "Heterosexuality is the only appropriate Jewish choice for fulfilling one's covenantal obligations," I submit that this document is going to hamstring congregations who will be essentially unable to question the sexual orientation of potential candidates for their pulpits even though they realize that, according to Jewish tradition, sexual preference is indeed a factor for a role model in the Jewish community. I request that this entire document be defeated, even though I know that I am swimming against the tide."³¹¹

Indeed, the overwhelming majority of rabbis present at the 1990 CCAR Convention in Seattle, Washington, affirmed the report of the Ad Hoc Committee on Homosexuality and the Rabbinate. Two particular arguments made in favor of the report

³⁰⁹ Ibid., 103.

³¹⁰ Ibid., 107.

³¹¹ Ibid., 104.

are worth mention. Rabbi Jeffrey Glickman of St. Joseph, Missouri, noted the potential for good that could come out of this report. Comparing this report to that on patrilineality just a few years before, Glickman stated:

I feel that one of our primary roles as rabbis is to add meaning to people's lives. We add meaning to people's lives at the difficult times in their lives when they are in the hospital, or when they are in prison. Many people come to us saying, "Rabbi, I cannot find meaning in my life; my life is very hard." And some people say to us, "This is my life, I am a homosexual." I view that and say, "What right do I, or we as valid inheritors of the Jewish tradition, have to turn these persons away, to exclude them from Judaism, or to increase their pain?" There was a great deal of good that came about when we passed the Patrilineality Descent resolution. For people who did not know whether they fit into Judaism or non—we handed them a piece of paper or pointed to it and said, "Yes, you are Jewish and your life, your ethical and moral life, is good, and we welcome you with open arms." We can do the same with this amendment, to choose life. To choose meaningful, Jewish life.³¹²

Rabbi Elyse Frishman on Suffern, New York, challenging the traditional reading of homosexuality, argued that the Reform understanding of sexuality must be reconstructed in the same way that the Movement has considered gender. She asserted:

"I would like for a moment to respond to the concern that this is not within our Jewish tradition. We need to be reminded that, any time we have tackled an issue that is difficult for us, we have not simply accepted Torah verses but, as rabbis, we have challenged them and tried to discern their roots. I would also like to note that throughout the tradition the majority of literature has dealt with not female homosexuality but with male homosexuality, and there are two reasons for this. One seems to be that male homosexuality provokes a great concern about onanism, and the second is that there is a great concern that male homosexuals will not procreate. The concern in our tradition was not for women, since women were much more easily coopted into society. Gay women, who were almost non-existent in terms of their public expression, would still procreate because they would be married off. I would like to suggest that in the same way we have dealt with gender roles as an issue from its beginning to today, and have understood that in fact gender often has little to do with competency, that we discuss sexuality in the same way. If our concerns are Jewish ones, we reject onanism as a sinful condition. With regard to procreation, we acknowledge that there are many heterosexual

³¹² Ibid.

couples that are either infertile or choose not to have children who are still accepted and allowed involvement in our community, whereas, there are many homosexual couples that choose to have children, raise families, and become very much involved in Jewish family life. And so, on this Jewish basis, I would praise the report and ask for its acceptance.³¹³

The final version, which was approved overwhelmingly by the rabbinic delegates at the convention, included ten major sections: (1) the origin of the committee; (2) concern for gay and lesbian colleagues; (3) the civil rights for gay and lesbians; (4) the origin and nature of sexual identity; (5) sexual morality and the rabbi; (6) the relationship of Reform Judaism to *Kelal Yisrael* and the non-Jewish community; (7) congregational issues regarding homosexuality; (8) the admissions policy of the College-Institute; (9) membership in the CCAR; (10) and rabbinical placement.

As a whole, the report made a contribution to the continuation of gay and lesbian inclusion efforts in the Reform Movement. It stated unequivocally that “all rabbis, regardless of sexual orientation, be accorded the opportunity to fulfill the sacred vocation that they have chosen.”³¹⁴ However, in no way did it alleviate the potential challenges of “coming out” for gay and lesbian rabbis. In fact, the report cautioned, “In the light of the limited ability of the Placement Commission or the CCAR to guarantee the tenure the gay or lesbian rabbis who ‘come out of the closet,’ the committee does not want to encourage colleagues to put their careers at risk.”³¹⁵ In essence, the report suggested that in the current culture, gay and lesbian rabbis should for all intents and purposes, remain closeted.

The report also highlighted the ongoing debate amongst committee members over the etiology of homosexuality. The question of choice—that is, whether homosexuality

³¹³ Ibid., 105-106.

³¹⁴ Ibid., 109.

³¹⁵ Ibid.

is a matter of conscious choice or not—played a significant part in the ultimate decision making of the group. In fact, the ability to unanimously submit this final report to the CCAR for approval rested on the inclusion of the following paragraph which noted that when sexual orientation is a matter of choice, the only proper state of being is heterosexuality:

In Jewish tradition heterosexual, monogamous, procreative marriage is the ideal human relationship for the perpetuation of species, covenantal fulfillment, and the preservation of the Jewish people. While acknowledging that there are other human relationships which possess ethical and spiritual value and that there are some people for whom heterosexual, monogamous, procreative marriage is not a viable option or possibility, the majority of the committee reaffirms unequivocally the centrality of this ideal and its special status as *kiddushin*. To the extent that sexual orientation is a matter of choice, the majority of the committee affirms that heterosexuality is the only appropriate Jewish choice for fulfilling one's covenantal obligation.

A minority of the committee dissents, affirming the equal possibility of covenantal fulfillment in homosexual and heterosexual relationships. The relationship, not the gender, should determine its Jewish value—*Kiddushin*.³¹⁶

Despite these limitations, the report of the Ad Hoc Committee on Homosexuality and the Rabbinat served as a very significant symbol of gay and lesbian inclusion in the Reform Movement. It was the first public, movement-wide statement that gay and lesbians Jews can be rabbis. Rabbi Peter Knobel noted, "Aside from the Unitarians and the Reconstructionists, we are the first religious movement to make this declaration."³¹⁷ Rabbi Karff added, "What we have done is symbolically important, especially to our gay and lesbian colleagues, in that it provides a formal statement of support without radically changing things on the ground. But symbols are important."³¹⁸

³¹⁶ Ibid., 110.

³¹⁷ Rabbi Janet Marder, "Our Invisible Rabbis," *Reform Judaism*, (Winter 1990): 11.

³¹⁸ Ibid.

However, very few gay and lesbian rabbis surveyed expected the report to convince closeted gay and lesbian rabbis to “come out.” Rabbi Stacy Offner, a lesbian rabbi who was forced to leave her congregation in Minneapolis, Minnesota upon disclosing her homosexuality in 1987, noted, “In the short term, I don’t think the report will have a major impact on the lives of individual gay and lesbian rabbis. But in the long term it will because this is really a step towards total acceptance.”³¹⁹ Still, some rabbis chose to come out publically after the issuance of the report. Rabbis Denise Eger and Yoel Khan, who were serving gay outreach congregations at the time, disclosed their homosexuality formally. Both have played an extremely significant role in the advancement of gay and lesbian rights in the Reform Movement and general community.

To be sure, the report has had far reaching effects, not all of which were immediately visible. Today, the College-Institute admits gay and lesbian students every year to its professional programs. Gay and lesbian rabbis serve openly in congregations. As well, gay and lesbian rabbis serve at all levels of leadership in the Reform Movement. In fact, Rabbi Offner was recently welcomed as the new Vice President of the Union for Reform Judaism. Still, there are challenges. As with women rabbis, very few gay or lesbian rabbis serve in the senior rabbi positions at major Reform congregations. And, there is always the question of to what extent one’s homosexuality influences congregations in their decision to hire, or fire, a rabbi or other Jewish professional.

Reactions to the Vote

On June 22, 1990, days before the adoption of the Ad Hoc Committee report, the Baltimore Jewish Times reported in its article, “Reform Rabbis To Vote on Gays in

³¹⁹ Ibid.

Pulpit", that 54% of people participating in the Jewish Times poll said they would accept a gay rabbi as their spiritual leader, 39% vehemently opposed, and 7% don't know.³²⁰

Conservative commentator Dennis Prager was amongst the 39 percent of Jews vehemently opposed to the vote. In an editorial piece in *The Jewish Week* on August 10, 1990, Prager wrote:

Not since Classical Reform Judaism's decision to declare Jews a religion and not a people, which led to its early anti-Zionism, has Reform Judaism done something so antithetical to a foundation of Judaism. That is why, just as its later reversed itself and affirmed Jewish peoplehood, Reform Judaism will eventually reverse itself and reaffirm man-woman love, marriage, and family. Compassion for the homosexual who has no choice is one thing, and dropping Judaism's heterosexual ideal is quite another.³²¹

Varied reactions emerged throughout the different Jewish denominations. Lauding the initiative of the Reform movement, Conservative Rabbi Harold Shulweis of Los Angeles, stated that he gave a "great deal of credit for tackling an issue that has long been muted and suppressed" and he urged the Conservative movement to re-examine and reappraise its own position on the issue.³²² Other Conservative voices echoed the sentiment of the more traditional Orthodox community which condemned the decision of the Reform movement, calling it "an outright distortion of Jewish tradition and a deeply disturbing move."³²³ Still other Conservative leaders, like Rabbi Joel Meyers, executive vice-President of the Rabbinical Assembly, suggested that the Conservative movement is "the middle ground, trying to remain sensitive and concerned with equality for gay

³²⁰ Noam M. Neusner, "Reform Rabbis To Vote on Gays in the Pulpit," *The Baltimore Jewish Times*, June 22, 1990, The Selig Salkowitz Papers, MS 725, Box 4, Folder 8, The American Jewish Archives, Cincinnati, OH.

³²¹ Dennis Prager, "Will the Reform ruling on gay rabbis stand?" *The Jewish Week*, August 10 1990, Near-print file on "Homosexuality," The American Jewish Archives, Cincinnati, OH.

³²² Tom Tugend, "Reform Panel Recommends Allowing Gays, Lesbians as Rabbis," *The Jewish Advocate*, May 31, 1990, Near-print file on "Homosexuality," The American Jewish Archives, Cincinnati, OH.

³²³ Craig Degginger, "Vote on gay rabbis fuels split in movement, Orthodox leaders condemn Reform vote on gay rabbis," *Northern California Jewish Bulletin*, June 29, 1990, Near-print file on "Homosexuality," The American Jewish Archives, Cincinnati, OH.

people, and at the same time maintaining halachic principles.” In fact, just a month before the report’s vote, the Conservative movement endorsed full civil equality for lesbian and gay men in synagogue membership.

A variety of reactions surfaced within the Reform Jewish world. On April 26, 1990, two months before the vote, the Israeli Council of Progressive Rabbis (MARAM) drafted a position paper addressed to the 1990 Convention of the CCAR. They wrote:

In regard to the homosexual rabbi: Our attitude towards homosexual rabbis must be formulated in the context of our standpoint on the human rights of homosexuals. Fulfilling oneself to the maximum, the right to choose one’s profession and the right to work in the field in which one has been trained are integral parts of the basic rights of every human being. Therefore, the homosexual rabbi is also entitled to exercise these rights and to have them defended.³²⁴

The Israeli conference unanimously endorsed the statement for presentation to the general CCAR membership.

However, dissent emerged from within the North American Reform movement. A little over a year after the vote, the Dayton Jewish Chronicle reported on July 11, 1991, that “a faction of CCAR members met during the 102nd CCAR convention in Ft. Lauderdale, Florida, to discuss their grievances with the report on homosexuality.” The group, led by Rabbi Philmore Berger, of Temple Avodah in Oceanside, New York, stated that they intended to construct a letter of dissent to be submitted to the leadership of the CCAR. According to Rabbi Berger, a third of Reform rabbis opposed the resolution

³²⁴ Rabbi Mordechai Rotem, position paper presented by the Israeli Council of Progressive Rabbis to the 1990 Convention of the Central Conference of American Rabbis, April 26, 1990, The Selig Salkowitz Papers, MS 725, Box 4, Folder 3, The American Jewish Archives, Cincinnati, OH.

adopted at the recent CCAR annual convention in Seattle and some of these rabbis would be resigning from the CCAR.³²⁵

Despite the fact that Berger maintained his membership in the organization, he did manage to create waves in the wake of the Seattle vote. In July 1990, Berger took it upon himself to poll the conference to "ascertain whether or not the passage of the resolution on Homosexuality and the Rabbinate is truly a reflection of our conference."³²⁶ At his own expense, Berger mailed every member of the CCAR a postcard that asked two simple questions: (1) I approve of homosexual Rabbis serving congregations affiliated with the UAHC; (2) I do not approve of homosexual Rabbis serving congregations affiliated with the UAHC. Berger asked for conference members to simply check the statement that they identified with and return the postcard to him.

Berger's tactics generated varied response from CCAR members. Philip M. Posner, Rabbi of Temple Beth El in Riverside, California, expressed his admiration for Berger's conviction and tenacity, but questioned the way Berger worded his questions. He wrote, "As I understand our vote, it was not to 'approve' or 'disapprove' of homosexual rabbis serving congregations affiliated with the Reform Movement.' We voted on the issue of homosexuality itself. We especially chose to emphasize the ethical Monotheistic idea that no matter what one's sexual preference is, 'we are all God's children.'"³²⁷ Rabbi Steven Ballaban offered similar criticism in his July 30, 1990, letter to Berger:

³²⁵ Debra Nussbaum Cohen, "Despite dissent, Reform movement stands by move to ordain gay rabbis," *Dayton Jewish Chronicle*, July 11, 1991, Near-print file on "Homosexuality," The American Jewish Archives, Cincinnati, OH.

³²⁶ Rabbi Philmore Berger, letter to the membership of the CCAR, July 1990, The Selig Salkowitz Papers, MS 725, Box 4, Folder 4, The American Jewish Archives, Cincinnati, OH.

³²⁷ Rabbi Philip M. Posner, letter to Rabbi Philmore Berger, August 2, 1990, The Selig Salkowitz Papers, MS 725, Box 4, Folder 4, The American Jewish Archives, Cincinnati, OH.

...In light of the nature of the report and the vote, your two opinions, 'I approve of homosexual Rabbis serving congregations affiliated with the UAHC,' and 'I do not approve of homosexual Rabbis serving congregations affiliated with the UAHC' are pointless. The committee report not only does not endorse homosexuality, or an openly 'gay' lifestyle, it specifically contains a caveat against rabbis who would 'come out of the closet' on the basis that the vast majority of congregations would find this unacceptable, and would not tolerate such a rabbi's continued service. Furthermore, it is beyond the responsibility of the CCAR and its membership to dictate which candidates are acceptable or unacceptable to the UAHC its member congregations. For this reason, too, neither of your choices is reasonable.³²⁸

Ballaban went on to say:

I have not expressed to you which position I take in this controversy. I have no intention of doing so. I have voiced my opinions to the membership of the CCAR in the appropriate settings, and to individual members of the committee at various times over the past three years. I can only express my disappointments that you have chosen a vehicle which has the potential to be divisive and destructive. Should you believe that the CCAR has a moral obligation to deny membership to (practicing) homosexuals in the future, and a further obligation to castigate or ostracize current members who are homosexual, the procedures exist within the resolution process to introduce the issue for a vote by the membership. Until such time as such a motion has been introduced, I will refrain from taking part in any extra-procedural "straw votes" or polls.³²⁹

Conclusions

On February 27, 1991, twenty-nine gay and lesbian rabbis sent the following letter to Jewish publications throughout the nation:

"Dear Editor,

We are lesbian and gay rabbis from across North America. We are Conservative, Orthodox, Reconstructionist and Reform. We are proud to be Jewish and proud to be gay and lesbian. Some of us are single. Some of us are in committed relationships. Some of us have been blessed with children. Some of us are gay and lesbian, yet still living as heterosexuals. Our diversity mirrors that of the Jewish community we serve.

³²⁸ Rabbi Steven Ballaban, letter to Rabbi Philmore Berger, July 30, 1990, The Selig Salkowitz Papers, MS 725, Box 4, Folder 4, The American Jewish Archives, Cincinnati, OH.

³²⁹ Ibid.

Recently, we were pleased by the Central Conference of American Rabbis' resolution to ordain and accept openly gay and lesbian rabbis. At the same time we were pained and saddened by negative reactions which emanated from some quarters in our Jewish community.

As rabbis, we preach, teach, counsel, and minister to the Jewish community. We are respected spiritual leaders. We have welcomed babies into our communities. We have trained and inspired countless B'nai and B'not Mitzvah. We have sanctified loving relationships. We have comforted the sick. We have buried the dead. We have consoled the bereaved. We have observed, taught and perpetuated mitzvot. What distresses us is the demand that we separate our personal lives from our rabbinic careers.

It is time for us to be accepted for who we really are: committed Jews and rabbis who also are lesbian and gay men. We would like to be open with those whom we serve, both for their sake and for our own. Many of us continue to pay a terrible price for living two lives, yet we fear that the consequences of 'coming out' would be even more damaging, including the possibility of losing the jobs which we hold and having to leave the profession which we cherish. A few of us have 'come out' to find new challenges confronting us as we continue to serve the Jewish people, and fortunately some of us have found both ourselves and our communities enriched by our openness.

We commend the Central Conference of American Rabbis on its courageous action. We look forward to the day when the other movements in our community will affirm us as well. We have the right to share the fullness of our lives with the communities we serve.

Rabbi Rebecca Alpert
Rabbi Allen B. Bennett
Rabbi Denise L. Eger
Rabbi Julie Greenberg

Rabbi Linda Holtzman
Rabbi Yoel Kahn
Rabbi Sanford Lowe
Rabbi Eric Weiss

And 21 other Gay and Lesbian Rabbis³³⁰

In many ways, the Reform movement sets the standard with regard to issues of social justice and *tikkun olam*—repairing the world. Though the movement initially dragged its feet over a policy of non-discrimination based on sexual orientation, the actions and policies today speak to the Reform movement's commitment to education, awareness, and inclusion.

³³⁰ Letter of gay and lesbian rabbis to major national newspapers, February 27, 1991, Near-print file on "Homosexuality," The American Jewish Archives, Cincinnati, OH.

Chapter 5: The Road to Reform Officiation at Gay Marriage

Introduction

In a May 11, 2004 *Advocate* article about gay marriage, libertarian conservative author, blogger, and political commentator Andrew Sullivan is quoted, “If the first wave of gay rights was about sexual freedom, then the second wave is about marriage and family.”³³¹ Over the last fifteen years, significant developments have occurred with regard to both same-sex marriage and family rights. Among the earliest civil actions was the May 1993 ruling of the Hawaii Supreme Court which declared the state’s same-sex marriage ban unconstitutional. Although the Hawaii decision was ultimately overturned³³², the battle brought national attention to the growing issue of marriage equality and pushed legislators on both sides of the debate to action.

That same year, nearly one million gays, lesbians, bisexuals, members of other sexual minorities, and their supporters rallied on the national mall at the 3rd March on Washington for Lesbian, Gay, and Bisexual Equal Rights and Liberation.³³³ Beyond the march, gay rights groups planned a number of activities during the remainder of the weekend. One of the events was the Interfaith Ceremony of Commitment, “The Wedding,” organized by Reverend Troy Perry of Metropolitan Community Church (MCC). Perry billed the event as one that would “combine a marriage ritual with a

³³¹ Don Romesburg, “Gay Marriage Goes Mainstream: November 30, 1993,” *The Advocate*, May 11, 2004, http://findarticles.com/p/articles/mi_m1589/is_2004_May_11/ai_n6147934.

³³² Hawaii has statewide laws that provide some state-level spousal rights to unmarried couples (including gay and lesbian couples). See the National Conference of State Legislators, <http://www.ncsl.org/programs/cyf/samesex.htm>.

³³³ The march took place on April 25, 1993. See Neil Miller, *Out of the Past* (New York: Random House, 1995), 536.

protest against the continuing lack of legal recognition for lesbian and gay marriage.”³³⁴

The Wedding took place directly in front of the Internal Revenue Service building, emphasizing “the injustice done by a system that uses marriage to confer innumerable financial and civil advantages on heterosexual couples, but denies these advantages to lesbian and gay couples who cannot legally wed.”³³⁵

Dr. Ellen Lewin, professor of anthropology and women’s studies at the University of Iowa, in her book, *Recognizing Ourselves: Ceremonies of Lesbian and Gay Commitment*, described the scene:

Nearing the area where the Wedding was scheduled to occur, we began to see more and more couples and groups arriving, some dressed in clothing that reflected the special purpose of the day—tuxedos, white veils, matching kente-cloth ensembles, coordinated black leather outfits—and others clad in the standard T-shirts, jeans, tennis shoes, and baseball caps that are virtually uniforms for demonstrations and marches. Vendors hawked buttons, miniature rainbow flags, bumper stickers, commemorative T-shirts, and refreshments. People seemed festive and exuberant, greeting each other with nods and smiles, inspecting each other’s accouterments as these confirmed the spirit of the event.

The outfits people were wearing reflected the varied moods of the crowd. Some of those not wearing markedly symbolic clothing looked around as though checking out a new kind of gay occasion; they watched those arriving in costumes with the same appreciation and amusement usually reserved for drag performers or the sidelines of Gay Pride parades. Particular approval seemed to be reserved for outfits that were especially campy or incongruous: the two lesbians wearing T-shirts, jeans, and white bridal veils; the Jewish couple walking under a *chuppah* (canopy) borne by their attendants; a scattering of couples clad in black leather with dog-collars, leashes, and other S/M paraphernalia; but most common of all, male couples wearing every imaginable variety of formal wear.³³⁶

Despite the seeming novelty of such an event in the early 1990s, Reverend Troy Perry actually performed the first public same-sex marriage in 1969 and filed the first

³³⁴ Ellen Lewin, *Recognizing Ourselves: Ceremonies of Gay and Lesbian Commitment* (New York: Columbia University Press, 1998), 1.

³³⁵ *Ibid.*, 1-2.

³³⁶ *Ibid.*, 2.

lawsuit in the United States seeking legal recognition for same-sex marriage the following year.³³⁷ For nearly four decades, MCC, under the leadership of Reverend Perry, showed and continues to show strong commitment to gay marriage, also termed “holy unions,” as a vehicle through which same-sex couples can celebrate their lifetime commitment to one another. In the call for both civil and religious marriage equality, MCC has shown consistent leadership and influenced numerous other religious groups to follow suit.³³⁸

Early on, Beth Chayim Chadashim (BCC) encouraged its congregational members who wished to publically acknowledge their relationships to do so by conducting a special service akin to MCC’s “holy union.” In the June 1976 congregational bulletin, the Ritual Committee noted:

There is no official policy within the Ritual Committee concerning gay weddings. Since U.S. law does not yet recognize gay unions, a wedding ceremony would have to be more symbolic than legalistic. And to make a binding union within the Jewish community does not need the participation of a rabbi. Therefore, any couple wishing to publically celebrate its union may do so by conducting a special service. The Ritual Committee will be more than happy to help.³³⁹

Just a few months later, the congregation celebrated its first official gay union. On Sunday afternoon, August 1, 1976, Tom J. and Eric V. “observed a specially conducted service in which they affirmed their love and commitment to each other.”³⁴⁰ BCC member and friend of the couple, David F., and Reverend Donald Peterson of MCC conducted the interfaith service, which “combined elements of both the Jewish and

³³⁷ Ibid.

³³⁸ Ibid.

³³⁹ Beth Chayim Chadashim Newsletter, Volume III, Number 12, June 1976, p. 8.

³⁴⁰ Beth Chayim Chadashim Newsletter, Volume IV, Number 3, September 1976, p. 5.

Christian traditions, reflecting the participants varied background.”³⁴¹ After the service, guests joined together for a buffet reception, complete with champagne punch and a three tiered cake, in honor of the couple. “Tom and Eric’s joy and happiness spread through all the guests making the afternoon most beautiful and memorable.”³⁴²

Across the country in New York City, however, Congregation Beth Simchat Torah (CBST) struggled to institutionally support gay and lesbian commitment ceremonies. In 1973, Aaron, who served as an unofficial rabbi of CBST in its early years, participated in the first official CBST commitment ceremony, something he and his lover called a “ceremony of loving distinction.”³⁴³ However, Moshe Shokeid, author of *A Gay Synagogue in New York*, notes, “Despite Aaron’s example there was never any official encouragement for further commitment ceremonies. It was not presented as a model in CBST’s *drashot*, speeches, or newsletters, and with the exception of one other early ceremony between male Jewish and gentile lovers, not repeated until [1988].”³⁴⁴ That year, Naomi and Susan celebrated their *brit ahavah* (Covenant of Love), a more formal ceremony than Aaron and his lover, that was conducted by a Reform rabbi from the Stephen Wise Free Synagogue in New York City.³⁴⁵

CBST’s ambivalence and struggle over same-sex ritual sanctification illuminated the significant debate regarding marriage in general and whether or not the gay and lesbian community should embrace a traditionally patriarchal institution. However, in the past two decades since Naomi and Susan’s ceremony, the number of marriage and commitment ceremonies has increased significantly, both at CBST and in the larger

³⁴¹ Ibid.

³⁴² Ibid.

³⁴³ Moshe Shokeid, *A Gay Synagogue in New York* (New York: Columbia University Press, 1995), 189.

³⁴⁴ Ibid., 190.

³⁴⁵ Ibid., 191.

general and Jewish communities, due to a variety of changing life circumstances for gay men and lesbians.

Dr. Rebecca T. Alpert, a rabbi and associate professor of religion and women's studies at Temple University, identifies four major reasons for this trend.³⁴⁶ First, same-sex ceremonies publically validate gay and lesbian relationships. According to Alpert, gay men and lesbians have come to understand that their relationships are as important and valid as those of heterosexual couples. In that vein, gay and lesbian couples began to place greater emphasis on both civil and religious validation of their unions in an effort to express this new self-understanding and self-worth to the larger community.

Second, same-sex ceremonies allow gay and lesbian couples to reconnect to religious tradition and spiritually sanction their love and relationships. In these cases, gay and lesbian couples utilize same-sex ceremonies as a means of shaping their personal relationships through a sanctified framework. Third, same-sex ceremonies institutionally affirm gay and lesbian relationships. A ceremony of commitment or marriage can serve as an indication of approval from family, friends, or religious community—and by extension God.

Fourth, same-sex ceremonies support the effort to legalize gay and lesbian civil marriage. According to Alpert, "In the absence of [marriage] benefits, the public and religious validation given to same-sex couples by virtue of participation in a commitment ceremony is of tremendous symbolic importance."³⁴⁷ Moreover, the involvement of liberal religious institutions in marriage equality efforts is crucial to the successful

³⁴⁶ In her book, Dr. Alpert deals specifically with Jewish lesbians and transformation of tradition. However, her ideas in regard to gay marriage can be extended to the gay male Jewish population. See Rebecca Alpert, *Like Bread on the Seder Plate* (New York: Columbia University Press, 1997), 79-80.

³⁴⁷ Ibid.

campaign for gay and lesbian civil marriage. Alpert noted, "Because religious institutions are at the forefront of opposition to gay and lesbian rights, it is crucial that those who support these rights in the context of religious community make their voices heard."³⁴⁸ She continued, "There is no doubt that if rabbis perform these ceremonies, and Jewish communities affirm them, they will have an impact on changing societal views that oppose same-sex marriage."³⁴⁹

That being said, the institutional struggle within Judaism over the issue of gay marriage is far from settled. Even in the Reform Movement, which has made bold statements regarding gay and lesbian inclusion, considerable debate and disagreement over the issue of marriage equality exists. In 1996, the CCAR Reform Responsa Committee issued a statement against rabbinic officiation at same-sex marriage. However, in 2000, the Reform rabbinate resolved to support individual rabbis in their decision to officiate at same-sex ceremonies; the same resolution also defended the right of rabbis not to perform such sanctification rituals. The responsum and resolution constitute official, though opposed, statements.

Unlike earlier Reform efforts for gay and lesbian inclusion, whether in the synagogue or seminary, the question of gay Jewish marriage constitutes a very personal and autonomous decision for members of the Reform rabbinate. As such, the leadership of the CCAR formed the Ad Hoc Committee on Human Sexuality to create a framework in which to answer difficult questions about human sexuality, with a particular focus on the issue of same-sex ceremonies of commitment.

³⁴⁸ Ibid., 80.

³⁴⁹ Ibid.

The committee met between 1993 and 2000, issuing an interim report in 1998 which declared that “*kedusha* (holiness) may be present in committed same-gender relationships between two Jews, and that these relationships can serve as the foundation of stable Jewish families, thus adding strength to the Jewish community.”³⁵⁰ These schizophrenic statements indicate a deep divide that exists within the Reform Movement, particularly in the Reform Rabbinate, over the issue of same-sex marriage, and more fundamentally the place of “non-normative” sexual identity and expression on the continuum of Jewish sexual values.

The CCAR and Sexual Values—the 1970s and 1980s

Since the mid-1970s, the CCAR dedicated itself to the study of current sexual values and their impact on the work of Reform rabbis. In December 1976, Rabbi Selig Salkowitz, who went on to chair nearly every CCAR committee on sexuality for the next three decades, assumed the chairmanship of the Sub-Committee on Sex Standards and Mores, which had up until this point been a sub-committee of the CCAR Committee on Judaism and Health. This decision came on the heels of the 1976 CCAR Convention in San Francisco, where in post-convention discussion the Executive Board of the CCAR decided that questions of sexual behavior belonged among the concerns of the Committee on Family Life rather than that of Judaism and Health.³⁵¹ Thus, the Sub-Committee on Sex Standards and Mores was subsumed under the auspices of the CCAR Committee on Family Life and subsequently changed its name to the Sub-Committee on Sexual Behavior.

³⁵⁰ CCAR Ad Hoc Committee on Human Sexuality, “Report of the Ad Hoc Committee on Jewish Sexual Values,” *CCAR Yearbook*, vol. CVIII (July 1997-December 1998): 34.

³⁵¹ CCAR Committee on Judaism and Health, “Report of the Committee on Judaism and Health,” *CCAR Yearbook*, vol. LXXVI (1976): 46.

This switch illustrated a significant change in the thinking for the CCAR. By including the question of sexual standards into the work of the Committee on Family Life, the Conference identified sexuality and sexual expression as something beyond procreation. The final meeting of the Judaism and Health Sub-Committee on Sex Standards and Mores at the 1976 CCAR convention recorded this shift. The group, which consisted of twenty-four rabbis representing a diverse cross-section of the CCAR's membership, noted the need for a source book on sexual behavior from a Reform point of view. In their opinion, this sort of resource would include *halakhic* (legal) material, *aggadic* (homiletic) matter, and Reform Jewish thought to guide them in decision making about Reform Jewish sexual values. The group also identified pressing concerns in the areas of sex education in religious school, the sexual behavior of Reform Jewish singles, and homosexuality. This discussion prompted the CCAR to mandate the appointment of an ad hoc committee on homosexuality which ultimately led to the 1977 CCAR resolution on homosexual rights.³⁵²

With regard to marriage, however, the report noted the specific case of a Jewish trans-sexual who wanted to have a Jewish marriage. Though the marriage was authorized by the state, over sixty-five Reform rabbis refused to perform the ceremony. Only two years later, in 1978, the CCAR Reform Responsa Committee argued that a Reform rabbi should perform this ceremony. However, the strong refusal of so many in the field illustrated the great tension that existed and continues to exist with regard to the requirements for Jewish marriage. Even though in this instance the ceremony was legally sanctioned, a great number of Reform rabbis could not separate their traditional and

³⁵² CCAR Ad Hoc Committee on Homosexuality, "Report of the Ad Hoc Committee on Homosexuality," *CCAR Yearbook*, vol. LXXXVII (1977): 50.

conservative understanding of marriage in order to sanctify this “non-normative” relationship.

All in all, though, these difficult and abstract questions about sex and sexual behavior necessitated more in-depth and systemic research in order for the CCAR to provide the Reform rabbinate with a sound theological framework in which to understand and evaluate Jewish sexual expression. With all of this in mind, the new Sub-Committee on Sexual Behavior focused its efforts on a review of both contemporary and traditional sources and values with the hope of “leading toward some resource which will assist the rabbi in dealing with what seemed to be recent radical shifts of values for which it is asserted we have given little guidance.”³⁵³ Among its members from 1977 to 1979 were Rabbis Paul R. Feinberg, Neil Kominsky, Barton G. Lee, Philip E. Schechter, William B. Silverman, and Sylvan L. Wolf, and Selig Salkowitz, chairman.³⁵⁴

According to the 1979 report of the Committee on Family Life, Rabbis Donald Gluckman, chairman of the Committee on Family Life, and Salkowitz met with Rabbi Joseph Glaser, Executive Vice President of the CCAR, regarding the future work of the Sub-Committee on Sexual Behavior. As a result of this meeting, the CCAR formed a task force of experts to consult with sub-committee members. The report noted, “It is hoped that Foundation Funding will eventually become available for the consultation as well as for the publication of materials produced for and by the sub-committee. The planning committee for the Consultation will be meeting in June.”³⁵⁵ Among the

³⁵³ CCAR Committee on the Family, “Report of the Committee on Family Life,” *CCAR Yearbook*, vol. LXXXVII (1977): 40.

³⁵⁴ CCAR Sub-Committee on Sexual Behavior, “Sub-Committee on Sexual Behavior roster,” *CCAR Yearbook*, vol. LXXXVIII (1978): xi.

³⁵⁵ CCAR Committee on Homosexuality, “Report of the Committee on Homosexuality,” *CCAR Yearbook*, vol. LXXXIX (1979): 30.

members of the Task Force on Jewish Sexual Values was Dr. Ruth Westheimer, renowned educator and psychosexual therapist, as well as Ms. Judith Zimmerman, wife of Rabbi Sheldon Zimmerman, a clinical social worker. The committee also included Rabbis Donald Gluckman, Selig Salkowitz, Elliott L. Stevens, and Mr. Abraham Davis. Rabbi Joe Glaser served as ex-officio from the CCAR.³⁵⁶

The group began work on two major projects, a practicum to be presented at the 1980 CCAR Convention in Pittsburgh entitled "Understanding and Relating to Sexual Issues: the Rabbi's Role" and the development of a conference projected for the fall of 1981 on the general theme of "Jewish Sexual Values in Changing Times."³⁵⁷ The report of the task force noted that the "dual purpose of such a conference is to produce significant resource material for use by rabbis, as well as a position paper describing consensus positions on various subjects relating to sexuality and Jewish sexual values."³⁵⁸ A questionnaire on human sexuality was presented to rabbis at the 1979 UAHC Biennial in Toronto in preparation for this work.

As the same time, the Ad Hoc Committee on Homosexuality³⁵⁹ met at the 1979 CCAR Convention in Phoenix, Arizona, to discuss a variety of issues including the performance of ceremonies of "holy union"³⁶⁰ between individuals of the same-sex, the validity of families structures other than the typical nuclear family, the implications for

³⁵⁶ CCAR Task Force on Human Sexuality, "Task Force on Human Sexuality roster," *CCAR Yearbook*, vol. XC (1980): 330.

³⁵⁷ CCAR Task Force on Jewish Sexual Values, "Report of the Task Force on Jewish Sexual Values," *CCAR Yearbook*, vol. XC (1980): 103.

³⁵⁸ Ibid.

³⁵⁹ Members included Rabbis Robert A. Rothman, chairman, Leonard I. Beerman, Albert A. Goldman, Eric H. Hoffman, Walter Jacob, Noman Kahan, Eugene Mihaly, W. Gunther Plaut, Selig Salkowitz, and Brooks R. Susman. See CCAR Committee on Homosexuality, "Committee on Homosexuality roster," *CCAR Yearbook*, vol. LXXXVIII (1978): xxiv. Rabbi Erwin Herman joined the committee the following year. See CCAR Committee on Homosexuality, "Committee on Homosexuality roster," *CCAR Yearbook*, vol. LXXXIX (1979): xxiv.

³⁶⁰ MCC used the term "holy union" to apply to same-sex weddings and ceremonies; here, it seems that the Ad Hoc Committee on Homosexuality adopted this term as it considered the issue of gay marriage.

homosexual Rabbis within the CCAR, the acceptance and ordination policies at HUC-JIR, and the “reawakening” of gay and lesbian Jews to organized Jewish life.³⁶¹ However, the committee experienced a deep divide among its members and consultants, including Rabbis Selig Salkowitz and Allen Bennett, the first and only rabbi at that time to publically declare his homosexuality.

Major conflicts emerged within the committee over the etiology of homosexuality, the ideal Jewish family structure, and the acceptability of homosexuality as a valid form of Jewish sexual expression. Additionally, the committee also debated whether or not it was even possible to create a Reform theological position on homosexuality because of Judaism’s harsh stance on the issue. Rabbi Bennett contended that Reform Judaism was “flexible enough to include [homosexuals] with theological acceptance.”³⁶² However, Rabbi Salkowitz “still had serious misgivings about that.”³⁶³

During the second day of deliberations, Rabbi Robert Rothman, chairman, questioned the future of the committee because of the deep, almost unbridgeable divide among the committee members. It was not clear if the committee could continue to function, let alone make decisions, with such profound disagreement present. In the end, the committee failed to meet its goal of producing a resolution on homosexuality; the CCAR disbanded the committee and merged the topic of homosexuality into the larger framework of sexuality.

Thus, in the fall of 1979, the CCAR Sub-Committee on Sexual Behavior subsumed the work of the Ad Hoc Committee on Homosexuality. Rabbi Joe Glaser

³⁶¹CCAR Committee on Homosexuality, “Report of the Committee on Homosexuality,” *CCAR Yearbook*, vol. LXXXIX (1979): 30.

³⁶² *Ibid.*, 31.

³⁶³ *Ibid.*

notified members of the homosexuality group of this decision by letter on November 27, 1979. He wrote:

On the recommendation of the chairman of the Ad Hoc Committee on Homosexuality, Robert Rothman, and in consultation with the CCAR Family Life Committee and its sub-committee on Human Sexuality, we have decided to subsume the work being done by the ad hoc committee on homosexuality under the activities of the Sub-Committee on Human Sexuality. This is a very active committee, working closely with professional consultants, and right now involved in a survey of the members of the Conference as to where we stand and where we think we ought to be with regard to this subject. The sub-committee, under the urgent prodding of one of its experts, came to the conclusion that it was impossible for it to do a decent job with the subject of human sexuality without including homosexuality solidly within the scope of its work, and is enthusiastically looking forward to undertaking this aspect of it.

It was felt that the ad hoc committee had gone about as far as it could in its explorations, but the activity of the committee has proved to be most useful and productive and will become part of the deliberations and record of the Sub-Committee on Human Sexuality.³⁶⁴

Here too, though the merger was due in part to practical reasons, the integration of homosexuality into the larger framework of sexuality represented a significant development for the CCAR. This changed the nature of the conversation around homosexuality from one exclusively about sexual acts to a more nuanced and holistic look at sexual expression.

Yet, the topic remained extremely controversial. The 1981 CCAR Conference on Jewish Sexual Values concluded that homosexuality and adolescent sexuality were the most contentious issues for the Reform rabbinate.³⁶⁵ Dr. Sol Gordon, a renowned expert in the field of clinical psychology and sex education, presented a particularly controversial session on homosexuality at the conference, which was coordinated by the

³⁶⁴ Rabbi Joseph Glaser, letter to members of the ad hoc committee on homosexuality, November 27, 1979, The Selig Salkowitz Papers, MS 725, Box 5, Folder 2, The American Jewish Archives, Cincinnati, OH.

³⁶⁵ CCAR Committee on Family Life, "Report of the Committee on Family Life," *CCAR Yearbook*, vol. XCII (1982): 137.

Sub-Committee on Sexual Behavior and the Task Force on Jewish Sexual Values, in which he argued that sexual orientation is determined before the age of five years and that it is unchangeable beyond that point.

Regarding this session, the post-Conference report noted that the members who participated in the workshop were greatly influenced by Dr. Gordon's thesis. This group, which was mandated to produce a consensus statement on the issue at hand, "produced a relatively liberal draft statement which was criticized at the plenum; civil rights for homosexuals were supported, but the appropriateness of homosexuals as religious role models was found very problematic."³⁶⁶ No doubt, this statement was influenced by the 1981 negative CCAR responsum on homosexuals in leadership positions, which stated that "overt homosexual behavior which is considered objectionable by the community disqualifies the person involved from leadership positions in the Jewish community."³⁶⁷

In addition to the consensus statements of the working groups, the 1981 conference produced a number of significant papers on Jewish sexual values to be published for the rabbinic community. Rabbi Salkowitz noted in his post-conference report, "The Task Force on Jewish Sexual Values is now working on preparing materials of the conference for publication, including the twelve papers delivered to the conference, consensus statements of the working groups, and reactions to the these statements by the resource leaders."³⁶⁸ Due to cost, though, the CCAR never published the resources.³⁶⁹

³⁶⁶ Ibid., 145.

³⁶⁷ Walter Jacob, "Homosexuals in Leadership Positions," *American Reform Responsa*, vol. XCI (New York: CCAR Press, 1981), 67-69.

³⁶⁸ CCAR Committee on Family Life, Minutes of Meeting, March 3-4, 1982, The Selig Salkowitz Papers, MS 725, Box 5, Folder 1, The American Jewish Archives, Cincinnati, OH.

³⁶⁹ CCAR Committee on Family Life, Minutes of Meeting, June 28, 1982, The Selig Salkowitz Papers, MS 725, Box 5, Folder 1, The American Jewish Archive, Cincinnati, OH.

As well, the CCAR thwarted the efforts of the Sub-Committee on Sexual Behavior to bring resolutions in the area of sexuality, one of the original goals of the conference, to the entire rabbinical Conference.³⁷⁰ Despite all of the work done at the 1981 conference, not one resolution on homosexuality was brought before the CCAR throughout the 1980s. Rather, all statements about gay and lesbian inclusion, or exclusion as it may be, came in the form of Reform responsa from the CCAR Reform Responsa Committee.

Though this detail seems rather benign, the fact that the CCAR passed no resolutions on gay and lesbian issues for an entire decade makes a tremendous statement about the division in the conference over gay and lesbian issues. As Rabbi Janet Marder, CCAR President from 2003 until 2005, noted, "Resolutions reflect the face of the CCAR."³⁷¹ Despite the efforts of the Task Force on Jewish Sexual Values and the Sub-Committee on Human Sexuality to create a real statement of Reform Jewish sexual ethics, there was simply too much dissent and disagreement to create a solid statement that was acceptable to all sides. Both the Task Force and Sub-Committee were dissolved in 1982 without the publication of said materials.

On the other hand, the Reform Responsa committee made a number of definitive statements with respect to gay and lesbian inclusion, most notably the 1981 statement discouraging the hiring of overt homosexuals for synagogue leadership positions, the 1985 statement against gay marriage, and various statements on AIDS. The 1985 marriage responsa stated unequivocally that a rabbi should not participate in the "marriage" of two homosexuals. Rabbi Walter Jacob, chair of the Reform Responsa

³⁷⁰ Ibid.

³⁷¹ Rabbi Janet Marder, Personal Interview, October 19, 2007.

committee, based his argument on two main points—the heterosexual, procreative ideal in Judaism and a traditional understanding of *kiddushin*, Jewish marriage. He wrote:

The resolution of the Central Conference of American Rabbis on homosexuality deals exclusively with the civil rights and civil liberties of homosexuals and seeks to protect them from discrimination. It does not, however, understand it to be an alternative lifestyle which is religiously condoned.

Judaism places great emphasis on family, children and the future, which is assured by a family. However we may understand homosexuality, whether as an illness, as a genetically based dysfunction or as a sexual preference and lifestyle -we cannot accommodate the relationship of two homosexuals as a "marriage" within the context of Judaism, for none of the elements of *kiddushin* (sanctification) normally associated with marriage can be invoked for this relationship.

A rabbi cannot, therefore, participate in the "marriage" of two homosexuals.³⁷²

The CCAR and Sexual Values—the early 1990s

It is hard to identify exactly what challenged the Reform rabbinate to re-examine the question of same-sex ceremonies throughout the 1990s. However, three important ideas bear mention. First, the entire mood of the United States changed with regard to gay marriage in the early 1990s. According to Angela Bolte, a member of the Department of Philosophy at Washington University, "During the 1970s, several court cases were aimed directly at allowing same-sex marriage, but none succeeded. Because of these failures and the United States Supreme Court's majority opinion in *Bowers v. Hardwick*, no other major cases regarding same-sex marriage were filed until the early 1990s." The AIDS crisis of the 1980s inspired a new generation of gays and lesbians to tackle political issues with vigor. The National Gay and Lesbian Task Force and the Human Rights Campaign Fund (HRCF), the two leading gay and lesbian rights organizations at the time,

³⁷² "On Homosexual Marriage," CCAR Responsum, October 1995, <http://data.ccarnet.org/cgi-bin/respdisp.pl?file=201&year=carr>.

benefited from the growing concern about political issues affecting the gay and lesbian communities. By 1988, HRCF, which gives money to political candidates who support gay rights and AIDS issues, became the ninth largest political action committee (PAC) in the country.³⁷³ This empowered the homosexual community to bring salient gay and lesbian issues to bear on the national agenda.

Among the most pressing issues was the need for legal protection for gay and lesbian couples and families. This was especially significant as the lesbian baby boom began and AIDS continued to ravage the gay community. Gay and lesbian couples soon realized the need for better legal protection in the areas of benefits, inheritance, and parental rights. Domestic Partner Legislation made its way to the top of the gay rights agenda, with the fight for marriage equality only a small step away. For example, Vermont became the first U.S. state to extend health care coverage to homosexual and unmarried heterosexual couples in 1994.

Second, the decision of the Reform Movement to ordain openly gay and lesbian rabbis affected the subsequent conversations about the sanctification of gay Jewish unions. Many gay and lesbian Reform (and Reconstructionist) rabbis were among the earliest people to create wedding and commitment ceremonies to honor their own relationships. Rabbi Yoel Kahn and his life-partner Dan Bellm celebrated their *kiddushin* (marriage) on June 16, 1991, within a year of publically acknowledging his homosexuality and after concluding his service on the ad hoc committee on homosexuality and the rabbinate. However, Kahn received little support from the CCAR when he attempted to include an announcement of his *kiddushin* in the monthly CCAR

³⁷³ Neil Miller, *Out of the Past: Gay and Lesbian History from 1860 to the Present* (New York: Vintage Books, 1995), 453.

newsletter. He wrote to Rabbi Walter Jacob, then President of the CCAR and fellow member of the Ad Hoc Committee on Homosexuality and the Rabbinat, to convey his anger and hurt over the situation:

Dear Walter,

On June 16, 1991, my life-partner, Dan Bellm and I marked our tenth anniversary with a celebration and ceremony of commitment. We, and the officiating rabbis, called it *kiddushin*. Shortly after, I wrote to the CCAR Newsletter asking that the *mazel tov* column list "Yoel Kahn and Dan Bellm celebrated their *kiddushin* on June 16, 1991." When no action was taken, I wrote to Joe Glaser. Joe wrote back to me last month that he had discussed my request with you and 'in view of the fact that the Central Conference of American Rabbis does not condone the performance of single sex marriage ceremonies, we feel that we would be misrepresenting the position of the Conference were we to publish such an announcement.' I am writing now to express my disappointment in this decision and to formally ask you to bring this letter to the Board of the Conference for discussion.

Dan and I are now foster parents of a baby boy. God willing, we will be able to adopt him in due course, and at that time, I will again ask to have my *simcha* announced to my colleagues. I do not wish people to be led to believe that I am a single parent or that our son is being raised in a home which has not been sanctified *al yadei chuppah v'kiddushin*.

The 1990 report of the ad hoc Committee on Homosexuality and the Rabbinat, on which we both served, called 'upon rabbis and congregations to treat with respect and to integrate fully all Jews into the life of the community regardless of sexual orientation.' The CCAR is my congregation and I am seeking for a minimal acknowledgement of the truth of my life as a Jew and as a rabbi by my rabbinic community. If the CCAR cannot, in good faith, wish us *mazel tov* then I would ask that the news be listed in the "Of Note" column or in a special section of the Newsletter.

I will not review in this letter why I believe that homosexual relationships may, if lived with covenantal integrity, be sanctified by Torah and before God. This was the subject of my address to the Conference at the Cincinnati convention, 'The *Kedusha* of Homosexual Relationships.' I do wish to address the specific objections in Joe Glaser's letter to me. Leaving aside the question of nomenclature, I agree that the Conference does not 'condone the performance of single sex marriage ceremonies.' However, I do not think that the Conference has a formal position objecting to them. As the 1990 report of the ad hoc Committee stated, 'We are aware of the loving and committed relationships between people of the same sex. Issues such as the religious status of these

relationships as well as the creation of special ceremonies are matters of continuing discussion and differences of opinion.'

I do not feel that the position of the Conference would be misrepresented if the informational column of its Newsletter, primarily circulated to its own membership, were to acknowledge that homosexual rabbis have families and seek to live in holiness.

In our ceremony, we deliberately avoided the use of the word 'marriage' to refer to our ceremony. If we desired, we cannot obtain a marriage license in any state. For many, the word itself is strongly associated with traditional, heterosexual associations. Even if we see ourselves as married, we enjoy none of the civil privileges—from insurance rates to rights of inheritance—which married people enjoy. Having no civil standing, our ceremony's meaning was/is exclusively religious. While *kiddushin* is customarily translated as 'marriage,' its root is *kadosh*, reflecting the tradition's understanding of a relationship as sanctified by Torah and God. It is this sense of the Hebrew—and its accompanying associations—which we wished to ascribe to our relationship and our ceremony. I fully believe that *kiddushin* is the correct term to describe our ceremony and, with full respect for its historical usage as the equivalent of 'marriage,' the term can be expanded to cover this new meaning.

The report of the ad hoc Committee began '[We are] acutely aware that inability of most gay and lesbian rabbis to live openly as homosexuals is deeply painful.' The Conference's position on this matter to date has been deeply painful to me and my family and I respectfully ask that it be reversed.³⁷⁴

Ultimately, the CCAR chose to do away with the *Mazel Tov* section of its newsletter altogether, instead creating a new category entitled "Members' News."³⁷⁵ The Conference printed Kahn's *kiddushin* announcement in this new section.

Though the 1990 report of the ad hoc committee on homosexuality and the rabbinate had a number of serious flaws, the mere issuance of such a statement from the Reform movement made it possible for some gay and lesbian rabbis to openly speak from their own experience and use their rabbinic voice to push for transformative change in the

³⁷⁴ Rabbi Yoel Kahn, letter to Rabbi Walter Jacob, October 16, 1991, Near-print file on "Homosexuality," The American Jewish Archives, Cincinnati, OH.

³⁷⁵ Rabbi Margaret Moers Wenig, "The Jewish Community's Stake in the Legalization of Lesbian and Gay Marriage," sermon delivered at Beth Am, The People's Temple, New York, New York, June 25, 1995 in *Civil Marriage for Lesbians and Gay Men: Organizing in Communities of Faith*, Lambda Legal Defense and Educational Fund, Inc., (New York: Lambda Legal Defense and Education Fund, 1996), 37.

movement. For sure, it would be naïve to believe that the 1990 report washed away all the discrimination, ignorance, and prejudice present in the Reform Jewish community. As this letter indicates, that is certainly not the case. But, it was an important first step in acknowledging the existence of gay and lesbian rabbis and collectively identifying them as a significant presence in the Reform rabbinic community. In fact, the Gay and Lesbian Rabbinic Network (GLRN) performed a very significant role in organizing the larger rabbinic community in the effort to pass the 2000 CCAR resolution on same-sex ceremonies at the CCAR convention in Greensboro, North Carolina.³⁷⁶

Gay and lesbian rabbis also served as leaders and teachers in the area of same-sex ceremonies, producing ceremonial materials and thoughtful theological reflections on the topic. In response to numerous requests for information and materials for gay and lesbian union ceremonies, Rabbi Yoel Kahn prepared *Kiddushin: Union Ceremonies for Lesbians and Gays*. The significant resource includes both theoretical and practical discussion of the topic. His introduction offers a brief overview of selected pieces:

In the following pages, I briefly discuss the reasons why these ceremonies are important and what goes into them ["Why Union Ceremonies"]. This section is based on a sermon I gave at Sha'ar Zahav in 1989 encouraging people to think about having a ceremony. The following section of practical suggestions, "*Taklis* of Union Ceremonies," was written in December 1992 for the first edition of this guide. Much of this material is drawn from my presentation at the 1993 CCAR Convention Committee on Jewish Family Life program, "Filling in the Gaps: Creating New Lifecycle Ceremonies." This essay includes reflections on standards and criteria for creating new life-cycle rituals. The theological basis for these ceremonies is the subject of my 1989 CCAR address, "The *Kedushah* of Homosexual Relationships." The question of nomenclature is of enduring concern; my thinking has evolved over the years. I have included a column from our synagogue newsletter, the Jewish Gaily Forward [February 1990] entitled "Gay Weddings." Since the question of procreation frequently comes up as a stumbling block for rabbis' officiation, I have included a High Holiday sermon prepared for my congregation about liberal Jewish duty and the

³⁷⁶ Rabbi Eric Weiss, Phone Interview, November 22, 2007.

mitzvah of procreation, "'Hannah, Must You Have a Child?' Children and Parenting in Our Community."³⁷⁷

The Detroit Jewish News even referenced Kahn's compendium in its December 2, 1994, article entitled, "New Vows." The article noted, "In the heart of the United States' gay community, San Francisco's Castro district, the office staff of the predominately homosexual Congregation Sha'ar Zahav has been busier in recent days. The staff receives several requests a month from all over the United States for instructional packets Rabbi Yoel Kahn has put together on the topic of sanctifying same-sex unions."³⁷⁸ Denise Eger, rabbi of Congregation Kol Ami in West Hollywood, California, also produced a number of significant same-sex liturgies, including materials created for Lambda Legal Defense, a gay rights defense group.³⁷⁹

Non-gay and lesbian rabbis also participated in the discussion around and creation of same-sex ceremonies. In fact, the same article in the *Detroit Jewish News* noted many local rabbis—most of whom were not gay—in the Detroit area, who had or would perform these services. Among those was Rabbi Sherwin Wine³⁸⁰ of Birmingham Temple, a humanistic congregation that has "held the ceremonies since Richard Nixon was President."³⁸¹ Rabbis at Temple Shir Shalom, Temple Israel, and Congregation Shir Tikvah, all Reform congregations in the greater Detroit area, had also performed such ceremonies. In fact, Rabbi Elliot Stevens, the executive secretary at the CCAR, noted in the article, that "the CCAR has given the reins to the rabbis, allowing them to decide for

³⁷⁷ Rabbi Yoel Kahn, "Selections from *Kiddushin: Union Ceremonies for Lesbian and Gay Jews*." This resource was received directly from Rabbi Yoel Kahn.

³⁷⁸ "New Vows," *The Detroit Jewish News*, December 2, 1994.

³⁷⁹ Rabbi Denise Eger, "Resources for a Jewish Same-Sex Marriage Ceremony," in *Civil Marriage for Lesbians and Gay Men: Organizing in Communities of Faith*, Lambda Legal Defense and Educational Fund, Inc., (New York: Lambda Legal Defense and Education Fund, 1996), 81-84.

³⁸⁰ Rabbi Wine was gay, though he had not disclosed his homosexuality at this time.

³⁸¹ "New Vows," *The Detroit Jewish News*, December 2, 1994.

themselves if they will perform the service.”³⁸² Thus, though the CCAR did not formally bless the Reform rabbis’ right to perform such ceremonies, many rabbis, across the country, did participate in same-sex sanctification ceremonies before 2000.

Third, the UAHC, under the leadership of Rabbi Schindler, pushed the CCAR on the issue of gay marriage. In early 1993, Rabbi Schindler asked Dr. Robert M. Rankin, a lay leader at the national UAHC level, and Rabbi Sharon Kleinbaum to assist him in writing a section on gay and lesbian issues for his upcoming Biennial Address in San Francisco, California. Rankin and Kleinbaum wrote the following and presented it to Schindler in a letter dated June 8, 1993:

I will speak now of Jewish families, families created by lesbian and gay couples who are denied the right of legal marriage.

I have known many such couples, my friends—and so have you. They live in committed relationships, loving, nourishing, and sustaining. They create Jewish homes where candles are lighted on Shabbat; where festivals and holidays are celebrated; and where children are given a Jewish education, not alone from their religious school teachers, but from their parents as well. These are families—Jewish families—in every sense of the word.

And yet they are denied the legal and financial benefits of marriage. Their relationships are regarded as something less than authentic, because their partners, however loving, are of the same gender.

I want our movement of Reform Judaism to lead the way to change in these areas. I want us to sanctify what has already been made holy by the love of the individuals themselves.

I therefore call upon our rabbis to perform ceremonies of commitment for these couples when asked to do so, demanding always the same evidence of maturity and good judgment demanded of heterosexual couples.³⁸³

Their text also included imperatives in the area of gay and lesbian adoption and legal protection for gay and lesbian families. However, on October 11, 1993, Schindler wrote to Rankin to inform him that the section on rabbinic officiation would be excised

³⁸² Ibid.

³⁸³ Dr. Robert M. Rankin, letter to Rabbi Alexander Schindler, June 8, 1993, The Alexander Schindler Papers, MS 630 Box 4, Folder 9, The American Jewish Archives, Cincinnati, OH.

from the speech. Schindler noted, "I am deleting the section on rabbinic officiation. I know that you will be disappointed, but my trusted advisors, all of them devotees of the cause—Saperstein, Yoffie, and above all Al Vorpsan—advise me against it in the strongest terms. The reason is simple. I am doing battle with the rabbinate on several other fronts and they prefer that I postpone this issue perhaps for the next Biennial address."³⁸⁴ Though the decision to exclude the passage ultimately came from leaders in the UAHC, the underlying issue was the strong opposition from the rabbinate over the issue of officiation. However, at the same convention, the UAHC passed two significant resolutions on gay and lesbian inclusion.

The first resolution responded to the growing number of anti-gay referenda and statutes occurring at the state and local governmental levels. In essence, this was a strong response to the passage of the 1992 Colorado referendum, known as amendment two, which strictly prohibited "the State of Colorado and any component of state government from taking any action which would prevent or redress discrimination against gay men, lesbians, and bisexuals because of their sexual orientation."³⁸⁵ The Union resolved to actively oppose state and local referenda and statutes restricting the civil rights of gays, lesbians, or bisexuals; to work in coalition with other national and local organizations (including, but not limited to, religious organizations) to mount a national campaign to counter the anti-gay rhetoric of the Religious Right; not to hold regional or national meetings in any state or municipality which has a law in effect on or after January 1, 1995, denying legal protection to the civil rights of gays, lesbians, or bisexuals. If a

³⁸⁴ Rabbi Alexander Schindler, letter to Dr. Robert M. Rankin, October 11, 1993, The Alexander Schindler Papers, MS 630 Box 4, Folder 9, The American Jewish Archives, Cincinnati, OH.

³⁸⁵ "Responding to Anti-Gay Rights Referenda," UAHC Resolution, October 1993, http://urj.org/Articles/index.cfm?id=7294&pge_prg_id=29601&pge_id=4590.

regional body cannot comply with this resolution within its own boundaries, it will be exempted; to call upon its affiliates and the Central Conference of American Rabbis to adopt a similar position; to call upon the Commission on Social Action to join in amicus briefs to strike down judicially such referenda and statutes.³⁸⁶ Earlier in the year, the CCAR also passed a resolution in which the Conference agreed not to convene national or regional meetings in locations where gays and lesbians are denied civil protection under the law.³⁸⁷

The second resolution called for the recognition of gay and lesbian partnerships. Though the UAHC did not go as far as to call for support of full marriage equality, the Union called upon federal, provincial, state and local governments to adopt legislation that would afford partners in committed lesbian and gay partnerships spousal benefits, that include participation in health care plans and survivor benefits; ensure that lesbians and gay men are not adjudged unfit to raise children because of their sexual orientation; and afford partners in committed lesbian and gay relationships the means of legally acknowledging such relationships. Moreover, the UAHC called upon its own institutions of Reform Judaism, including the CCAR and HUC-JIR, "to join with us in seeking to extend the same benefits that are extended to the spouse of married staff members and employees to the partners of all staff members and employees living in committed lesbian and gay partnerships."³⁸⁸ This was a very significant statement for the UAHC. As Alexander Schindler argued some twenty years earlier over the admission of BCC to the Union, the issues of civil marriage and religious marriage are inextricably linked. By

³⁸⁶ Ibid.

³⁸⁷ CCAR Resolution, On Convening in States Denying Legal Protection of Civil Rights for Gays and Lesbians, June 1993, Montreal, Quebec, <http://data.ccarnet.org/cgi-bin/resodisp.pl?file=gays&year=1993>.

³⁸⁸ UAHC Resolution, Responding to Anti-Gay Rights Referenda, San Francisco, California, October 1993, http://urj.org/Articles/index.cfm?id=7290&pge_prg_id=29601&pge_id=4590.

calling on the various bodies of Reform Judaism to heed the call for justice and provide appropriate benefits for same-sex couples, the UAHC pushed the conversation on civil marriage—and thus, on the issue of gay Jewish marriage.

The Formation of the Ad Hoc Committee on Homosexuality and the Rabbinate

Two specific events precipitated the formation of the CCAR Ad Hoc Committee on Human Sexuality, which ultimately issued an affirming statement on ritual sanctification of same-sex couples. First, the CCAR Reform Jewish Practices Committee pressured the leadership of the CCAR to form a committee that would address the question of same-sex commitment ceremonies. As of early 1993, the Reform Jewish Practices committee had received numerous requests from individual rabbis in the field for guidance in addressing the issue. Yet, the CCAR had done no comprehensive study on the issue for over ten years, a decade in which much had transpired in the gay and lesbian community. Rabbi Zimmerman, then President of the CCAR, explained “Rather than take these items that keep coming one at a time without some overview, I would prefer that we study human sexuality as a whole, with this particular issue one of the priority agenda items.”³⁸⁹

Second, there was also a push from the UAHC/CCAR Joint Commission on HIV/AIDS to engage in a serious conversation about human sexuality. Despite the recent publication of a number of books and resources on Reform sexual values, the commission felt that the materials were rather uninformed and outdated. Moreover, the commission questioned not only the content of the materials, but also the way in which the Reform Movement was engaging in the larger conversation about sex and sexuality. However,

³⁸⁹ Rabbi Sheldon Zimmerman, letter to Rabbi Selig Salkowitz, September 14, 1993, The Selig Salkowitz Papers, MS 725, Box 5, Folder 3, The American Jewish Archives, Cincinnati, OH.

the group felt that such a conversation was better had outside the AIDS group because of the "mixed messages" that it might send.³⁹⁰ As a leader in the joint commission, Rabbi Joseph Edelheit, past member of the Ad Hoc Committee on Homosexuality and the Rabbinat, encouraged the CCAR and Union to pursue the matter, but he received little support from either group. Finally, in early 1993, Edelheit persuaded the CCAR to take up the issue, which together with same-sex ceremonies provided the specific impetus for a movement-wide discussion of human sexuality. Rabbi Joseph B. Glaser, Executive Vice President of the CCAR, confirmed this in his July 12, 1993, letter to Rabbi Elyse M. Goldstein, Director of the Kolel Center for Liberal Jewish Learning in Ontario, Canada. He wrote:

Dear Elyse,

I was assembling names for the special ad hoc committee to consider same sex ceremonies, and at the same time began assembling a group to respond to Joe Edelheit's call for a thorough examination of the entire matter of sexuality by the CCAR, when Shelly Zimmerman expressed the opinion for these two projects to be separate was ridiculous. We have to lay some kind of a basis for coming to any decision on same sex ceremonies and who is better entrusted with that than the committee on sexuality in formation. We can't ad hoc these things piecemeal he said.

While acknowledging the logic of what he was saying, I expressed my concern that those who have been pushing hard for a resolution to this matter would, in their disappointment, accuse us of "stalling," but Sheldon feels that since we know that is not the case, we will just have to do the right thing, and make it all of a piece.

It is his decision, of course, as it is the president who appoints the committee, but I have to say that after a few moments of consideration, I agree with it.³⁹¹

Prior to the merging of these two groups, the CCAR planned to include only New York rabbis in the committee dealing with same-sex ceremonies. However, with the

³⁹⁰ Rabbi Joseph Edelheit, letter to Rabbi Selig Salkowitz, November 22, 1993, The Selig Salkowitz Papers, MS 725, Box 5, Folder 3, The American Jewish Archives, Cincinnati, OH.

³⁹¹ Rabbi Joseph Glaser, letter to Rabbi Elyse Goldstein, The Selig Salkowitz Papers, MS 725, Box 5, Folder 2, The American Jewish Archives, Cincinnati, OH.

extended focus of the ad hoc committee on human sexuality the Conference understood the need to include rabbis from a wider geographic area. Glaser explained this to Goldstein in that same letter:

Now we have to take a different look at the composition of the committee. We had hoped to localize in the New York area the same sex committee, but it's difficult to think of doing the overall sexuality project without Joe Edelheit of Minneapolis. Harvey Fields of Los Angeles has indicated an interest and is a most able person in matters like this. Jonathan Stein of Indianapolis has a great deal of training and experience in this very field and Selig Salkowitz who did such a masterful job chairing the Committee on Homosexuality in the Rabbinat and a precious CCAR project on sexuality ten or twelve years ago certainly should be involved. I am going to express my hope to Harvey and Jonathan and Joe that they find funding for their travel to any meetings of this group that we hold and I'm also hoping that we can do a lot of teleconferencing on the basis of previously circulated materials.³⁹²

Thus, on September 14, 1993, Rabbi Zimmerman invited Rabbi Selig Salkowitz to chair a new Ad Hoc Committee on Human Sexuality, which "could study the field and bring to us recommendations, etc. for action."³⁹³ In a follow-up letter on November 8, 1993 to Salkowitz, Zimmerman specifically identified the responsibilities and charge to the new committee. Citing Rabbi Peter Knobel, who had sent him a letter over the summer about this topic, Zimmerman explained:

Peter Knobel put it well in a letter to me this past June. Permit me to share parts of that letter, 'I think that it is time for us as a Conference to really look into the broader questions of human sexuality and what Judaism has to say about them...A central question for me is, can we maintain the heterosexual ideal and yet genuinely affirm alternatives?...I believe that we need a coherent way of understanding the various tendencies within our own movement, as we affirm *kashrut* on one side and same sex relationships on the other.'³⁹⁴

³⁹² Ibid.

³⁹³ Rabbi Sheldon Zimmerman, letter to Rabbi Selig Salkowitz, September 14, 1993, The Selig Salkowitz Papers, MS 725, Box 5, Folder 3, The American Jewish Archives, Cincinnati, OH.

³⁹⁴ Rabbi Sheldon Zimmerman, letter to Rabbi Selig Salkowitz, November 8, 1993, The Selig Salkowitz Papers, MS 725, Box 5, Folder 3, The American Jewish Archives, Cincinnati, OH.

As noted in an earlier chapter, the 1990 report of the ad hoc committee on homosexuality and the rabbinate would not have passed without the inclusion of the statement affirming heterosexual, procreative marriage as an ideal for Reform Jews. However, as time passed, this ideal faced significant challenge from within the Reform Movement. The UAHC had already passed its resolution in 1993 regarding the recognition of gay and lesbian relationships. Moreover, like Rabbi Knobel, other rabbis began to question the seeming disconnect between affirming the rights of gays and lesbians, yet at the same time questioning the inherent value of their relationships. Allen T. Freehling, rabbi of University Synagogue in Los Angeles, even argued that the time had come for Reform rabbis to actively encourage gay and lesbian couples to affirm their relationships with appropriate ceremonial sanctification. On January 6, 1994, he wrote to Rabbi Salkowitz, in order to express this to the committee. He wrote:

Inasmuch as the Reform Movement and our Conference embraces homosexual individuals and couples without condition, then I believe that we—as a group of concerned and supportive rabbis—ought to encourage gay men and lesbians, who are involved in long-term, loving and permanent relationships, to participate in what I choose to refer to as a “Ceremony of Commitment and Consecration.” If you and other colleagues agree with me, then it seems to me that the Conference ought to: urge that the reform rabbis make themselves available to officiate at such a ceremony; a prototype ritual should be made available to those who seek guidance; and word should go out that we are prepared to consecrate those who wish us to sanctify their relationships.³⁹⁵

As all of these pieces came together, Zimmerman responded with the creation of the Ad Hoc Committee on Human Sexuality. He appointed Rabbis Jon Stein, Harvey Fields, Helene Ferris, Eugene Borowitz, Joseph Edelheit, Linda Goodman, Charles Kroloff, Amy Ehrlich, Jerome Davidson, Jack Stern, Jr., Nancy Wiener, Sue Ann

³⁹⁵ Rabbi Allen T. Freehling, letter to Rabbi Selig Salkowitz, January 6, 1994, The Selig Salkowitz Papers, MS 725, Box 5, Folder 2, The American Jewish Archives, Cincinnati, OH.

Wasserman, Peter Knobel, and Larry Kushner to serve on the committee. Rabbi Sandy Seltzer, director of the UAHC Committee on the Family Life, was appointed as a consultant to the group.³⁹⁶ Rabbi Nancy Wiener served as the only gay or lesbian member of the initial Ad Hoc Committee on Human Sexuality.³⁹⁷

Due to the “financial crunch” at the CCAR, the group remained a primarily New York area committee.³⁹⁸ In fact, the CCAR asked all committee members to pay for their own travel and meeting expenses in the initial year of its existence. However, as per Rabbi Glaser’s earlier letter, rabbis with expertise in the field were invited to participate, regardless of location. As the time frame for the committee’s work increased, the group requested a budget from the CCAR. The budget included lines for conference calls, subsidies to assist the three colleagues from the Midwest and far west to attend New York area meetings (even with the subsidy, these rabbis covered 75% of their own expenses), expenses to permit committee members to three or four regional *kallot* to discuss the work of the committee in depth (most regions were to be visited by someone on the committee at little or no cost, but there were some regions which were not represented), and expenses to cover the logistical costs of pro bono experts in the areas of psychology, human sexuality, and sociology.

The committee requested a total of \$5,850 to cover these costs over a three year period, \$2,250) for both 1995 and 1996 and \$1,350 for 1997. The majority of the money

³⁹⁶ Ibid.

³⁹⁷ Rabbi Nancy Wiener, Phone Interview, January 24, 2008. In 1996, Rabbi Denise Eger joined the ad hoc committee as a corresponding member. That same year, Rabbi Mark Washofsky, chair of the Reform Responsa Committee and the Solomon B. Freehof professor of Jewish Law and Practice at HUC-JIR, and Dr. Ruth Westheimer also joined the committee as consulting members. Based on documentation, Rabbis Harvey Fields, Eugene Borowitz, Amy Ehrlich, and Larry Kushner were no longer member at that time. See Rabbi Sheldon Zimmerman, letter to Rabbi Selig Salkowitz, November 8, 1993, The Selig Salkowitz Papers, MS 725, Box 5, Folder 3, The American Jewish Archives, Cincinnati, OH.

³⁹⁸ Ibid.

went to travel expenses for the committee members to travel to committee meetings and regional kallot.³⁹⁹ The committee also requested subsequent financial assistance from the CCAR to cover the expenses of Rabbi Mark Washofsky, who joined the group as a consultant in 1996, and to meet the great demand from the Conference in preparing materials and appropriate resources to aid rabbis in their thinking and decision making with regard to same-sex officiation.⁴⁰⁰ Subsequent monies were requested for the rest of the decade, as well as for cost of publishing the committee's materials in the Fall 2001 CCAR Journal.

In his initial letter to the members, Rabbi Zimmerman offered this guiding question to group: "What does it mean to be created *Btzelem Elohim* (in the image of God) as it relates to a whole host of sexual issues: fidelity, monogamous relationships, pre-marital sex, etc. and how do we then approach issues of particular concern like same-sex ceremonies."⁴⁰¹ With this question in mind, the group met numerous times both in person and by conference call for the rest of the decade and into the next. The committee remains active today, though it concluded its look at same-sex ceremonies with its 1998 statement affirming such ritual sanctification.

The Mission Statement and Statement of Reform Jewish Values

The Ad Hoc Committee on Human Sexuality pursued a course of general study of both modern and Jewish traditional attitudes towards human sexuality before focusing its attention to same-sex ceremonies at the explicit request of the CCAR leadership in 1994.

³⁹⁹ CCAR Ad Hoc Committee on Human Sexuality, Proposed Budget, The Selig Salkowitz Papers, MS 725, Box 5, Folder 4, The American Jewish Archives, Cincinnati, OH.

⁴⁰⁰ Ibid.

⁴⁰¹ Rabbi Sheldon Zimmerman, letter to Rabbi Selig Salkowitz, November 8, 1993, The Selig Salkowitz Papers, MS 725, Box 5, Folder 3, Cincinnati, OH.

After its initial meeting on February 9-10, 1994, Rabbis Nancy Wiener, Joseph Edelheit, and Sue Ann Wasserman submitted bibliographic material to the group. Rabbis Kroloff and Salkowitz reviewed the materials submitted and recommended the following four resources as initial texts for committee members to consider: *Eros and the Jews* by David Biale, *Sex and the Modern Jewish Woman* by Joan Scherer Brewer, *Love, Marriage, and Family in Jewish Law and Tradition* by Michael Kaufman, and "A Stumbling Block before the Blind: Sexual Exploitation in Pastoral Counseling," an article by Rachel Adler. As the titles suggest, these books represented a wide range of issues that the committee considered in its creation of a mission statement and framework of Reform Jewish values "through which all areas of sexual relationships could/should be measured and modified."⁴⁰²

In an effort to examine Jewish sexual values through an authentically Reform Jewish lens, the Ad Hoc Committee on Human Sexuality developed a mission statement which included three guiding principles for their work. The principles included *Briah* (The Created Universe), *Am Brit* (People of the Covenant), and *Da'at* (Contemporary Knowledge). According to the committee, *Briah* served to "remind us that our human uniqueness and diversity, including our sexuality, are ultimately derived from the conscious Divine act of creation and as such are purposeful and positive."⁴⁰³ *Am Brit* represented the weighing of the "many voices of our tradition as we seek to find ways for modern Jews to express themselves as sexual beings in an authentically Jewish

⁴⁰² Rabbi Selig Salkowitz, "Introduction to the Symposium on Human Sexuality," in *CCAR Journal*, vol. XLVIII, no. 4 (Fall 2001), 4.

⁴⁰³ Ad Hoc Committee on Human Sexuality, "Mission Statement," in *CCAR Journal*, vol. XLVIII, no. 4 (Fall 2001), 7-8.

manner.”⁴⁰⁴ *Du'at* also served as a reminder that “in an age of rapidly expanding information and understanding, to grasp fully human sexuality and its expressions, we believe it is necessary to gain insight and guidance from contemporary knowledge in related fields.”⁴⁰⁵ These principles were based upon the committee’s understanding of a “threefold approach” to the world that Reform Judaism has developed in the course of its history: universalism, particularism, and contemporary knowledge.⁴⁰⁶

In addition to the mission statement, the Ad Hoc committee also produced a statement of Reform Jewish Sexual Values, giving the following introduction:

Jewish religious values are predicated upon the unity of God and the integrity of the world and its inhabitants as Divine creations. These values identify *shleimut* as a fundamental goal of human experience. The Hebrew root *s-l-m* expresses the ideal of wholeness, completeness, unity, and peace. Sexuality and sexual expression are integral and powerful elements in the potential wholeness of human beings. Our tradition commands us to sanctify the basic elements of the human being through values that express the Divine in every person and in every relationship. Each Jew should seek to conduct his/her sexual life in a manner that elicits the intrinsic holiness within the person and the relationship. Thus can *shleimut* be realized. The specific values that follow are contemporary interpretations of human *shleimut*.⁴⁰⁷

The values included *B'tzelem Elohim* (in the image of God), *Emet* (truth), *Briyut* (health), *Mishpat* (justice), *Mishpahah* (family), *Tz'niyut* (modesty), *Brit* (covenantal relationship), *Simcha* (joy), *Ahavah* (love), and *Qedushah* (holiness). As understood by the committee, the ten values should serve as a guide to achieving a life and relationship of holiness. For example, the committee assigned the value of *Qedushah* to relationships

⁴⁰⁴ Ibid.

⁴⁰⁵ Ibid.

⁴⁰⁶ Ibid.

⁴⁰⁷ Ad Hoc Committee on Human Sexuality, “Reform Jewish Sexual Values,” *CCAR Journal*, vol. XLVIII, no. 4 (Fall 2001): 9-13.

where partners “voluntarily set themselves apart exclusively for each other, thereby finding unique emotional, sexual, and spiritual intimacy.”⁴⁰⁸

Despite the seeming clarity of both the mission statement and statement of Reform Jewish sexual values, the Ad Hoc Committee on Human Sexuality struggled to fully understand its own identity and purpose. This was in part due to a non-verbalized agenda from the leadership of the CCAR. According to Rabbi Jonathan Stein, the “hidden agenda” was to “solve the CCAR’s dilemma on rabbinic officiation at same-gender ceremonies.”⁴⁰⁹ Stein did not use the term “hidden” in its negative sense, but rather to note that most members of the committee, himself included, did not realize that their group was formed in part to consider the particular issue of same-sex officiation. As noted before, the CCAR Reform Jewish Practices had received a number of questions and concerns in the early 1990s over the issue of same-sex ceremonies. However, what the CCAR did not acknowledge to the newly formed Ad Hoc Committee on Human Sexuality was that the Reform Jewish Practices Committee was unable to resolve the issue within its own deliberations and that the issue was being “punted” to the rookie committee. Moreover, Stein noted that already in the Conference there was great debate between those who wanted to jump from the 1990 report of the ad hoc committee on homosexuality and the rabbinate to the most liberal position available in terms of rabbinic officiation at same-sex ceremonies and those who felt there should be a larger process of study, as had occurred with the earlier decision. This division exacerbated the CCAR leadership’s desire to handle the issue quickly, though this urgency did not translate fully to the Ad Hoc Committee on Human Sexuality members.

⁴⁰⁸ Ibid., 13.

⁴⁰⁹ Rabbi Jonathan Stein, Phone Interview, December 5, 2007.

The debate and process within the committee reflected this tension. On the one hand, the Ad Hoc Committee on Human Sexuality labored to create a liberal Jewish framework in which to evaluate contemporary questions of human sexuality. On the other hand, certain members of the group, especially those with connections to the highest levels of CCAR leadership, pushed the committee to specifically address the issue of rabbinic officiation at same-sex ceremonies. Finally, after nearly two years of work, the CCAR made the same-sex officiation issue explicit. At that point, Stein noted, "We could move much quickly to officiation once it was more verbalized that it was a goal. We took the framework and applied it to the issue of rabbinic officiation."⁴¹⁰

The 1996 CCAR Convention in Philadelphia: Break-Out Groups and Survey

In March of 1996, the Ad Hoc Committee on Human Sexuality convened small break-out groups at the CCAR convention in Philadelphia. The convention itself was a controversial one, handling the issue of civil marriage for gays and lesbians and a renewed conversation about patrilineal descent. In preparation for the convention, the CCAR published the following letter from Rabbi Salkowitz on behalf of the committee in its monthly newsletter and mailed it, along with a copy of the Ad Hoc Committee on Human Sexuality's mission statement and values, to all registered delegates of the convention. Rabbi Salkowitz wrote:

The Ad Hoc Committee on Human Sexuality will present a preliminary progress report during the Thursday morning program at the Philadelphia convention. Since its inception two years ago, the committee has sought to frame a Reform Jewish values system that may guide modern Jews in making decisions concerning their sexuality and sexual expression. These basic principles have emerged from the threefold approach of our Reform predecessors: universalism, particularism, and contemporary knowledge.

⁴¹⁰ Ibid.

Among the issues discussed, based on this framework, we included privacy, standards for clergy and professionals, non-marital sex, pornography, gay and lesbian issues, definitions of family, bisexuality, sex education for youth and adults, sex and aging, infertility, single parent families, people with disabilities.

It is the intent of the committee to make a brief presentation to the plenum, then to adjourn into workshops led by committee members. Participants will be asked to focus on three of the issues the committee believes to be of most concern among colleagues. You will be requested to share additional issues of concern to you. We request your input and guidance to the committee as it continues its deliberations in preparation for a final report at the 1997 convention.

Copies of the Values framework will be included in pre-convention mailing to all Conference members, to allow time for study in preparation for the workshops. We invite your questions and comments.

Members of the committee are: Jerome Davidson, Joseph Edelheit, Helene Ferris, Linda Henry Goodman, Peter Knobel, Charles Kroloff, Sanford Seltzer, Jonathan Stein, Jack Stern, Sue Ann Wasserman, Nancy Wiener, Selig Salkowitz, chair.⁴¹¹

During its allotted time at the convention, the Ad Hoc Committee on Human Sexuality presented a two question survey for consideration by the rabbis in attendance. One question focused on ritual sanctification of same-sex relationships; the second one focused on non-marital sexual relations. The questions were: (1) On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of gay and lesbian relationships. Please give your response; (2) the committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of '*kedusha*.' Please share your position.⁴¹² The committee decided that each group would have an

⁴¹¹ Rabbi Selig Salkowitz, letter to the CCAR on the mission and values statements of the Ad Hoc Committee on Human Sexuality, The Selig Salkowitz Papers, MS 725, Box 5, Folder 4, The American Jewish Archives, Cincinnati, OH.

⁴¹² The Ad Hoc Committee on Human Sexuality, survey on same-sex marriage and non-marital sexual relations conducted at the March 1996 CCAR convention, The Selig Salkowitz Papers, MS 725, Box 5, Folder 7, The American Jewish Archives, Cincinnati, OH.

opportunity to discuss both questions and that the very last time slot will be spent giving people a chance to write their additional input or questions. "In this way, everyone will know exactly what is to follow and will feel a total part of the process."⁴¹³

The survey responses reflected a great divide over ritual sanctification of gay and lesbian relationships. Around 45% of the respondents supported the ritual sanctification of gay and lesbian couples and would officiate at these ceremonies as *kiddushin*. Nearly 35% of respondents supported the ritual sanctification for gay and lesbian couples, but did not identify these ceremonies as *kiddushin* and believed that they should follow a completely different liturgical format. Finally, almost 20% of respondents refused to support such ceremonies and believed that the CCAR was moving in the wrong direction.⁴¹⁴

Of the 20% who opposed ritual sanctification for gay and lesbian couples, the major arguments revolved around concerns over Reform Judaism's connection to *klal Yisrael*, procreation and family values, and the placement of contemporary morals over Jewish ethics. In regard to *klal Yisrael*, one rabbi noted, "I am concerned with the 'line.' At what point do we cross it. I am also concerned that if we call it 'whatever' others will see it as marriage. I am concerned as well as what a stance will do to Klal Yisrael." Other rabbis similarly expressed their concern regarding the perception of Reform Judaism in the world if the movement issued any formal statement affirming ritual

⁴¹³ Rabbi Jonathan Stein, letter to Rabbi Selig Salkowitz clarifying the process of the March 1996 break-out groups at the CCAR Convention, The Selig Salkowitz Papers, MS 725, Box 5, Folder 4, The American Jewish Archives, Cincinnati, OH.

⁴¹⁴ The Ad Hoc Committee on Human Sexuality, survey on same-sex marriage and non-marital sexual relations conducted at the March 1996 CCAR convention, The Selig Salkowitz Papers, MS 725, Box 5, Folder 7, The American Jewish Archives, Cincinnati, OH. All subsequent quotes in this section are taken from these surveys.

sanctification, specifically the Reform rabbinate in Israel that had to deal on a daily basis with the state's Orthodox rabbinate.

The concern over family values and procreation also moved a number of respondents to speak out against ritual sanctification. One rabbi argued, "Ritual sanctification sets the movement against a primary Jewish value—family. While gay couples may raise a child, this is an unusual circumstance and generally the result of adoption. Where I understand and sympathize with the needs of gays and lesbians to find intimacy, I believe ritual sanctification goes too far." Another rabbi wrote, "I strongly oppose supporting ritual sanctification of gay and lesbian relationships. Not only are they forbidden in Jewish tradition, but they are also contradictory to the national mitzvah of procreation (family). While I am a proponent of love and intimacy in the confidentiality of personal relationships, I cannot view their ritual sanctification as a means of tacit providing approval and support of such relationships."

The majority of opponents, though, expressed concern over what they deemed to be the placement of contemporary values over Jewish values. In these cases, other issues like *klal Yisrael* and concern over intermarriage factored into the rabbis' negative arguments. One rabbi expressed his disconnect with the Conference. He wrote:

I have rarely felt so out of step with the CCAR. It is quite politically incorrect to speak out forcibly against so many of the concerns which certainly reflect liberal values and seem to engage precious little consideration of Jewish values, *Klal Yisrael* or public perception. It is an anomaly at best, for so many in our conference to speak of traditional "Mitzvot" while at the same time disregard those same generic concepts when it is expedient or simply when it "feels right" to do so or contemporary mores impel us to do so. For the Conference to condemn mixed marriage officiation under stringent conditions which I believe perpetuate Jewish life (that is at least the mood and message sent) and then to support "ritual sanctification" is an oxymoron.

Another rabbi argued:

It seems to me that one of the fundamental problems in this conversation is the notion of Kedusha. Of all the definitions sometimes offered to me that I find most appropriate is religiously acceptable in a Jewish context. Whether there is often overlap with legal and ethical realms (setting aside the corners of the field, not gossiping, etc.) often there is not (dietary laws). While some forms of *kodesh* have evaporated from our repertoire (not shaving the corner of the head) others remain.

Therefore, while I am not opposed to the state sanctioning same-sex marriage for legal and economic purpose, I cannot attach kedusha to such unions—however much I may esteem, care for and otherwise support such couples. I see it as roughly analogous to interfaith marriage. In this case, I choose neither to judge nor to Judaize.

Not all rabbis offered extended statements. Some made their opinions sharply and succinctly. “Disagreement and disappointment,” stated one rabbi. He qualified his statement noting that “Liberal Judaism need not and often should not ‘bless’ contemporary ‘wisdom’/correctness. To consider same-sex relationships as one among many equally valid alternates is a mistake.” Another rabbi opined, “It appears to me that we are responding to some truly heart rendering personal situations by throwing normality upside-down and calling them the norm.” However, the most shocking statements reflected great ignorance about gays and lesbian inclusion in the Reform Movement. This rabbi wrote “Homosexuals prefer their own congregation. This is moot for most of the Rabbis of the CCAR.” Another offered a rather offensive anecdote to explain his opposition. “A lady loved her cat dearly. At the cat’s death she was devastated and wanted to make her mourning Jewish. I could not imagine our encouraging her to recite *Kaddish*. Same here. Great love, great relationship, but it’s not kiddushin.”

The issue of civil marriage also factored into a few rabbis’ decision making. One rabbi refused to discuss the question of ritual sanctification before the conference

appropriately addressed the issue of civil marriage. He exclaimed, “No No No! We should be working towards the legal recognition of gay marriage which cannot be broken except through divorce, not for empty ceremonies which mean little more in practical terms than a hippie love-in.” Another rabbi noted that the question in and of itself was inappropriate because “it is improper to answer a question that involves breaking the law.”

As with the opponents of ritual sanctification, a number of significant concerns and questions emerged from the 35% of respondents who supported ritual sanctification but did not equate it with *kiddushin*. In these responses, the major issues centered around the specific use of *kiddushin* as a legal Jewish term to describe same-sex unions and the question of what marriage ritual—traditional or creative—to use for these ceremonies. It is hard to capture in a sentence or two the true ambivalence that many rabbis noted in their responses. Many seemed deeply committed to the Reform Jewish ideals and values of inclusion and justice, but felt real turmoil about how to appropriately honor gay and lesbian couples without “compromising” the understanding of Jewish heterosexual marriage.

With regard to the use of the term *kiddushin*, many respondents felt uncomfortable with the use of the word and preferred an alternate, yet Jewishly-appropriate term for the ceremony. One rabbi articulated, “I support ritual sanctification (celebration?) of same sex committed relationships. I don’t think this ritual should be called marriage or *Kiddushin*, but commitment ceremonies or some other term—coming up with a meaningful Jewish term would be nice!” Another rabbi elaborated on the debate over terminology, stating:

I strongly believe that gay and lesbian relationships in a long-term, intimate, monogamous context can be considered as 'worthy' of ritual sanctification. Personally, I don't know what ceremony I would perform, but I have no reservations about voting in favor of a resolution that would provide a pathway for a religious Jewish ceremony or more likely ceremonies. I'm not sure how I feel about calling it Kiddushin—on one hand I say yes, of course why not, we've already changed the definition; on the other hand, I say no, it must be something else completely different.

An even greater number of rabbis struggled with the appropriate ritual to use for the sanctification of same-sex couples. For example, one rabbi noted, "I endorse ritual sanctification of gay and lesbian relationships, where they are Jewish. However, I want to call the ceremonies something other than marriage or wedding and not duplicate the ritual associated with traditional Jewish marriage." Here, the concern over language and ritual compounded one another. In a different view, another rabbi questioned the Reform Jewish understanding of *kiddushin* and whether or not the term is utilized today in its historical, legal sense. She wrote:

I am in favor of the sanctification of Gay and Lesbian relationships. The issues I am struggling with are: which rituals (new, old, renewed, re-created, created) should be part of these ceremonies. One critical issue which influences my decision is whether *Kiddushin* is a Jewishly legal formula for a union or a conceptual ideal about any union/marriage. If we accept it as our legal formula then I think we need to change the ceremony. If it is a concept/idea then we don't have to change our traditional ritual.

A number of rabbis, who supported ritual sanctification, albeit not *kiddushin*, expressed real concern over explaining to the congregation their choice to perform same-sex rituals of sanctification, but not intermarriage. One rabbi asked that the CCAR provide strategies to help rabbis breach the subject with their congregants. Others simply acknowledged the potential for conflict. "Since I don't officiate at mixed marriage, I know that this will cause problems for me with members of my congregation."

Still others expressed the great tension they felt between their liberal, Jewish sensibilities and their hesitation over same-sex ceremonies. One rabbi noted:

I find myself on the horns of the famous 'dilemma': While on the one hand, my impulse toward a liberal, loving view of all people moves me to view same-gender relationships and committed relationships/marriage as worthy and proper, I am hesitant in the extreme, about granting the status of Kiddushin to them. Similarly, I am at this point unsure about my feelings regarding the appropriateness of rabbinic officiation of such rituals.

However, half of the rabbis supported without reservation the ritual sanctification of same-sex unions. Responses ranged from a simple "Halleluyah" and "Yes, yes, yes" to more complex and nuanced statements of the impact of such a decision on gay and lesbian couples, families, and the entire Reform movement. One rabbi argued of the importance of ritual sanctification as a means of supporting gay and lesbian families. He wrote, "Public acts of commitment and of affirmation of positive Jewish values, not only validate the legitimacy of the couple but also draw the community into the couples support system and serve as signs of historic and communal validation." Another rabbi expressed his support for same-sex ceremonies as part of Reform Judaism's prophetic tradition:

I believe that this is in keeping with the highest ideals of Reform Judaism. *Kiddushin* of gay and lesbian relationships between two loving people helps to promote the values of family: fidelity, monogamy, inclusivity, love and equality.

I am proud to live in the period in history when, despite growing conservatism and fundamentalism, our movement can demonstrate the courage and prophetic vision of its forbears in taking a stand on what's right, ethical and true in and for our time. The category of *Kiddushin* must be extended to gay and lesbian relationships, in order for us to truly be in partnership with God's efforts towards *Tikkun Olam*. The notion of heterosexual marriage as being the only instance of ideal is insulting to the value of *B'tzeleim Elohim*!

As well, a number of gay and lesbian rabbis shared their own personal experiences and feelings:

I am strongly in favor of the conference's support of ritual sanctification of committed gay and lesbian relationships. As an individual who will stand under the *chuppah* this fall with my lesbian lover, I would appreciate our movement's support of my rabbi who will recite blessings and make the ceremony a *kiddushin*. As a rabbi who has just this past week been asked by a lesbian couple to bless their relationship under the *chuppah*, I would appreciate the added guidance that the conference and my colleagues could give me if our ideas were shared institutionally rather than individually. I feel as a rabbi that Jewish couples in long-term committed relationships of love are in relationships of *Kiddushin* and deserve our support. I also believe that we should consider these *kiddushin* because these are holy relationships.

This is a good direction to go in—as someone who is about to celebrate (with a religious ceremony) ten years of living as part of a loving committed same-sex relationship and after many years of officiating for heterosexual couples, I can settle for no less than treating this occasion exactly as I would treat the same thing for heterosexual couples. We will have a *ketubah*, we will exchange rings with *harei at* and our friends and family will recite a modified version of the *sheva b'rachot* as we stand under the *chuppah*. Today's world and its understanding of what it means to be gay/lesbian is vastly different than what it was in the biblical and rabbinic period. I believe that in the eyes of God and the Jewish community we are indeed celebrating our *kiddushin*.

It is a strange thing to grow up, meet the right person, fall in love with that person (who is Jewish), and discover that, consequently you cannot be married.

We, as Rabbis, must officiate at same-gender marriages, and furthermore we must teach gays and lesbian that they ought to sanctify their relationships. It is not unlike teaching parents that their baby daughters ought to be not just 'baby-named' but entered into the *Brit*. Finally, we should call it *Kiddushin* and Marriage, not 'Commitment Ceremonies.'

Others drew on the important connection between ritual sanctification and civil marriage, a resolution on which had been passed earlier at the same convention. One rabbi wrote, "Rabbis absolutely should do this. Committed, loving relationships should

be sanctified Jewishly. Having supported civil marriage of lesbians and gay men, the Conference needs to support religious marriages. Doing so is supportive of the family. Same sex marriages are in keeping with Jewish values.” Another rabbi made a similarly compelling point. He wrote, “It is refreshing to know that we are moving toward the amelioration of the civil impediments to Gay/Lesbian Marriage. Recognition of the sanctity of those relationships will bring integrity to our political action and more important, provide greater acceptance affirmation and inclusion within our midst to gay and lesbian Jews.” In this same vein, another rabbi, who performs same-sex marriages, explained his practice of requiring civil documents to bind the couple together legally and to protect the family. “Just as I would not officiate at a heterosexual marriage without a civil marriage license, I would not officiate at a homosexual marriage without civil documents binding the couple—e.g. wills, durable powers of attorney, insurance and pension designations, etc. If there were civil homosexual marriage, this point would be moot.”

As the surveys indicated, the Reform rabbinate contained a great range of attitudes vis-à-vis ritual sanctification of gay and lesbian unions. Though many rabbis expressed themselves openly either in the break-out sessions or through the survey, the committee received a number of strong reactions from individual rabbis post-convention. One particular letter from Donald A. Tam, Rabbi of Temple Beth Tikvah in Roswell, Georgia, highlighted the extreme politicization of this issue in the CCAR. On March 31, 1996, Rabbi Tam wrote to Rabbi Jack Stern, one of the facilitators of Tam’s discussion group at the Convention:

I am writing you because your reputation has always been one of a very fine human being and outstanding rabbi. Although my contact with

you has been peripheral—seeing you interact at conferences, perhaps sitting in a chair next to me, talking with colleagues—it seems you deserve the reputation you have. I am writing to you also, because you were the leader of the discussion on rabbinic officiation at same-sex marriages and “sanctifying” in some way “sexual partnership” which may not fit the traditional mold of kiddushin. I was the rabbi at the end of the discussion with much trepidation and dry mouth who answered your request for candid opinions with the view that I oppose same sex marriages for the same reason I oppose rabbinic officiation at mixed marriage: such actions subvert the idea of kiddushin as I understand it by so individualizing the idea as to uproot it out of its historical and communal context. I don’t know who else to write to, to express my distress and frustration at the direction the CCAR is taking and my sadness that in the atmosphere created by the issue because of its political and social overtones, there are colleagues who feel as I do, but do not feel comfortable expressing that opinion in a public forum.

Some of the things said to me after the plenary session and our more informal session were ugly. One colleague suggested that I should build barbed wire fences with “them” on the inside, as if that was what the intention of my feelings were when I voted against the resolution under general discussion. He must have been sitting near me. After the more informal session with you, another colleague approached me and said: “How does it feel to commit suicide in public?” Something is very wrong here.

I am not a homophobe. Because I don’t believe we should put our heksher on mixed marriages does not mean I hate non-Jews. The same is true regarding gays and lesbians. In the session you and I shared, it was hard to explain my position in a few minutes and I believe others felt the same way. There are so many rabbis now and the break out groups themselves are so large under the best of circumstances, that discussion is kept to a minimum like a “sound bite” on TV. Sometimes it is hard to get a point across. I felt in our session as I sometimes do at Board meetings of my synagogue when I am trying to explain a position which is hard to explain without “common ground” of discourse as sometimes happens with we rabbis and our people. To have the same sense in that room with people whom I call “colleagues” was especially chilling for me.⁴¹⁵

In some ways, 1996 represented a “tipping point” for the Reform Movement in the area of same-sex marriage.⁴¹⁶ By 1996, ritual sanctification for same-sex couples was

⁴¹⁵ Rabbi Donald A. Tam, letter to Rabbi Jack Stern, The Selig Salkowitz Papers, MS 725, Box 5, Folder 4, The American Jewish Archives, Cincinnati, OH.

⁴¹⁶ The idea of the tipping point came from bestselling author Malcolm Gladwell’s book, *The Tipping Point: How Little Things can Make a Big Difference*, in which he defined the tipping point as “that magic moment when an idea, trend, or social behavior crosses a threshold, tips, and spreads like wildfire.”

the burning issue for the Reform rabbinate. The Conference had already voted in favor of gay and lesbian's rights for civil marriage and against any attempt by the government to stand in the way of those rights. The UAHC had already made numerous statements supporting the rights of gay and lesbian couples and families. As well, that year HUC-JIR completed an entire five-year cycle of rabbinical school since the 1990 report on homosexuality and the rabbinate. The 1996 ordination class never knew HUC-JIR to be anything other than fully accepting of gay and lesbian students. Moreover, as the Philadelphia survey results showed, many Reform rabbis were already performing these same-sex ceremonies. By this historical point, it was clear that the Reform rabbinate, was on its way to endorsing, or at least, supporting some sort of Conference-wide statement on ritual sanctification.

The Report of the Reform Responsa Committee

A few months after the CCAR resolved to support the rights of gays and lesbians in the area of civil marriage, the CCAR Reform Responsa Committee received a request to consider once again the issue of rabbinic officiation at gay and lesbian marriage ceremonies. Sidney M. Helbraun, rabbi of Temple Beth El in Northbrook, Illinois, addressed the following question to the Responsa Committee: May a Reform rabbi officiate at a wedding or "commitment" ceremony between two homosexuals? Does such a union qualify as *kiddushin* from a Reform perspective?

The Ad Hoc Committee on Human Sexuality learned of the impending responsum on homosexual marriage at its August 28, 1996, meeting. At that meeting, Dr. Mark Washofsky, chair of the Reform Responsa Committee and a recently added consultant to

the Ad Hoc Committee on Human Sexuality⁴¹⁷, presented excerpts of the responsum to the group. He informed the group that the full responsum would be available in November 1996. The responsum condemned rabbinic officiation at the marriage of two homosexuals, stressing the following three points:

1. We as a committee acknowledge that our beliefs concerning the nature of human sexual orientation differ significantly from those of the past, even the recent past. The majority of us, however, are not persuaded that this transformation in our attitudes requires that we recognize and institute a system of homosexual marriage within our congregations and communities.
2. The majority of this Committee defines "Jewish marriage" as *kiddushin*. That concept, whether understood according to its traditional terms or its Reform interpretation, is a legal institution whose parameters are defined by the sexual boundaries which Jewish law calls the *arayot*. Homosexual relationships, however exclusive and committed they may be, do not fit within this legal category; they cannot be called *kiddushin*. We do not understand Jewish marriage apart from the concept of *kiddushin*, and our interpretation of rabbinic authority does not embrace the power to "sanctify" any relationship that cannot be *kiddushin* as its functional equivalent. For this reason, although a minority of us disagrees, our majority believes that Reform rabbis should not officiate at ceremonies of marriage of "commitment" for same-sex couples.
3. Our duty of outreach and our concern for all Jews require that rabbis and communities consider other ritual and social means by which homosexual couples might express their identity as households and families within the wider community of Israel.⁴¹⁸

At the subsequent meeting of the Ad Hoc Committee on January 13-14, 1997, Washofsky spent a significant amount of time working through the responsum, discussing the eight month long process of the Responsa committee, and listening to feedback from the members of the Ad Hoc Committee on Human Sexuality. In his

⁴¹⁷ Dr. Mark Washofsky was added as a consultant to the Ad Hoc Committee on Human Sexuality because of the demand from rabbis in the field for more traditional sources and resource materials to "buttress arguments on either side of the issues." See Ad Hoc Committee on Human Sexuality, Minutes of Meeting, August 28, 1996, The Selig Salkowitz Papers, MS 725, Box 5, Folder 4, The American Jewish Archives, Cincinnati, OH.

⁴¹⁸ Rabbi Richard Address, Introductions to *Kulanu*, eds. Richard F. Address, Joel L. Kushner, and Geoffrey Mitelman (New York: URJ Press, 2007), 324.

comments, Washofsky noted the profound division among the ten-person Responsa Committee. Eight members, himself included, argued strongly against rabbinic officiation. Two other members, Rabbis Joan S. Friedman and Bernard Mehlman, fought strongly in favor. Still at that point, the committee was unable to achieve unanimity, and for the first time in Reform responsa history, the Responsa committee planned to publish both the majority and minority reports as part of the official responsum. Washofsky explained, "The two sides are talking past each other. The one side emphasizes 'the Jewish tradition,' the other side emphasizes 'justice, compassion, modernity.'"⁴¹⁹

The internal division in the Responsa committee mirrored that between the Responsa committee and the Ad Hoc Committee on Human Sexuality. The two groups approached the subject of same-sex ceremonies from such disparate vantage points that there was no way the two would ever agree on a single interpretation or text. Moreover, any statement that either would publish could be used to trump the other. Washofsky even noted at the end of this meeting, "If there exists both the Responsa Committee's report and a different view to be expressed in [the Ad Hoc] Committee [on Human Sexuality's] report, perhaps hearing two voices is enough and can obviate the need for a potentially divisive resolution."⁴²⁰ In response, Rabbi Knobel added, "[We can] model ourselves after the Ad Hoc Committee on Homosexuality report of 1990, i.e. issue a report (not a resolution) for acceptance or rejection without amendment."⁴²¹ In fact, after this point, the issue of creating a report or resolution occupied a significant amount of time within the Ad Hoc Committee on Human Sexuality.

⁴¹⁹ Ad Hoc Committee on Human Sexuality, Minutes of Meeting, January 13-14, 1997, The Selig Salkowitz Papers, MS 725, Box 5, Folder 4, The American Jewish Archives, Cincinnati, OH.

⁴²⁰ Ibid.

⁴²¹ Ibid.

More globally, the responsum affected the work of the Ad Hoc Committee on Human Sexuality in a number of key ways. First, the publication of the responsum made it truly impossible for the committee to present a resolution for passage by the CCAR, one of the original goals of the committee. Rabbi Jonathan Stein noted, “[The responsum] can liberate those who feel intimidated and hesitate to speak publicly against rabbinic officiation.” Therefore, he argued, “We may have to avoid a resolution on the substance of the debate on Same-Sex Ceremonies because we may be hopelessly divided and bogged down.”⁴²² Instead, Stein suggested that Ad Hoc Committee on Human Sexuality present a resolution affirming rabbinic conscience or autonomy on this subject.

On a more human level, the responsum unified the members of the Ad Hoc Committee on Human Sexuality in their resolve to bring an affirming statement on same-sex ceremonies to the CCAR. The committee struggled to accept—and ultimately rejected—the notion put forth in the responsum that defined homosexuality as an *ervah* (literally, nakedness; term used to refer to relationships prohibited by the Torah). In response to Washofsky’s presentation, Rabbi Peter Knobel explained, “The [Ad Hoc] Committee [on Human Sexuality] does not wish to interpret homosexuality as *ervah* or *arayot* (plural) and this is a problem concerning our understanding of the Responsum.”⁴²³

Rabbi Stein added:

The responsum helped to gel us together on the committee because in our opinion the responsum is flawed in an extraordinarily important way. It uses the term *toevah* (abomination) as an argument...that was the only substantive *halakhic* argument and frankly many of us found the argument appalling because none of us as Reform rabbis has ever heard the category *toevah* raised up for Reform decision making. From our point of view, that crystallized it for us.⁴²⁴

⁴²² Ibid.

⁴²³ Ibid.

⁴²⁴ Rabbi Jonathan Stein, Phone Interview, December 5, 2007.

As well, the responsum seemed to embolden the group in its work. Jerome Davidson, Rabbi of Temple Beth El of Great Neck, New York, argued, "We need to be bolder. How do we move from the Responsum to a definitive statement while still being sensitive to the public relations issue?" It is important to note that just about one year earlier, Rabbi Davidson performed the marriage of his then assistant Rabbi Karen Bender to her partner, Rachel Bernstein, on July 1, 1995. On the *Shabbat* before the wedding, Rabbi Davidson called Rabbi Bender and Bernstein up to the *bimah* for a pre-marital blessing, which evoked serious negative response in the congregation, mostly due to the fact that Davidson does not perform or bless interfaith marriage. Though the hostility and anger ebbed with time, the experience affected all those involved.

A New Charge to the Ad Hoc Committee on Human Sexuality

With a responsum on homosexual marriage in the works and the already passed resolution on civil marriage, the CCAR ordered the Ad Hoc Committee on Human Sexuality to focus solely on the topic of same gender commitment ceremonies after the 1996 CCAR Convention in Philadelphia. Many of the Ad Hoc Committee on Human Sexuality members felt that this was the wrong decision. Rabbi Salkowitz, the chairman of the group, wrote to the other committee members in the summer of 1996, to gather their input. He noted, "We are being asked to focus almost exclusively on the topic of same gender commitment ceremonies. I am not convinced that this is where we ought to be. Our committee was called into being to consider the broad area of human sexuality,

and I am not comfortable in limiting our scope. I want to know how you react to this development, and your input on how we should proceed.”⁴²⁵

Unable to attend the next meeting on August Rabbi Joseph Edelheit responded by memo. He wrote, “I am opposed to this committee having a single issue focus. The decision regarding religious same-sex ceremonies, must, in my view, be part of a much ‘bigger picture.’ Deciding this out-of-context because of the urgency of political pressure refutes any hope that our decision will be ‘organic.’”⁴²⁶ Edelheit also noted his concern over using traditional texts to justify what he called a “paradigm shift” and “completely ‘out-of-the-box’ thinking.”⁴²⁷ Washofsky bolstered Edelheit’s argument at the subsequent committee meeting on January 13-14, 1997, noting “The approval of same-sex ceremonies would be revolutionary, not evolutionary.”⁴²⁸

The narrow focus translated not only into the committee work of the Ad Hoc Committee on Human Sexuality, but also into the presentations the committee was to make at the upcoming CCAR Convention in Denver.⁴²⁹ The minutes noted a drawn out discussion of this issue:

In the course of a lengthy discussion that followed, committee members favored the articulation of a more inclusive approach. Concern was expressed over the seemingly narrow and limited focus of the agenda assigned to the committee on Denver. When asked why, Paul Menitoff (Executive Vice President of the CCAR) who had joined the proceedings replied that given the importance of the question, the Conference was

⁴²⁵ Rabbi Selig Salkowitz, letter to the members of the ad hoc committee on human sexuality, July 22, 1996, The Selig Salkowitz Papers, MS 725, Box 5, Folder 4, The American Jewish Archives, Cincinnati, OH.

⁴²⁶ Rabbi Joseph Edelheit, memo to members of the Ad Hoc Committee on Human Sexuality, August 21, 1996, The Selig Salkowitz Papers, MS 725, Box 5, Folder 4, The American Jewish Archives, Cincinnati, OH.

⁴²⁷ Ibid.

⁴²⁸ Ad Hoc Committee on Human Sexuality, Minutes of Meeting, January 13-14, 1997, The Selig Salkowitz Papers, MS 725, Box 5, Folder 4, The American Jewish Archives, Cincinnati, OH.

⁴²⁹ The Convention was moved from Denver to Miami because of the CCAR’s policy vis-à-vis convening in states with no civil protection for gays and lesbians.

attempting to avoid the possible presentation of resolutions from the floor dealing with rabbinic officiation at same-sex marriages. It hoped that a responsible presentation by the Committee would achieve that purpose. He added that this in no way meant that the broader committee agenda would not be addressed; rather it would be deferred for another year.⁴³⁰

With this new insight, the committee agreed to focus its attention for the next year on same-sex ceremonies. In preparation for the 1997 CCAR convention, the committee traveled to various regional conventions in order to determine where, one year later, the Reform rabbinate found itself on the issue of same-sex ceremonies. At the request of the CCAR leadership, committee members presented the following questions to the rabbis in attendance at the CCAR regional *kallot*: (1) Can there be a liberal Jewish sexual value system? (2) What elements would you include in creating such a value system? (3) What expressions of human sexuality do you think should be addressed by a liberal Jewish value system in the area of sexual ethics? (4) The CCAR is on record (1996) as supporting the right of gay and lesbian couples "to share fully and equally in the rights of civil marriage...and opposes governmental efforts to ban gay and lesbian marriage." Almost a year later, how do you react to that position?⁴³¹

Together, these actions suggest that the leadership of the CCAR had a decided interest in keeping a resolution on same-sex officiation from the floor. Based on surveys and attitude among the general rabbinic public, a resolution in favor of same-sex marriage would easily have passed in resolution form and created a great divide within the Reform rabbinate. This again occurred in 1998 when CCAR President Rabbi Richard

⁴³⁰ Ad Hoc Committee on Human Sexuality, Minutes of Meeting, August 28, 1996, The Selig Salkowitz Papers, MS 725, Box 5, Folder 4, The American Jewish Archives, Cincinnati, OH.

⁴³¹ Rabbi Selig Salkowitz, memo to members of the Ad Hoc Committee on Human Sexuality, December 11, 1996, The Selig Salkowitz Papers, MS 725, Box 5, Folder 4, The American Jewish Archives, Cincinnati, OH.

Levy prevented a resolution on same-sex ceremonies from coming to the floor. The *New York Times* reported this development on May 6, 1998. The article noted:

In an effort to head off a potentially divisive debate at their annual convention, rabbis in Judaism's Reform movement will not vote on a resolution that would have stated that Jewish ritual allowed rabbis to perform same-sex unions, the rabbinical group's leaders said.

In a letter to colleagues in the movement, Rabbi Richard N. Levy, president of the Central Conference of American Rabbis, said the committee that drew up the resolution had agreed not to seek a vote on it when the conference meets in Anaheim, California, in June. Rabbi Levy also said he had persuaded an opposing group to withdraw 'a counterresolution' on the same issue.⁴³²

In addition to the internal pressures that moved Rabbi Levy to prevent the presentation of a resolution to the CCAR plenum in 1998, there was also pressure from the Israeli Reform Rabbinat to avoid such a statement from its North American counterpart. In an April 1998 newspaper article entitled "Collision Course," *The Jewish Exponent* detailed the affect that a vote on same-sex ceremonies could have on the progress of an inter-movement conversion institute in Israel, where rabbis from the three major denominations would jointly train candidates for conversion to Judaism. The article explained:

The Israeli government moved into high gear this week in its plan to set up an inter-movement conversion institute, where Reform, Conservative, and Orthodox rabbis will jointly train candidates for conversion to Judaism.

As those plans unfolded, the American Reform rabbinat was preparing for a probable vote this June in California, at the annual meeting of the Central Conference of American Rabbis, affirming the right of Reform rabbis to conduct same-sex commitment ceremonies for gay and lesbian couples.

Watching these two processes converge is something like watching a train wreck take place in slow motion: startling at first, then horrifying, then deeply saddening...The same-sex marriage resolution, if it passes, could dramatically undermine that progress by vastly increasing Israeli

⁴³² Gustav Niebuhr, "Reform Rabbis to Avoid Vote on Allowing Same-Sex Union," *The New York Times*, May 6, 1998, Near-print file on "Homosexuality," The American Jewish Archives, Cincinnati, OH.

hostility toward Reform Judaism—both among Orthodox rabbis and among Israelis at large. ‘It would be a disaster,’ says a source close to the leadership of the Israeli Reform Movement.⁴³³

No doubt, this concern, along with lingering divide within the North American conference, persuaded Levy to force the postponement of a resolution on same-sex ceremonies for another year, or in this case two. Still, the Ad Hoc Committee on Human Sexuality did present an interim report to the plenum at the 1998 CCAR convention in Anaheim, California and one of its members, Rabbi Jonathan Stein, who became a co-chair of the committee around the same time, also presented a piece at the Convention entitled, “The Ritual Sanctification of Same-Gender Relationships in Reform Judaism: An Eisegetical Approach.” Together, these two statements offered an alternate Reform statement to the 1996 responsum on homosexual marriage and some insight into how these two reports could coexist as valid and respectable statements of Reform principle and practice.

The 1998 Report of the Ad Hoc Committee on Human Sexuality

In Anaheim, California, the Ad Hoc Committee on Human Sexuality concluded its interim report with the following statement vis-à-vis rabbinic officiation at same-sex ceremonies. To note, the report passed at the committee level with a majority of eleven and one abstention. The document read:

While the committee was convened to examine a wide range of issues related to human sexuality, it has been called upon to focus first on gay and lesbian relationships. Our process began with an identification of values that characterize an ideal Jewish sexual relationship. We reviewed the traditional unique status of heterosexual, monogamous marriage in Judaism. And we studied gay and lesbian relationships in the context of the values contained in the above report.

⁴³³ J.J. Goldberg, “Collision Course,” *The Jewish Exponent*, April 9, 1998, Near-print file on “Homosexuality,” The American Jewish Archives, Cincinnati, OH.

At this moment in the history of the CCAR, the issue of rabbinic officiation at same-gender ceremonies is a matter of concern for many of our colleagues. These Jewish Sexual Values have led the Ad Hoc Committee on Human Sexuality to conclude that *kedushah* (holiness) may be present in committed, same-gender relationships between two Jews, and that these relationships can serve as the foundation of stable Jewish families, thus adding strength to the Jewish community. In this spirit, we believe that the relationship of a Jewish, same-gender couple is worthy of affirmation through appropriate Jewish ritual, and that each rabbi should decide about officiation according to his/her own informed rabbinic conscience. We call upon the CCAR to support all colleagues in their choices in this matter. We also call upon the CCAR to develop educational programs in this area.⁴³⁴

After the presentation of this report, the Ad Hoc Committee on Human Sexuality remained engaged in a process of discussion on the topic of homosexuality. However, in the main, the committee returned to the broader issue of human sexuality, especially the arena of teenage sexuality about which the committee hoped to pair itself with the UAHC in producing some sort of educational materials for the larger Reform Movement. Rabbi Salkowitz confirmed this in a 2000 e-mail to Rabbi Martin Weiner regarding whether or not the Ad Hoc Committee on Human Sexuality would consider the issue of same-sex marriage at the Greensboro convention. Emphatically, Salkowitz replied, "No. Our Committee will not be dealing with same gender issues. It is our sense that we finished that issue when we made our report a couple years ago."⁴³⁵

However, one area of discussion connected especially to the already documented issue of same-sex ceremonies. The committee engaged in a significant conversation on the term *kiddushin*.⁴³⁶ As evidenced in the 1996 survey, *kiddushin* carried with it deep

⁴³⁴ Ad Hoc Committee on Human Sexuality, "Report of the Ad Hoc Committee on Jewish Sexual Values," CCAR Yearbook, vol. CVIII (July 1997-December 1998): 33-34.

⁴³⁵ Rabbi Martin Weiner, e-mail to Rabbi Selig Salkowitz, March 2, 2000, The Selig Salkowitz Papers, MS 725, Box 5, Folder 5, The American Jewish Archives, Cincinnati, OH.

⁴³⁶ Ad Hoc Committee on Human Sexuality, Minutes of Meeting, January 10-11, 1999, The Selig Salkowitz Papers, MS 725, Box 5, Folder 5, The American Jewish Archives, Cincinnati, OH.

feelings and overtones of heterosexuality and patriarchy. Though the committee did not offer a definitive definition for the term, Rabbi Nancy Wiener produced a comprehensive paper on Jewish marriage for the committee entitled, "Jewish Marriage Innovations and Alterations: From Commercial/Legal Transaction to Spiritual Transformation." Rabbi Wiener presented portions of the material at the 1997 CCAR Convention in Miami; a final version, which was refined in committee process, was presented at the 2000 CCAR Convention in Greensboro, North Carolina.

The 2000 Resolution on Same-Gender Officiation

Rabbinic officiation at marriage ceremonies has always been and will continue to be at the sole and autonomous discretion of individual rabbis. However, the 2000 CCAR resolution on same-gender officiation gave Reform rabbis the ultimate stamp of approval in their independent determination about whether or not to officiate at the union of two gay men or lesbians. This was a major step for the North American Reform Movement. In only ten short years, the CCAR moved from affirming heterosexual procreative marriage as a Reform Jewish ideal to blessing the decision of Reform rabbis to Jewishly sanctify gay and lesbian couples.

However, the path from the 1998 report of the Ad Hoc Committee on Human Sexuality to the 2000 resolution on same-gender officiation proved to be a difficult road for the CCAR. To be sure, the 1998 report made a significant statement regarding the inherent holiness present in gay and lesbian relationships. Yet, as noted earlier, the Conference, particularly under CCAR President Rabbi Richard Levy, who served in that position from 1998 until 2000, avoided any sort of Conference-wide resolution on same-sex marriage.

As the debate over same-sex marriage stagnated within the CCAR, a number of individual rabbis and rabbinic groups pushed the issue from the outside and paved the way for the ultimate passage of the 2000 resolution at the CCAR Convention in Greensboro, North Carolina. The Women's Rabbinic Network (WRN), a constituent group of the CCAR, served as an important catalyst in the development of the ultimate resolution. Rabbi Denise Eger, a member of both the WRN and Ad Hoc Committee on Human Sexuality, outlined the WRN's involvement in the issue:

Many members of the WRN were frustrated by the events in the CCAR during the spring of 1998. The opportunity to vote on the Ad Hoc Committee on Human Sexuality [resolution] was no longer an option. The WRN voted at its March 1999 conference to urge the CCAR to take up the issue of same-gender ceremonies at its Pittsburgh convention. However, the only issue debated in Pittsburgh was the new Pittsburgh Platform. Thus, in the summer of 1999 the WRN introduced an initial resolution to the CCAR for consideration in Greensboro 2000 Conference.⁴³⁷

During a dinner at the March 1999 WRN Convention in Minneapolis, Minnesota, Rabbi Eger and Rabbi Sue Levi Elwell, also a lesbian rabbi, began to discuss the possibility of developing a WRN resolution on same-sex marriage that, once passed, could be brought to the CCAR to push the issue within the larger Reform rabbinate. That evening, Eger and Elwell drafted a resolution that was ultimately passed by the plenum at the same 1999 WRN convention. Their resolution urged the CCAR to bring the issue of same-sex sanctification to the Conference at the upcoming 1999 CCAR Convention in Pittsburgh, Pennsylvania. However, that convention focused almost exclusively on the passage of the new "Pittsburgh Platform," a revised statement of Reform Jewish principles which was heavily influenced by then CCAR President Richard Levy.

⁴³⁷ Rabbi Denise Eger, "Embracing Lesbians and Gay Men: A Reform Jewish Innovation," in *Contemporary Debates in American Reform Judaism* edited by Dana Evan Kaplan (New York: Routledge, 2001), 186.

Thus, since the CCAR did not heed the WRN's call to bring a resolution to the plenum in Pittsburgh, the WRN proceeded with its sponsorship of a resolution on same-gender marriage for the 2000 Convention in Greensboro. In a July 23, 1999 e-mail, Rabbi Eger, in her role with the WRN, alerted Rabbi Salkowitz, chair of the Ad Hoc Committee on Human Sexuality, to this development. She wrote:

Hi Selig,

Hope you are enjoying your summer. Wanted to give you a head's up as chair of the Human Sexuality Committee. It looks like the Women's Rabbinic Network is proceeding with sponsoring a resolution for [the] Greensboro Convention on the Gay/Lesbian commitment ceremony concept. We are working (Myself, Sue Elwell, Shira Stern, Susan Stone) with Paul [Menitoff] and Chuck [Kroloff] on the text itself. We want to incorporate the language utilized in the report the committee made in Anaheim within the body of the resolution. I have spoken with Jon Stein who is fine with this notion.⁴³⁸

The e-mail included the following working text of the resolution:

Whereas in March of 1999 the WRN passed a resolution urging the CCAR to bring the issue of honoring ceremonies between two Jews of the same-gender to the floor of the plenum,

And whereas both the WRN and the CCAR have passed resolutions in support of civil marriage for gay men and lesbians,

And whereas without a resolution over 530 CCAR members have signed a statement indicating their willingness to officiate at the ceremonies of Jewish same-sex couples,

And whereas the Ad Hoc Committee on Human Sexuality of the CCAR issued a report that stated "...that *kedushah* may be present in committed same-gender relationships between two Jews and that these relationships can serve as the foundation of stable Jewish families, thus adding to the Jewish community,

We do hereby resolve that the relationship of a Jewish, same-gender couple is worthy of affirmation through appropriate Jewish ritual and that each rabbi should decide about officiation according to his/her own informed rabbinic conscience.

We call upon the CCAR to support all colleagues in their choices in this matter.

⁴³⁸ Rabbi Denise Eger, e-mail to Rabbi Selig Salkowitz, July 23, 1999, The Selig Salkowitz Papers, MS 725 Box 5, Folder 5, The American Jewish Archives, Cincinnati, OH.

We further call upon the CCAR to develop both education programs in this area and liturgical resources in this area.⁴³⁹

Rabbi Salkowitz approved of the wording of the resolution, though he encouraged Eger to add the words “or non-officiation” following the statement that a “rabbi should decide about officiation.” He explained, “That language, I believe, gives equal validity and acceptance to those who make their ‘choices’ based on their individual ‘informed rabbinic conscience.’ Throughout the years our committee has sought to express the different options that are open to all our members. I would urge that this resolution do likewise.”⁴⁴⁰ By using the language of the 1998 report, the WRN resolution automatically gained the support of Salkowitz and other members of the Ad Hoc Committee on Human Sexuality.

In addition, a number of key developments between the time of Eger’s e-mail and the 2000 convention occurred that facilitated the successful passage of the resolution. First, a small, but dedicated, group of rabbis mounted a strong political effort within the CCAR to garner support for the same-sex resolution. This group, which included Rabbis Karen Bender, Jerome Davidson, Ronne Friedman, and Eger, “pooled our money together and started a letter writing campaign and a campaign on HUCAIum (the listserv for alumni of HUC-JIR) to raise money and...get people to support the resolution.”⁴⁴¹ According to Eger, this was the first time that HUCAIum and Ravkav (the listserv for members of the CCAR) were used as “organizing tools.”⁴⁴²

⁴³⁹ Ibid.

⁴⁴⁰ Rabbi Selig Salkowitz, e-mail to Rabbi Denise Eger, September 15, 1999, The Selig Salkowitz Papers, MS 725, Box 5, Folder 5, The American Jewish Archives, Cincinnati, OH.

⁴⁴¹ Rabbi Denise Eger, Phone Interview, October 13, 2007.

⁴⁴² Ibid.

In addition to this function, however, the listserves also carried heated debates about the potential resolution on same-sex marriage, particularly among members of the Reform rabbinate. A number of rabbis displayed great anger around this topic and focused much of that anger on the WRN and on lesbian rabbis. In fact, a couple of the rabbis actually accused the WRN of being run by a group of lesbians.⁴⁴³ This rival group produced a "counter-resolution" that supported gay and lesbian civil rights, which the CCAR and UAHC had already done years before, but avoided the issue of ritual sanctification altogether. The opponents of the resolution believed that a statement on same-sex marriage would "disparage rabbis who believe same-sex relationships do not meet criteria for the Jewish concept of 'kiddushin,' or sanctified relationship between a Jewish husband and wife. Moreover, they warn it would alienate Reform Judaism from Israel and create sharp divisions among rabbis."⁴⁴⁴

In fact, additional problems did surface with regard to the resolution's acceptance by MARAM, the Reform rabbinical organization in Israel. Due to the concerns regarding the place of Reform Judaism in Israel, the WRN had to assuage the fears of the Israeli Reform rabbinate on this controversial issue. In an effort to bridge the gap, Eger, during a congregational trip to Israel in October 1999, met with the rabbinical leadership of the Israeli Reform Rabbinic organization, MARAM, to discuss how the WRN and MARAM could produce a mutually agreeable text that would prevent serious problems in Israel for the Israeli Reform Movement. According to Rabbi Eger, "[This] conversation with them paved the way for further discussion in February [2000] when the first WRN trip to

⁴⁴³ Rabbi Denise Eger, "Embracing Lesbians and Gay Men: A Reform Jewish Innovation," in *Contemporary Debates in American Reform Judaism* edited by Dana Evan Kaplan (New York: Routledge, 2001), 187.

⁴⁴⁴ Gary D. Robertson, "Gay Unions Considered by Reform Judaism," *Associated Press*, March 26, 2000, Near-Print file on "Homosexuality," The American Jewish Archives, Cincinnati, OH.

Israel—with over fifty women rabbis—met with the leadership of the Israeli Reform Rabbis.”⁴⁴⁵ In this follow-up meeting, MARAM and the WRN were able to reach an agreement on the language of the resolution that prevented the staged walkout MARAM members had originally planned during the presentation of this resolution in Greensboro. Eger noted, “By massaging the language of the resolution, given [the Israeli rabbis] suggestions, we were able to create language that could weave their reality and ours into the WRN resolution and avoid the scenario of an exodus during the conference.”⁴⁴⁶

To be sure, the WRN proved instrumental in the successful passage of the resolution. However, the leadership of the CCAR also played a significant role in the process. Unlike earlier leadership of the Conference that consistently discouraged resolutions on same-sex issues, Rabbi Charles Kroloff, who became CCAR president during the CCAR Convention in 1999, wholeheartedly supported the marriage resolution and was committed to bringing it to the floor at the 2000 CCAR convention. Eger noted, “[Kroloff] is a great man of social justice and understood this as a social justice issue for gay Jews. We have him to thank for allowing the 2000 resolution to be brought to the table.”⁴⁴⁷

Still, the leadership of the CCAR wanted to avoid a catastrophic division in the Conference over this issue. Thus, in the final hours before the presentation of the resolution, the leadership of the WRN and CCAR, including Rabbis Shira Stern and Susan Stone, co-chairs of the WRN, Rabbi Kroloff, Rabbi Paul Menitoff, then Executive

⁴⁴⁵ Rabbi Denise Eger, “Embracing Lesbians and Gay Men: A Reform Jewish Innovation,” in *Contemporary Debates in American Reform Judaism* edited by Dana Evan Kaplan (New York: Routledge, 2001), 188.

⁴⁴⁶ Ibid.

⁴⁴⁷ Rabbi Denise Eger, Phone Interview, October 13, 2007.

Vice President of the CCAR, and Rabbi Elliott Stevens, then Executive Secretary of the CCAR, fashioned a compromise.

The major dispute came over the use of the word *kiddushin* (ritual sanctification) in the resolution. Ultimately, the Hebrew word was eliminated and replaced by the English phrase "ritual sanctification." As Rabbi Eger, noted, "Not wanting a pyrrhic victory or a vicious floor fight, those of us who authored the resolution agreed to slightly soften some other parts of the language of the resolution. This allowed for the greatest majority to support the document, even those rabbis who are not yet ready to officiate at gay and lesbian weddings or commitment ceremonies."⁴⁴⁸ UAHC President Rabbi Eric Yoffie affirmed this during his remarks to the plenum in Greensboro. He stated:

This afternoon the Central Conference of American Rabbis, meeting in Greensboro, NC, adopted a resolution by an overwhelming vote stating, in part, that "the relationship of a Jewish, same gender couple is worthy of affirmation through appropriate Jewish ritual."

It is important to note what the resolution on same gender unions does and does not say. It does not compel any rabbi to officiate at such a ritual, and indeed supports the right of a rabbi not to officiate. It does not specify what ritual is appropriate for such a ceremony. It does not say that the ceremony performed should be called a "marriage."

Nonetheless, the historical and religious significance of this resolution is indisputable. For the first time in history, a major rabbinical body has affirmed the Jewish validity of committed, same gender relationships.

What do the members of UAHC congregations think about this resolution? It is impossible to know for certain. Some have told me of their strong support, while others have indicated their opposition. Still others have said that they are sympathetic to the ideas expressed but felt no resolution was necessary at this time.

Over the last quarter century, the UAHC Biennial Assembly has spoken out strongly in support of human and civil rights for gays and lesbians. We have admitted to membership a number of congregations that offer special outreach to gay and lesbian Jews, and called upon Reform synagogues to welcome gay and lesbian Jews as singles, couples, and families, and not to discriminate on the basis of sexual orientation in matters related to employment and volunteer leadership. And the UAHC

⁴⁴⁸ Ibid.

has initiated vigorous education programs to heighten awareness of discrimination and to achieve fuller acceptance of gay and lesbian Jews in our midst.

The Union, however, has always refrained from addressing the issue of rabbinic participation in same gender weddings or commitment ceremonies. As a congregational body, it is our task to provide guidance on issues of congregational policy that are normally decided by synagogue boards. But performance or non-performance of a same gender commitment ceremony is a rabbinical matter, to be determined by each rabbi according to his or her conscience and understanding of Jewish tradition. Therefore, while our synagogue members have felt free to present their views to their own rabbis, and many have done so vigorously, the Union as an organization has appropriately remained silent on the CCAR resolution, and took no part in the many months of debate prior to the convention.

But I too am a rabbi, of course, and I was present at Greensboro. And I would like you to know that, voting as an individual, I cast my ballot in favor of the resolution. I did so because of my belief that our gay and lesbian children, relatives, and friends are in great need of spiritual support; that the Torah's prohibition of homosexuality can reasonably be understood as a general condemnation of ancient cultic practice; that loving, permanent homosexual relationships, once difficult to conceive, are now recognized as an indisputable reality; and that in these relationships, whether or not we see them as "marriages" it is surely true that God and holiness can be present.

I know that many disagree. But whatever one thinks on the commitment ceremony question, I assume that we will respect those who believe otherwise, and remember what unites us in this debate: our responsibility to welcome gays and lesbians into our synagogues. Because this I know: if there is anything at all that Reform Jews do, it is to create an inclusive spiritual home for all those who seek the solace of our sanctuaries. And if this Movement does not extend support to all who have been victims of discrimination, including gays and lesbians, then we have no right to call ourselves Reform Jews.⁴⁴⁹

Indeed, the final resolution "On Same Gender Officiation" passed overwhelmingly at the 111th CCAR Convention in Greensboro, North Carolina. The astounding consensus was due in part to the flexibility of the WRN, the commitment of original authors of the resolution to passing a resolution, and the general desire among the CCAR leadership, particularly under Rabbi Kroloff, to bring an affirming statement

⁴⁴⁹ Rabbi Eric Yoffie, "Same Gender Officiation," March 29, 2000, <http://urj.org/yoffie/archive/gender/>.

on same-sex marriage to fruition. However, it would be remiss to leave out the extraordinary efforts of gay and lesbian rabbis in this process. In an interview with Rabbi Eric Weiss, the first openly gay rabbi admitted to HUC-JIR, he explained how instrumental the Gay and Lesbian Rabbinic Network (GLRN), which was created during the 1998 CCAR convention to address continuing gay and lesbian rights issues in the Movement and Reform rabbinate, was in “orchestrating” the 2000 vote.

According to Weiss, members of the GLRN called as many of their friends as possible to encourage rabbis to come to the CCAR convention. As Weiss explained, CCAR votes are passed by a majority of those present at the Convention. Therefore, the GLRN understood how significant it was to get the “inactive middle” to Greensboro. In order to do this, the GLRN encouraged senior rabbis, especially those with lifetime contracts and large discretionary funds, to aid in bringing other colleagues to the convention. Many senior rabbis bought plane tickets, provided conference fees, and provided other financial support for CCAR members who were unable to afford the Convention on their own. Weiss noted, “We got people there who had never been to a CCAR convention or had not been there in a very long time.”⁴⁵⁰ To be sure, these efforts bolstered the strong show of support for the resolution on the floor in Greensboro.

Yet, the most significant part of the resolution was the way in which it allowed for “unity in diversity.”⁴⁵¹ The carefully crafted language of the resolution enabled the over five-hundred rabbis present, regardless of their individual position on the issue of same-sex ceremonies, to support the resolution and make a historic statement affirming the right of gay and lesbian Jews to religiously, with the full support of the largest rabbinical

⁴⁵⁰ Rabbi Eric Weiss, Phone Interview, November 22, 2007.

⁴⁵¹ Rabbi Denise Eger, Phone Interview, October 13, 2007.

assembly in the world, affirm their committed, loving relationships. As Rabbi Eger explained, "By affirming Reform Jewish principles of rabbinic autonomy, we speak the truth and yet, begin to institutionalize the reality of Jewish rituals for same gender commitment ceremonies."⁴⁵²

The resolution achieved four major outcomes. First, the decision was seen across the world on every major media outlet. In fact, the *New York Times* published a front page article with the title, "Reform Rabbis Back Blessing of Gay Unions."⁴⁵³ Second, the overwhelmingly affirmative vote reinforced with power the embrace of gay and lesbian individuals, couples, and families in the Reform Movement. Third, the resolution sent a positive message of hope and encouragement to those gay and lesbian Jews who still remained closeted. Finally, the passage of this resolution institutionalized gay and lesbian lifecycle events.⁴⁵⁴ Eger noted:

The WRN resolution called for educational materials and pastoral materials to be developed. This will include gay and lesbian wedding and commitment ceremonies being published in the Reform rabbis' manual. This will include *ketuvot* and commitment documents being developed. It is this part of the resolution that will help transform same-sex Jewish ceremonies from mere exotica to regular ritual, from unique occurrence and rarities to expectations and access. Jewish same-gender couples and their weddings and other ceremonies will become part of the normal, and yes, regular life-cycle canon of Jewish life.⁴⁵⁵

⁴⁵² Rabbi Denise Eger, "Embracing Lesbians and Gay Men: A Reform Jewish Innovation," in *Contemporary Debates in American Reform Judaism* edited by Dana Evan Kaplan (New York: Routledge, 2001), 188.

⁴⁵³ Gustav Niebuhr, "Reform Rabbis Back Blessing of Gay Unions," *The New York Times*, March 30, 2000, <http://query.nytimes.com/gst/fullpage.html?res=9E0CE1DB153CF933A05750C0A9669C8B63&scp=1&sq=Central+Conference+of+American+Rabbis&st=nyt>.

⁴⁵⁴ Rabbi Denise Eger, "Embracing Lesbians and Gay Men: A Reform Jewish Innovation," in *Contemporary Debates in American Reform Judaism* edited by Dana Evan Kaplan (New York: Routledge, 2001), 189.

⁴⁵⁵ *Ibid.*

Conclusion

In this same article, Rabbi Eger argued that “the marriage issue is the final ground of acceptance [for gay and lesbian Jews] within the Reform Movement.”⁴⁵⁶ To be sure, the decision to affirm rabbinic officiation at same-sex ceremonies represents an entirely new level of inclusion for gay and lesbian Jews. However, with the growing number of gay and lesbian families in the Reform Jewish community, certainly new challenges lie ahead. We face challenges in making our religious schools and day schools more welcoming of gay and lesbian families. We face challenges as growing numbers of gay and lesbian families experience divorce, as so many children of heterosexual marriage already do. We face challenges as gay and lesbian couples reach old-age and require nursing home care from facilities that often do not celebrate their relationships. Indeed, there are many challenges ahead. A historical understanding of where we have been as a Movement and a people is imperative to our success as a Movement and a people in the future.

⁴⁵⁶ Ibid.

Addendum on the Conservative Movement

As with the Reform Movement, the recent decision affirmation of gay and lesbian ordination in Judaism's Conservative Movement included a long process of study and debate. Rabbi Arnold Eisen, then chancellor-elect of the flagship Conservative seminary, the Jewish Theological Society (JTS), announced the decision on March 26, 2007, in a personal letter to the JTS community. He wrote:

I write to announce that, effective immediately, The Jewish Theological Seminary will accept qualified gay and lesbian students to our rabbinical and cantorial schools.

This matter has aroused thoughtful introspection about the nature and future of both JTS and the Conservative Movement to a degree not seen in our community since the decision to admit women to The Rabbinical School nearly twenty-five years ago. Convictions and feelings are strong on both sides. Some will cheer this decision as justice long overdue. Others will condemn it as a departure from Jewish law and age-old Jewish custom. One thing is abundantly clear: after years of discussion and debate, heartfelt and thoughtful division on the matter is evident among JTS faculty, students, and administration. The same is true of professionals and lay leaders of the Conservative Movement. For many of us, the issue runs deep inside ourselves.⁴⁵⁷

It is significant to note that the work of the CCAR Ad Hoc Committee on Homosexuality and the Rabbinate influenced Conservative Judaism as it grappled with the issue of gay and lesbian ordination in its Movement. On July 25, 1989, Jewish Theological Seminary (JTS) Assistant to the Chancellor Rabbi Nina Beth Cardin wrote to ad hoc committee chairman Rabbi Salkowitz seeking advice:

I understand that a report on homosexuality was recently completed by the CCAR under your guidance. The Law Committee of the Rabbinical Assembly is currently grappling with this most difficult issue and we felt that we could benefit from seeing the fruits of your labor.⁴⁵⁸

⁴⁵⁷ Rabbi Arnold Eisen, "Chancellor-elect Eisen's letter to the Community," March 26, 2007, The Jewish Theological Seminary, <http://www.jtsa.edu/x1929.xml>.

⁴⁵⁸ Nina B. Cardin, letter to Rabbi Selig Salkowitz, 25 July 1989, The Selig Salkowitz Papers, MS 725, Box 4, Folder 7, The American Jewish Archives, Cincinnati,

Less than three years later, the Conservative movement debated the issue of homosexual rabbis. In fact, the debate was publicized in the front section of the New York Times on Wednesday, March 25, 1992. The article stated that there would be “a debate by rabbis of the Conservative movement over two conflicting proposals—one that would continue the historic prohibition against homosexuals serving in the pulpit and the other that would enable them to serve.”⁴⁵⁹ Rabbi Bradley Shavit Artson, then of Mission Viejo, California, submitted the proposal for the March 25 meeting and argued for homosexual rabbis, stating that the Bible did not forbid “loving and supportive couples living in exclusive relationships.”⁴⁶⁰ Artson, now Vice President of the American Jewish University (formerly the University of Judaism) and Dean of the Ziegler School of Rabbinic Studies, pushed the boundaries of the Conservative Movement. Though his paper to the Committee on Jewish Law and Standards (CJLS) of the Rabbinical Assembly was not accepted at this point in time, his thoughtful writing on the subject undoubtedly challenged the flagship Conservative seminary, JTS, and the Conservative Movement to respond to the changing climate of both the world and Judaism.

Still, between 1992 and 1993, the Conservative Movement made limited statements regarding homosexuals. As noted above, the CJLS rejected Rabbi Artson’s position paper regarding the homosexual rabbi. However, that same day, the committee voted on and adopted papers by Rabbis Elliot Dorff, Reuven Kimelman, Mayer Rabinowitz, and Joel Roth. Together, these authors collaborated to produce a formal Consensus Statement on Homosexuality for the Conservative Movement that welcomed

⁴⁵⁹ Ari L. Goldman, “Jews Debate Issue of Homosexual Clergy Members,” *The New York Times*, March 25, 1992, A18, Near-print file on “Homosexuality,” The American Jewish Archives, Cincinnati, OH.

⁴⁶⁰ *ibid*

gay and lesbian Jews in Conservative congregations. One year later, on May 19, 1993, the CJLS approved a paper written by Rabbi Kassel Abelson ruling that “avowed homosexual rabbis not be placed in congregations by the Joint Placement Commission.”⁴⁶¹ The committee voted on a second paper written by Rabbi Arnold Goodman that ruled that homosexual rabbis should be placed in congregations if they were members of the Rabbinical Assembly prior to 1992. The paper was approved, though only seven voted in favor while fourteen voted against.

For the next ten years, from 1993 to 2003, the Conservative Movement engaged in no formal discussion on the halakhic status of homosexuals. Moreover, the movement continued to formally bar homosexual rabbis from serving in Conservative congregations. The movement planned to revisit the issue in 2003 and 2006; however, the CJLS tabled the conversation both times. Finally, on December 6, 2006, the committee approved a rabbinic opinion allowing for the ordination of gay and lesbian rabbis and sanctioning same-sex unions. The Ziegler School of Rabbinic Studies of the American Jewish University, led by Rabbi Artson, immediately implemented this substantive change into its policy. However, JTS delayed its decision in order to garner reactions from its faculty.⁴⁶² Finally, on March 26, 2007, JTS formally announced its acceptance of qualified gay and lesbian students to its rabbinical and cantorial schools.

Despite this recent progress in the Conservative Movement, for years the Reform movement absorbed many would-be Conservative rabbis. Elizabeth Goldstein and Tamar Malino, two lesbian rabbinical students, left JTS for HUC-JIR because they

⁴⁶¹ “Brief History of the Halakhic Status of Homosexual Behavior,” The Jewish Theological Seminary, <http://www.jtsa.edu/x1933.xml>.

⁴⁶² “Conservative Panel Votes to Permit Gay Rabbis,” *The Jewish Daily Forward*, <http://www.forward.com/articles/conservative-panel-votes-to-permit-gay-rabbis/>.

experienced a “witch-hunt that has haunted them since they stepped into the JTS world of social and religious ideals.” The article explained that leaders of the Conservative movement are “caught between wanting to prove themselves followers of halacha, or Jewish law, to the Orthodox and to the traditionalists within Conservatism, and wanting to align with Jewish progressive movements.” However, as Goldstein notes, “if there was enough pressure to ordain gay and lesbians they would be able to find it in the sources, too.”⁴⁶³ And indeed, pressure has moved the system. As Rabbi Yoel Kahn noted in June 1990: “Just as the Conservative movement followed our example on [the ordination of women], so they will on this in due time.”⁴⁶⁴

⁴⁶³ Lori Epstein, “Rebuffed as Conservatives, 2 lesbians look to Reform,” *Jewish Bulletin of Northern California*, June 27, 1997, Near-print file on “Homosexuality,” The American Jewish Archives, Cincinnati, OH.

⁴⁶⁴ Craig Degginger, “Vote on gay Rabbis fuels split in movements,” *Northern California Jewish Bulletin*, June 29, 1990, Near-print file on “Homosexuality,” The American Jewish Archives, Cincinnati, OH.

Appendix A1: 1973 CCAR Responsum on Judaism and Homosexuality

Source: <http://data.ccarnet.org/cgi-bin/respdisp.pl?file=13&year=arr>

American Reform Responsa

13. Judaism and Homosexuality

(Vol. LXXIII, 1973, pp. 115-119)

QUESTION: A rabbi on the West Coast, the regional director of the Union of American Hebrew Congregations, has organized a congregation of homosexuals. He has said: "These are people facing their own situation. They have become a social grouping." Is it in accordance with the spirit of Jewish tradition to encourage the establishment of a congregation of homosexuals? (Alexander M. Schindler, President-elect of the Union of American Hebrew Congregations)

ANSWER: There is no question that Scripture considers homosexuality to be a grave sin. The rabbi who organized this congregation, justifying himself, said that being Reform, we are not bound by the *Halacha* of the Bible. It may well be that we do not consider ourselves bound by all the ritual and ceremonial laws of Scripture, but we certainly revere the ethical attitudes and judgments of the Bible. In Scripture (Lev. 18:22), homosexuality is considered to be "an abomination." So, too, in Leviticus 20:13. If Scripture calls it an abomination, it means that it is more than violation of a mere legal enactment: it reveals a deep-rooted ethical attitude. How deep-rooted this aversion is can be seen from the fact that, although Judaism developed in the Near East, which is notorious for the prevalence of homosexuality, Jews kept away from such acts, as is seen from the *Talmud* (Kiddushin 82a), which states that Jews are not "under the suspicion of homosexuality." In other words, the opposition to homosexuality was more than a Biblical law; it was a deep-rooted way of life of the Jewish people, a way of life maintained in a world where homosexuality was a widespread practice. Therefore, homosexual acts cannot be brushed aside, as the rabbi in the West is reported to have done, by saying that we do not follow Biblical enactments. Homosexuality runs counter to the *sancta* of Jewish life. There is no side-stepping the fact that from the point of view of Judaism men who practice homosexuality are to be deemed sinners.

But what conclusion is to be drawn from the fact that their homosexual acts are sinful acts? Does it mean, therefore, that we should exclude them from the congregation and thus compel them to form their own religious fellowship in congregations of their own? No! The very contrary is true. It is forbidden to force them into a separate congregation. The *Mishna* (Megila IV.9) says that if a man in his prayer says "Let good people bless Thee, O Lord," the man who prays thus must be silenced. Bartenura, explaining why we silence the man who says "Let the good praise Thee," states that it is a sin to pray this way because the man implies that only righteous people shall be in the congregation. The contrary is true. He adds that the chemical *cheibena* (*Galbanum*) has an evil odor, yet it is included in the recipe of the sacred incense offered in the Temple in Jerusalem. Bartenura bases this idea specifically on the statement in the *Talmud* (Keritot 6b) in which the presence of ill-smelling *Galbanum* in the sacred incense is used as proof for the following statement: "No fast day service is a genuine service unless sinners of Israel are included among the worshippers." That is to say, that if we were self-righteous and considered the community to be entirely composed of noble people, we would then be far too smug and self-satisfied for a truly penitential fast-day service. That is why Maharil, in the 14th century, followed the custom of saying before the "*Kol Nidrei*" that we must pray side by side with the sinners. This has become our Ashkenazic custom before the "*Kol Nidrei*" prayer and, in fact, it has become a universal Jewish custom since Joseph Caro, the Sephardi, mentioned it as a law in the *Shulchan Aruch*, Orach Chayim 619.1 (and compare the *Ba-er Heitev* to the passage). In other words, not only do we not exclude sinners, we are actually forbidden to do so; they are a necessary part of the

congregation. That is the significance of the law in the *Mishna* that we silence the reader if he says "Let only the righteous praise Thee."

This throws light on the present situation. We do not exclude them. We are forbidden by our tradition to do so. They are excluding themselves, and it is our duty to ask: Why are they doing it? Why do they want to commit the further sin of "separating themselves from the congregation"?

Part of their wish is, of course, due to the "Gay Liberation" movement. Homosexuals, male and female, fighting the laws which they deem unjust, are conducting a strong agitation on behalf of their status, and therefore are in the mood to extract formal recognition from all possible groups. If they can get the Union of American Hebrew Congregations to acknowledge their right to form separate congregations, it will bolster their propaganda for other rights. In fact, the press recently carried a demand on the part of women homosexuals for a separate congregation of their own (I believe these were Christian women).

It seems to be also that it is not unfair to ascribe an additional motive for their desire to be grouped together, to the exclusion of others: in this way they know each other and are available to each other, just as they now group together in separate bars and saloons in the great cities. What, then, of young boys who perhaps have only a partial homosexual tendency, who will now be available to inveterate homosexuals? Are we not thereby committing the sin of "aiding and abetting sinners" (*Mesayea yedei overei avera*)?

To sum up: Homosexuality is deemed in Jewish tradition to be a sin—not only in law, but in Jewish life practice. Nevertheless, it would be in direct contradiction to Jewish law to keep sinners out of the congregation. To isolate them into a separate congregation and thus increase their mutual availability is certainly wrong. It is hardly worth mentioning that to officiate at a so-called "marriage" of two homosexuals and to describe their mode of life as "*Kiddushin*" (i.e., sacred in Judaism) is a contravention of all that is respected in Jewish life.

Solomon B. Freehof

Appendix A2: 1977 CCAR Resolution on the Rights of Homosexuals

Source: <http://data.ccarnet.org/cgi-bin/resodisp.pl?file=rights&year=1977>

Rights of Homosexuals

Adopted by the CCAR at the 88th Annual Convention of the Central Conference of American Rabbis or subsequent to that Convention in 1977

WHEREAS, the Central Conference of American Rabbis has consistently supported civil rights and civil liberties for all people, especially for those from whom these rights and liberties have been withheld, and

WHEREAS, homosexuals have in our society long endured discrimination,

BE IT THEREFORE RESOLVED, that we encourage legislation which decriminalizes homosexual acts between consenting adults, and prohibits discrimination against them as persons, and

BE IT FURTHER RESOLVED, that our Reform Jewish religious organizations undertake programs in cooperation with the total Jewish community to implement the above stand.

Appendix A3: 1977 UAHC Resolution on the Human Rights of Homosexuals

Source: http://urj.org/Articles/index.cfm?id=7427&pge_prg_id=29601&pge_id=4590

HUMAN RIGHTS OF HOMOSEXUALS

45th General Assembly of the UAHC

November 1977

San Francisco

HUMAN RIGHTS OF HOMOSEXUALS

WHEREAS the UAHC has consistently supported civil rights and civil liberties for all persons and

WHEREAS the Constitution guarantees civil rights to all individuals,

BE IT, THEREFORE, RESOLVED THAT homosexual persons are entitled to equal protection under the law. We oppose discriminating against homosexuals in areas of opportunity, including employment and housing. We call upon our society to see that such protection is provided in actuality.

BE IT FURTHER RESOLVED THAT we affirm our belief that private sexual acts between consenting adults are not the proper province of government and law enforcement agencies.

BE IT FURTHER RESOLVED THAT we urge congregations to conduct appropriate educational programming for youth and adults so as to provide a greater understanding of the relation of Jewish values to the range of human sexuality.

Appendix A4: 1981 CCAR Responsum on Homosexuals in Leadership Positions

Source: <http://data.ccarnet.org/cgi-bin/respdisp.pl?file=14&year=arr>

American Reform Responsa

14. Homosexuals in Leadership Positions

(Vol. XCI, 1981, pp. 67-69)

QUESTION: Should a congregation engage a known homosexual as a religious school teacher in the high school department? What should our attitude be toward engaging a known homosexual as Executive Secretary? Both of these individuals are quite open about their homosexuality.

ANSWER: The Central Conference of American Rabbis has concerned itself with the problems of homosexuals for a number of years. In 1977 the following resolution was adopted:

Whereas, the Central Conference of American Rabbis consistently supported civil rights and civil liberties for all people, especially for those from whom these rights and liberties have been withheld, and

Whereas, homosexuals have in our society long endured discrimination,

Be it therefore resolved, that we encourage legislation which decriminalizes homosexual acts between consenting adults, and prohibits discrimination against them as persons, and

Be it further resolved, that our Reform Jewish religious organizations undertake programs in cooperation with the total Jewish community to implement the above stand.

We will not discuss the modern Jewish attitude toward homosexuals which has been shaped by two factors: (a) the attitude of tradition towards homosexuality, and (b) our contemporary understanding of homosexuality, which understands it as an illness, as a genetically based dysfunction, or as a sexual preference and lifestyle. There is disagreement whether homosexuality represents a willful act or a response to which the individual is driven.

The Biblical prohibition against homosexuality is absolutely clear, as seen in two sample verses: "Do not lie with a male as one lies with a woman; it is an abhorrence" (Leviticus 18:22); "If a man lies with a male as one lies with a woman, the two of them have done an abhorrent thing; they shall be put to death—their blood-guilt is upon them" (Leviticus 20:13). Other statements are equally clear. The Talmudic discussion of the matter makes no substantive changes and continues the prohibition. It deals with the question of minors, duress and various forms of the homosexual act (San. 53aff, Yev. 83b, Ker. 2aff, Ned. 5.1a, etc.). In the subsequent codes, the matter is briefly mentioned with the same conclusions (*Yad*, Hil. Isurei Bi-a 1.5, 22.2; *Tur* and *Shulchan Aruch*, Even Ha-ezer 24). There is very little material in the responsa literature which deals with homosexuality, as it does not seem to have been a major problem. The commentators to the above-mentioned section of the *Shulchan Aruch* felt that suspicion of homosexuality could not arise in their day, and so various preventive restrictions were superfluous. For example, Moses Rifkes (17th-century Poland) stated that this sin did not exist in his time (*Ba-er Hagola*). Until the most recent modern period there has been no further discussion of this matter.

Let us turn to the question of the homosexual as a role model and begin by examining the status given to those in leadership positions by our tradition. Statements such as, "Whoever teaches the

son of his fellowman is seen as having begotten him" (San. 19b), or "A teacher is given priority over the natural father in matters of honor" (B.M. 2, 11), demonstrate the high regard for persons in leadership positions. The commandment "Honor your father and your mother" was applied to teachers as well as parents (*Bamidbar Rabba* 15.17). The medieval codes provide a long list of duties which a student must fulfill in order to honor his teacher (*Yad, Hil Talmud Torah* 5.5-7; *Tur and Shulchan Aruch, Yoreh De-a* 242.15, 16).

The highest personal and moral qualities were associated with these leaders of the community (M. Guedemann, *Geschichte der Erziehungswesens und der Kultur der abendlaendischen Juden*, vol. 1, pp. 93ff, vol. 3, pp. 31ff). When accusations of impiety or improper behavior were brought against a rabbi, he could be removed from office if they were proven. Such problems were rarely mentioned in the responsa literature, and the authorities urged caution and rigorous investigation of the accusations and the motivation of the accusers (Moses Sofer, *Responsa*, Choshen Mishpat 162; Mordecai Schwadron, *Responsa* II, no. 56). There was more discussion about cantors and improper behavior. Their position was somewhat different as they were not primarily teachers, but were in the position of *Sheliach Tsibur* and, therefore, had to possess an absolutely proper moral character (*Machzor Vitry* 233 and 271), and among Ashkenazim they were sometimes dismissed on rumor alone (*ibid.* Isserles to *Shulchan Aruch, Orach Chayim* 53.2). This was not to be taken lightly (Moses Sofer, *Chatam Sofer, Orach Chayim* 11.205). The Sephardic community was more lax in this regard (Maimonides, *Responsa*—Friedmann, #18), but would also dismiss instantly if a charge was proven (R. Hai, *Sha-arei Teshuva*, #50). These standards referred to all kinds of overt improper sexual behavior, as well as to other unacceptable acts. I have found only one reference to an accusation of homosexual practices; although this was not proven, the cantor was dismissed as a preventative measure (Elijah Ibn Hayim, *Responsa*, #41). The community always sought leaders who were above reproach and continues to do so. Overt heterosexual behavior or overt homosexual behavior which is considered objectionable by the community disqualifies the person involved from leadership positions in the Jewish community. We reject this type of individual as a role model within that Jewish community. We cannot recommend such an individual as a role model nor should he/she be placed in a position of leadership or guidance for children of any age.

Walter Jacob, *Chairman*
Leonard S. Kravitz
W. Gunther Plaut
Harry A. Roth
Rav A. Soloff
Bernard Zlotowitz

Appendix A5: 1985 CCAR Responsum on Homosexual Marriage

Source: <http://data.ccarnet.org/cgi-bin/respdisp.pl?file=201&year=carr>

Contemporary American Reform Responsa

201. Homosexual Marriage*

QUESTION: May a rabbi officiate at the "marriage" of two homosexuals? (Rabbi L. Poller, Larchmont, NY)

ANSWER: The attitude of our tradition and of Reform Judaism toward homosexuals is clear. For a full discussion, see the responsa by S. B. Freehof and W. Jacob (*American Reform Responsa*, # 13, 14). The resolution of the Central Conference of American Rabbis on homosexuality deals exclusively with the civil rights and civil liberties of homosexuals and seeks to protect them from discrimination. It does not, however, understand it to be an alternative lifestyle which is religiously condoned.

Judaism places great emphasis on family, children and the future, which is assured by a family. However we may understand homosexuality, whether as an illness, as a genetically based dysfunction or as a sexual preference and lifestyle -we cannot accommodate the relationship of two homosexuals as a "marriage" within the context of Judaism, for none of the elements of *qiddushin* (sanctification) normally associated with marriage can be invoked for this relationship.

A rabbi cannot, therefore, participate in the "marriage" of two homosexuals.

October 1985

Appendix A6: 1987 UAHC Resolution of Support for Inclusion of Lesbian and Gay Jews

Source: http://urj.org/Articles/index.cfm?id=7336&pge_prg_id=29601&pge_id=4590

59th General Assembly of the UAHC
November 1987
Chicago, Illinois

SUPPORT FOR INCLUSION OF LESBIAN AND GAY JEWS

BACKGROUND

God calls upon us to love our neighbors as ourselves. The prophet Isaiah charges us further: "Let my house be called a house of prayer, for all people..." (Isaiah 56:7). And, armed with the other teachings of our faith, we Jews are asked to create a society based on righteousness, the goal being tikkun olam, the perfection of our world. Each of us, created in God's image, has a unique talent which can contribute to that high moral purpose; and to exclude any Jew from the community of Israel lessens our chances of achieving that goal.

In consonance with these teachings, in 1977 the Union of American Hebrew Congregations resolved to support and defend the civil and human rights of homosexuals, and we have welcomed into the UAHC congregations with special outreach to lesbian and gay Jews. But we must do more.

Sexual orientation should not be a criterion for membership or participation in an activity of any synagogue. Thus, all Jews should be welcome, however they may define themselves.

Service of lesbian and gay Jews as rabbis is currently under consideration by the Central Conference of American Rabbis. It has appointed a Committee on Homosexuality in the Rabbinate to consider all aspects of the subject. The committee is directed to present a final report at the 1989 CCAR convention. Representatives of the UAHC and the Hebrew Union College-Jewish Institute of Religion are serving on the committee.

THEREFORE, BE IT RESOLVED that the Union of American Hebrew Congregations:

1. Urge its congregations and affiliates to:
 - A. Encourage lesbian and gay Jews to share and participate in the worship, leadership, and general congregational life of all synagogues.
 - B. Continue to develop educational programs in the synagogue and community which promote understanding and respect for lesbians and gays.
 - C. Employ people without regard to sexual orientation.
2. Urge the Commission on Social Action to bring its recommendations to the next General Assembly after considering the report of the CCAR committee and any action of the CCAR pursuant to it.
3. Recommend to the CCAR Committee on Liturgy that it develop language that is liturgically inclusive.

Appendix A7: 1989 UAHC Resolution on Gay and Lesbian Jews

Source: http://urj.org/Articles/index.cfm?id=7311&pge_prg_id=29601&pge_id=4590

60th General Assembly of the UAHC
November 1989
New Orleans, Louisiana

GAY AND LESBIAN JEWS

In North America today, it is estimated that 100,000 Reform Jews - and 500,000 members of the larger Jewish community - are gay or lesbian.

Over the last fifteen years, the UAHC has admitted to membership four synagogues with an outreach to gay and lesbian Jews. Hundreds of men and women who once felt themselves alienated from Judaism and unwelcome in mainstream congregations have joined these synagogues, adding their strength and commitment to our religious community.

In 1977, the UAHC General Assembly called for an end to discrimination against homosexuals, and expanded upon this in 1987 by calling for full inclusion of gay and lesbian Jews in all aspects of synagogue life.

While that resolution urged that congregations not discriminate in employment, it did not address rabbinic employment, pending the report of the CCAR ad hoc Committee on Homosexuality and the Rabbinate. The CCAR Committee continues its work, and we eagerly await its report.

Within the larger context of UAHC congregational life, however, we have yet to shed the destructive anti-gay and anti-lesbian prejudices and stereotypes that preclude a genuine embrace of the heart.

Our union of congregations must be a place where loneliness and suffering and exile end, where gay and lesbian Jews can know that they are accepted on terms of visibility, not invisibility; that we place no limits on their communal or spiritual aspirations.

THEREFORE, the Union of American Hebrew Congregations resolves to:

1. Reaffirm its 1987 resolution and call upon all departments of the UAHC and our member congregations to fully implement its provisions.
2. Embark upon a movement-wide program of heightened awareness and education to achieve the fuller acceptance of gay and lesbian Jews in our midst.
3. Urge our member congregations to welcome gay and lesbian Jews to membership, as singles, couples and families.
4. Commend the CCAR for its sensitive and thorough efforts to raise the consciousness of the rabbinate regarding homosexuality. We urge the CCAR to pursue its own mandate with vigor and complete its tasks as soon as possible in order to respond to the communal and spiritual aspirations of gay and lesbian Jews.

Appendix A8: CCAR Report of the Ad Hoc Committee on Homosexuality and the Rabbinate (1990)

Source: <http://data.ccarnet.org/cgi-bin/resodisp.pl?file=hs&year=1990>

Report of the Ad Hoc Committee on HOMOSEXUALITY AND THE RABBINATE

June 25, 1990
Seattle, Washington

Composition of the Committee

Chair: Selig Salkowitz; Norman J. Cohen, A. Stanley Dreyfus (RPC), Joseph B. Glaser (CCAR), Walter Jacob, Yoel H. Kahn, Samuel E. Karff, Peter S. Knobel, Joseph Levine, Jack Stern, Richard S. Sternberger (UAHC), Ronald B. Sobel (RPC), Elliot L. Stevens (CCAR), Harvey M. Tattelbaum, Albert Vorspan (UAHC), Margaret M. Wenig, Gary Zola (HUC-JIR).

Origin of the Committee

The committee was formed in response to a resolution proposed by Margaret Holub (then student rabbi) and Margaret Wenig for the June 1986 Convention of the Central Conference of American Rabbis in Snowmass, Colorado. The proposed resolution dealt with the admissions policies of the Hebrew Union College-Jewish Institute of Religion and of the CCAR and with the placement policy of the Rabbinical Placement Commission. The matter was referred for further study.

Given the seriousness of the issues and the broad implications for the Reform rabbinate and for the entire movement, President Jack Stern appointed a broadly-representative ad hoc committee and named Selig Salkowitz as its chair. The committee's first meeting took place in the autumn of 1986. Following that meeting, in order to ensure adequate institutional participation, the committee invited the Union of American Hebrew Congregations, the HUC-JIR, and the Rabbinical Placement Commission to appoint official representatives. The committee has met regularly during the past four years. Through extensive study and discussion, the committee has sought to arrive at a unified position on homosexuality and the rabbinate. From the outset, the committee was keenly aware of both the controversial nature and the complexity of the issues. The committee's deliberations have been characterized by vigorous debate carried on in a spirit of warm collegiality. All members found themselves profoundly moved. However, the committee did not achieve consensus on every issue, and recognized that there are legitimate differences of opinion. The committee calls upon members of the Conference to be sensitive to and accepting of those whose positions differ from their own.

The committee undertook a comprehensive investigation of the subject. Its members read studies on the origin and nature of sexual identity, and of homosexuality specifically, and reviewed some of the contemporary legal literature, and studied documents prepared by Christian groups grappling with the status of homosexuals and homosexuality within their own denominations with a specific focus on the question of ordination. Yoel H. Kahn prepared an extensive anthology of articles on Judaism and homosexuality which cut across denominational lines. The committee commissioned Eugene B. Borowitz, Yoel H. Kahn, Robert S. Kirschner, and Peter S. Knobel to prepare working papers.¹ Consultations were held with leaders of other Jewish streams. The committee solicited and received anonymous personal testimony from gay and lesbian rabbis and rabbinic students. It reviewed the admissions policies of the HUC-JIR and the CCAR as well as

the placement policy of the Rabbinical Placement Commission. It read previous resolutions of the UAHC biennial conventions and the CCAR conventions, and related Reform Responsa. The work of previous committees was also reviewed. It convened a late night information session at the Tarpon Springs Convention of 1987; submitted a draft resolution to the CCAR Executive Board in 1988 (which was sent back to the committee for further consideration); sponsored a plenary session at the Centennial Convention in Cincinnati in 1989 at which Leonard S. Kravitz and Yoel H. Kahn presented papers² followed by workshops; held consultations at each of the regional CCAR Kallot and with MaRaM; and requested that the UAHC sponsor workshops at upcoming regional biennials.

This document is meant to summarize the results of our deliberations, to indicate areas of agreement and disagreement, and to encourage further discussion and understanding. It represents four years of struggle and growth. We hope that it will serve as a model for those who take up these matters upon which we have diligently and painstakingly deliberated.

Concern for Gay and Lesbian Colleagues

The committee is acutely aware that the inability of most gay and lesbian rabbis to live openly as homosexuals is deeply painful. Therefore, the committee wishes to avoid any action that will cause greater distress to our colleagues. As a result, the committee has determined that a comprehensive report is in the best interest of our Conference and the Reform movement as a whole.

Publicly acknowledging one's homosexuality is a personal decision that can have grave professional consequences. Therefore, in the light of the limited ability of the Placement Commission or the CCAR to guarantee the tenure of the gay or lesbian rabbis who "come out of the closet," the committee does not want to encourage colleagues to put their careers at risk. Regrettably, a decision to declare oneself publicly can have potentially negative effects on a person's ability to serve a given community effectively. In addition, the committee is anxious to avoid a situation in which pulpit selection committees will request information on the sexual orientation of candidates. The committee urges that all rabbis, regardless of sexual orientation, be accorded the opportunity to fulfill the sacred vocation that they have chosen.

Civil Rights for Gays and Lesbians

All human beings are created *betselem Elohim* ("in the divine image"). Their personhood must therefore be accorded full dignity. Sexual orientation is irrelevant to the human worth of a person. Therefore, the Reform movement has supported vigorously all efforts to eliminate discrimination in housing and employment.³ The committee unequivocally condemns verbal and physical abuse against gay men and lesbian women or those perceived to be gay or lesbian. We reject any implication that AIDS can be understood as God's punishment of homosexuals. We applaud the fine work of the gay and lesbian outreach synagogues, and we, along with the UAHC, call upon rabbis and congregations to treat with respect and to integrate fully all Jews into the life of the community regardless of sexual orientation.

Origin and Nature of Sexual Identity

The committee's task was made particularly difficult because the specific origin of sexual identity and its etiology are still imperfectly understood.

Scholars are not likely to come to an agreement anytime soon about the causes of sexual orientation, or its nature. Various disciplines look at sexuality in different ways and rarely confront each other's ideas.... Short of definitive evidence, which no theory has thus far received, the

disagreement is likely to continue. Cognitive and normative pluralism will persist for the indefinite future.⁴

The lack of unanimity in the scientific community and the unanimous condemnation of homosexual behavior by Jewish tradition adds to the complexity of the question. It is clear, however, that for many people sexual orientation is not a matter of conscious choice but is constitutional and therefore not subject to change. It is also true that for some, sexual orientation may be a matter of conscious choice. The committee devoted considerable time in its discussion to the significance of conscious choice as a criterion for formulating a position on the religious status of homosexuality. The majority of the committee believes that the issue of choice is crucial. For some on the committee the issue of choice is not significant.

In Jewish tradition heterosexual, monogamous, procreative marriage is the ideal human relationship for the perpetuation of species, covenantal fulfillment, and the preservation of the Jewish people. While acknowledging that there are other human relationships which possess ethical and spiritual value and that there are some people for whom heterosexual, monogamous, procreative marriage is not a viable option or possibility,⁵ the majority of the committee reaffirms unequivocally the centrality of this ideal and its special status as *kiddushin*. To the extent that sexual orientation is a matter of choice, the majority of the committee affirms that heterosexuality is the only appropriate Jewish choice for fulfilling one's covenantal obligations.

A minority of the committee dissents, affirming the equal possibility of covenantal fulfillment in homosexual and heterosexual relationships. The relationship, not the gender, should determine its Jewish value — *Kiddushin*.

The committee strongly endorses the view that all Jews are religiously equal regardless of their sexual orientation. We are aware of loving and committed relationships between people of the same sex. Issues such as the religious status of these relationships as well as the creation of special ceremonies are matters of continuing discussion and differences of opinion.

Sexual Morality and the Rabbi

The general subject of sexual morality is important. The committee, in various stages of its deliberations, sought to discuss homosexuality within that larger framework. However, it concluded that while a comprehensive statement on sexuality and sexual morality was a desideratum, it was beyond the mandate of the committee.

Nevertheless, rabbis are both role models and exemplars. Therefore, the committee calls upon all rabbis—without regard to sexual orientation—to conduct their private lives with discretion and with full regard for the mores and sensibilities of their communities, and in consonance with the preamble to the CCAR's *Code of Ethics*:

As teachers of Judaism, rabbis are expected to abide by the highest moral values of our religion: the virtues of family life, integrity, and honorable social relationships. In their personal lives they are called upon to set an example of the ideals they proclaim.

Our Relationship to *Kelal Yisrael* and the Non-Jewish Community

The committee devoted considerable discussion to the effect of any statement on our relationship to *Kelal Yisrael*. The committee expressed deep concern about the reactions of the other Jewish movements and strongly urges that the dialogue continue with them on this issue. Nevertheless, it concluded that our decision should be governed by the principles and practices of Reform Judaism. Similarly, the committee considered and discussed with the members of MaRaM the

possible effects of a statement on Reform Judaism in Israel. Again, it concluded that while sensitivity was in order, the committee could address only the North American situation. In addition, the committee attempted to assess how various stands would affect our relationship with non-Jewish groups. Again, the committee was concerned but felt that it had to make its decision independent of that consideration.

Congregational Issues

The acceptance by our congregations of gay and lesbian Jews as rabbis was a topic of discussion. We know that the majority of Reform Jews strongly support civil rights for gays and lesbians, but the unique position of the rabbi as spiritual leader and Judaic role model make the acceptance of gay or lesbian rabbis an intensely emotional and potentially divisive issue. While we acknowledge that there are gay and lesbian rabbis who are serving their communities effectively, with dignity, compassion, and integrity, we believe that there is a great need for education and dialogue in our congregations.

Admissions Policy of the College-Institute

One of the original issues that brought the committee into existence was a concern about the admissions policy of the College-Institute. President Alfred Gottschalk has recently set forth the admissions policy of HUC-JIR. The written guidelines state that HUC-JIR considers sexual orientation of an applicant only within the context of a candidate's overall suitability for the rabbinate, his or her qualifications to serve the Jewish community effectively, and his or her capacity to find personal fulfillment within the rabbinate. The committee agrees with this admissions policy of our College-Institute.

Membership in the CCAR

The CCAR has always accepted into membership, upon application, all rabbinic graduates of the HUC-JIR.

The committee reaffirms this policy to admit upon application rabbinic graduates of the HUC-JIR.

Placement

Since its inception, the Rabbinical Placement Commission has provided placement services to all members of the CCAR in good standing, in accordance with its rules.

The committee agrees with this policy of the Rabbinical Placement Commission which provides placement services to all members of the CCAR in good standing, in accordance with the Commission's established rules.

Respectfully submitted,
Chair: Selig Salkowitz; Norman J. Cohen,
A. Stanley Dreyfus (RPC), Joseph B. Glaser (CCAR),
Walter Jacob, Yoel H. Kahn, Samuel E. Karff, Peter S. Knobel,
Joseph Levine, Jack Stern, Richard S. Sternberger (UAHC),
Ronald B. Sobel (RPC), Elliot L. Stevens (CCAR),
Harvey M. Tattelbaum, Albert Vorspan (UAHC),
Margaret M. Wenig, Gary Zola (HUC-JIR).

Committee Endorsement

The committee expresses its sincere appreciation to the many members of the CCAR who communicated with it in writing and orally. We urge all rabbis to study and reflect on these critical issues in order to lead their congregations and other members of the Jewish community toward greater awareness and sensitivity through education and dialogue. The committee unanimously endorses this report as a fair reflection of four years of deliberation and urges its adoption.

Notes

¹ *Homosexuality, the Rabbinate, and Liberal Judaism: Papers prepared for the Ad-Hoc Committee on Homosexuality and the Rabbinate*, Selig Salkowitz, Chair. "Halakhah and Homosexuality: A Reappraisal" by Robert Kirschner. "On Homosexuality and the Rabbinate, a Covenantal Response" by Eugene B. Borowitz. "Judaism and Homosexuality" by Yoel H. Kahn. "Homosexuality: A Liberal Jewish Theological and Ethical Reflection" by Peter S. Knobel. Copies of these were distributed to the entire membership of the CCAR prior to the June 1989 convention in Cincinnati. These papers should be consulted for a description of the range of positions considered by the committee.

² Yoel H. Kahn, "The Kedusha of Homosexual Relationships" and Leonard S. Kravitz, "Address." The papers were distributed to the members of the Conference through the regional presidents as material for discussion at the regional kallot. They should be consulted for an understanding of the two different approaches to the subject of the religious status of homosexual relationships.

³ CCAR resolution 1977. UAHC resolutions 1975, 1985, 1987, and 1989.

⁴ David Greenberg, *The Construction of Homosexuality* (Chicago, 1988), pp. 480-481.

⁵ Cf. *Gates of Mitzvah*, p. 11, note at bottom of page.

Appendix A9: UAHC Resolution on Recognition for Lesbian and Gay Partnerships

Source: http://urj.org/Articles/index.cfm?id=7290&pge_prg_id=29601&pge_id=4590

Adopted at the 62nd General Assembly
October, 1993
San Francisco, CA

RECOGNITION FOR LESBIAN AND GAY PARTNERSHIPS

BACKGROUND

The Union of American Hebrew Congregations has been in the vanguard of support for the full recognition of equality for lesbians and gays in society. This has been clearly articulated in UAHC resolutions dating back to 1977. But far more remains to be accomplished. Today, committed lesbian and gay couples are denied the benefits routinely accorded to married heterosexual couples: they cannot share in their partner's health programs; they do not have spousal survivor rights; and, as seen in recent court rulings, individual lesbian or gay parents have been adjudged unfit to raise their own children because they are lesbian or gay and/or living with a lesbian or gay partner, even though they meet the "parenting" standards required of heterosexual couples.

It is heartening to note the steps being made toward recognition of the legitimacy of lesbian and gay relationships. Adoption of Domestic Partnership registration in cities such as San Francisco and New York and extension of spousal benefits to partners of lesbian and gay employees by companies such as Levi Strauss, Lotus, Maimonides Hospital in New York City, are models for adoption by other governmental authorities and corporations.

THEREFORE, the Union of American Hebrew Congregations resolves to:

1. Call upon our Federal, Provincial, State and local governments to adopt legislation that will:
 - a. afford partners in committed lesbian and gay partnerships spousal benefits, that include participation in health care plans and survivor benefits;
 - b. ensure that lesbians and gay men are not adjudged unfit to raise children because of their sexual orientation; and
 - c. afford partners in committed lesbian and gay relationships the means of legally acknowledging such relationships; and
2. Call upon our congregations, the Central Conference of American Rabbis and the Hebrew Union College-Jewish Institute of Religion to join with us in seeking to extend the same benefits that are extended to the spouse of married staff members and employees to the partners of all staff members and employees living in committed lesbian and gay partnerships.

Appendix A10: UAHC Resolution on Promoting Equal Employment and Leadership Opportunities for Lesbians and Gays in the Reform Movement

Source: http://urj.org/Articles/index.cfm?id=7242&pge_prg_id=29601&pge_id=4590

Adopted by the General Assembly
November 30 - December 3, 1995 Atlanta

Promoting Equal Employment and Leadership Opportunities for Lesbians and Gays in the Reform Movement

Background Among our most sacred Jewish values is the fundamental principle that we are created in the image of the divine. All Jews, whatever their sexual orientation, are welcome in the Reform Movement.

Regardless of context, discrimination arising from apathy, insensitivity, ignorance, fear, or hatred is inconsistent with that principle and is morally wrong. Discrimination on the basis of sexual orientation is abhorrent.

The Union of American Hebrew Congregations is justly proud of its strong record in working to eliminate invidious discrimination in our society and is fiercely committed to continuing this effort. For example, in 1993 the UAHC resolved to oppose all anti-gay state ballot initiatives, and in certain circumstances boycott any community with such laws.

Within the Reform Movement, substantial progress has been made in demonstrating our commitment to equal opportunity regardless of sexual orientation. The UAHC has admitted and welcomed a number of congregations with a special outreach to lesbian, gay and bisexual Jews.

In 1987, the UAHC adopted a resolution that sexual orientation should not be a consideration for membership of, or participation in the activities of, any member congregation. This resolution urged its congregations and affiliates "to encourage lesbian and gay Jews to share and participate in the worship, leadership and general congregational life of all synagogues and to employ people without regard to sexual orientation."

In 1989, the UAHC reaffirmed its commitment to promoting full congregational membership opportunities for gay and lesbian Jews, as singles, couples, and families.

In 1990, the Central Conference of American Rabbis has affirmed that all graduates of the Hebrew Union College-Jewish Institute of Religion (HUC-JIR) will be admitted for membership regardless of sexual orientation.

In 1993, the UAHC called upon its congregations, the CCAR, and the HUC-JIR to extend the same benefits that are offered to the spouses of married staff members and employees to the partners of all staff members and employees living in committed lesbian and gay partnerships.

It is now appropriate to build upon this progress in support for our commitment to equal opportunities to all Reform Jews, and to enhance our efforts to promote equal employment and leadership opportunities within the UAHC, its affiliates and its congregations.

THEREFORE, the Union of American Hebrew Congregations resolves:

1. Not to discriminate on the basis of sexual orientation in matters relating to the employment of rabbis, cantors, educators, executives, administrators or other staff, or in matters relating to the appointment of lay leaders and to call upon all affiliates and member congregations to follow the same policy;
2. To call upon all placement arms of the Reform movement to assist congregations in implementing this policy of non-discrimination;
3. To call upon all organizations affiliated with the Reform movement to adopt written policies of non-discrimination; and
4. To commend the use of Kulanu -- A Program to Include Lesbian and Gay Jews in Our Temples, a manual being published by the Task Force on Lesbian and Gay Inclusion, in conducting educational and other programs for the purpose of implementing this and previous related resolutions.

Appendix A11: CCAR Responsum on Homosexual Marriage

Source: <http://data.ccarnet.org/cgi-bin/respdisp.pl?file=8&year=5756>

On Homosexual Marriage

5756.8

She'elah

May a Reform rabbi officiate at a wedding or "commitment" ceremony between two homosexuals? Does such a union qualify as *kiddushin* from a Reform perspective? (Rabbi Sidney M. Helbraun, Northbrook, IL)

Teshuvah

The majority of the members of this Committee respond in the negative to this *she'elah*. In our opinion, a Reform rabbi should not officiate at a ceremony of marriage between two persons of the same gender, whether or not this ceremony is called by the name *kiddushin*.

A minority of us, whose names are indicated at the conclusion of this *teshuvah*, disagree, holding that a Reform rabbi may officiate at a wedding or "commitment" ceremony for two homosexuals, although for important historical and theological reasons, that ceremony should perhaps not be called *kiddushin*.

This is, for us, an uncommonly long responsum. It is long because our discussion of this issue brought forth among us a number of profound disagreements, not only over the specific question of homosexual marriage but also over the nature of Reform Jewish religious discourse, at least as it is practiced among those of us committed to the responsa process and to the literature of liberal *halakhah*. In trying to talk to each other about this question, we discovered that we as a Committee had ceased to share the most elemental kinds of assumptions necessary for a common religious conversation. We were speaking different languages, languages that used similar words and terminology but which defined them in starkly and irreconcilably different ways. Hence, we discovered that we were no longer talking to or even arguing *with* each other; rather, we were conducting a series of parallel monologues in place of the dialogue of text and tradition that has served us so well in the past. We know that we are not alone in this experience, for we have noticed the same difficulties of communication in virtually all other discussions that have taken place within the Conference on this explosive subject.

We have decided therefore to depart from our normal practice, which is to present the decision of the Committee's majority and to register the dissents, should they exist, in a note or in a separate opinion. We have thought it useful to reconstruct the "discussion" which took place within our Committee, to explain the positions of *both* points of view as carefully as we can. The point is not to reach some kind of synthesis between the two, for as we have indicated, such a meeting of the minds did not occur and shows no prospect of taking place in the near future. Nor is it to imply a sense of neutrality on our part as to the proper answer to this *she'elah*, for both our majority and our minority are quite confirmed in their particular opinion. We hope instead that through the very process of explanation we can describe with some adequacy the width and the depth of the chasm that divides us. We hope, too, that the thorough enunciation of our reasoning might help us to begin the recovery of that common language of discussion and argument which has deserted us and whose existence is the necessary precondition to our existence as a religious community. And finally, we hope that alongside the deep disagreements which no majority opinion can put to rest, our words might serve to remind us and our colleagues of those values and goals upon which we do agree and to whose attainment we stand committed.

Introduction. This question, currently one of the most controversial issues on the agenda of the Reform rabbinate, has been an extraordinarily difficult one for our Committee. This is not because we disagree as to its answer. Disagreement is commonplace among us, as it should be. Like the rabbis of old, we sometimes find *machloket* to be problematic,¹ but we accept its inevitability and indeed welcome it as a necessary and indispensable test of our ideas and presumptions. We do not shrink from argument. The difficulty in this case arises from the fact that argument itself, understood as the joint deliberative attempt to reach common ground through persuasive speech, has broken down and proven impossible.

In order for an argument to occur at even the most elementary level, its opposing sides must be able to express themselves in a language which both can speak fluently. That language, the vernacular of the interpretive community, consists of a set of shared intuitions and premises. These serve as the common starting points for reflection and debate; they are the values by which all participants in the conversation analyze and measure their assertions; they represent the standards of justification to which both sides appeal in their attempt to persuade the other. Although the existence of a common language of argument does not guarantee unanimity or even a predominant consensus among the members of the community, it at least offers the prospect that persuasion can take place. It is that prospect, and only that prospect, which makes argument meaningful and worthwhile. In the absence of a language common to all members of the community, a language through which each side of a debate might articulate its position in the reasonable hope of convincing the other of the rightness of its point of view, argument no longer makes sense, true conversation can no longer take place, and the continued existence of the community as a community, a collective whose members are united by a shared language with which to imagine and describe their deepest commitments, is imperiled.

On this *she'elah*, we have discovered that we no longer share a language of argument. The presumptions and definitions, the techniques and approaches that customarily serve as starting points for our discussions have failed us in this case. We have split into two or more camps, each framing the issue in a language of argument which the other side finds foreign, indecipherable, and obtuse.

Let us illustrate. Under normal circumstances, we converse about the questions submitted to us in the language of "tradition," a language composed of the resources of the Jewish past, its sacred texts and the history of their interpretation. We comprehend this tradition, to be sure, as Reform rabbis who possess a liberal and liberating textual tradition of our own. And with the insight derived from that particular perspective, we work with the texts of the past, constructing answers which we think speak to our time and our community. On this question, however, "tradition" offers but the most uncertain guidance. We have been unable to reach a consensus as to whether Jewish tradition is at all relevant to our discussion, whether it can serve as a useful framework for our response. Some of us accord significant persuasive weight to the voice of tradition on the issue of sexual orientation, as we do on every issue. Others contend that the tradition has little of value to say to us, because its teachings about homosexuality reflect the long-since-abandoned assumptions and prejudices of ages past. One participant in our debate has suggested that the very concept of "tradition" be understood in a radically new way, that we identify it not with the literary corpus of sacred text but exclusively with those principles which, discoverable in those texts, lead us in the direction of justice and progress. According to this reading, we could reject the discrete holdings and teachings of the Jewish past and replace them with an entirely contradictory decision, all in the name of "tradition" itself. The language of "tradition," in other words, no longer unites us in a common conversation, for the simple reason that as a Committee we cannot agree as to what that language is, says, or means with respect to the question before us.

Our discussions are generally framed in other languages as well. Like Reform Jews generally, we ascribe great weight to considerations of justice and ethics, to the findings of science and human knowledge, and to the lessons we learn from history and contemporary culture. Each of these

more "modern" discourses reflects our religious openness to the world and all that is in it, our eagerness to learn from the best that the human mind and experience can offer. While we seek, as a matter of general practice, to affirm the stance of tradition wherever possible, we are ready to abandon or to modify that stance when we find that it conflicts intolerably with our sense of the good and the just, when it would throttle the spirit of liberality to which we are committed. Yet these languages, too, like that of tradition, lead us in radically divergent directions. Put oversimply, while the voice of modernity (or, perhaps, of post-modernity) convinces some of us that homosexual couples deserve the right to Jewish marriage, most of us, with all respect, disagree; though we, too, are Jews of the contemporary world, committed to doing justice and to heeding the call of knowledge, it is far from obvious to us that the tide of the times sweeps us to say "yes." To say that we are "liberal" and "enlightened," that is, does not automatically answer this question for us, any more that does the simple assertion of our attachment to Jewish faith and tradition.

Again, the problem is not the fact that we disagree over the answer but rather that we lack any consensus as to how to go about reaching it. Each side appeals for support to particular conceptions of "tradition," "justice," "progress" and "Reform" which the other side does not accept. The result is that there is little ground for common persuasive discourse. Argument, in other words, has come to an end.

Given this state of affairs, although the majority of the members of this Committee respond in the negative to our *she'elah*, it is extraordinarily difficult for us to issue a decision, in the normal sense of that term, as we usually do. We shall indeed, as we usually do, tally the votes among us and express the majority viewpoint. With that, however, we are painfully aware that as a *Committee* we lack a shared conceptual approach to this issue and that in the absence of a common discourse it matters little that one side or the other holds a numerical advantage among us. No majority decision could ever dispose of a question when the minority rejects the very foundations upon which that decision rests. No positive contribution can be made toward the resolution of this debate when the reasons and arguments advanced by either side are greeted with indifference or acrimony by the other. When no conversation can occur, no real learning is possible. When no real learning is possible, teaching becomes irrelevant. And in a place where teaching is irrelevant, rabbis have no ground upon which to stand and to speak.

We want, rather, to turn our attention away from *ending* the debate and toward its satisfactory resumption. The task of this Committee, we believe, is not only to issue decisions but also, and perhaps more so, to *argue*, to justify those decisions in a language which helps unite us with other Reform Jews in the pursuit of religious understanding. As rabbis, we reveal our deepest Jewish and moral commitments precisely through the process of argument, in the language with which we justify and explain ourselves and our decisions. On this issue, until now, language has failed us because it has divided us; argument has deadlocked, community has vanished. And it is to this situation we feel compelled to respond. It is our hope as a Committee that, in discussing this *she'elah*, we might begin to recover the rudiments of a common language of argument and justification. If we can identify some lines of thought, however vague and general, which help us as a *community* to articulate and to argue our positions on the question before us, then we will feel that we have accomplished our most significant objective.

The goal of this responsum is therefore to describe, as carefully as possible, the impasse we have reached; to outline with precision the points of disagreement among us; and to suggest those grounds upon which we agree, which offer the hope of a common direction which we might pursue in our ongoing conversation.

I. Sexual Orientation, Homosexuality, and Jewish Tradition.

We begin with a consideration of how the topic of homosexuality is construed within the Jewish tradition in general and within our own Reform tradition in particular. We want to hear what these

traditions have to say, even though their message does not, as we have indicated, answer this *she'elah* for us as a Committee.

The Torah explicitly condemns the practice of male homosexual intercourse. Leviticus 18:23 instructs: "do not lie with a male as one lies with a woman (*mishkevey isha*); it is an abhorrence (*to'evah*)." In Leviticus 20:13, we read: "if a man lies with a male as one lies with a woman (*mishkevey isha*), the two of them have done an abhorrent thing (*to'evah*). They shall be put to death;² their bloodguilt is upon them." In both cases, the prohibition appears as part of a list of forbidden sexual acts (incest; adultery; relations with a menstruating woman; sex with animals) associated with the customs of the Canaanite peoples whose land is assigned by God to Israel.³ Indeed, the Canaanites have defiled the land by committing these abhorrent acts (*to'evot*; 18:26, 30) and the land, as it were, cooperates with God's plan by "spewing" out its offending inhabitants to make way for the Israelites (18:24ff, 20:22ff). The Torah admonishes Israel⁴ to keep far from these practices and instead to observe God's statutes, which are a source of life (18:5) and holiness (20:7-8, 26).⁵

Rabbinic literature adds relatively little to this legal material. The Talmud contains few mentions of overt homosexual acts and no reports of executions carried out as punishment.⁶ We cannot determine how prevalent homosexual behavior may have been in the society of the time. At any rate the rabbinic sources, which we utilize as the building-blocks of our own textual conversation, imply that the phenomenon was either not widespread or successfully hidden or suppressed. Thus, while Rabbi Yehudah forbids a lone unmarried male from pasturing a beast and two unmarried males from sleeping together under a common blanket, the *chakhamin* permit these practices, because "Jews are not suspected of homosexual relations and of buggery."⁷ On the other hand, "one who avoids even *yichud* (being alone together) with another man or a beast is deserving of praise."⁸ Some authorities hold that "in these days" of moral decline, it is essential to prohibit *yichud* between unmarried men.⁹ Others, however, do not believe that the breakdown of sexual mores in "our communities" warrants such a stringency.¹⁰

Female homosexual activity is not mentioned by the Torah, in all probability because, unlike the forbidden unions (*arayot*) of Leviticus 18 and 20, it does not involve actual intercourse. Rabbinic tradition on the subject is somewhat mixed. The Babylonian *amora* Rav Huna was of the opinion that "women who commit lewdness with each other" (*nashim hamesolelot zo bezo*) are forbidden to be married to a priest." This act, he thought, counted as a form of harlotry (*zenut*) which normally disqualifies a woman from marriage to a *kohen* (Lev. 21:7).¹¹ The final *halakhah*, however, took the view that since this act, though licentious (*pritzuta*), was not one of actual intercourse, these women were permitted to marry into the priesthood, though they remained subject to the corporal punishment customarily meted out to all who violate the standards of sexual propriety.¹² Female homosexual behavior, if not one of the *arayot*, is nonetheless stigmatized as an example of "Egyptian practice" (*ma'aseh eretz mitzrayim*) which is prohibited to Jews under the broad sweep of the prohibitions of Leviticus 18. "And what is 'Egyptian practice'? For men to marry men, women to marry women, and for a woman to marry two men."¹³

To the extent that the sources offer a rationale for the Toraitic and rabbinic condemnation of homosexual behavior, we find that the concern over the breakdown of marriage, the bearing of children, and "normal sexuality", the proper and accepted relations between the genders, figures prominently. The Talmud explains that the prescription that the male shall "cleave unto his wife" (Gen. 2:24) comes explicitly to prohibit homosexual intercourse; that is to say, homosexual behavior threatens marriage and childbirth.¹⁴ Bar Kaparah offers an agadic etymology for *to'evah*, the biblical term for "abhorrence": *to'eh atta bah*, "you go astray after it."¹⁵ The fourteenth-century Spanish commentator R. Nissim b. Reuven Gerondi explains: "one abandons heterosexual intercourse (*mishkevey isha*) and seeks sex with males."¹⁶ That is to say, since sexual union is traditionally expressed within the context of marriage, the indulgence in homosexual intercourse is destructive of this most basic unit of society and community.¹⁷ This theme continues in the medieval *Sefer Hachinukh*, *mitzvah* 209:

God desires that human beings populate the world He created.¹⁸ Therefore, He has commanded that they not destroy their seed through acts of unnatural intercourse which do not bear fruit (i.e., children). These acts violate not only the commandment of marital intercourse (*mitzvat onah*) but also every standard of sexual propriety, since by its nature homosexual intercourse is despised by every person of reason. Thus, the human being, who was created to serve his God, should not bring shame upon himself through such disgusting behavior. And for these reasons the rabbis prohibited a man from marrying a barren woman or one who is past childbearing years.¹⁹

All of this leads to the general impression that, in Jewish tradition, homosexual behavior is a transgression against the order of nature; it is "an offense against the foundations of the universe (*yesodot haben'ah*) to lie carnally with another male."²⁰

The search for the "reasons for the commandments" (*ta'amey hamitzvot*) has always been a controversial one in halakhic discourse. Ultimately, after all, Jewish tradition holds that a *mitzvah* is a *mitzvah*, a divine decree (*gezerat hamelekh*) whose authority does not diminish because of our inability to fathom its purpose.²¹ Indeed, the example of King Solomon's reliance upon the stated reasons for the laws of kingship in Deuteronomy 17:14-19 is traditionally cited to prove that the investigation of *ta'amey hamitzvot* leads to disobedience of the Torah.²² Despite this fear, however, the rabbis recognized the value of discovering meaning in the *mitzvot* even when it was not readily apparent in the biblical text. The Rambam is the great example of one who devoted much of his intellectual energy to this search, as is evidenced by Part III of *Moreh Nevukhim* and by his programmatic statements in the *Mishneh Torah*.²³ And it is almost superfluous to remind ourselves that the search for *reasons*, the rationale and purpose of religious observance, has been a hallmark of Reform Judaism since its inception. When we find that biblical commandments and other traditional institutions no longer reflect our religious consciousness or speak to the felt needs of our times, we do not hesitate to set them aside. Reform Jews have justified their rejection of the old ways according to a number of doctrines—the spirit of prophetic Judaism, the belief in progressive revelation, the commitment to personal religious autonomy, to name but a few. What unites all of them, however, is an awareness that any religious observance or pattern of life, in order to fully express our sense of God and holiness, must correspond to our conception of morality and of appropriateness. Put differently, a *mitzvah* cannot oblige us unless it has a *ta'am*, a rationale, unless it makes *sense* to us in some fundamental way. And for many Reform Jews, including some of us on this Committee, the biblical and rabbinic tradition concerning homosexuality no longer makes that kind of sense, for several reasons.

1. It no longer makes sense to look upon homosexuality as a *to'evah*. That very term has become ambiguous given our religious world-view and our habits of speaking. The Torah, for example, labels three categories of actions as "abominations": idolatry (Deuteronomy 17:4), the eating of forbidden animal species (Deuteronomy 14:3), and the sexual prohibitions of Leviticus 18 and 20. What these sins share in common is decidedly not the fact that they violate what we would call the "moral law." Rather, they transgress against the biblical boundaries of holiness which are meant to distinguish Israel from the other nations. These are acts, in other words, which are not necessarily "immoral" but Jewishly inappropriate.²⁴

The problems with this concept for contemporary Reform Jews are therefore obvious. We as a movement have long since done away with the dietary laws as an obligatory element of our religious practice. Although many Reform Jews observe *kashrut* or avoid the biblically-prohibited species, we surely do not say that those in our community who eat these foods are committing an "abomination" thereby. We still oppose "idolatry," but even though we may not accept the practices of other faith communities, we do not tend to label their religious traditions as *avodah zarah*. Our attitude toward the religions of our neighbors is one of tolerance, not "abhorrence." We continue, of course, to abhor many of the sexual unions proscribed in Leviticus 18 and 20, but we do so not so much because the Torah finds them abhorrent but because we see them as violations of our most cherished moral standards. We condemn incest, for example, because it inherently involves an abusive relationship between family members of unequal status and

power; it is an act that is destructive of the healthy personality, one which inflicts deep emotional and psychological damage that might never be healed. We oppose adultery on the grounds that an adulterous act is a transgression against trust and moral commitment between wives and husbands. Even when a spouse knowingly tolerates the adultery of his or her partner, we oppose such behavior as destructive of the family unit.

But while "abhorrence" may be a proper reaction toward many of the forbidden sexual unions (*arayot*), it does not apply to the case of homosexuality, for the issues cited in the sources as rationales for the prohibition fail to strike us as convincing on moral grounds. This is especially true in that we, unlike our ancestors, are aware of the possibility of committed, stable, monogamous, and loving relationships between members of the same gender. This structure of human life, which parallels the institution of heterosexual marriage, does not produce moral evil; it neither abuses nor betrays the innocent. Nor can we seriously contend that it threatens the family unit and the bringing of children into the world. In a social climate of increasing tolerance, homosexual people are correspondingly more likely to resist entry into heterosexual marriage for the sake of appearance and propriety. An acceptance of homosexuality does not, therefore, augur the breakdown of a household that is less and less likely to exist in the first place. In addition, when homosexual couples are able to bring children into their lives by means of adoption and artificial insemination, it is not true that engaging in homosexual behavior inevitably means the abandonment of that Jewish ideal.

We of the minority do not wish to be misunderstood. We do not claim that the concept of *to'evah* is of no religious relevance. We, no less than our colleagues, are prepared to view an act as "abominable" when it offends our most basic sense of holiness and Jewish propriety. We simply wish to emphasize that Reform Jews are no longer persuaded to avoid a particular act merely *because* the Torah calls it a *to'evah*. For us to accept this designation, the act must be abhorrent to *us*; it must strike *us* as a transgression against the most basic standards of *kedushah* that the Jewish people are called upon to uphold. And we no longer view homosexuality as such a transgression.

2. It no longer makes sense to classify homosexual behavior as a sin, much less a *to'evah*, given our contemporary understanding of the nature of human sexual orientation.²⁵ This is not to imply that we "understand" fully just what causes a person to "be" a heterosexual or a homosexual or even that we as a society can come to any satisfactory consensus as to what those terms actually mean.²⁶ It is to say, rather, that we tend to regard homosexuality as an orientation, as the product of a complex of causational factors which render it, like heterosexuality, a part of one's psychological makeup rather than the result of a conscious choice on the part of the individual. With this reality in mind, we can conclude that the biblical and rabbinic proscriptions of homosexual behavior do not speak to the situation as we know it today. The Torah, that is to say, punishes males who choose to perform homosexual intercourse; it is silent on the phenomenon of *homosexuality*, a constitutional orientation to seek sexual intimacy with those of one's own gender. In order to be punished for committing a sin, the act must be the outcome of the sinner's choice, whether that choice is made willfully and knowingly (*bemezid*) or accidentally (*beshegagah*). If, however, an individual commits an act under coercion and duress (*ones*), Jewish law exempts that person from punishment.²⁷ What we know about sexual orientation suggests that it is emphatically not a matter of choice. We also know that gays and lesbians are as capable as heterosexuals of establishing monogamous, stable, and loving relationships with their partners. The tradition, which portrays homosexual behavior as promiscuous and unnatural, clearly does not address reality as we know it to be. And Judaism has not survived and flourished for millennia by ignoring reality. On the contrary: it accepts it, deals with it, and changes its perceptions accordingly.

3. It no longer makes sense to treat homosexuality as a *to'evah* when many of us in all sincerity no longer respond to it with "abhorrence" or "abomination." This has much to do with our increased awareness of and exposure to gay and lesbian people in our culture. Those who were

taught to despise homosexuals and their "lifestyle" have found their perceptions radically altered as they have worked alongside gays and lesbians in business and in school, in the professions and the arts. Gays and lesbians, too, are active members of our synagogues, colleagues in the rabbinate, and creative contributors to our religious and intellectual life. We have come to know homosexual people as people, as human beings who, despite their difference from the rest of us, share the hopes and dreams and human aspirations that are common to us all. All of this has helped to personalize what was once simply a "phenomenon" and a deviation from the norm. It is more difficult to abhor a person, a flesh-and-blood human being, than an idea in the abstract. We have put faces on the idea of homosexuality, and this has made us think deeply about how we have acted and ought to act in the face of that idea, that reality. We have come to realize that our former knee-jerk reactions were hasty, uninformed, out of place.

4. It no longer makes sense to single out homosexuals for distinctive treatment when we acknowledge that we are liberals, heirs to a tradition of thought which holds that a human being's most personal decisions are properly left to private discretion with a minimum of interference from the state or the community. We tend to believe that most matters of sexuality between consenting adults are the business of those adults and not of outside institutions. It is our Reform Jewish practice to speak of these issues in the language of civil rights, a rhetoric of political liberation rather than moral rebuke. Thus, in 1977, the Central Conference of American Rabbis (CCAR), noting its long-standing support for the civil liberties of "all people, especially for those from whom these rights and liberties have been withheld," called for legislation to decriminalize homosexual acts between consenting adults and to remove any and all vestiges of discrimination against homosexuals as persons.²⁸ Moreover, we have adopted this stance within our own ranks. We reject any suggestion that a candidate's homosexuality be used as a bar to deny automatically his or her entry into the rabbinate; we urge that "all rabbis, regardless of sexual orientation, be accorded the opportunity to fulfill the sacred vocation that they have chosen."²⁹ Our attitudes toward homosexual people have departed, radically so, from those which one might derive from the traditional sources.

5. Finally, it no longer makes sense, to some of us, to deny to homosexual people the spiritual satisfactions of Jewish marriage. The CCAR has already declared its support for "the right of gay and lesbian couples to share fully and equally in the rights of civil marriage."³⁰ This is generally understood to mean a broad endorsement of the goals of "domestic partner legislation", under which same-sex partnerships might qualify for the financial and social benefits which society accords to married couples: tax exemptions and deductions; health insurance coverage, and so forth. To this extent, the resolution accords with the *halakhah*, which permits individuals to make stipulations in matters of monetary law (*diney mammonot*) that contradict the financial arrangements set forth in the Torah itself.³¹ A community may therefore decide to treat a homosexual couple as a married couple, at least from a monetary standpoint, determining its laws of taxation and social welfare accordingly. But implicit in this position, some of us feel, is the recognition that *marriage* as a social institution is a proper "fit" for homosexual relationships which, like the best heterosexual relationships, can and do embody the qualities of love, respect, and exclusive commitment. Put differently, marriage is arguably the best and most proper framework within which the adult Jew whose natural desire for intimacy is with members of the same gender can conduct his or her relationships.

For these reasons some of us believe that the time has come for us as rabbis and as a movement to extend this recognition of homosexual relationships to the sphere of religious marriage. We base this belief upon our understanding of Jewish tradition and of Reform Jewish precedent. We hold that homosexuality is no longer a *to'evah*; it is not a mental illness nor a social deviancy; it is not a perversion of the natural order. Homosexuality is not a choice or a preference; it is not something that one decides to do or to abstain from doing. It is, like heterosexuality, the way one is. It is not, in short, what is condemned by Leviticus 18:23 and 20:13. As such, it makes no sense on religious or moral grounds to differentiate between people on the basis of sexual orientation. As liberals, as Reform Jews, we no longer accept any of the

theoretical rationales of the prohibitions against homosexual behavior. We partake of a religious culture which affirms the right and the duty of its members to set aside those aspects of the tradition which no longer reflect our consciousness of reality and morality. We therefore lack any defensible moral or religious grounds to withhold from gays and lesbians the opportunity to express the sanctity of those unions in precisely the way that heterosexual couples have always expressed it: through marriage.

And yet, despite their cogency, these arguments do not convince all of us, certainly not a majority of this Committee, to endorse rabbinic officiation at same-sex "marriage" or commitment ceremonies. We would point out that no resolution of the CCAR has expressed its approval of officiation. The very resolution which calls for gay and lesbian couples to be granted the benefits of civil marriage explicitly declares that "this is a matter of civil law, and is separate from the question of rabbinic officiation at such marriages." The Conference, in other words, does not take the final step of equating civil and religious marriage for homosexuals as do some of our colleagues. Indeed, to the extent that the Conference and its constituent committees have expressed an opinion on the subject, that opinion has been negative. This Committee has held that "however we may understand homosexuality...we cannot accommodate the relationship of two homosexuals as a 'marriage' within the context of Judaism", for none of the elements of *kiddushin*, of traditional Jewish marriage, can be invoked for that relationship.³² And such was the position of the CCAR's Ad Hoc Committee on Homosexuality and the Rabbinates, whose majority stated in 1990.³³

In Jewish tradition heterosexual, monogamous, procreative marriage is the ideal human relationship for the propagation of the species, covenantal fulfillment, and the preservation of the Jewish people. While acknowledging that there are other human relationships which possess ethical and spiritual value and that there are some people for whom heterosexual, monogamous, procreative marriage is not a viable option or possibility, the majority of the committee reaffirms unequivocally the centrality of this ideal and its special status as *kiddushin*.

It is true that this *she'elah* asks us to reconsider all these precedents and that it is our right and our duty to do so. Yet it is at the least of some real significance that we as a rabbinate do not officially recognize homosexual relationships as marriage. Those of us who are not persuaded that the time has come to change this position wish to explain, as respectfully and cogently as we can, why we continue to adhere to our view.

1. We begin by suggesting that, in this argument, the burden of proof does not rest with us. This is no mere debaters' quibble. Frequently, in discussions of this sort in liberal circles such as ours, one hears the question posed as "why not?" That is to say, "why *shouldn't* we, as liberals who are open to new ideas, adopt this change?" To frame the issue in this way is to declare that, at least on this subject, the cumulative weight of millennia of Jewish tradition hardly counts. That tradition, as we have seen, condemns homosexual behavior in no uncertain terms, and even the Reform Jewish tradition has to date spoken negatively to the subject of our *she'elah*. As members of the Responsa Committee, we take tradition seriously and consider it prayerfully. Even on this subject, so often (and, to some of us, falsely) presented as a stark contrast between the values of the present versus those of an outdated past, tradition serves as our interpretive starting point. Those who advocate a revolutionary transformation of Jewish marriage law and practice rightly shoulder the burden of proving that theirs is the better position.

We would add, parenthetically, this note concerning "tradition."³⁴ We do not form our moral beliefs out of thin air, as the result of some contemplative procedure carried on exclusively within ourselves. Nor do we derive them from some absolute source of moral truth that is accepted as determinative by all people everywhere. All our moral beliefs are socially constructed, rooted in the traditions and in the communities in which we participate. A community is the embodiment of a tradition, an ongoing, historically-centered argument about how a particular form of the ideal life is to be lived. A tradition, to be sure, can and does change; it develops as its members respond to

new experiences which impel them to revise or modify their beliefs. For this reason, "argument" is a central and necessary feature of the life of any community. But this development and this argument always occur in reference to the beliefs, values, and accumulated experience of that community's past. Traditions, therefore, are inescapably particular; they are the record of a *particular* community's thought, experience, and struggle with circumstance and change.

What this teaches us is that the choice we face is not a decision between a particular Jewish tradition on the one hand and some set of universally-valid moral precepts on the other, because the latter does not exist in the real world. *All* evaluative concepts with which we measure and construct our moral universe—concepts such as "good," "evil," and "religious fulfillment"—are *particularly* determined. They emerge from specific traditions, from the historical religious experiences of specific communities. Our dilemma on this subject arises from the fact that we, as liberal Jews, belong to different communities, each with its own historically-centered tradition. The tradition of Western modernity—which, we point out, is no less "particular" or "historically-centered" than any other—lends itself to certain interpretations, and these affect us deeply. But we are also members of a religious community called Israel, and this means that among the particular vantage points from which we reflect upon our beliefs, the texts and sources of Jewish tradition must inevitably play a central role. We believe that our authority to act as rabbis, especially to officiate at weddings as *mesadrey kiddushin*, flows not from our perception of ourselves as "modern spiritual leaders" but from our standing as representatives and teachers of Torah and Jewish tradition. Our moral horizon is shaped, to a significant extent, by our interaction with Jewish literature and the Jewish past. It is so; it must be so; and we need not apologize when those sources call upon us to consider conclusions which differ from those seemingly demanded by the other particular traditions in which we partake.

2. Those who advocate homosexual marriage have not, in the opinion of our majority, met their burden of proof. That is, their arguments do not succeed in overcoming the opposition to this practice found in both the Jewish and the Western traditions.³⁵ We do not accept the suggestion that the ritual category of *to'evah* is irrelevant to the question under discussion. While we Reform Jews have departed from traditional practice in many areas, we continue to "abhor" virtually all of the sexual prohibitions listed in Leviticus 18 and 20 as destructive of the Jewish conception of a life of holiness and morality.³⁶ While it may be true that we as a community no longer look upon homosexual behavior, as we once did, as a repulsive act, the fact remains that no Jewish community has ever gone so far as to sanctify as marriage a sexual relationship which the Torah defines as *ervah*. Not even we, with all our liberality, have ever done this before.³⁷ To do so now would be a revolutionary step, one which would sunder us from all Jewish tradition, including our own, down to the most recent times.

At this point, we raise the delicate issue of Jewish unity. The extension of *kiddushin* to gays and lesbians would break so sharply with the standards of religious practice maintained by virtually all Jewish communities as to wreak havoc upon our relationships with most of them. A decision of this nature would continue a trend, which many Reform rabbis find quite troubling, of pushing the Reform movement toward the margins of our people, of the Jewish community as a whole. It would have dramatic and negative effects upon the standing of our Progressive colleagues in Israel and elsewhere. We know that the slogan "*kelal yisrael*" has often been used to intimidate us, to urge us to compromise our Reform Jewish principles to mollify those who will never compromise their own. We also know that the Ad Hoc Committee on Homosexuality and the Rabbinat has already addressed this issue, declaring that while we ought to be sensitive to this concern, we must make our decision independently of it, in the context of the North American situation, according to "the principles and practices of Reform Judaism."³⁸ Gives, however, that our majority believe that the principles and practices of Reform Judaism do *not* require that we sanction marriage for homosexual couples, we would not set aside our concern for Jewish unity—which, we submit, is itself a "Reform Jewish principle."

3. Reform Judaism, as most of us understand it, does not mandate gay/lesbian marriage. Yes, we recognize that the attitudes of our community and society toward homosexuals and homosexuality have undergone a profound transformation in recent years. All of us are encouraged at the signs that a long history of repression and hatred is at last beginning to give way to a spirit of tolerance and inclusion. All of us stand as one behind the statement of the Ad Hoc Committee that "all human beings are created *betselem Elohim* ('in the divine image'). Their personhood must therefore be accorded full dignity. Sexual orientation is irrelevant to the human worth of a person."³⁹ But this affirmation, which demands that we work for full social and political equality for gays and lesbians, does not logically require that we must also support a Jewish religious "right" to homosexual marriage. From our acknowledgement of the right of gay and lesbian couples to arrange their financial affairs in the way they see fit, it does not logically follow that we must declare that their relationship partakes of the same religious sanctity as does traditional marriage. Similarly, we recognize that the understanding of homosexuality as an orientation rather than an intended choice (*ones* rather than *ratzon*) leads to the conclusion that the act of homosexual intercourse cannot be understood in traditional legal terms as a punishable sin. Again, however, the fact that a pattern of behavior is in some way involuntary does not necessarily mean we must sanctify it. Indeed, given the prevailing uncertainty as to the causes and development of sexual orientation—genetic or environmental? constitutional or socially constructed?—some of us are quite hesitant to draw the kinds of conclusions which need to be drawn in order to justify the institution of homosexual marriage.⁴⁰

4. We are, all of us, committed to enabling gays and lesbians to live full Jewish lives within our communities. And, since we acknowledge that gays and lesbians are as capable as heterosexuals of forming monogamous, stable, and loving relationships, this commitment might—or might not—suggest a ritual response that reflects the spiritual reality which shapes the lives of these Jewish human beings. We shall consider this question in detail in Part III of this responsum. In itself, however, this commitment does not require that we endorse the creation of a religious institution of marriage for homosexuals when the entirety of Jewish tradition suggests that "marriage" is an exclusively heterosexual phenomenon. Again, it does not logically follow that our concern for gays and lesbians demands that we officiate at marriage ceremonies for them.⁴¹

From this discussion it should be obvious that the members of this Committee differ widely and deeply on the general subject of sexual orientation and on the specific issue of homosexuality and Judaism. We disagree fundamentally on the relevance of the Jewish, Reform Jewish, and Western traditions in addressing the issues raised by this *she'elah*. The moral and religious commitments that we do share lead us to radically differing conclusions. None of the moral languages we customarily speak when arguing our positions affords us sufficient common ground to arrive either at an answer or even at a consensus as to how the question is to be addressed.

II. Kiddushin, Reform Judaism, and Homosexuality.

There is, however, another way to frame the issue. Perhaps, we might say, we ought not to proceed from a consideration of our attitudes toward homosexuality and sexual orientation but rather from our conception of Jewish marriage. As our *sho'el* puts it: do homosexual unions "qualify as *kiddushin* from a Reform perspective"? That is to say, given that we recognize the existence of stable and committed gay and lesbian relationships, do these unions display enough of the major characteristics of marriage so as to deserve that title? To put the question in this way entails that we define, as carefully and as fully as we can, what we mean by "Jewish marriage." Does our definition of that institution allow for its extension to gay and lesbian couples? It is to this exploration we now turn.

It is important to note that, when we refer in this section to "marriage," we do not mean the idea of marriage in the abstract or marriage as a cross-cultural anthropological fact. We mean rather *Jewish* marriage as an aspect of the social and religious life of a particular historical community. Jewish marriage is an institution and a pattern of life with its own unique structure and history. It

resembles, in many respects, other institutions of marriage, yet in many other ways it differs from them, and radically so. To say that a monogamous homosexual union is "like" a marriage does not prove, therefore, that it qualifies under the definition of *Jewish* marriage. Before we can ask whether to extend the possibility of marriage to gay and lesbian couples, we need first to understand the institutional nature of Jewish marriage and to consider the variations which Reform Judaism has introduced into the practice. It is in this way, and only in this way, that we can begin to consider whether homosexual couples can be included within the circumference of a "Reform perspective" on *kiddushin*.

What is Kiddushin? The word *kiddushin*, by which we designate Jewish marriage, is discussed as follows in an important Reform Jewish text:⁴²

Nothing clarifies the Jewish attitude toward marriage quite as well as the traditional name for the wedding ceremony, *Kiddushin*, derived from the Hebrew *kadosh* – holy –while all relationships, like all time and space, should be considered essentially sacred, certain relationships are especially exalted. In Judaism the Holy of Holies of all relationships, to which the poetic genius of the Hebraic spirit turned most often for the paradigm of the covenant between God and Israel, was and is the covenant between husband and wife... A sacred entity comes into being in Jewish marriage. As in the *Kiddush* of Shabbat we set apart a period of *time* as holy, in *Kiddushin* the husband and wife set each other apart...

Kiddushin is the rooting of the human in the realm of the sacred, with the goal that all our relationships become holy, bearing the blossom and the fruit of life.

A Jewish marriage, then, takes place when a man and a woman [say] to [each] other: "Behold you are consecrated to me...according to the tradition of Moses and Israel." It is as if each were saying to the other: "I will do everything that I can to make our relationship sacred."

This passage speaks the language of *agadah*, the evocative, lyrical, and metaphorical vernacular of Jewish lore. Taking as its point of departure a single word, *kiddushin*, it weaves a rich tapestry of religious ideas. What do we mean by "sacred", *kadosh*? What can it mean to call the institution of marriage a "sanctification"? How do the images, feelings, and responses we associate with the concept of holiness shed light upon the nature and purpose of the marital bond? To the extent that we adopt this agadic approach to the definition of *kiddushin*, then surely it is possible to make a place for gays and lesbians within the institution of marriage. For if *kiddushin*, like its Hebrew root, implies a "setting apart," the creation of a relationship of exclusive commitment and devotion similar to that which defines the relationship of Israel to its God, then homosexuals, who are as capable as heterosexuals of establishing exclusive and loving unions, deserve to be included.

Yet the *agadah* does not define *kiddushin*, any more than poets define marriage. True, *agadah* calls our attention to the most exalted possibilities inherent in the union of husband and wife. But it does not describe (because that is not its function) the nature of marriage as a legal institution, which it manifestly is.⁴³ That is to say, the full meaning of *kiddushin* cannot be conveyed by means of a homiletical treatise upon the etymology of that word. It is a complex of law and custom which, like "marriage" in every other social tradition, effects far-reaching transformations in the legal status of the parties involved. Our hearts soar at the mention of the agadic aspects of *kiddushin*. But to ignore the legal, halakhic aspects of Jewish marriage is to distort what *kiddushin* really is and the way it functions in the fabric of traditional Jewish life.

Kiddushin is the rabbinic legal term for "Jewish marriage," which means first and foremost a marriage contracted between two Jews.⁴⁴ A marriage contracted with one of the *arayot*—a partner to whom one is prohibited by Leviticus 18—is invalid, and no *get* is required to permit the parties to remarry.⁴⁵ The legal bond of *kiddushin* (also called *erusin*) is created by a *ma'aseh kinyan*, an act of acquisition performed between the couple. In its accepted, customary form,⁴⁶ this act

requires that, in the presence of two witnesses,⁴⁷ the man give the woman a ring or some other object of monetary value and declare, either in an explicit verbal formula or by behavior which clearly manifests his intent, that he wishes her to be his wife.⁴⁸ If she accepts the ring or object in a manner which indicates her freely-given consent to the marriage,⁴⁹ the couple are betrothed, though the marriage process is not completed until the ceremony of *chupah* or *nisu'in*.⁵⁰

Kiddushin creates the following legal consequences.

1. The wife enters the husband's legal domain, or *reshut*, meaning that she is permitted sexually only to her husband. In so doing she becomes an *ervah* to all other men, and sexual intercourse between her and any of them is adultery. This, as far as the Talmud is concerned, is the original meaning of the word *kiddushin*: "he forbids her to all other men, as though she were *hekadesh* (consecrated property)."⁵¹ The wife's status changes only at the dissolution of the marriage, upon the husband's death or upon divorce, at which time the woman "acquires herself" and re-enters her own *reshut*.⁵²

2. The list of *arayot*, of forbidden sexual partners, expands to include the relatives of the spouse, as mentioned in Leviticus 18 and 20. The offspring of any of those prohibited unions, whether incestuous or adulterous, is a *mamzer*.⁵³

3. Once the couple are betrothed, the laws of levirate marriage and release (*yibum* and *chalitzah*) go into effect. Should the husband die without having children, his widow is forbidden to remarry until her brother(s)-in-law perform either of these two rituals.⁵⁴

All the other legal consequences of Jewish marriage, primarily those relating to the financial arrangements between the husband and wife, come into being at the ceremony of *nisu'in*.

Kiddushin, therefore, is a legal transaction which alters the conjugal status of the parties involved, making them subject to the laws of adultery, *arayot*, and *mamzerut*. The nature of *kiddushin* as a matter of legal experience is best summarized perhaps in the words of the blessing (*birkat erusin*) which the rabbis ordained for recitation at the time the transaction is carried out:⁵⁵

Praised are You, Adonai our God, sovereign of the Universe, Who has sanctified us through *mitzvot* and commanded us concerning the forbidden relations (*arayot*), Who has forbidden us to the betrothed (*ha'arusot*) and has permitted us to those whom we have married (*hanesu'ot*) by means of *chupah* and *kiddushin*. Praised are You, Adonai our God; You sanctify (*mekadesh*) Your people Israel by means of *chupah* and *kiddushin*.

In other words, Jewish marriage as a legal act establishes and transforms previously existing sexual boundaries. Two individuals who were previously forbidden to each other sexually are now permitted as husband and wife. Individuals who previously were potential marriage partners have now, due to their family relation to our spouse, become *arayot*, prohibited as incest. A formerly unmarried woman is now forbidden by the law of adultery to all men but her husband until he dies or the two of them are divorced.⁵⁶

It is through reference to the *arayot*⁵⁷ that we can understand the meaning of *kiddushin* as a legal institution. It is a "sanctification," a "setting apart", the creation of an exclusive sexual relationship between husband and wife by which God sanctifies (*mekadesh*) Israel. Just as the early rabbis understood the commandment to "be holy" as a call to abstain from the *arayot*, so *kiddushin* rests upon a clear conception of the sexual relationships which the Torah has prohibited and permitted to the Israelite community. There is no such thing, in other words, as Jewish marriage in the absence of the prohibitions of the *arayot*, the recognition of the boundaries of permitted and prohibited sexual intercourse. And no marriage is a valid Jewish marriage if it is contracted between persons prohibited to each other as *arayot*.

Reform Judaism and Kiddushin. At this juncture we should ask ourselves whether and to what extent we continue to accept this halakhic notion of *kiddushin* in our Reform practice. For if our understanding differs substantially from that of the rabbinic tradition, we might have strong ground on which to claim that very different sorts of "marriage" qualify as *kiddushin* "from a Reform perspective."

Again, differing perspectives exist among us.

On the one hand, some of us would argue that Reform Jewish marriage is essentially different from the biblical and rabbinic institutions of *erusin* and *kiddushin*. We do not regard marriage as a *kinyan*, an act by which the woman is "acquired" by her husband and passes into his legal domain. We reject the association of marriage with the other "acts of acquisition"—of land, chattel, Hebrew and Canaanite slaves—redacted together in the first chapter of *Mishnah Kiddushin*. And the widespread custom among us for the bride to "sanctify" the groom, just as he "sanctifies" her, by offering him a ring and pronouncing the formula *harey attah mekudash li* suggests that we have transformed marriage into an egalitarian, reciprocal reality which differs substantially from the structure of *kiddushin* in the halakhic tradition.

The tradition's linkage of marriage to the *arayot* is also problematic for us. It is a fact, first of all, that we no longer observe the laws of *yibum*, *chalitzah*, and *mamzerut*. And, as we discuss above, the very notion of *arayot* has been reconstructed in our discourse from a ritual to a moral problem. Thus, while we without any doubt acknowledge that numerous sexual relations remain forbidden, our primary concern is that the union between spouses be one that expresses our deepest moral conceptions of marriage, that it be one of exclusive sexual commitment. And there is no reason why gays and lesbians cannot establish such a union. When we stand under the *chupah*, we celebrate a joining together of two individuals in a relationship of equality and of love, one that promises emotional as well as sexual fulfillment, one which allows them to build a home that expresses Jewish values. This, in its essence, is what we mean when we call our marriages by the name *kiddushin*. If gay and lesbian couples, no less than their heterosexual counterparts can aspire to that kind of relationship, it would seem that *kiddushin* or "marriage", as we Reform Jews understand those terms, are fit names for it.

Yet the majority of us would argue that this definition of Reform Jewish marriage, while accurate, is but part of a wider picture. The classical rabbinic conception of *kiddushin* retains much of its relevance for us. We note, first of all, that the language of *kinyan* or acquisition is the mechanism by which Jewish law creates legal obligations of any kind; thus, even if we no longer hold that the husband "acquires" the wife, both parties do indeed "acquire" from the other all the legal obligations which flow from the formation of marriage. In addition, we would claim that the reciprocal act of "sanctification" which takes place under a Reform Jewish *chupah* indicates the *strengthening* rather than the abandonment of the concept of *kiddushin*. It is our conviction that *both* bride *and* groom pass into the other's domain. The exclusivity of the marital relationship, the "setting apart" that lies at the heart of the idea of holiness and *kiddushin* itself, is now a mutual reality. We have not discarded the idea of *kiddushin*. On the contrary: we have extended its definition and its essence so that all its power and stringency apply to the husband as well as to the wife.⁵⁸

The issue of *arayot*, too, remains central to our conception of marriage. It is certainly true that, when standing under the *chupah* on the day of their great joy, the bride and the groom in all likelihood do not think about the laws of incest, adultery, and divorce. Their minds and those of the community are rightly centered upon the more agadic and poetic elements of the union they are forming. Yet the legal facts of personal status continue to define the structure of Jewish marriage as we understand it. We may not discuss the *arayot* in our wedding sermons, but they are no less real to us on that account. We abhor incest⁵⁹ and marital infidelity, and we do not remarry either husband or wife until they have brought an end to their marriage by legal means.⁶⁰ The marital ceremony, as the *birkat erusin* teaches us,⁶¹ comes to establish the contours of the

arayot, it draws lines and sets boundaries which we continue to respect. *Kiddushin* is therefore more than an exalted moment of spirituality. It is as well a *legal* institution, whose structure and boundaries, no less than its feelings and emotions, are legitimate matters of rabbinic concern.

Given that the function of *kiddushin* has always been to draw lines that separate us (*i.e.*, "sanctify us") from the *arayot*, it is implausible to suggest that this legal act can actually permit a sexual relationship which the Torah and all of tradition so define.⁶² Moreover, as we have noted, *kiddushin* effects a change in the legal status of the parties by making them subject to the laws of adultery and divorce and by expanding the range of the prohibited incestual *arayot*. Whatever the potential of homosexual couples to establish loving and stable relationships, these laws do not apply to them. The partners in a homosexual union cannot legally commit incest with each other's relatives; they cannot legally commit adultery; and neither requires a divorce should he or she desire to enter into a Jewish marriage. It therefore makes little sense to use the term *kiddushin* to describe a union which involves none of these matters and does not alter the legal status of its participants.⁶³

Most of the members of this Committee oppose the use of the term *kiddushin* to describe a gay or lesbian union, precisely because the historic definition of that term, its legal content and the notions of *kedushah* which lie at its foundations rule out its application to anything but heterosexual Jewish marriage. We accept the traditional understanding of *Jewish* marriage as that kind of marriage which recognizes and is contracted within the sexual boundaries set by the Torah's law of *arayot*. Even those of us who believe that *kedushah*, sanctity, can exist in gay and lesbian relationships and who would recognize those unions as a form of Jewish marriage concede that the word *kiddushin* is difficult to separate from its heterosexual connotations.

III. Gay and Lesbian Unions: Toward a Response.

Although the disagreements among us are real and deep, proceeding from radically different perspectives on homosexuality and Judaism and on the nature of Jewish marriage, there are some things—to be sure, basic and elementary things—on which we do see eye to eye. Therefore, before we rehearse our differences, let us acknowledge those assumptions we share in common. In the midst of divisiveness, these points of agreement may serve to remind us that, though we dispute the answers, we as rabbis are united by the questions we ask and by the religious commitments that stir us to ask them.

We agree that all human beings, regardless of sexual orientation, are created in the image of God and that it is the religious duty of Reform rabbis to treat all of them with respect and with love. This statement, we further agree, is more than a platitude; it is an aspiration which calls us to action. It demands of us that we receive all those who come before us with compassion and empathy. It demands that we hear them before we preach to them, that we listen to their stories of pain and exclusion, and that we respond to them as rabbis, as teachers of an ancient and honorable religious tradition.

And we agree that this response, first and foremost, must be one of invitation. Two centuries of modernity have brought us much progress, but they have exacted a price in the form of Jewish alienation. In our day, when so many Jews for so many reasons are spiritually exiled from Torah and from Jewish life, the *mitzvah* of outreach partakes of the age-old Jewish dream of *kibutz galuyot*. We must practice that *mitzvah* with all our strength.

What, then, do we say and how do we respond to the gays and lesbians in our midst who join together in committed relationships and seek to build a home and a life according to a pattern that expresses Jewish values? What does the duty of compassion and empathy, the *mitzvah* of outreach require us to do?

For some of us, that duty requires the institution of wedding ceremonies for homosexual couples. To include gay and lesbian Jews as equal members of our communities means that we must advance far beyond mere toleration of their presence. They should rather be encouraged, like their heterosexual counterparts, to find partners and to form monogamous, stable, and hopefully permanent relationships. We do not believe that, in so doing, we either promote homosexuality or lead more heterosexuals to become homosexuals; we believe, rather, that we will be reducing the number of gay and lesbian couples who are living in unstable or promiscuous fashion.

More than that: the fact that gay and lesbian Jews are seeking to hold ceremonies establishing their relationships formally and celebrating them is not a threat to the traditional Jewish values of marriage and family but a supreme tribute to them. When two Jews marry, they do not seek only to legitimize their sexual relations and their offspring. They link themselves to the Jewish past, present and future and to a series of concentric circles of family, friends, community, and *kelal yisrael* around them. The wedding ceremony is that moment of magical transformation when two individuals become a *bayit beyisrael*. These layers of meaning do not disappear when the individuals are homosexual.

The ritual format by which Jewish tradition affirms this transformation is the wedding. Since we know that sexual orientation is both unalterable and irrelevant to the capacity of an individual to form a loving and stable relationship with another, and since it is our business and our calling to promote the formation of Jewish households which affirm Jewish values, we should offer wedding ceremonies to gay and lesbian Jewish couples. Some Reform rabbis will call these ceremonies *kiddushin*, while others may prefer a different term that carries less historical baggage. Some will structure a ceremony filled with the rituals and choreography of the traditional Jewish wedding (*chupah*, wine, the breaking of a glass, the reading of a *ketubah*, and so forth); others may prefer to create new ceremonies whose imagery does not so obviously mirror that of the traditional wedding of bride and groom. But in either case, we will be fulfilling our rabbinic responsibilities to Jewish people in our time, in the world and the culture in which we live.

The majority of the members of this Committee, however, do not interpret our responsibility as rabbis to warrant officiation at weddings or wedding-like "commitment ceremonies" for gay and lesbian couples. We hold that we are empowered to "officiate" only and exclusively at Jewish marriage ceremonies, and we know of no form of "Jewish marriage" other than *kiddushin*. We understand *kiddushin*, in both its traditional and its Reform Jewish manifestations, as an institution whose legal essence excludes homosexual relations. The performance of a ceremony that resembles but is not *kiddushin* does not qualify as a Jewish marriage, even if the couple regard it as such.⁶⁴

It is true that we Reform Jews are accustomed to creating new liturgies and rituals all the time, so that we might substitute another language and another kind of wedding ceremony for *kiddushin* should we for whatever reason deem the latter unsuitable for gay and lesbian unions. Yet so long as we hold that "heterosexual, monogamous, procreative marriage is the ideal human relationship for the propagation of the species, covenantal fulfillment, and the preservation of the Jewish people,"⁶⁵ we believe that, however we respond to those whose relationships do not adhere to this ideal, the public ceremony which celebrates Jewish marriage should correspond to it as closely as possible.

It is also true that not all Jewish marriages realize this ideal. Not all Jewish marriages, for example, are procreative. According to *halakhah*, a marriage between a man and a woman who cannot have children, while certainly to be discouraged as long as the man has not fulfilled his obligation to "be fruitful and multiply", is nonetheless valid.⁶⁶ To this we would say, first, that the Jewish tradition has tended to view this situation as one of sadness and even tragedy, and second, that the marriage of an intentionally childless couple, if not ideal from the rabbinic perspective, does not transgress the biblical *arayot*. No power which we feel we possess as

rabbis is sufficient to declare any of the relationships prohibited in Leviticus 18 and 20 to be a Jewish marriage.

It is true, moreover, that gay and lesbian couples are capable of establishing stable and committed relationships—marriages in fact if not in law. The same is true of couples of mixed religious identity. We are well aware of the pressures placed upon rabbis to officiate at mixed marriages, on the grounds of outreach, compassion, a desire to include the couple within the Jewish fold. We accept those values; we do not wish to turn the intermarried couple away from the Jewish community. But we as a Conference and as a Committee have resolved that these concerns do not warrant our officiation at mixed marriages, for among other reasons because we cannot define mixed marriage as *Jewish* marriage, the only kind of marriage we as a community are empowered to provide. We are deeply concerned that, by granting recognition to gay and lesbian unions, we will be unable in the future to defend our position on mixed marriage. Our congregants will wonder, with some justification, why we officiate at one kind of marriage that Torah finds unacceptable but not at another.

The two cases, of course, are not exactly parallel. The non-Jewish partner in a heterosexual relationship has the option to convert to Judaism. Jewish marriage is a real possibility for that couple, and the rabbi can say: "I am not turning you away; I offer you the option of Jewish marriage as this community understands it. Should you not accept that option according to its inherent rules, that is *your* choice. You have by your own free will rejected Jewish marriage; the community has not rejected you."⁶⁷ So long as we recognize sexual orientation as unalterable, the element of "choice" does not apply. If we do not offer them marriage, there *is* no other religious option available for gay and lesbian couples. Moreover, when both partners in a homosexual union are Jews, their household will by definition be a Jewish one, something we cannot say in the same way for a religiously-mixed couple. A rabbi who officiates at wedding ceremonies for two Jewish homosexuals can therefore explain with consistency and justification why he or she does not also officiate at mixed marriages.

With all of that, however, we continue to live in a world where appearances count and where impressions can make all the difference. When a rabbi conducts a commitment ceremony for a homosexual couple, we cannot expect that the community will *not* learn from that act that Judaism, as represented by the rabbi, sanctions this union as a marriage, even though Jewish law and tradition do not recognize it as such. Distinctions between one kind of "non-Jewish marriage" and another, if obvious to the rabbi, will not be so clear to the community. Inevitably, the rabbi will be placed under ever-increasing pressure to officiate at mixed marriages, which are *also* unions between loving and committed persons which Jewish tradition does not recognize as marriage. And even if that individual rabbi can withstand the pressure, the Reform rabbinate as a whole will be buffeted by what many in our community will consider justified outrage. When some Reform rabbis depart from tradition to the extent that they conduct "weddings"—by whatever name—for gays and lesbians, many of our congregants will ask, quite reasonably, why they and other Reform rabbis refuse at the same time to abandon tradition to marry religiously-mixed couples.

That most of us are disinclined to conduct wedding ceremonies for gay and lesbian couples does not imply that we can make no positive ritual response to their presence within our communities. On the contrary: so long as we welcome them into our midst, it is our duty as rabbis to accompany them, as we seek to accompany all our people, along the path of Jewish life. How might we do this, if we do not recognize homosexual unions as marriages?

We might begin by acknowledging that, whether or not we define them as "marriages," homosexual unions are *households*, the nuclear social and family units which compose our communities and whose strength and stability is a primary Jewish religious concern. To speak of a gay or lesbian union as a household does not imply that we offer ritual sanctification to their sexual union or, indeed, that we must say anything about it. It is to recognize that, however we

understand the nature of *kiddushin*, we are dealing here with a Jewish home, the classic environment of the Jewish experience. These individuals have formed a union bonded together by cords of love, and *that*, without any question, is a positive Jewish value.

This recognition quite properly brings any number of ritual responses in its wake. We are all familiar with ceremonies, traditional and creative, which speak to the life of the Jewish household. Families dedicate their homes, and they celebrate significant moments in the lives of their members. The ceremonies which mark these occasions are as appropriate for gay and lesbian households as for all others. In addition, even though most of us are hesitant to sanction actual wedding ceremonies for gays and lesbians, there is no reason why a community cannot offer a ceremony of welcome for any new household which joins their ranks. A number of us, too, see no reason why homosexual couples might not observe their personal *semachot* at the synagogue as do other Jews, perhaps by sponsoring a *kiddush* or an *oneg shabbat*. If words of Torah are spoken on these occasions, they may take on the character of a religious festivity, a *se'udat mitzvah*. To accept homosexual couples as households, in other words, is to invite them to express that identity according to the full range of possibilities afforded by the Jewish ritual tradition.

We realize that those who favor rabbinic officiation at homosexual weddings may view the ritual recognition of gay and lesbian households as an inadequate substitute. Yet they may concede that, viewed against the backdrop of sacred text and Jewish history, the declaration by a rabbinic body that gays and lesbians can form a household and constitute a family represents a remarkable transformation in Jewish religious thought. To say that the community ought to accept gay and lesbian couples as households in every respect, if not a totally satisfactory solution to the problem before us, can still do much to focus our people's attention and energies upon its most essential aim: the strengthening of Jewish life for *all* Jewish families. And this may help restore a sense of community that seems at times to have disappeared in the controversy surrounding this issue.

IV. Conclusion.

To summarize, we note the following points.

1. We as a Committee acknowledge that our beliefs concerning the nature of human sexual orientation differ significantly from those of the past, even the recent past. The majority of us, however, are not persuaded that this transformation in our attitudes requires that we recognize and institute a system of homosexual marriage within our congregations and communities.
2. The majority of this Committee define "Jewish marriage" as *kiddushin*. That concept, whether understood according to its traditional terms or its Reform interpretation, is a legal institution whose parameters are defined by the sexual boundaries which Jewish law calls the *arayot*. Homosexual relationships, however exclusive and committed they may be, do not fit within this legal category; they cannot be called *kiddushin*. We do not understand Jewish marriage apart from the concept of *kiddushin*, and our interpretation of rabbinic authority does not embrace the power to "sanctify" any relationship that cannot be *kiddushin* as its functional equivalent. For this reason, although a minority of us disagree, our majority believes that Reform rabbis should not officiate at ceremonies of marriage or "commitment" for same-sex couples.
3. Our duty of outreach and our concern for all Jews require that rabbis and communities consider other ritual and social means by which homosexual couples might express their identity as households and families within the wider community of Israel.

In presenting this responsum, we have sought to outline the various positions held by our members as completely and as honestly as we can. The result is a *teshuvah* which, because it

speaks several different languages of argument, expresses in literary form the deep divisions which split us and all our colleagues in the Conference. Though we have arrived at a majority opinion, we have failed to reach a consensus as to how we as a community ought to understand and talk about this question. Some day, history may permit us as a movement or a Conference to reach that consensus. Some day, the controversy over the Jewish religious status of gay and lesbian unions may be resolved to the satisfaction of all. Given, however, that such a day is yet far off, we do not believe that anything of value can be accomplished by declaring through majority vote that one position or the other is the official policy of the Conference. A resolution at this juncture would do little to bring us together. It would persuade no one; it would change no minds. On the contrary: it would stifle the possibility of genuine conversation among us, serving but to enrage and to embarrass the adherents of the losing side. We urge our colleagues to refrain from taking that step.

What do we advocate in its stead? We call upon our colleagues to do what we have so haltingly attempted to do in this responsum: to talk; to explain; to justify and to argue. Our goal should be the recovery of a common discourse on this most divisive of subjects. To achieve it will take much time, a great deal of patience, and no little faith in each other. And it will require that we renew each day our commitment to conduct our discussion in an atmosphere of mutual respect. No disagreement that occurs among us, however heated, and no controversy that divides us, however intractable, should cause us to doubt or to denigrate the religious sincerity of those who take the opposing view. As rabbis, we owe each other the presumption that all of us are students and lovers of Torah, whose intentions are honorable even though our arguments do not always succeed in persuading. We know that mutual respect does not guarantee that we will reach a solution satisfactory to all. Yet we also know that, in its absence, no solution and no learning are possible.

C.C.A.R. Responsa Committee Mark Washofsky, Chair
Joan S. Friedman
David Lilienthal
Bernard Mehlman
W. Gunther Plaut
Richard S. Rheins
Jeffrey K. Salkin
Daniel Schiff
Faedra L. Weiss

Joan S. Friedman and Bernard Mehlman side with the minority position as expressed in this responsum.

Moshe Zemer agrees with the conclusion and the decision of the majority of the Committee that same-sex unions do not qualify as kiddushin and that Reform rabbis should not officiate at wedding or commitment ceremonies for gay or lesbian couples. He will append a separate responsum.

NOTES

¹ "At first, there was but one *machloket* in Israel...but when the students of the schools of Hillel and Shammai became numerous and did not study sufficiently, the disagreements multiplied, and Israel was divided into two sects...which will not reunite until the coming of the Messiah"; *PT* Chagigah 2:2 (77d).

² See *M. Sanhedrin* 7:4, *BT Sanhedrin* 54a-b, and *Yad*, *Isurey Bi'ah* 1:4: the penalty is *sekilah*, or "stoning" according to its particular halakhic form (*M. Sanhedrin* 6:4).

³ Male homosexual intercourse features as one of the wicked deeds of the Sodomites (hence, "sodomy"; Gen. 19:5) and of the Benjaminites in Gibeah (Jud. 19:22). In addition, the *kadesh* or male prostitute (I Kings 14:24, 15:12; II Kings 23:7) proscribed in Deut. 23:18 may have provided male homosexual intercourse; thus, at any rate, is how the Talmud (*BT Sanhedrin* 54b) interprets the verse, although *Targum Onkelos* reads it differently.

⁴ However, rabbinic tradition affirms that male homosexual intercourse (*mishkav zakhur*), like the other *arayot*, is forbidden to Gentiles as well; *BT Sanhedrin* 58a-b; *Yad*, *Melakhim* 9:5.

⁵ The concept of holiness is here identified with that of *distinctness*, of separateness from other peoples and their way of life (20:24, 26), a theme to which we shall return below.

⁶ See, for example, the story of R. Yehudah ben Pazi, who discovers two men having intercourse in the attic of the house of study. They warn him to keep silent, since in court his own testimony would be outweighed by theirs; *YT Sanhedrin* 6:3(6), 23c.

⁷ *M. Kiddushin* 4:14; *BT Kiddushin* 82a; *Yad*, *Isurey Bi'ah* 22:2; *SA EHE* 24.

⁸ *Yad*, *loc. cit.*

⁹ R. Yosef Karo in *SA*, *loc. cit.* See *Be'er Hagolah*, no. 3: "these are his own words"; i.e., an opinion not derived from sources or precedent.

¹⁰ *Bayit Chadash* to *Tur*, *EHE* 24; *Chelkat Mechokek* and *Beit Shemuel* to *SA*, *loc. cit.*; *Yam shel Shelomo*, *Kiddushin* 4:23; *Arukh Hashulchan*, *EHE* 24, par. 6. This applies in general. When a man has committed an act of homosexual intercourse, some require that he avoid all *yichud* with males in the future; see R. Chaim Pelaggi, *Ruach Chayim* *EHE* 24.

¹¹ *BT Shabbat* 65a-b; *BT Yevamot* 76a, Rashi, s.v. *pesulot lekehunah*.

¹² *BT Yevamot* 76a; *Yad Isurey Bi'ah* 21:8; *SA EHE* 20:2.

¹³ *Sifra* to Lev. 18:3; *Yad loc. cit.*

¹⁴ *BT Sanhedrin* 58a. Note Rashi's comment to the next part of the Genesis verse, "and they shall become one flesh": "a child is created by both male and female, and it is in the child that their flesh becomes one."

¹⁵ *BT Nedarim* 51a.

¹⁶ *Ran*, *Nedarim* 51a, s.v. *to'eh atta bah*.

¹⁷ See also *Gen. Rabah* 26:5 and *Lev. Rabah* 23:9: the generation of the Flood was destroyed because they wrote wedding contracts for males and animals.

¹⁸ See *BT Gitin* 41b and *Arakhin* 2b: the world was created only for the sake of the commandment "be fruitful and multiply", as it is said (*Isaiah* 45:18), "He did not create it for waste, but formed it for habitation."

¹⁹ *BT Yevamot* 61b-62b; *Yad*, *Ishut* 15:7. A dispute exists in the literature as to whether a man ought to continue to try to beget children even after he has fulfilled the Toraitic *mitzvah* of

procreation. Rambam holds, at least as a matter of Torah law, that one who has fulfilled this commandment may then marry a woman who is not capable of bearing children.

²⁰ *Torah Temimah* to Lev. 18:22, no. 70, on *BT* Ned. 51a.

²¹ *BT* Berakhot 33b; *Yad*, Tefilah 9:7.

²² *BT* Sanhedrin 21b.

²³ See *Yad*, Me'ilah 8:8 and Temurah 4:13.

²⁴ See *BT* Avodah Zarah 66a and 71a, and Rashi to Deut. 14:3: a *to'evah* is that which God declares "abominable" and not necessarily that which we, on the basis of our unaided reason or moral sense, would find to be so.

²⁵ In this we part company from the opinion expressed by our teacher, R. Solomon B. Freehof, who in a 1973 responsum (*American Reform Responsa*, no. 13) clearly declares homosexuality to be in the category of "sin." We would note that his *teshuvah* makes no mention at all of the nature of homosexuality as a sexual orientation, a structure of psyche which is not the product of individual choice. As such, we feel that its message has lost much of its relevance for today.

²⁶ We cannot, in this setting, enter into a detailed consideration of the vast scientific literature on the nature and causes of human sexual orientation. Nor, for that matter, are we qualified to judge the scientific accuracy of that material. The CCAR's Ad Hoc Committee on Homosexuality and the Rabbinat, reporting to the Conference in 1990 (*CCAR Yearbook* 100 (1990), 109-110, found that the scientific community lacked unanimity on this question and that the very definition of sexual orientation depends largely upon the interpretations and constructions which various disciplines and groups place upon that concept.

²⁷ The rule is *ones rachmana petarei*, "one is legally exempt for acts committed under duress"; see *BT* Bava Kama 28a and parallels. A problem with this analysis is that *gilui arayot*, the commission of acts of intercourse forbidden in Lev. 18 and 20, is normally prohibited even on pain of death; *BT* Sanh. 74a. Moreover, *ones* in sexual cases applies only to the female or passive "partner;" the male or active "partner" by definition is said to perform intercourse with intention; see *BT* Yevamot 53b and *Yad*, Isurey Bi'ah 1:9. However, see *Yad*, Yesodey Hatorah 5:4: when a person commits any act, including *gilui arayot*, under duress, he or she does not suffer the Torah's prescribed punishment. Moreover, there are times when human nature "compels one to desire" an otherwise forbidden thing and thus mitigates the act from the law's point of view (*Yad*, Isurey Bi'ah 1:9). This can be said to apply to our case, where homosexual behavior results from an orientation which, whatever its cause, is beyond the control or the will of the individual.

²⁸ *CCAR Yearbook* 87 (1977), 86; *CCAR Yearbook* 100 (1990), 107.

²⁹ *CCAR Yearbook* 90 (1990), 109 and 111. There, it is reported that the Hebrew Union College-Jewish Institute of Religion considers a rabbinical-school applicant's sexual orientation only within the context of that applicant's overall suitability for the rabbinate generally. The resolution as passed by the Conference endorsed this admissions policy.

³⁰ *CCAR Yearbook* 106 (1996), 330.

³¹ See *BT* Bava Metzi'a 94a and *Yad* Ishut 6:9. On this basis, a husband and wife can stipulate whatever financial arrangements they wish to govern their marital affairs; see *Yad*, Ishut 12:1ff.

³² *Contemporary American Reform Responsa*, no. 200 (from 1985). See also *American Reform Responsa*, no. 14 (from 1981).

³³ *CCAR Yearbook* 100 (1990), 110.

³⁴ Readers will note the affinity between the ideas expressed in this paragraph and the works of such contemporary thinkers as Hans-Georg Gadamer, Alisdair MacIntyre, Michael Perry, Hillary Putnam and others. We are in no position to consider here whether these thinkers are "right" about the concept of tradition. We refer to them only as a reference point for a view we find persuasive: namely, that all moral thinking begins with tradition.

³⁵ It bears emphasis that this *she'elah* is not a case of conflict between "Jewish tradition" on one side and "modernity" on the other. As of this writing, no "modern", "liberal" Western jurisdiction recognizes homosexual marriage as legally valid. This fact is evidence that the "modern Western tradition" is at least as divided as we are on this question and offers but uncertain support to the advocates of same-sex marriage.

³⁶ This is a point of vital significance. While the fact that Reform Judaism has departed from traditional standards of practice in one area suggests that we might abandon them in another, it does not logically *require* that we do so. Each issue has to be judged on its own particular merits.

³⁷ The prohibition against sex with a *nidah*, or menstruating woman (Lev. 18:19), may be something of an exception. Though we have never "legalized" it, the subject is absent from virtually all discussions of sexual ethics in Reform Judaism. At any rate, the *halakhah* also distinguishes between the *nidah* and the other *arayot* in that *kiddushin* with the former, unlike with the latter, is recognized as valid; *BT Yevamot* 49b and *SA EHE* 61:1.

³⁸ *CCAR Yearbook* 100 (1990), 110-111.

³⁹ *Ibid.*, 109.

⁴⁰ See note 26. As the Ad Hoc Committee on Homosexuality and the Rabbinat notes, "the specific origin of sexual identity and its etiology are still imperfectly understood"; *CCAR Yearbook* 100 (1990), 109. In other words, we do not know with scientific certainty just what sexual orientation *is* or how a person develops one kind of sexual orientation as opposed to another. While we as individuals may believe that we are in possession of a clear understanding of the nature of sexual orientation, we *as a Committee* are unable to advance beyond the uncertainty expressed by the Ad Hoc Committee.

⁴¹ Similarly, while we must show love and concern for the intermarried couples in our midst, such a duty in no way *requires* that we as rabbis offer religious sanction to their unions. This analogy does not, of course, perfectly mirror the situation of homosexual couples. The differences and similarities will be discussed in Part III, below. It is cited here merely to demonstrate that compassion for human persons does not automatically entail that we offer ritual sanction their particular sexual relationships.

⁴² R. Herbert Bronstein, in Rabbi Simeon J. Maslin, ed., *Gates of Mitzvah* (New York: CCAR, 1979), 123-124.

⁴³ We know that "Reform Jewish marriage" is often identified in the public mind as a purely "spiritual" endeavor, the legal aspects of the marital union being left to the control of the state. We regard this as an unfortunate historical error. In Jewish religious thought, marriage is a legal as well as a spiritual institution, and to understand marriage as a category of *Jewish* life requires that

we take both its aspects seriously. That the legal implications of marriage are determined in practice by the civil law in most Western countries does not alter this elemental fact of history and religion.

⁴⁴ *M. Kiddushin* 3:12. The *halakhah* recognizes the validity of a marriage between two Gentiles, in that the "children of Noah" are forbidden the *arayot*, the proscribed sexual practices of Leviticus 18, which include adultery. See also *Yad*, *Ishut* 1:1, where Rambam describes the law of marriage "before the Torah was given" and *Magid Mishneh ad loc.* However, the word *kiddushin* never designates non-Jewish marriage, and Jewish law is indifferent as to the ritual or ceremony by which Gentile traditions effect the marriage bond.

⁴⁵ *M. Kiddushin* 3:12.

⁴⁶ *M. Kiddushin* 1:1 lists three methods of effecting the *kinyan*: *kesef* (money); *shetar* (written document); or *bi'ah* (sexual intercourse). While any of these methods is halakhically valid, the use of *kesef* is the universal custom; *Yad*, *Ishut* 3:21. Out of moral concern, the early Babylonian *amoraim* forbade the use of *bi'ah* as a method of contracting marriage; *BT Kiddushin* 12b.

⁴⁷ *BT Kiddushin* 65b-66a; *Yad*, *Ishut* 4:6.

⁴⁸ *BT Kiddushin* 5b-6a; *Yad*, *Ishut* 3:1. The wife is the passive party here; she neither gives the money nor recites the formula. If, however, *he* gives the money and *she* recites the formula, some authorities suggest the marriage may be valid. See *SA EHE* 27:8.

⁴⁹ Marriage, unlike any other *kinyan*, requires the clear consent of the "acquired" party, the wife; *BT Kiddushin* 2b and *Bava Batra* 48b; *Yad*, *Ishut* 4:1.

⁵⁰ *BT Kiddushin* 10a; *Yad*, *Ishut* 10:1.

⁵¹ *BT Kiddushin* 2b. *Tosafot*, s.v. *de'asar*, notes that the use of *hekadesh* language in a secular transaction is unique to marriage; thus, perhaps, the sanctity of marriage lies at least in part in its essential un-likeness to every other kind of legal act.

⁵² *M. Kiddushin* 1:1 and Rashi, s.v. *vekonah et atzmah*.

⁵³ *M. Kiddushin* 3:12.

⁵⁴ *Deut.* 25; *Yad*, *Yibum Vechalitzah* 1:1.

⁵⁵ *BT Ketubot* 7b. See *Yad*, *Ishut* 3:24, where the conclusion (*chatimah*) of the benediction is simply: ...*mekadesh yisrael*, "Who sanctifies Israel."

⁵⁶ And see Rashi, *BT Ketubot* 7b, s.v. *ve'asar lanu*: even the husband is forbidden to his betrothed wife, under rabbinic if not Toraitic law, until the time of *chupah* (*nisu'in*).

⁵⁷ *Sifra* to *Lev.* 19:2, and see Rashi and Ramban *ad loc.*

⁵⁸ To refer again to the above citation from *Gates of Mitzvah*: "in *Kiddushin* the husband and wife set each other apart."

⁵⁹ See the list of "Prohibited Marriages", both *de'oraita* and *derabanan*, in *Rabbi's Manual*, 235-236.

⁶⁰ While the Reform movement in the United States accepts the validity of civil divorce (*Rabbi's Manual*, 244-246), the preponderant majority of our colleagues elsewhere require a *get* before remarriage. In addition, the American movement has explained its acceptance of civil divorce in traditional halakhic terminology: since divorce in Jewish law is regarded as a matter of monetary law (itself a controversial assumption), a divorce decree emanating from a civil court is valid at Jewish law under the doctrine of *dina demalkhuta dina*. In this sense, we continue to practice "Jewish divorce," since the secular courts act as our designated agents. On the history of Reform and the divorce question see ARR, no. 162, Solomon B. Freehof, *Reform Jewish Practice I*, 99-110, and Moses Mielziner, *The Jewish Law of Marriage and Divorce in Ancient and Modern Times*. Cincinnati: Bloch, 1884, 130-137. Moreover, the introduction of the Ritual of Release (*Rabbi's Manual*, 97-104) suggests that the movement is beginning to reconsider the necessity of some Jewish ritual procedure to mark the dissolution of a marriage.

⁶¹ It is true, but irrelevant, that the text of this *berakhah* in our *Rabbi's Manual*, 52-53, omits the prohibitions of *arayot* and *arusot*. Would anyone seriously argue that incest and adultery are thereby permitted? The omission may reflect the aesthetic concerns of the *Manual's* liturgists, but its amended text does not describe our understanding of marriage as a legal institution.

⁶² We use the terms *ervah* and *arayot* here in their traditional Judaic context: they refer to those sexual unions which the Torah so classifies, and no Jewish marriage can take place between the two individuals involved. Whether we as individuals or as a group feel that any one of these unions is no longer "sinful" is a separate question and quite irrelevant to the point we are making here.

⁶³ Some suggest that we institute divorce procedures for gay and lesbian couples and that we prohibit sexual infidelity among them as though these were adultery and incest. This would have the effect of making homosexual unions fully parallel to traditional marriage. The problem, of course, is that these boundaries and requirements would be entirely our own creation; they are not what the Torah considers "adultery", "incest", and "divorce." It is the Torah's definition of *arayot*—and *not* our own—which is central to the traditional conception of *kiddushin*.

⁶⁴ The operative concept here is *ein kiddushin tofsin*: "Jewish marriage is impossible" between these two persons"; see *M. Kiddushin* 3:12.

⁶⁵ See above, at note 32.

⁶⁶ *Yad*, Ishut 1:7; Isserles, *EHE* 1:3, and *Resp. Rivash* (R. Yitzchak b. Sheshet, 14th-cent. Spain/North Africa), no. 15: while the ideal (*lekhatchilah*) standard is to require a man to marry a fertile woman, it is "no longer customary for the courts to exercise coercion over this."

⁶⁷ In a similar way, we do not offer religious sanction to the relationship of an unmarried couple. They can choose to accept the sanction we do offer: Jewish marriage. If they reject that option, it is not our responsibility to make a "better offer."

Appendix A12: CCAR Resolution on Gay and Lesbian Marriage

Source: <http://data.ccarnet.org/cgi-bin/resodisp.pl?file=gl&year=1996>

ON GAY AND LESBIAN MARRIAGE

**Adopted by the 107th Annual Convention of the
Central Conference of American Rabbis
March, 1996**

Background:

Consistent with our Jewish commitment to the fundamental principle that we are all created in the divine image, the Reform Movement has "been in the vanguard of the support for the full recognition of equality for lesbians and gays in society." In 1977, the CCAR adopted a resolution encouraging legislation which decriminalizes homosexual acts between consenting adults, and prohibits discrimination against them as persons, followed by its adoption in 1990 of a substantial position paper on homosexuality and the rabbinate. Then, in 1993, the Union of American Hebrew Congregations observed that "committed lesbian and gay couples are denied the benefits routinely accorded to married heterosexual couples." The UAHC resolved that full equality under the law for lesbian and gay people requires legal recognition of lesbian and gay relationships.

In light of this background,

BE IT RESOLVED, that the Central Conference of American Rabbis support the right of gay and lesbian couples to share fully and equally in the rights of civil marriage, and

BE IT FURTHER RESOLVED, that the CCAR oppose governmental efforts to ban gay and lesbian marriage.

BE IT FURTHER RESOLVED, that this is a matter of civil law, and is separate from the question of rabbinic officiation at such marriages.

Appendix A13: UAHC Resolution on Civil Marriage for Gay and Lesbian Jewish Couples

Source: http://urj.org/Articles/index.cfm?id=7214&pge_prg_id=29601&pge_id=4590

Adopted by the General Assembly
Union of American Hebrew Congregations
October 29-November 2, 1997 Dallas

Civil Marriage for Gay and Lesbian Jewish Couples

Background

In 1987, the Union of American Hebrew Congregations (UAHC) reaffirmed its commitment to welcoming gay and lesbian Jews into its congregations and encouraging their participation in all aspects of synagogue and communal life. In 1993, Rabbi Alexander M. Schindler, President of the UAHC, called upon the Reform movement to support the right of gay and lesbian couples to adopt children, to file joint income-tax returns, and to share in health and death benefits provided to heterosexual couples by federal, state, and local governments and by both large and small corporations. Following Rabbi Schindler's call, the UAHC, in 1993, resolved that full equality under the law for gay men and lesbians requires legal recognition of monogamous domestic gay and lesbian relationships.

In 1990, the Central Conference of American Rabbis (CCAR) adopted a position paper encouraging rabbis and congregations to treat with respect and to integrate fully all Jews into the life of the community regardless of sexual orientation and acknowledging the need for continuing discussion regarding the religious status of monogamous domestic relationships between gay men or lesbians and the creation of special ceremonies. In April 1996, the CCAR adopted a resolution supporting the right of gay and lesbian couples to share fully and equally in the benefits of civil marriage.

In addition, the Canadian Council for Reform Judaism (CCRJ) has supported the extension of spousal benefits to same-sex partners in relationships which would be deemed "common law" marriages if the partners were heterosexual. The CCRJ also supported the 1996 amendments to the *Canada Human Rights Act* to add "sexual orientation" as a prohibited ground for discrimination.

In the years since first the UAHC and subsequently the CCAR gave their support for full equality for gay men and lesbians in congregational life, gay men and lesbians have increasingly come forward to participate in the life of Reform Judaism on national, regional, and local levels. No less than heterosexual couples, gay men or lesbians living in monogamous domestic relationships have demonstrated, like their counterparts, love for one another, compassion for the sick, and grief for the dead.

The UAHC has for decades provided moral leadership to the Jewish community and to our nation, recognizing our differences and diversity, but acknowledging that we are but one family, equal before God. In this spirit, the UAHC must now move more forcefully to support the monogamous domestic relationships of gay men and lesbians.

Legal recognition of monogamous domestic gay and lesbian relationships and congregational honoring of these couples will together provide these men and women and their families with dignity and self esteem.

In 1993, the UAHC General Assembly resolution called for recognition for Lesbian and Gay relationships: A) by governmental legislation as to participation in health plans and survivor benefits, as to fitness to raise children, and as to legal acknowledgment of the relationship; and B) by congregations and institutions of the Reform movement to extend benefits to partners of staff members and employees.

A separate secular movement is proceeding to recognize these monogamous domestic relationships judicially and statutorily and to grant to gay and lesbian couples nondiscriminatory economic, legal, and social rights equal to those under law enjoyed by monogamous heterosexual couples.

THEREFORE, the Union of American Hebrew Congregations resolves to:

1. Support secular efforts to promote legislation which would provide through civil marriage equal opportunity for gay men and lesbians;
2. Encourage its constituent congregations to honor monogamous domestic relationships formed by gay men or lesbians; and
3. Support the efforts of the CCAR in its ongoing work as it studies the appropriateness of religious ceremonies for use in a celebration of commitment recognizing a monogamous domestic relationship between two Jewish gay men or two Jewish lesbians.

Appendix A14: Report of the Ad Hoc Committee on Human Sexuality (1998)

Source: "Report of the Ad Hoc Committee on Jewish Sexual Values," *CCAR Yearbook*, vol. CVII (July 1997-December 1998): 30-34.

Report of the Ad Hoc Committee on Jewish Sexual Values

June 1998
Anaheim, California

Jewish religious values are predicated upon the unity of God and the integrity of the world and its inhabitants as Divine creations. These values identify *shleimut* as a fundamental goal of human experience. The Hebrew root *ShLM* expresses the ideal of wholeness, completeness, unity and peace. Sexuality and sexual expression are integral and powerful elements in the potential wholeness of human beings. Our tradition commands us to sanctify the basic elements of the human being through values that express the Divine in every person and in every relationship. Each Jew should seek to conduct his/her sexual life in a manner that elicits the intrinsic holiness within the person and the relationship. Thus can *shleimut* be realized. The specific values that follow are contemporary interpretations of human *shleimut*:

(1) *B'tzelem Elohim* ("in the image of God"). This fundamental Jewish idea, articulated in Genesis 1:27, "And God created Adam in the Divine image....male and female...." is at the core of all Jewish values. *B'tzelem Elohim* underscores the inherent dignity of every person, woman and man, with the equal honor and respect due to each individual's integrity and sexual identity. *B'tzelem Elohim* requires each of us to value one's self and one's sexual partner and to be sensitive to his/her needs. Thus do we affirm that consensuality and mutuality are among the values necessary to validate a sexual relationship as spiritual and ethical and therefore "in the image of God."

(2) *Emet* ("truth"). Authentic and ethical human relationships should be grounded in both truth and honesty. "These are the things you are to do: speak the truth to one another, render true and perfect justice in your gates" (Zechariah 8:16). People can only truly know each other and appreciate the Divine in all people when they come to each other openly and honestly. Both partners in an intimate relationship should strive to communicate lovingly. They should tell each other what gives them sexual pleasure and what does not, and should honestly share their love as well as the challenges that their relationship presents to them. However, honesty that is destructive of the relationship lacks the quality of *rachamim*, mercy. "Mercy and truth shall meet, justice and peace shall embrace" (Psalms 85:11). For that reason, intimate partners should be mindful that there may be moments when they are better served by not being totally candid with each other. In addition, falsehood that manipulates is sinful. Dating partners must not lie to each other in order to mislead the other into a sexual relationship. Neither partner should use the other as a sexual object. Finally, parents should learn how to teach their children both the facts and the consequences of sexual behavior, physically, emotionally and spiritually. Parents should then use that teaching to help their children face the realities of the contemporary world.

(3) *B'ri-ut* ("health"). Our tradition enjoins upon us the responsibility to rejoice in and to maximize our physical, emotional and spiritual health. "Blessed is our Eternal God, Creator of the Universe, who has made our bodies with wisdom, combining veins, arteries and vital organs into a finely balanced network" (*Gates of Prayer*, page 284). Reform Judaism encourages adults of all ages and physical and mental capabilities to develop expressions of their sexuality that are both responsible and joyful. The abuse of human sexuality can be destructive to our emotional, spiritual and physical health. We have a duty to engage only those sexual behaviors that do not put others or ourselves at risk. In our age of HIV/AIDS and epidemic sexually-transmitted

diseases, irresponsible sexual behavior can put our lives and the lives of others at risk. We must act upon the knowledge that our sexual behavior is linked to our physical health.

(4) *Mishpat* ("justice"). Judaism enjoins upon us the mandate to reach out and care for others, to treat all of those created in the image of God with respect and dignity, to strive to create equality and justice whenever people are treated unfairly, to help meet the needs of the less fortunate, and people are treated unfairly, to help meet the needs of the less fortunate and to engage in *tikkun olam*, the repair of God's creation. The prophet Amos exhorts to "Let justice well up as waters, righteousness as a mighty stream" (Amos 5:24). As a people who have historically suffered at the hands of the powerful, we must be especially sensitive to any abuse of power and victimization of other human beings. According to the sages, the *yetzer harah*, through its sexual component, may sometimes lead to destructive behavior and to sin. All forms of sexual harassment, incest, child molestation and rape violate the value of *mishpat*. Our pursuit of *mishpat* should inspire us to eradicate prejudice, inequality and discrimination based upon gender or sexual orientation.

(5) *Mishpacha* ("family"). The family is a cornerstone of Jewish life. The Torah, through the first *mitzvah* (Genesis 1:28), *p'ru u'ruu*, "be fruitful and multiply," emphasizes the obligation of bringing the children into the world through the institution of the family. In our age, the traditional notion of family as being two parents and children (and perhaps older generations) living in the same household is in the process of being redefined. Men and women of various ages living together, singles, gay and lesbian couples, sing-parent households, etc., may all be understood as families in the wider, if not traditional, sense. "Family" also has multiple meanings in an age of increasingly complex biotechnology and choice. While procreation and family are especially important as guarantors of the survival of the Jewish people, all Jews have a responsibility to raise and nurture the next generation of our people. The importance of family, whether biologically or relationally based, remains the foundation of meaningful human existence.

(6) *Tz'niyut* ("modesty"). The classic *Iggeret HaKodesh*, "The Holy Letter," sets forth the Jewish view that the Holy One did not create anything that is not beautiful and potentially good. The human body in itself is never to be considered an object of shame or embarrassment. Instead, "...it is the manner and context in which it (i.e., the body) is utilized, the ends to which it is used, which determine condemnation or praise." Our behavior should never reduce the human body to an object. Dress, language and behavior should reflect a sensitivity to the Jewish respect for modesty and privacy. As Jews we acknowledge and celebrate the differences between public and private and holy time as well as the differences between public, private and holy places.

(7) *B'rit* ("covenantal relationship"). For sexual expression in human relationships to reach the fullness of its potential, it should be grounded in fidelity and the intention of permanence. This grounding mirrors the historic Jewish ideal of the relationship between God and the people Israel, with its mutual responsibilities and its assumption of constancy. The prophet Hosea wrote, "I will betroth you to Me forever I will betroth you to Me in righteousness and justice, in love and compassion, I will betroth you to Me in everlasting faithfulness" (Hosea 2:21-22). A sexual relationship is covenantal when it is stable and enduring and including mutual esteem, trust and faithfulness.

(8) *Simcha* ("joy"). Human sexuality, as a powerful force in our lives, has the potential for physical closeness and pleasure, emotional intimacy and communication. The experience of sexual pleasure and orgasm, both in relationship and individually, can greatly delight women and men. Our tradition teaches that procreation is not the sole purpose of sexual intimacy; it not only recognizes but rejoices in the gratification that our sexuality can bring to us. As an expression of love, the physical release and relaxation, and the enjoyment of sensuality and playfulness, which responsible sexual activity can provide, is encouraged by our Jewish tradition. The sages teach that the *Sh'chinah*, the Divine Presence, joins with people when they unite in love, but add that if there is no joy between them, the *She'chinah* will not be present. (Shabbat 30b, Zohar I).

Judaism insists that the *simcha* of human sexual activity should be experienced only in healthy and responsible human relationship.

(9) *Ahava* ("love"). The *mitzvah* from Leviticus 19:18, "You shall love your neighbor as yourself, I am Adonai," serves as an essential maxim of all human relationships. The same Hebrew value term, *ahava*, is used to describe the ideal relationship between God and humanity as well as between people. The Jewish marriage ceremony speaks of "*ahava v'achava, shalom v'reiyut*," "love and affection, wholeness and friendship" as ideals that should undergird holy relationships. For Jews, *ahava* is not only a feeling or emotion, but also the concrete behaviors we display toward God and our fellow humans. *Ahava* implies self esteem, the internal conviction that each of us should appear worthy in our own eyes. To be loved, one must consider oneself lovable; without regard for self, one can hardly care for others. *Ahava* forbids any abuse or violence in sexual or any aspect of human relationships. *Ahava* should be expressed through behavior that displays caring, support and empathy.

(10) *Kedushah* ("holiness"). This values comes from the root meaning of the Hebrew word *KDSh*, "distinct from all others, unique, set apart for an elevated purpose." The Torah instructs us: "You shall be holy, for I, Adonai your God, am holy" (Leviticus 19:2). Holiness is not simply a state of being; rather it is a continuing process of human striving for increasingly higher levels of moral living. In a Reform Jewish context, a relationship may attain a measure of *kedushah* when both partners voluntarily set themselves apart exclusively for each other, thereby finding unique emotional, sexual and spiritual intimacy.

While the committee was convened to examine a wide range of issues related to human sexuality, it has been called upon to focus first on gay and lesbian relationships. Our process began with an identification of values that characterize an ideal Jewish sexual relationship. We reviewed the traditional unique status of heterosexual, monogamous marriage in Judaism. And we studied gay and lesbian relationships in the context of the values contained in the above report.

At this moment in the history of the CCAR, the issue of rabbinic officiation at same-gender ceremonies is a matter of concern for many of our colleagues. These Reform Sexual Values have led the Ad Hoc Committee on Human Sexuality to conclude that *kedushah* may be present in committed same-gender relationships between two Jews, and that these relationships can serve as the foundation of stable Jewish families, thus adding strength to the Jewish community. In this spirit, we believe that the relationship of a Jewish, same-gender couple is worthy of affirmation through appropriate Jewish ritual, and that each rabbi should decide about officiation according to his/her own informed rabbinic conscience. We call upon the CCAR to support all colleagues in their choices in this matter. We also call upon the CCAR to develop educational programs in this area.

The Ad Hoc Committee on Human Sexuality considers this an interim report on the progress of its deliberations. We intend to continue exploring the dozens of issues involved in this important arena of human behavior and to bring additional guidance to our Movement on issues of human sexuality.

Appendix A15: UAHC Resolution on Transforming Congregations into Inclusive and Caring Jewish Communities

Source: http://urj.org/Articles/index.cfm?id=7208&pge_prg_id=29601&pge_id=4590

65th General Assembly
December 1999
Orlando, Florida

TRANSFORMING CONGREGATIONS INTO INCLUSIVE AND CARING JEWISH COMMUNITIES

BACKGROUND

The demographics of North American Jewry have undergone dramatic change in the last third of the twentieth century, and our Reform Jewish "family" often looks radically different from the typical Reform Jewish "family" of thirty years ago. Over 50% of the Jewish community is comprised of household units that consist of either one or two people living alone. The traditional two-parent, two-child family now comprises less than 20% of the community.

Today, a "family" may be a single person (never married, divorced, or widowed). There are "blended" families and families with partners of the same sex. There is cohabitation without marriage. Some families are racially mixed, through marriage or through adoption. Interfaith households are common. Increasing numbers of Jewish women defer parenthood. More Jewish mothers work part-time. With longer life spans, the percentage of older adults in our community continues to increase. Yet most congregational programs do not meet the needs of the more than 80% of families that do not fit the traditional model.

These new family structures proceed through life's stages in radically different ways, significantly altering family life experiences and needs and presenting new and complex challenges for congregational membership, family programming, educational and service opportunities, and spiritual connection and growth. Along with changes in family structure and changes in the surrounding culture and society, our congregational families have faced increasingly difficult social, health, and personal problems. These problems include substance abuse, mental illness, eating disorders, infertility, bioethical decisions concerning end of life and other health care needs, disabilities and special needs, and living in split and blended families.

Recognizing that the family in all of its unique and different configurations is still a cornerstone and strength of the Jewish people and of our congregations, and coupled with the belief that our faith to be relevant and meaningful, must address itself to these very real life problems of our congregants, the UAHC has created the Department of Jewish Family Concerns.

THEREFORE, the Union of American Hebrew Congregations resolves to:

1. Assist all member congregations in:

(A) Developing Jewish Family Concerns Committees and programs that reflect the changing contemporary Jewish family in all its diversity, and

(B) Creating proactive partnerships with UAHC regions and national departments in the task of synagogue transformation and creating caring congregations, so that the synagogue will be a place of worship, study, and action for member families;

2. Encourage all member congregations to examine their internal governance to ensure it reflects the changing nature of the family;
3. Urge member congregations to join with our regions and outside professional organizations in building local capacity to meet the needs of our congregants' families through training and educational opportunities for lay, clergy and professional staff;
4. Create a training program for congregational and regional staff and laypeople who implement Family Concerns programming;
5. Urge that Jewish Family Concerns Seminars be offered throughout the Reform Movement; and
6. Collect accurate demographic data on our family units and household synagogue memberships and work toward a usable information database for the Reform Movement.

Appendix A16: CCAR Resolution on Same Gender Officiation

Source: <http://data.ccarnet.org/cgi-bin/resodisp.pl?file=gender&year=2000>

RESOLUTION ON SAME GENDER OFFICIATION

**Resolution adopted at the 111th Convention of the
Central Conference of American Rabbis
March, 2000**

Background

Over the years, the Central Conference of American Rabbis has adopted a number of positions on the rights of homosexuals, on homosexuality in the rabbinate, and advocating changes in civil law pertaining to same-gender relationships.

In 1977, the CCAR adopted a resolution calling for legislation decriminalizing homosexual acts between consenting adults, and calling for an end to discrimination against gays and lesbians. The resolution called on Reform Jewish organizations to develop programs to implement this stand.

In 1990, the CCAR endorsed the report of the Ad Hoc Committee on Homosexuality and the Rabbinate. This position paper urged that "all rabbis, regardless of sexual orientation, be accorded the opportunity to fulfill the sacred vocation that they have chosen." The committee endorsed the view that "all Jews are religiously equal regardless of their sexual orientation." The committee expressed its agreement with changes in the admissions policies of the Hebrew Union College-Jewish Institute of Religion, which stated that the "sexual orientation of an applicant [be considered] only within the context of a candidate's overall suitability for the rabbinate," and reaffirmed that all rabbinic graduates of the HUC-JIR would be admitted into CCAR membership upon application. The report described differing views within the committee as to the nature of *kiddushin*, and deferred the matter of rabbinic officiation.

A 1996 resolution resolved that the CCAR "support the right of gay and lesbian couples to share fully and equally in the rights of civil marriage," and voiced opposition to governmental efforts to ban gay and lesbian marriages.

In addition to these resolutions, two CCAR committees have addressed the question of same-gender officiation. The CCAR Committee on Responsa addressed the question of whether homosexual relationships can qualify as *kiddushin* (which it defined as "Jewish marriage"). By a committee majority of 7 to 2, the committee concluded that "homosexual relationships, however exclusive and committed they may be, do not fit within this legal category; they cannot be called *kiddushin*. We do not understand Jewish marriage apart from the concept of *kiddushin*." The committee acknowledged its lack of consensus on this question.

The Ad Hoc Committee on Human Sexuality issued a report in 1998 which included its conclusion, by a committee majority of 11 with 1 abstention, that "kedushah may be present in committed same gender relationships between two Jews and that these relationships can serve as the foundation of stable Jewish families, thus adding strength to the Jewish community." The report called upon the CCAR to support all colleagues in their choices in this matter, and to develop educational programs.

RESOLUTION

WHEREAS justice and human dignity are cherished Jewish values, and

WHEREAS, in March of 1999 the Women's Rabbinic Network passed a resolution urging the Central Conference of American Rabbis to bring the issue of honoring ceremonies between two Jews of the same gender to the floor of the convention plenum, and

WHEREAS, the institutions of Reform Judaism have a long history of support for civil and equal rights for gays and lesbians, and

WHEREAS, North American organizations of the Reform Movement have passed resolutions in support of civil marriage for gays and lesbians, therefore

WE DO HEREBY RESOLVE, that the relationship of a Jewish, same gender couple is worthy of affirmation through appropriate Jewish ritual, and

FURTHER RESOLVED, that we recognize the diversity of opinions within our ranks on this issue. We support the decision of those who choose to officiate at rituals of union for same-gender couples, and we support the decision of those who do not, and

FURTHER RESOLVED, that we call upon the CCAR to support all colleagues in their choices in this matter, and

FURTHER RESOLVED, that we also call upon the CCAR to develop both educational and liturgical resources in this area.

Appendix B: Anonymous Statements of Gay and Lesbian Rabbis and Rabbinical Students

Collected by the Ad Hoc Committee on Homosexuality and the Rabbinat
Winter 1986-1987. The responses are available in The Selig Salkowitz Papers, MS 725,
Box 3, Folder 3, The American Jewish Archives, Cincinnati, OH.

270 Divisadero at Caselli

San Francisco, California 94117

Phone 861-6081

December 17, 1986
15 Kislev 5747

Dear Colleague:

I am writing to ask for your help. CCAR President Jack Stern has appointed an ad hoc Committee on Homosexuality to study a proposed resolution calling for non-discrimination towards gay and lesbian rabbis (the text of the resolution is enclosed). At its first meeting in November, the Committee agreed to seek out the personal testimony of gay and lesbian rabbis.

The Committee is seeking anonymous, personal statements, responding to these questions:

1. How do you perceive yourself as a gay/lesbian person who is a rabbi?
2. How has being a lesbian or gay person impacted on your rabbinate?
3. How has homophobia and/or prejudice affected your rabbinate?
(We are also seeking to reach people who may have left the rabbinate or been discouraged from applying to HUC-JIR because of homophobia.)
4. How would a policy of non-discrimination on the part of the CCAR affect your own life and rabbinate?

The larger the pool of responses, the greater the impact on the Committee and, ultimately, on the Reform movement. Although there have been previous CCAR committees on homosexuality, this is the first time an effort has been made to reach out to the gay and lesbian members of the Conference. All responses will remain completely confidential. If you have any questions, please contact me or another member of the Committee. I can be reached at home (415) 626-2946, or through my office (415) 861-6081. If you prefer, you may contact another member of the Committee: Norman Cohen, Margaret Wenig, Jack Stern, Walter Jacob, Selig Salkowitz, Harvey Tattelbaum, Gary Zola, Joseph Levine, Peter Knobel, Stanley Dreyfus, or Joe Glaser.

Responses may be sent to me at 1 Scott Street, Apartment 7, San Francisco, California 94117 or to any member of the Committee. Please send your reply by January 31st.

Thank you for your assistance.

Cordially,

Serendipitously your letter/packet of December 17 reached me after the New Year. Since we are not complete strangers, I will try to answer the ad hoc committee questions by speaking with you in written form; I pray my confidence in you is not misplaced, because by so speaking out I am well aware that I empower you to destroy me and my career.

Is it homophobia? Sellsthasse? Both? I do not fear the censure or rejection of colleagues. Surely some would treat me differently were they to know that despite the appearances which I present of being typically upper middle class, stably married and successful -- that I am entrenched in a bisexual life -- with license from my wife -- and know with my innermost spirit that were it not for depth of commitment to her (We met in our teens and were married at 21) and my love for my children, I would have long since moved completely outside the closeted, secretive existence and into a liaison with a same sex partner.

My fear, however, is real because the homophobia I encounter day in and day out would make continuing in a rabbinic career all but impossible. That represents a status quo: homophobia in suburbia has been tempered neither by Gay Liberation nor by rampant disease.

As a human being who has come to acknowledge my sexual difference only through years of anguish and difficulty, I have been sensitized to the suffering of others. My style is gentle, pastoral and at times motherly. Would I possess these qualities to the same extent as a heterosexual? I have no way of telling. But I am certain -- because it has been a conscious decision -- that I reject the images of machismo, the role of modelling and the posturing which are the rule of thumb for masculinity in our society. My personal concerns (agenda?) are humanistic. I go to people rather than issues, problems rather than ideology. I love the aesthetics of Jewish observance -- and use them. In short my rabbinic goal is to be a "Mensch" -- and I believe I succeed in that.

What remains unclear is how all this differs from the concerns of other Rabbis of either gender or other sexual orientation. Perhaps the difference is qualitative rather than quantitative -- but my resolution of this question is that my sexuality is so integral a part of my identity that its influence pervades everything I do.

My sexual identity has forced me to make hard choices: choices about supporting groups, organizations and causes in which I believe and whose goal would be helpful. But I do support some and have made myself a part of the cadre who face AIDS foursquare, and given token financial support to ~~some~~ and Gay congregations. But despite the existence of local gay synagogues which I have attended from time to time, I am not a "regular" or "member" for reasons I find obvious -- the Jewish community is just too small! And the price of recognition is immeasurable.

My courage has grown -- this 3/3/81 is proof of that. I no longer tremble when I tell groups that I am certain gay people are in our synagogue regularly, nor do I fear taking up issues which affect the lives of people I know.

Nevertheless, I am not above reproach. Although I have always been quite cautious sexually and used good judgement in trying to act responsibly under difficult circumstances, my sexual behavior has at times been self destructive. But I know I am not alone. Over the years I have come to know several colleagues who are -- if anything -- more closeted than I. They are also more frustrated and have according to their words received prolonged psychological treatment for various symptoms. Although my wife and I briefly sought out marital counselling, I have never felt the need of such treatment despite enormous stress and anxiety due in no small measure to the complex adjustment which my life is.

Since I am not generally known as part of the "gay rabbinate" I have not knowingly encountered discriminatory homophobia in my personal career. For reasons which are unclear to me, my entrance into HUC was made extremely difficult. No reference, however, was made to my as-then latent homosexuality.

In the intervening years, the effects have been more subtle. It may well be that my career path has been unknowingly affected by my mannerisms, my personality or other subliminal evidence of being "different." More important, I have given long and careful consideration to a career change which would remove me from the limelight and ethical dilemma of teaching and acting, judging and being judged on moral bases (although I try to do what is right) when the standards are unrelated to my life. Were I unmarried or independently wealthy, I clearly would have taken up other means to earn enough to live.

As it is, I feel that my position and existence are tenuous and hold neither certainty nor guarantee that I will not face tragic losses. I regularly ask myself, whether and how long a woman should remain accepting my "peccadillos." I know the answer about the congregation: at best I would be permitted to resign.

Nevertheless, because I am a resilient (sic) person by nature, I choose to ignore these possibilities from an operational standpoint. In both situations, I choose to live as if the encumbering difficulty were not there. And while among men I am honest about my marriage although I do obscure my profession.

What can a CCAR nondiscrimination resolution achieve? In real terms for me and perhaps most gay/lesbian conference members very, very little. But I do believe it is important because it is the kind of policy implicit in our movement's liberalism. Gay Rabbis are not new (Lesbian Rabbis I fear are more so), nor are they confined to the Reform Movement. I know now what I did not comprehend as a child of four or five, when I cruised every male's genital's in the locker rooms of the public beach. I may not know now -- or ever -- why my sexual preference is thus -- but I have decided to live with it because there is no choice.

I welcome this choice to speak, wishing it could be other than anonymous, because if Rabbis are lonely then there is no Rabbi lonelier than those who are gay.

I was delighted to receive the committee's letter inviting personal statements from rabbis who are gay/lesbian. I am encouraged by the fact that someone wants to hear our stories.

I currently am working as a congregational rabbi. I love what I do and feel good knowing I made the right professional decision for myself. But because of my sexuality, I often consider other job options, including a different career altogether.

I will attempt to explain my ambivalence in this essay.

I live a split life. When I'm with my congregation, I am perceived as a straight, single woman. When I am not with them, I am in a town an hour away, with my lover and her two children. Because of my fear of losing my job, I feel that I must keep my private life separate from my congregational life.

There are some liberal colleagues who have made comments like "I have no problem with homosexual rabbis--what they do in the privacy of their own homes is their business." While I appreciate that as what some people would consider a relatively liberal attitude among many of our colleagues, it hurts me that my relationship with my lover is reduced to only a sexual one. There is so much more to a love relationship than that.

My congregation is made up of, for the most part, warm, caring people. Since they assume that I am single, many have invited me for holiday dinners, break-fast, etc., assuming that I would otherwise be alone. I thank them and graciously decline, with some vague comment about being with "friends." The reality is, I will be with my family--my lover and her children, together with the other members of our respective families.

Of course, if I were married, or seriously involved with a man, that would not have to be kept secret and I could accept or

decline invitations with a comment about how "we're" spending the holiday. (No doubt he would also be included in the invitation.) If this same male person in my life were to come with me to services, people would make an effort to be friendly toward him. When my female lover comes to services, she is treated like a non-entity. If I introduce her as my "friend," people are not really so interested in this same sex person in my life.

Because of this awkward situation, my family rarely spends Shabbat at services with me. We see Shabbat as family time, but because of what I do professionally, we pray in different places. When my lover does come to services with me, she does not stay for the Oneg Shabbat, which means we come to services in two cars, and other assorted logistical complications.

My "step-children" often have special events in their lives which I want to attend, such as school concerts or Religious School consecration. In order for me to be excused from meetings, classes, etc., I have to make up stories of "previous commitments," etc. Again, if I were married to a man who had children from a previous marriage, I feel it would be much easier to tell people I cannot make a meeting/dinner/whatever because it is my stepchild's birthday.

All of this adds up to a wall which I have built between myself and my congregants. We all lose as a result. They lose by my having to hold back so much of who I really am. I lose by not being able to get to know people as well as I would sometimes like to. There are times when I would love to invite people over for Shabbat dinners, meetings, holidays. But my apartment is my haven, and I do not want to feel compromised there.

Straight people have the luxury of taking many things for granted, like casual remarks about where they went, how they spent

the week-end with their family, pictures on their desks, holding hands in public. It is very hard to be in love and feel like you cannot take the enormous risk of telling anyone.

I am currently looking for a new position, so I will be able to live with my family. It is difficult to explain to people why I have chosen to live in a certain geographic area. Instead I just tell people that I do not know where I will be living. Keeping secrets is a very unhealthy way to live. I do not believe that anyone should have to live with such a split between their personal and professional lives.

A policy of non-discrimination on the part of the CCAR would be a giant first step toward beginning to bridge this enormous gap. I do not believe that it would mean that every gay/lesbian rabbi would immediately then feel comfortable enough to "come out." But it would alleviate some of the fear. Having the support of our movement would be a tremendous relief and support to us. I know that I would feel free to make my own decision about who I would come out to, without being as worried about losing my job. It would be a first step in breaking down the wall that I have had to erect between myself and the congregants with whom I work. I would be able to serve them as a more complete person, which would ultimately be better for all of us: rabbis, congregants--our whole movement.

Our movement has always encouraged people to feel comfortable being who they are. I do not understand why we have lagged behind so much on this issue. We are causing such unnecessary pain to so many of our rabbis, as well as congregants. Approximately 10% of the population is gay/lesbian, which would include rabbis and congregants, alike. This means that we are also doing our gay/lesbian congregants a tremendous disservice, especially the

children, by hiding their gay/lesbian role models from them. As hard as it is to be a female rabbi with no female role models, it is even harder to be a gay/lesbian person with no role models in any field. How wonderful it would be for our gay and lesbian young people to be growing up knowing they are totally accepted, and that they, too, can grow up to be rabbis, rather than growing up wanting to reject the Judaism and Jewish community which so strongly reject them.

At the moment, it is very difficult to analyze myself as a gay person who is a rabbi because these two aspects of my life are entirely separate. In the past, my concerns about what would happen to my future as a congregational rabbi if my sexual preference became known in the community have been so significant that I have carefully divided my life into two very discrete components. My personal life as a gay man is shared with my life partner with whom I have had a longterm, stable and monogamous relationship. My professional life is shared with my congregants and colleagues in my community. To them, I am a straight rabbi serving a congregation and functioning to the best of my abilities in all of the expected rabbinic roles.

I am certain that my being a gay man has had no effect on my ability to serve my congregation. As a matter of fact, the homophobia which I have encountered, even among some of my most ardent supporters in the congregation, leads me to believe that I have been very successful in separating my personal and professional lives.

The success which I have had in living two lives is not something of which I am proud. I certainly would like the people with whom I work to know who I am. I despise having to be dishonest, and I am saddened by the realization that those who sincerely believe that they are my friends, which they are, cannot know how truly complete and fulfilled my life is as a gay man. I want them to know my life partner and to see that we are as happy together as they are with their spouses. I would like them to know that I do not lead the monastic existence which they believe I do, and that when I go home someone special is waiting for me. I also want them to know about me because I am afraid that if they discover the truth later, they may feel that our relationships have been based on a lie. Imagine how troubling it must be to know that those who trust and respect you do not know who you really are. However, that is the way it must be. By statements which are made in my presence, I can sense that even my "hasidim" would lose respect for me and no longer trust me as their rabbi if they discovered that I am gay.

As a closeted gay rabbi in a straight community, I find that I must often choose my words carefully especially when topics related to the gay/lesbian world are discussed. Admittedly, I am particularly sensitive to issues which affect the gay/lesbian world such as gay rights and AIDS. When I do choose to address these topics publically, I always feel that it must be done in a way which makes these topics seem as if they are no more significant to me than any of the other concerns along the entire spectrum of contemporary social issues which I feel deserve to be brought to the attention of my congregation. By the way, I do speak about these issues, and when I do it is not only because they are matters of personal concern, but also because I rarely hear straight rabbis addressing these issues publically.

The most troubling aspect of being a gay rabbi in a straight environment is dealing with the homophobia which I encounter. I grit my teeth when the "fag/fruit/dyke" jokes begin. I try to remain calm enough to make the appropriate comment about the evils of humor which degrades any group. When I become involved in discussions about issues of concern to gays/lesbians, I express my support and respond to prejudice while trying not to become so emotionally involved as to blow my cover.

It is difficult to maintain my composure when I am among rabbinic colleagues who make statements which demean gays/lesbians. I have been present on numerous occasions when respected colleagues have made derogatory comments about gays/lesbians, sometimes in the presence of groups of laypeople. What upsets me the most is that these are rabbis who take every opportunity to speak out publically when even the slightest hint of anti-semitism is voiced.

A statement by the CCAR against discrimination toward gay/lesbian rabbis would be significant in that it would present laypeople with another rabbinic point of view on this issue. If I have been present on a dozen occasions when rabbis have publically demeaned gays/lesbians in general and gay/lesbian rabbis in particular, then I can only assume that such statements are made with frightening frequency. When these statements are made along with those from clergy of other faiths, discrimination against gays/lesbians is given a respectability which is inappropriate and dangerous. A statement by the CCAR concerning the rights of gay/lesbian rabbis would begin to challenge those who feel that they speak for the "religious" community when they condemn gays/lesbians.

In reality, I feel that a statement of non-discrimination against gays in the rabbinate would do little to give a gay/lesbian rabbi real job security. I know that congregations who would want to get rid of a gay/lesbian rabbi could find a way to do so. However, the proposed resolution supporting the rights of gay/lesbian rabbis to function in their chosen profession would show Reform Jews that the attitudes which I have mentioned above are not in keeping with Reform tradition and that those rabbis who quote irrelevant responsa concerning the right to refuse to officiate at a marriage between two homosexuals as support for their homophobia are only expressing personal prejudice, not the official policy of the Reform Movement.

Even the discussion which will precede a vote on this issue at the CCAR convention will be significant in that it will acknowledge that there are gay/lesbian rabbis who function effectively in the rabbinate despite the fact that many of them must live two lives.

Personally, this struggle has been difficult. After considering leaving the rabbinate altogether, I have now decided to just leave the congregational rabbinate and seek a position in organizational

work or in the chaplaincy where the eyes of hundreds of congregants are not constantly looking over your shoulder. This decision has not been an easy one to make. I am saddened by the realization that I am not the first person to have to make this decision, and I know that I am surely not the last. How unfortunate it is that so many competent rabbis who have succeeded in the congregational rabbinate and who have so much to offer a congregation have left and will leave congregational positions because so many people cannot accept our lifestyle as a legitimate option.

January 30, 1987

To the *ad hoc* Committee on Homosexuality of the CCAR:

I was a rabbinical student at HUC in the early 1970's. After two years in the program, I decided to leave, despite much encouragement from the faculty and my fellow students to stay.

During my years at the school I was just coming to terms with my homosexuality. In fact, it was while at HUC that I "came out" -- i.e., had my first gay sexual experience and began to regard myself as a gay person. (As a sidelight, I must note that the man who brought me out was also a rabbinical student at HUC!)

I had some serious concerns about my emerging gayness and how it would affect my career in the rabbinate. At that time I knew of no other ordained gay rabbis, although I did know of several other gay students at HUC besides myself. I had no role models. To me, being gay and being a rabbi were at opposite ends of the moral spectrum and I did not see any way for me to bring together these two parts of my life which seemed so far apart. I felt lots of guilt about my gayness and held the belief that I could not undertake the moral leadership required of a rabbi as long as I was gay.

I have since reconciled these feelings, if not totally at least to the point where I believe I can be a morally upstanding Jew and still be gay. Today I lead my gay lifestyle according to the moral and religious teachings of Judaism and find it quite fulfilling.

Attitudes have changed since the early 1970's. In the late '80s there is more acceptance and understanding of homosexuality within our society, the Reform movement and hopefully at HUC as well. But in the '70's I had no such support and felt very much alone. As the saying goes, had I known then what I know now, I might not have left HUC. Or more aptly put, had I the life experience and maturity then that I have now, I might have pursued the rabbinate feeling more confident that I could be both gay and a rabbi.

I do not want to imply that I left the rabbinate solely because of the gay issue. Other factors influenced my decision which were purely professional and lifestyle concerns and not related to my gayness. Suffice it to say being gay and having the feelings I describe were an important factor in my decision, but not the only one.

While I stand by my decision to leave and believe it has ultimately been the right choice for me, I must say in closing that on many occasions I have regreted it. I still believe I would have made a wonderful rabbi, and that I would have had a lot to offer the profession and to my people. It would have been a wonderful life's work and very satisfying for me. Indeed, it is the only "calling" I have ever had. As such, any other profession I have pursued has always seemed somehow less significant and less fulfilling.

December 29, 1986

Dear Yoel:

In an effort to assist you, I am going through the pain of writing the following:

I am a closet gay, happily married, and now retired from a most successful career in the rabbinate. Some colleagues and congregants have known of my gayness since my student days. Others may have suspected, but have never confronted me.

I believe that I have been most effective in my work because of my added empathy for human suffering that has endeared me to most of the people with whom I have worked.

On two occasions my gayness threatened my career: A fellow-chaplain in World War II felt threatened by discovering that I was gay, and reported me to higher authorities. This led to my eventual "other than honorable" discharge (a term used by the Army for those it could not handle). Later, I was blackmailed out of considerable sums by someone who passed himself off as a policeman.

My wife, who is aware of all this, has been magnificently loving and supportive.

I find the strongest homophobia exists among our colleagues. I have tried to analyze why some of our most caring leadership has gone through contortions over the long-standing efforts of the CCAR to produce a resolution, how threatened they seem to be by discovering that colleagues, like _____, are announced gays, and I have concluded that the qualities that make the ablest rabbis the caring people they are, result from a latent homosexuality that exists in many individuals.

For these reasons, I believe that your Committee may achieve some resolution on homosexuality which the CCAR may approve by voice vote, but I predict that the CCAR is a long way from accepting full non-discrimination. Only when the majority of the laity is accepting of homosexuals will our colleagues go along. Until then, the growing number of gay colleagues will remain closeted.

I will begin by saying that, although anonymity was promised to respondents to this inquiry, I am doubtful that it can be preserved. I am responding anyway, however, because I am very pleased that the Conference is finally taking steps toward recognizing my existence.

I was ordained within the last ten years; I have one year of full-time and four years of part-time pulpit experience. I have left the active rabbinate, except for my extensive involvement on an unpaid basis, with the local gay/lesbian synagogue. I also perform occasional weddings, usually referred to me by congregational rabbis in the area or people I know. I am anticipating a full-time career in academia as soon as I complete my Ph.D.

How do I perceive myself as a gay/lesbian person who is a rabbi?

I am not sure I understand the thrust of this question, but it sounds as if you are asking how I justify being both a lesbian and a rabbi. I did go through a period in my life when I agonized over the question of whether one could be both, but that question, insofar as it was one of conscience, was really about whether one could be both gay and committedly Jewish, rabbi or not; and insofar as it was only a pragmatic question, its discussion belongs further down in this paper.

I should state first of all that I have no respect and little tolerance for

liberal Jews who tell me that it is wrong for me to be gay because it says so in the Torah. I find that argument specious and hypocritical. The word used to condemn sexual relations between men is, as we all know, to'evah, "abomination" (Lev. 18:22, 20:13). The same word is used to condemn the eating of forbidden species (Dt. 14:3). Liberal Jews who condemn the former while practicing the latter, or declaring it a matter of individual conscience, are using some other criterion of right and wrong, and using the Torah to justify their own prejudices.

Nor can one say that questions of sexual morality are qualitatively different from kashrut or other rituals, and that the biblical view of sexual morality is one of high standards that we should seek to emulate, and that therefore homosexuality is still wrong, although ritual to'evot are not. This argument is equally inconsistent, for liberal Jews also apply the criterion of selectivity to the other sexual prohibitions included in Lev. 18 and 20. I am referring specifically to the prohibition of intercourse with a woman who is menstruating or who has not immersed herself thereafter (18:19, 20:18). Granted, the Torah mandates capital punishment for homosexual relations, while violations of niddah are punishable not by human hands, but by keret; but then, to condemn the former and overlook the latter would be to make a mockery of any claim that the Torah is a statement of what God does or does not allow. Furthermore, I don't hear a great hue and cry out for stoning adulterers, or making sure that we do not include such offenders in our community; why, then, the emphasis on the gravity of the homosexual "offense?" (I am not advocating acceptance of adultery, but the reason I condemn it is not because the Torah declares it a capital crime.)

Liberal Jews who are not hiding behind fundamentalism, however, must also

wrestle with Torah. My struggle begins with the fact that the Torah condemns only male homosexuality, not female homosexuality. This cannot be merely a corollary of the fact that the Torah phrases all its apodictic laws in the masculine gender; for the text explicitly mentions and condemns acts of bestiality by women (Lev. 18:23 and 20:15). How are we to understand this omission? Can it possibly mean that the Torah permits lesbian relationships? The very idea sounds ludicrous, and indeed, I was so informed by a noted thinker of our movement and professor at HUC-JIR. He told me in no uncertain terms that relations between women were most certainly also considered to'evah, just like relations between men. (I thought it quite humorous — at the time, it was gallows humor — that a leader of the Reform movement should take a stricter stance than the Talmud, the Rambam, and all the rest of rabbinic tradition, for whom lesbian relations are not even a serious enough offense to disqualify a woman from the honor of marrying a kohen. The Rambam does advise, however, that a man should prevent his wife from associating with such women, and that such women are liable to flogging. I suppose that since we no longer carry out public floggings, much less capital punishments, the professor in question felt he could name any penalty. But more about him later.)

Joking aside, what I hear from the Torah's silence on relations between women is both distressing and liberating. It is distressing because it shows that as far as the Torah is concerned, there is no sex unless a penis and penetration are involved. That is why the prohibitions of male and female bestiality and male homosexuality appear in adjacent verses, following the list of women with whom a man may not seek sexual gratification: there is an unstated presumption that all human beings, men and women, obtain sexual

gratification from heterosexual vaginal intercourse, and if they cannot obtain it within legitimate channels, they seek substitutes which are increasingly far removed from it, from heterosexual vaginal intercourse with the right woman at the wrong time, to the wrong woman, to more and more remote approximations of it.

Seen in this way, this set of prohibitions is simply irrelevant to a man or woman whose entire orientation as a sexual human being does not lead him or her to seek emotional and physical intimacy with a member of the same sex. Thus I am able to find these verses liberating for gay people, women and men, and simultaneously faithful to our traditions: for if we can dare to read these verses without the assumption that everyone is naturally heterosexual, we can still hear the Torah rightly demanding that sexual desire be channeled in ways that promote and support stability and continuity of human relationships.

Thus I, as a lesbian rabbi, have attended and conducted ceremonies of commitment for Jewish gay and lesbian couples; these are not rejections of Jewish tradition, but acts of commitment to it. I have officiated at the brit milah (with one of our Reform mohelein) of the son of a lesbian couple. My lover and I hope to be parents ourselves, someday; as Jews, we feel that our home would be incomplete without children.

In short, I am both a lesbian and a Jew, living as full a Jewish life as possible.

How has being a gay/lesbian person impacted upon my rabbinate?

I am a much better rabbi when I am "out" to the people with whom I am dealing. To me, what is special about the rabbinate is the rabbi's ability to be a teacher of Torah outside the classroom. (One doesn't have to be a rabbi to teach in the classroom. It is the combination which is special.) It is about reaching people, and touching them, and sharing in their lives. But if you want people to be willing to share themselves with you, then you have to be willing — and able — to share yourself with them. I don't mean at all that a rabbi should have to reveal intimate details of his or her life to a congregation; but true community, in Buber's terms, is made of I's and Thou's. And I always felt that I could not really be a Thou, I couldn't really be there as a complete person, if I was always worrying, on some level, about how much of myself I could safely reveal. I was practicing such strict self-censorship that it forced me to prevent any attempts by congregants to approach me on human terms. It's not that I need or want to reveal the details of my sex life to people; but I don't want to be invited to Shabbat dinner, for example, by well-meaning individuals when it really means having to abandon the person I love and our own home and our own Shabbat — and not even being able to indicate in any way that that invitation, for me, is not a kindness but a cruelty.

To be closeted and function as a rabbi is to feel that one is continually lying by omission. Following a wedding ceremony I once performed, the couple said that they had been extremely moved by what I said about relationships and what it means to love someone, and they were surprised that I, as a single person, could know that. I mumbled something vague about having been involved

with someone, but as always, I did not want the conversation to go any farther.

Moreover, how can one be any sort of moral or spiritual guide while being compelled to hide and to pretend? It saps one's moral and spiritual strength. The constant fear of "What would they think of me if they ever found out?" is incredibly debilitating.

All this I know to be true because I know how radically different it feels to function as a rabbi in the gay and lesbian synagogue. There, I am integrated as a Jew and a human, sexual being. There, my very worth and dignity as a human being is not on the line. This past Rosh Hashanah I preached what I felt was the finest sermon of my career to date (and as a student I won the homiletics prize, and have continued to develop as a preacher): basing myself on the traditional Torah reading, I spoke on the need for the gay and lesbian Jewish community to take seriously our Jewish obligation to produce children. In a straight congregation it would be outrageous for me, apparently a single person, to preach to my congregants that they should marry and have children! But in my synagogue, where I can be me while I am being a rabbi, I can preach on what is justifiably the community's concern and my own.

(I do not mean to imply that I advocate the ongoing separation of gay and straight Jews; but until such time as we can be open in straight congregations, it is necessary.)

How has homophobia and/or prejudice affected my rabbinate?

Homophobia, both overt and tacit, has played a considerable role in causing me to leave the active rabbinate and to pursue exclusively an academic career.

At the time I was ordained I had a lover with whom I had been involved for over a year; the relationship was quite serious. For various reasons, my lover was not at all geographically mobile, and so I resigned myself to looking for a position in the New York area. Every year, there are members of the graduating class who have the same problem, and who explicitly state that they therefore must have a job in the New York area. Whether or not they succeed, they at least have the opportunity to make their needs public, and they receive a certain amount of recognition and support — both emotional and in the actual job search — from the College, the Placement Director, and often from the congregations or other hirers. I was not able to make such a statement. I couldn't say that I had a (same-sex) lover whom I did not wish to leave; and to make up a reason for remaining — a serious relationship with a member of the opposite sex, some other personal commitment, a therapist, whatever — would have involved a mass of deception which was both morally unacceptable and fraught with pragmatic difficulties. I could not find a position in the area, and took the only job I was offered — 500 miles away. Not surprisingly, the results were disastrous. Not only was I depressed about the separation, but I could not allow any of my true feelings to show. I had to profess to be thrilled with my new situation, and I had to go along with the charade of being the new young, eminently eligible single person in the local Jewish community.

I became severely depressed and confided in my senior rabbi, who arranged

for me to be let out of my contract without having to face the wrath or demands for explanation of the Board. I returned to New York with no prospects and felt compelled to cut myself off from most friends and colleagues, since I could not explain convincingly to anyone just why I had left what had appeared to be such a promising position. I found part-time rabbinic work and made plans to begin graduate school. My depression deepened, however, for although academics is my great love, I felt that I was being compelled to give up the rabbinate as the price of not being heterosexual.

I did several years of part-time pulpit work to support myself in graduate school, and came to realize that even part-time, the pulpit was not an option for me. I simply cannot live with the kind of ongoing stress caused by the concealment, the constant need to be on guard lest one make the least slip. I know pulpit rabbis who are gay; they face unbelievable stresses and pressures, and make incredible sacrifices in order to do the work they are so dedicated to doing. I cannot live with that intense secrecy, however.

My decision to turn back to academia was reinforced by the very unpleasant aftermath of my departure from my first pulpit. Despite assurances to the contrary, my senior rabbi did not keep what I had told him in confidence; he repeated it, in fact, to the very faculty member of the College who had so expressed his opposition to gays and lesbians as rabbis, although he knew the trouble I had had with this professor. This professor confronted me one day, literally throwing in my face the words I had used about him — in confidence, I had believed — to my senior rabbi, and threatening to tell the heads of the College and the Conference about me, to revoke my semikha since I had obtained it fraudulently, and other threats. I was devastated. For weeks I waited for the telephone call, the letter in the mail. It never came, but it

hung over my head for years. The inner strength and self-esteem I needed to resist the debilitating fear of "exposure" were a long time coming.

(I felt guilty for years, that I had brought all my troubles on my own head by "coming out" to this particular professor, with whom I had had a close working relationship as a student, whom I greatly admired, and who had been a wonderful help to me once with some family problems. Naively, I believed I could change his views on gay issues. Instead, he told me I was "sick" and needed to go into psychological treatment, and if I could not be "cured," he would not allow me to be ordained. In my senior year he summoned me into his office to ask me the fateful question and I told him what he wanted to hear. I am forever indebted to one of our colleagues, whose reaction upon hearing this entire story was that it was a classic case of blaming the victim, and that I should not feel guilty for being forced into such a horrendous situation. She lifted a tremendous burden from me.)

By way of a postscript, I would also like to relate a little anecdote. As third-year students in New York, we were informed by Dean Steinberg that anyone who wished, could make a private appointment with him to find out the strictly confidential results of the psychological tests administered to us as part of the admissions process. We were all curious, of course. When my turn came, and we were in the privacy of his office and he had all those official-looking papers spread out in front of him, he looked at me, smiled, and said, "Well, the first thing I can tell you is that you're not psychotic and you're not a homosexual — because if you were either one of those, we wouldn't have accepted you."

How would a policy of non-discrimination on the part of the CCAR affect my own life and rabbinate?

First, it would provide some very desirable moral support. I do not anticipate being able, or wanting, to stay in the closet forever; when it becomes public knowledge that I am a lesbian rabbi, it would be a great comfort to know that it would also be public knowledge that the rabbinic body of which I am a member does not consider me to be doing something Jewishly wrong.

Second, on a more practical level: while I will, of course, look for whatever teaching position I can find, it would be a dream fulfilled, the perfect joining of my rabbinic and academic selves, to be a regular faculty member at HUC-JIR. At the very least, that would be impossible without statements of non-discrimination on the part of the CCAR as well as the UAMC. I am not sure if even then it would be sufficient so that I could be considered on an equal basis with other prospective candidates for such a position, but it would certainly help.

A Summary of My Rabbinate

I am now over fifty years old . I left the congregational rabbinate over fifteen years ago shortly after the advent of the Gay Liberation Movement. In spite of the juxtaposition of these two events, they bore no obvious connection to me at the time. I lived and worked not far from the cradle of that social revolution, but was so busy with the tasks of my rabbinate and so burdened by the more visible contradictions of the times that I barely noticed what the New York Times referred to as a "homosexual disturbance" in Greenwich Village.

My preoccupation had been with the Vietnam war and all the attendant upheavals as they shook me, the temple and the whole social system of those days. Boys I had prepared for bar mitzvah and confirmation and others I had married were now young soldiers in combat. Others were wrestling with their draft boards, leaving for Canada or going underground with the resistance. I had taken a vigorous public stance against the war and was deeply involved in the counseling and marches and demonstrations that came with almost daily regularity.

The congregation, like the rest of America, was seriously divided over the issue, and my partisan position did little to seek harmony (if, in fact, any was really possible in those days.) It was as if we were fighting over the lives of the children in our community. So much of the life of this suburban congregation revolved around the nurturance and shaping of these children, and so much of the success of my rabbinate was wrapped up with my concern for and my popularity with them. The war magnified and intensified that concern. The division and conflict within the congregation presented me with the visible cause of my departure.

When I first came to the congregation I was excited with the hope of becoming part of a great, loving and creative Jewish family. I left in grief for all the people I had come to know and love and for all the division and fear that had become a part of our collective life. I left the active rabbinate and the east and headed west with considerable uncertainty

and sorrow. In the years since then, I have been fortunate enough to have settled more happily in the west where I have been teaching religious studies in a community college and where my rabbinate was transformed into a secular career.

Given my longevity, the question now becomes: How did I perceive myself as a gay man and a rabbi in the days of my congregational rabbinate and how do I reflect upon it now?

I mentioned earlier that I was virtually oblivious to the dramatic birth of the Gay Liberation movement even though it occurred a short distance from where I lived at the time. It was not until I reached the west and three years later that I was able to reflect on those events and come out as an openly gay man. On the other hand, I had always known that I was gay. I recall that I was five years old when I was first aware of an attraction to men. This wordless knowledge changed into a fear as I grew older and as I sensed the reprobation that awaited me if my secret should ever become known. My teen and college years were haunted by the fear of self-knowledge and public disclosure and the dread of social rejection. For the sake of survival, I learned to conceal that central energy, suffering intense bouts of loneliness and convinced that I was alone of my kind in all the world. (It would be Gay Liberation, later that would let me know how many millions of others had been going through the same quiet agony.)

My parents came to this country as immigrant children from Poland. Sexuality, in our working class home was never discussed in front of me. It seemed to be a confusion of fear and ignorance for more than just myself. In retrospect, there was enough guilt to imagine that we were Irish Catholics and enough pained neurosis to qualify us for top rate Freudian analysis. However, our ethnicity, our class and our family income left us bereft of solace from either priesthood. We languished in those "worlds of pain" which Lilian Rubin documents so compassionately. My mother died, still a reasonably young woman and

after several unsuccessful attempts at suicide. Our extended Jewish family and traditions were similarly immigrant, broken, pained and unsupportive.

Clearly my emergence as a self-accepting gay man was made more complex by my family background. I do not know if the children of the middle class are having it any easier. But I presume that the concern of the Conference for the entire issue of homosexuality represents a conscious attempt in this generation to be more deliberate and supportive of our gay youth ; a phenomenon which would have been all but unintelligible to me as a child or to my parent's generation.

My way out of those worlds of pain was the path through the academy. This was America and I could work my way out of the ghetto through education and career achievement; and this I did. It was unimaginably more difficult to find my way out of the darkness of the family and the isolation and fear of my inchoate sexuality.

Life in the Closet: Separate Realities

I learned to live in two separate realities: one being the visible world of work and study and idealism; and the other being the world of desire, fear and despair. Lacking any other information to the contrary, I came to believe that my nameless problem was a phase that I would outgrow. I imagined that some years might pass and I would find myself magically transformed, "normal," heterosexual and safe. But quietly I also doubted that the time would ever come. In my college years I turned to prayer in hope of affecting the change. As a result, and in retrospect, I learned a great deal about the limits and purpose prayer.

At college I was able to explore my spiritual yearnings, and through Hillel I was able to embrace a Judaism of hope and compassion well beyond the grim ethnicity of my family reality. The rabbi was a warm and compassionate man. My heart was open and the need was great. We were

all in a deep spiritual quandry in those days, the '50's, when the horrors of the Holocaust unfolded in silence, the time before it had a name.

I came to the Hebrew Union College with high hopes and hungry for the earthy wisdom and noble traditions I learned were at the core of Judaism more than the cruel consequences of its history. I hoped for a learning that would not be afraid to look into the long history before Auschwitz, for a learning that would also dare to look into Aschwitz; and I got it. I yearned for a sense of community at the school and in the syunagogue where learning and living would have some soulful and redemptive meaning beyond the quest of career and wealth; a family where I could join with others in exploring the wisdom of our heritage, and perhaps come to feel a positive sense of home.

I had been celibate throughout my college years, but shortly before I entered HUC I exploded into the clandestined life of gay people in those dark years before liberation. I felt both relieved and driven. I was perplexed and troubled enough by my "separate realities" to search out some affordable psychotherapy. Through all the years that I was a student at HUC and for years beyond when I occupied a pulpit, I was simultaneously in therapy. I believed that I must be sick in some deep and profound way and assumed that I must work toward some "cure." I had the terrible misfortune of working with two professionals, one more adamant than the next, who claimed that they could indeed cure me, that homosexuality was in fact an abberation and that, in time, I would reverse my sexual orientation altogether. I was hapless enough to believe these groundless (and therefore fraudulent) claims because I wanted to. I strove to do everything they urged me to do : dreams, screams, drugs and women. The years wore on while the contradictions compounded. I discontinued the torture when my doctor urged me with some glee to prepare myself for a new and promising approach: aversion therapy featuring electroshock behavior modificatiion, the latest and last psychiatric atrocity comitted against gay people before the explosive appearance of Gay Liberation.

This entire personal struggle, my sexual activities and the endless consuming therapies, I managed to keep invisible and altogether separate from my life at HUC, among my colleagues there and later from the life I lived in the synagogue community. This capacity to live in separate realities is a dubious skill developed by gay people everywhere. It will assure survival for a while at a very high price to the soul. There were always moments of fright when I feared being found out and turned away. One such memorable moment came at the very beginning of my tenure at HUC when I first went through the admissions screening process and had to confront a psychologist and his battery of Rorschach and T. A. T. tests. Could my secret be hidden from such sly probing? Evidently I was able to "pass."

Another such moment came in a "Human Relations" course when we were required to write and submit a personal history of our sexual experience and development *for a grade* ! There was considerable class resistance to this assignment as I recall. Most yielded, but when I refused to comply and offered a compromise paper instead, I was warned that I might be charged with insubordination and I was threatened with dismissal. I managed to survive this, too. Among the students we quietly renamed the course: "Humiliations."

I never married and happily was never pestered by student colleagues, faculty or congregations to do so. My *haver* at school was the only one to know of my homosexuality, but he seemed entirely at ease with me and was also reassured or perhaps amused that I was in therapy actively trying to "do something about it."

I was always on guard but often perplexed when the congregations I served left me alone. Of course every so often people would offer to fix me up with their dynamite niece. I would decline politely (with a coy and enigmatic smile) and with all the graciousness my professional distance would allow. I suspect that I was left alone for several reasons. First,

people were genuinely respectful of my privacy, my position and my youth. Second, the leadership in these small congregations knew that they would have to pay me considerably more if I came equipped with a rebbitzin. By and large they left me alone.

And I left them alone. Skilled in living in my separate realities, and prepared by the college, I remained as professionally detached and as sexually neutral as I could play it. It never occurred to me to seek companionship or sexual partners within the venue of the temple community. And I was foolish enough to go on believing that I was still exceptionally and secretly the only gay person around. Were there other boys or girls in the congregation who were growing up gay? I couldn't see them. Were there adults who were gay? Absolutely not! However, there were two startling exceptions which I tried to but could not ignore. One was the music director, a sweet gentile man whose work at the temple spanned the tenure of all the rabbis who had ever served the congregation. He was a first rate musician, in love with Jewish liturgy, a skilled music teacher and choir director, competent and reliable. He also worked cheap and was irrepressibly effeminate. Everyone knew he was "that way," but then he was also not Jewish, and so somehow not accountable. No one ever spoke of it. He and I enjoyed a cordial and professional relationship and assiduously avoided any reference to our personal lives. Shortly before I left the congregation, however, I revealed my little secret to him. He said he had suspected but was never quite sure. I took this as a somewhat dubious compliment since it assured me that I had been reasonably successful in concealing who I was, and it hurt me for the very same reason. Adept closetry was considered a virtue in those dreadful days.

The greater shock came from the cantor, an attractive if somewhat self-important and greasy ladies' man. He was married and had a child. Nevertheless, he openly flirted with the women of the congregation both to their delight and consternation. In the course of time I discovered that

he had had several liaisons with married women in the congregation. Political controversies would surface periodically to mask the dynamics of jealousy and scandal. The shock, however, was the aggressive pass that he made at me and the accompanying confession that, in addition to his wife and an occasional fling, he also kept a male lover in a nearby city! Once again I climbed behind the parapet of professional distance, declined his advances, and thanked God that I was not attracted to him. Clearly, some of us were more successful at keeping our realities separate than others.

In retrospect, it is easy to see that the whole charade was absurd. I have since learned that a good number of gay people were associated with the synagogue, but there was simply no model then for open and honest living, as odd as that may seem. Life in the closet was morally repugnant and personally destructive, but life out of the closet promised only rejection and banishment.

[I will continue my narrative with the purpose of painting the picture as bleak as it was. But I want to make sure that my purpose is not misconstrued. I do not mean to re-enforce the stereotype that the life of gay people is ghastly, lonely and unfulfilling, but I do mean to demonstrate that life in the closet is; corrosive almost beyond description. Before I go on, I ask you to consider the colossal waste of the vibrant life God gave us and the enormous energy squandered in decades of self-denial and social deception. Clearly, we all lose, parents and children and certainly the whole Jewish community. I spent more than 35 years of my life buried away and struggling to come out and in the process had to leave the Jewish community to find respite, solace and healing elsewhere. One might ask what people did in the past, but in a way it is immaterial. Nineteenth and twentieth century America (and the West) has provided us with material conditions of living and life style that the world has never known. The real question is: How do we respond now?]

The fact is that I remained unhappily celibate for years at a time. I would estimate that more than half of my tenure in the congregational rabbinate was spent that way. I understand now that whether I was practicing continence or not, I was only collecting kindling for my own burnout.

Spending time with gay friends and lovers was always helpful but not always possible. A constant source of bitterness and concern in those abysmal days was the fact that we were all in the closet and there seemed to be no way to integrate our separate realities. The time I could spend with friends was always brief and if I settled for a quick sexual liaison, I would, more often than not, feel guilty and unsatisfied. As natural as the sexuality felt, the approaches to it and the perception of it were still clouded with a sense of sin or pathology. Sometime, seeking out gay companionship provoked more anxiety than I could handle.

On the other hand, continence allowed me to devote all my energies to my work; and I often did this with a consummate sense of dedication and sublimation. But as the years wore on and my own involvement with political controversy and all the other aspects of a demanding rabbinate increased, I began to weaken. I would feel myself sucked dry, empty, crumbling from within, without any solace, intimacy or support. It grew more and more painful to return home late at night after endless board or committee meetings, projects or classes to an empty house and an empty bed.

Perhaps I and the congregation unconsciously pretended that I was really a celibate priest, then so commonly a fixture of the new sprawling suburbs. But we genuinely lacked any theological or institutional framework to justify such a pretense; nor am I at all convinced now that such a pretense has ever been viable or honestly practiced especially by

the priesthood in the West. I will never know whether there was any chance that I could have survived and continued in the congregational rabbinate if I had a lover and companion (with all the complexity that would involve.) In its absence, with no positive spiritual guide, with the destructive and criminal fraud of the psychotherapeutic establishment ever at my side, and the frenetic increase in pressure following the escalation of the Vietnam war in the spring of 1970 and the shootings at Kent State - I did crumble. I burned out. I quit. I managed to complete the term of my contract and left the congregation carrying draft resisters with me across the border into Canada and heading west without any plan or destination , adrift for the first time in my life. Forgetting the complex reality outside myself, I grieved what I thought to be my failure to build a nurturing Jewish community; hurting from the loss of friends and community; wounded by the continuing contradictions within my own life, desperately needing help, but determined to stay out of the killer hands of the electroshock maniacs.

Again, I am telling this story to demonstrate the inevitable bankruptcy of life in the closet. Judaism had held forth a great promise for me. I was drawn to it and grew more enamored of it the more I heard its message of honest living, the more I perceived its emphasis on the sanctity of human life and relationship and its devotion to authenticity in human affairs. These values are what I strove for in my own life and they are what I preached about. They went beyond my origins in Jewish ethnicity and often broke through the coarse reality of Jewish history like the plaintive voice of the psalmist or the sacrifice of the martyrs. I hoped to find such courage and integrity imbedded in the deliberate Jewish life of the temple community. Yet I lived in a closet, trembling with denial. The more I suffocated in the closet the more desperate I become for the fresh air of authenticity. But everywhere I turned authenticity seemed to be defined as heterosexuality. Reb Zusya notwithstanding.

Coming Out

In retrospect, it is sad to see how the literature and institutions of Judaism led me on and held forth such great promise, but could not deliver on a level so fundamental to my life. My soul yearned for authenticity and integrity, but the reality of my life was denial and deception: life in the closet. The anguish this caused me ironically drove me from the shul. It could not go on and it did not.

I left my congregation absorbed in my own grief, fleeing across the national border. I headed aimlessly west completely unaware that I was missing the excited preparations for the first triumphant anniversary celebration of the Stonewall Riots and the birth of Gay Liberation. It would take another three years before the news of the movement reached me in my exile. By this time I had found some solace in the open, rolling hills and in the quiet sanctuary of California-style Buddhist practice. I had made new friends and had met my first real lover in many years.

When some younger gay friends began to introduce me to the new and radical gay press and to the affirmations of the Gay Liberation movement, I responded to it with astonishment, glee and exaltation. Here was a radical civil rights message that spoke to my experience, and at long last I could say that its truth was undeniable. It assured me first and foremost that I had not been alone in my life struggle nor in my anguish. It informed me that I was not alone to have been exploited and humiliated by the greedy and pretentious psychiatric priesthood. And it asserted shamelessly that Gay is Good: not an aberration, but a solid, natural and fundamentally loving human expression, timeless, valuable and universal in our species. There was no doubt about it, it had the ring of authenticity and I moved toward it and embraced it with some of the same idealism and expectation that I once held for the synagogue.

Suffice it to say that I joined the Gay Freedom Day march that next year and every year since in clear gratitude for and celebration of the

collective courage of these millions of people who helped to break down the closet walls within my soul.

I do not mean to imply that all the problems of my life are gone, or even that the process of coming out is complete. But the barrier that maintained the separate realities of my life has been shattered and processes of healing and reconstruction are under way. I harbor no bitterness toward Judaism, or HUC or the rabbinate, but only for the hypocrisy that would deny Reb Zusya his day and for the scoundrels of the psychobabble industry who have done so.

In time I came out at my new job and to all who knew me. Twenty years after I graduated from HUC, I returned to a seminary graduate school as an openly gay man and earned my doctorate among people who valued my experience. I have risked the discomfort of public exposure on occasion when the gay community has come under attack from right wing opportunists, and at the same time I pursued the shaping of a department of religious studies at the secular school where I teach.

Over the years I have established a cordial relationship with both the Conservative and Reform synagogues in the town where I live and lecture at both periodically. Many years ago, people at the Reform temple took the initiative and invited me to deliver a talk on "Homosexuality and Judaism." It gave me the first formal opportunity in my life to address these two realities in one setting. The lecture was received with great interest and warmth. The open discussion allowed us to discover that most everyone seemed to have a closet of sorts or a gay person or both in their lives, and the times at long last permitted us to acknowledge it.

I have been very satisfied with my teaching career and when opportunities arose to take a new pulpit, I turned them down; even when the offer was made by a gay synagogue in a nearby city. However, I recently affiliated with this gay temple and am happy to have found brothers and sisters who share my experience. I am delighted with the

rabbi who is gay and proud and knowledgeable and who can speak to my heart. For the first time in my life I am faced with the possibility of being openly and proudly gay and Jewish at the same time and in the same place. I genuinely look forward to contributing again to a Jewish community that can nurture me in return.

A Reflection on Two Friends

Before concluding, I would like to share two stories with you about two of my friends. Many years ago after I had resettled in the west, I received a letter from a young man who had been a child in my congregation. I prepared him for bar mitzvah and confirmation. In a congregation filled with bright children, he was a shining star. He had recently graduated from college and was traveling west to visit with friends and asked if he could stop and visit with me. He wrote that he remembered me as an adult whom he admired and respected and in some ways wished to emulate and now he wanted to see me again. Naturally I was very excited with the prospective visit. Teachers do not often receive feedback not to mention flattery from times long past.

He was now grown and an adult and I did not anticipate having a child's conversation with him. I wondered how I might come out to him; how I could let him know that I was gay and that the coming out process had been a central element in my own spiritual growth during these intervening years. I did not want it to be awkward, but wasn't sure quite how I would broach the subject. I imagined that it would come up when he browsed through my library, as I was certain he would, and observed my current interests. But before he arrived he called from the city to tell me when he would arrive and to let me know that he discovered we had "many friends in common." To our mutual surprise and delight, this is the way we both came out to each other.

I was pleased to see him again. Now a head taller than I, the braces gone, the bright sparkle still in his eyes. He was eager to tell me the story

of his own coming out and he was very excited to have discovered that I was also gay. He couldn't wait to bring the news home to his mother, who had stood by him, and to his father, a psychologist of the old school who was very unhappy with his son's affirmative gayness. "You see!" he would say to them, "Even the rabbi is gay!"

This young man has gone on to settle things amicably with his family and to discover that his older brother is also gay. He has become an accomplished documentary film maker. He is still a conscientious gay activist and a political liberal with a strong sense of his Jewish loyalty and identity. Recently he shaped and entered into a gay family unit and became a father by arrangement with a Jewish lesbian couple. Needless to say, in my wildest dreams I never expected to get feedback quite this extensive.

At the other end of the spectrum, is the story about a more recent friend. He was also a rabbi, a member of the Conference and a man eleven years my senior. He too was gay. He was married and divorced and had grown children. In the dark ages before Gay Liberation, he had gone through a number of difficult career changes as a result of his closet contradictions. Finally at about the age of fifty, he came out, divorced and tried to start over. When I met him he was still working as a pastoral rabbi on assignment through a Jewish community service agency. He was competent and well-loved in his community. He was also a popular and beloved member of the gay Jewish community in his city. Homophobic bureaucrats at his agency, however, had difficulty with his gay identity. They harassed him over the years and finally threatened to have him fired in spite of the fact that he was a model of discretion, which is to say that he was carefully in the closet while on the job.

He was a man now in his sixties living on a very modest salary. He had suffered several heart attacks in recent years and was altogether dependent on the medical benefits from his employment. The intimidations of his work place recalled the misfortunes of his earlier

career and plunged him into feelings of frightened insecurity and despondency. We spoke often during this period. He summoned the courage to mount a counter-offensive against his harassers. He began to believe that he had a right to his privacy and his dignity after all these years of devoted service. He began to fight for it with the aid of counsel and the support of gay friends. However, the wearisome burden of it all began to endanger his health and he soon suffered another heart attack and died.

Once I had left the congregational rabbinate, I also stopped attending CCAR and Union conventions. But my friend continued his active associatioin until his death. He told me often how he would go to CCAR conventions and meet clandestinely with other gay rabbis, all still in the closet. I was surprised, still believing on some naive level, that I was the only one. We often talked about the day when gay and lesbian rabbis would all come out of their closets and be able to meet openly at a CCAR convention. It would be nice to think that the time is not far off. While he seemed ready and willing to lead the charge, he cautioned me not to be too optimistic; he doubted that there would be many followers in that first wave. Nevertheless, he would have been proud and excited to know that the Conference is now preparing to consider the current resolution.

Some Conclusions

My dear friend's caution, even amidst his hope, has made me think that the proposed resolution might find most of its justification in the future rather than in the past. We need to be honest with the young people in this new generation who may be clear enough with themselves and their families to be openly gay. We need to be willing to accept them openly and proudly into the College and the Conference. Certainly this resolution would be most helpful and affirmative. But for those of our colleagues currently in the active rabbinate and in the closet, a positive CCAR resolution could be a real challenge, a call to authenticity and also a moral crisis. Many may choose to remain in the closet. One does not

give up defenses easily. The Conference needs to stand prepared to support its members in their decision either way.

I often think about what a monstrous waste all this fear and anxiety is, how so much of the free energy of our lives is tied up in struggling to discover and finally assert a basic identity. I like to think that gay kids today no longer have to waste quite so much of their lives struggling to affirm what is by nature already there. Yet I have no doubt that this Gay Liberation is a new phenomenon in history, and so is its discourse and its possibilities. It is undeniably vibrant but, in its novelty, it is still fragile. Certainly there are parallels in the way that other groups have sought a redefinition in modern times. For example, there have always been women, but there has never been a time like the present when women have been able to assert themselves as free and independent agents. It is not necessarily an easy adaptation, but it is not an objective we reject, nor is it one for which we are likely to find much precedent or support in our history and tradition.

We have not yet uncovered any vast halachic or midrashic literature concerning gay people or homosexuality, as we now call it, and it is not very likely that we will. This does not mean that there were no such people in our collective past or that there are not writings which can be seen to refer to them. But we must realize that patterns of homosexual and homoerotic relationships have changed over time just as the shape and function of heterosexual marriage and the family have changed.

Gay life style as we know it is clearly a phenomenon of the urban, industrial and post-industrial age. In this respect, it has never existed before and so we should not expect to discover any cogent counsel in our tradition. On the other hand, we know that homosexual behavior is ubiquitous throughout history and our species. If we seek precedents in our tradition then we will probably need to search in similar settings for similar developments. We should not look to the life of the shtetl but to the thriving and complex communities of hellenistic society or to the Spanish

period or Amsterdam. I have no doubt that , if we wish to see it , surprising and recognizable precedents of some sort will appear.

Certainly there are biblical and rabbinic references and traditions that can suggest a negative view of what we call homosexuality. We have also uncovered vast traditions of earthy Jewish wisdom, compassion, love and individuation which also flourish in our tradition and which are so precious to our contemporary sensibility. The real point is that our that our history and traditions are so vast that virtually whatever position we seek to illuminate can be discovered. It is, I suspect , all a matter of hermeneutic and I would hope some *kavanah* . Mainstream western Judaism has managed to overcome most of the obsession with reconstructing Solomon's temple and reinstituting the priestly cult. We have abandoned polygamy and slavery and the restrictions against usury and arranged marriages and even the animosity between the Litvaks and the Galitzianas; and we have adapted handsomely to democratic pluralism. Reform Judaism has an open awareness of how things change in history. We are given a number of paradigms in our historic past, but the moral choice will always be ours.

The real question relates not to the past but to the present and the future. In fact, western society has generated the possibility for and the reality of open gay life style. Do we accept it or do we not? What is at stake is the quality of life for some of us and some of our children, here and now in the twentieth century given the choices this century presents us. I for one am on the side of our gay youth. I am pleased and often astounded to discover that younger people, raised in the affluent middle class, will come out and establish their gay identity in their teens or early twenties and then go on to pursue lives and careers in reasonably life-affirming ways. They will not be forced to waste their lives in the anguish and doubt and fear which are the traditional alternatives to authenticity in this century of choices. As a minority people they will always be more likely to value the moral imperative of authentic and integrated living. Undoubtedly many will continue to be drawn to Judaism and to the

rabbinate as I was, because of that very sensibility. It would be a great loss to Judaism to turn them away.

Finally I need to say that the Conference and the the Union have both demonstrated courage, wisdom and compassion in their historic support for the civil rights of gay people and in their enlightened response to the AIDS crisis. I believe that the final step of condemning homophobia and discrimination in our own ranks is correct and laudatory. It will demonstrate again the inclusive compassion of Reform Judaism and allow gay people to feel welcome and creatively a part of our extended family.

However, we should not think that Judaism will then have become the sole liberator of oppressed gay people. Because of the predominant heterosexual nature of our society, gay people in each generation will need to define their identities and come out again and again as life and circumstance change. There will always be a struggle and we will go on requiring our mass marches for a long time to come. These are our rituals of solidarity, articulation and visibility. Ultimately, as it is with women and blacks, we will need to liberate ourselves from within. It is very helpful to have paradigms and role models and allies; but in the end we must always reach for it for ourselves.

I trust that Jewish people have not forgotten the centuries of "Jewish Self Hatred" absorbed by us and inflicted on us by anti-semitic Christian society. Surely if we were still waiting for the "exoneration" of the Pope for our alleged crime of deicide, we would all be dead today. We lost whole populations through the ages to the ravages of such abominable racism. Did anyone come from heaven or Rome to liberate us? Of course not.

We, who have suffered most from an ancient slander, discovered at some point that we must call it a lie, discover our strength in solidarity, and throw off the lying curse of the dominant culture. Our liberation as

Jews is still not fully accomplished, but we are on the way. More than any other people we ought to be empathetic to the grievances of gay people. It will take the courage of gay people to reject the lie inflicted on us, to find solidarity with one another and then to rise up and take our place in the ranks of the human family. This revolution, too, has begun. And it would be a special blessing to have Judaism, with its compassion and earthy wisdom as our ally.

AN OPEN LETTER TO THE CCAR COMMITTEE ON HOMOSEXUALITY

I am a bit overwhelmed by the task at hand, for never before have I had the opportunity to - with Kavanah - put the two most significant aspects of my person together in one integrated and whole response. I must say at the outset that I applaud your efforts and I hope for the resounding passage of your resolution; it is at once bold and profound, simple and eloquent, and - most significantly - direly needed. I've never before quite had the sense that I am entitled to be treated with the same dignity and respect that other human beings are afforded. Like the low back ache that I have learned to live with, so too have I become accustomed to living with the fear that I might any day lose my job, that any lone member of my congregation could wield a dreadful power over me if s/he were to discover my "secret."

To respond more directly to your questions, let me say that I believe that being a gay/lesbian person has made me a better rabbi. I am much more sensitive to my congregants, to their pain and their need for institutionalized approval. Traditional Jewish themes, such as freedom from slavery, redemption, the courage to be who we are, the experience of being a despised minority, the Kol Nidre (being forced to say "yes," when we meant "no,") live and resonate in me as a Gay/lesbian Jew.

More than anything else, homophobia has made me tired. I put an incredible amount of energy into standing tall and being proud of who I am. I am tired of being assumed "single." I am tired of having no validation of my personal relationship. I am tired of not being able to celebrate my love as I support others in theirs. I am tired of trying not to be bitter.

I do not believe that a CCAR policy of non-discrimination would change my choice to keep my sexuality a private matter. However, I do believe it would allow me to live my life with a little less fear. It seems too good to be true that I might actually have recourse with the CCAR should my congregation choose to discriminate against me.

I am encouraged by your resolution. My sincere thanks for taking up such a righteous cause.

Sent 1/27

1. How do you perceive yourself as a gay person who is a rabbi?

I suppose the most honest response to this question is to say that in general I don't perceive of myself as a gay person who will be a rabbi (I'm still a rabbinical student at HUC). Rather, I think of myself as simply a person struggling to become a rabbi. I do not mean to play semantics. I simply wish to explain that on a day to day basis I don't think of myself as a "gay rabbi" anymore than a heterosexual rabbi spends their days thinking, "I'm a straight rabbi, I'm a straight rabbi, I'm a straight rabbi." My sexual identity and lifestyle are so integral a part of my personality that I have trouble separating being gay from being me.

Perhaps this is because I was raised in a home which asserted homosexuality as an alternative lifestyle which had the potential to be affirmative. I say potential because I was raised with the notion that whether or not one lived a positive Jewish lifestyle had nothing to do with one's sexual orientation. Being straight guarantees nothing; nor does being gay. The result of this upbringing is that I do not have problems with being gay.

Unfortunately, other people do have problems with my being gay and that is where my perception of myself as a gay person who will be a rabbi begins to form. As I see it I have two choices. I can choose to live a closeted life, hiding who I am from everyone and unable to bring my unique personality to those whom I serve. I will not do this to myself. It would be a denial of myself and a mockery of the rabbinate. (For if a rabbi can not be an integrated role model, a complete Jewish person, then in my opinion a rabbi can not do what he or she is meant to do.) The other choice is to live openly and suffer the consequences. It seems to me ironic that I should have to suffer consequences for trying to be a rabbi in the fullest sense.)

One of the primary consequences of being openly gay is that I will become a "gay rabbi." That is, someone who is seen first as being gay and second as being a rabbi. I believe that the first women rabbis were in a similar situation, and from my talks with some of them it tremendously frustrating. I do not wish to be a "gay rabbi." I wish to be a rabbi. That is quite an aspiration in itself. I really fear being reduced to a one issue rabbi. Gay rights is not my "issue," although of course I will fight for them with all my strength. Judaism is my "issue". That is why I chose to be a rabbi and not a gay rights activist. It seems a real shame that I may be prevented from overcoming the tokenism, if indeed I will be able to work as a rabbi at all.

I do not perceive any conflict between being gay and being Jewish. Nor do I see any conflict between being gay and being a rabbi. The objections I have heard are patently absurd. For example, I have been told that a gay person couldn't possible have the kind of homelife which could serve as a role model to the Jewish community. I would dare anyone to observe my relationship with my lover and the Jewish home that we have created in the four years of our union and tell me that it is not an appropriate role model. Others have told me that having a gay rabbi would lead to more children choosing to be gay. This is so absurd that I hesitate to honor it with a response, but suffice it to say that one does not choose to be gay or straight, and the sexual orientation of ones rabbi will certainly not affect the orientation of children. It might, though, have a good affect if some of the children who are gay will be able to see positive Jewish role models. Others have asked me how I can dare to be a rabbi when I am most likely not going to have any children, thereby setting a bad example to the rest of the community. My response is that this is out of my control, and I doubt they would say the same thing about a rabbi who is straight but can not have children. I have also been asked³³² if I think a straight person

would feel comfortable coming to a gay rabbi with a personal problem. It has been my experience so far that people feel more comfortable coming to a gay person with a problem because they assume that the gay person will be less judgemental.,I could go on but the point by now is clear. Objections to gay rabbis stem more from homophobia and taboo than from common sense.

There is one objection which retains some validity, namely that congregations aren't ready for it. This may be true, but I dare say that most congregations weren't ready for women either. That is what leadership is all about.

Back to the original question - I suppose I perceive myself in the same way all rabbis perceive themselves: serving the Jewish community to the best of my abilities, by bringing to that service my own unique talents and strengths. Being gay is certainly a big factor in who I am and how I perceive the world. Ideally, I would like to bring that insight, that tolerance, and that love into my rabbinate so that I can better serve a Jewish world that is in desperate need of creative and committed leaders.

2. How has being gay impacted on your rabbinate?

Since I am not yet a rabbi , I can only speak from the perspective of a student and the experiences I have had thus far. To be honest, I can think of very few ways in which being gay has impacted thus far on my rabbinate. Most the impact being gay has on the rabbinate is as a result of homophobia and a fear of homophobia. If it were not for homophobia and societal pressures, I don't think that being gay would really have much affect at all on my rabbinate. It doesn't lead me to radical theology or ritual. I doesn't affect my own personal observance level, which is fairly traditional. I suppose it affects my rabbinate in that it makes me much more sensitive to marginal groups in Judaism, such as the handicapped and the deaf. I find a real joy in working for these groups. I also find that since, despite the fact that I'm gay and there is a lot of pressure against me I have

chosen to live a full Jewish life and even become a rabbi, that I don't see Judaism as just something I grew up with and want to pass on. I chose to live a Jewish life and become a rabbi; I ~~have~~ feel like I bring that enthusiasm, commitment, and determination to my students and congregants. I am proud to be a Jew, very proud, and I like to bring that pride to those whom I serve.

On the negative side, I find myself avoiding situations which might cause me conflict concerning my sexual orientation. For example, I tend to shy away from traditional congregational pulpit jobs because I fear I will either hide my identity, or share it and be fired. This fear is a terrible thing, whether real or imaginary, if it does affect my rabbinate. I find myself looking at those aspects of the rabbinate which require the smallest sacrifice of privacy, because I fear what might result from openness. This is a great personal tragedy for me, because I really want to be a full-time congregational rabbi who can share his life with his congregation fully and openly. Perhaps this is more a result of homophobia than of being gay, so I will now turn to the question of how homophobia impacts on my rabbinate.

3. How has homophobia/prejudice affected your rabbinate?

Once again, I must state that as a rabbinical student I can only address the impact it has had on me so far and what I perceive will be the impact on my future rabbinate.

I suppose it is obnoxious to say that homophobia is a problem of the straight community, not the gay one. Nonetheless, in most ways this is true. It is homophobia, real or perceived, which really makes it difficult to be gay and be a rabbi.

I want very very much to be a rabbi, and I feel I am very appropriate and qualified to become one. Yet, I often ask myself if I have the strength to fight upstream and create a rabbinate for myself despite homophobia. It

is difficult to accept being rejected for something totally beyond ones control, whether that "thing" is being a mamzer, a black, a Jew, a woman, or a homosexual.

At HUC, it manifests itself in many ways. I hear professors make comments about homosexuals that they wouldn't dream of making about any other group. One professor, upon seeing a sign in the elevator discussing Homosexuality and Judaism, laughed and asked how anyone could possibly assert that this was an affirmative lifestyle. Another professor asked how anyone could legitimize Jewishly a person "choosing" to be a homosexual. When I wanted to write a paper which dealt with the possible ramifications of homosexuality on certain rituals, I was advised by one of the faculty not to do it or else "they might think you're gay." (God forbid!) This is not to say that I have a desire to run screaming down the halls of HUC "I gay" but this underlying atmosphere of rejection and suppression, that is, having to hide myself and my relationship, really wears down enthusiasm. The same professors and students who I should be looking upon as mentors and colleagues often become "enemies" who if they knew I was gay, would suddenly turn me into a non-person. This really came home to me the other day when the Board of Governors was visiting and it just hit me that they probably really wished that all of us "troublemaker gays" would just disappear. It is not a pleasant feeling knowing that the people who are supposedly supporting you would really like you gone. I can't talk to my advisor about it, even though I really think I should. Other gay rabbis have told me its just not worth the risk of being "screwed over" by the school.

I guess the primary tension that homophobia creates in my life is in my relationship with my lover. He has to be invisible, an un-person. He is not invited to dinners with other rabbis and congregants. He is not invited to functions at which I am speaking or preaching. In short, he can not really be involved in what I do, and that is very painful. At the critique

session after my 4th year sermon, do you think I could get up and say, (as does everyone else) "I would really like to thank my lover X_____ for his help and patience in this." Can you imagine me wearing a wedding band and telling the dean about my lover X_____? Or even better, if my lover and I were to have a ceremony sanctifying our relationship Jewishly, can you imagine me inviting the faculty, or even being able to share some of my joy with the school in general? Or if my lover and I were to split up, do you think I would get the comfort and support, and understanding that I should get from the faculty and administration after the end of a long and intimate relationship? Of course not, but there is no reason that I shouldn't. HUC and the CCAR are in theory suppose to give support to the students and rabbis. In the case of a homosexual, it does precisely the opposite.

I feel obliged to say here that the vast majority of the student body is very supportive and accepting. For that I am very grateful and encouraged that the future will be brighter than the past.

Perhaps these things sound petty and unimportant, and perhaps individually they are, but together they create a powerful message that is not pleasant. Bigotry and prejudice is not a pleasant thing to live with, no matter how it manifests itself. Of all people, Jews should know this, but alas we are a stiffnecked people.

4. How would a policy of nondiscrimination affect your life and rabbinate?

I am not so naive as to believe that if the CCAR were to pass this resolution that instantly all the problems I might face would disappear. Homophobia is deep-rooted and hard to overcome. However, without the support of the CCAR and HUC it is practically impossible. As my mother says, "you can fight city hall if the people are on your side, and you can fight the people if city hall is on your side, but you can't fight them both at the same time."

Although I don't perceive this whole thing as a fight exactly, the wisdom in that statement is applicable. This resolution, if passed, would not eliminate the barriers and prejudice, but it would invalidate them. That is crucial. At this point, synagogues are being tacitly supported in their rejection of homosexual leadership. In a controversy such as this, silence is the strongest statement. This resolution would at least give us support ideologically and organizationally. I tend to draw a parallel with the women's acceptance into the rabbinate. It was and is very difficult for a woman to be fully accepted as a rabbi, but it would have been damn near impossible if the CCAR and HUC and not of given them their full support. I can not possibly predict just how such a resolution will affect the community at large. That depends on too many variables. I can predict that if it is not passed, little or no progress will be made in the acceptance of homosexual clergy, and that if it is passed, some progress will be made.

I can't help but think of rabbis I know who are gay, but who, because of societal and rabbinic pressure, married only to have extramarital affairs with members of their own sex. Is this really a "role" that we wish to assert as more authentically Jewish than living out a life with a mate one can love fully and to reflect God's love in that intimate human relationship that for homosexuals can only come with a member of the same sex? Is that a more positive Jewish role model? Is celibacy and frustration? I would hate to think so.

If this resolution were passed it would at least enable me to be open and honest in my rabbinate without fear of rejection by my colleagues. I might open up the possibility of my working as a congregational rabbi which is what I would most like to do. I might make it possible for my lover and I to share in the joys of my work and remove the tension of having ^{my} spouse invalidated by my profession. It might allow me to integrate the role of

rabbi more fully into my personality. It might allow me to serve in that area of the rabbinate which best suits me according to my talents and abilities, and not according to whom I love. It might give me the support I need to start breaking down old prejudices among the congregations. It might allow me to create a vibrant and creative rabbinate that would be impossible if I were constantly in fear and hiding.

It might do all of these. It might do none of these. The point is that the CCAR and HUC must take a leadership position in this. This is not a political issue. It is a moral one. A movement that has rejected the oppression of women and mamzers, and any group that is suffering from prejudice for matters beyond their control, must support this resolution. At least give us the choice to decide if we want to be open or not.

How would this resolution affect my rabbinate and life? It would give me the joy of knowing that I am accepted and supported by those who are trying to do the same thing as I am: serving God and the Jewish people.

I am a woman. When I was a second year rabbinic student I was assigned to lead tefillah with a female cantorial student. We enjoyed working together and apparently it showed. After tefillah on Monday, an upperclass-woman took me aside and warned me, "I saw the way you looked at _____. You can't let that show here. Someone on the faculty or in the administration will notice and you will be in trouble."

Letters from My Colleagues

Dear Colleague,

I am not quite sure what you want, but I believe that some personal reaction to the proposed resolution on HUC and the Homosexual is what you seek. I have been a homosexual for twenty years, or at least aware of that primary sexual orientation. I have now been in the rabbinate approximately fifteen years and am married. My wife has had a difficult time accepting my orientation, but has finally been understanding and has helped me. I seek my homosexual outlet in neighboring communities where no one knows me and so follow the Talmudic dictum. I have tried some long term relationships, but they have not succeeded and I do not know any colleagues whose homosexual relationships have endured longer than half a dozen years.

There is little that the CCAR or any official body of Reform Judaism can do for me. Even the best intended resolutions would not enable me to come into the open as that would hurt my young children and probably leave me without a job or the possibilities of one. I can function like this just like some colleagues who have mistresses and do not expect any change in Jewish views. I am not sure that I want them either. Perhaps there are aspects of the tradition which even I do not fully understand.

Please retype this letter and destroy the original although it is already rather anonymous.

Yours,

Dear Colleague,

Some friends have told me of your search for homosexual rabbis and their comments on HUC and its attitude toward homosexual rabbinic students. Let me give you a little bit of personal background. My sexual development took place more slowly than that of my contemporaries. I entered HUC without sexual experience. The entire matter was not at issue at HUC or for several years afterwards. It is only in the last decade that I have discovered myself to be a homosexual. I have been in the rabbinate many years now and have adjusted to this condition as to others in my life. For the sake of secrecy I will not let you know whether I am single or married. Through the years I have had three more or less permanent relationships. This has not been

difficult as my sexual drive is not high.

As I look at the congregations which I have served and those others with which I am familiar, it does not seem to me that the attitude of HUC to homosexuality will make much difference. None of them would accept an open homosexual, even that suspicion would often be dangerous for an incumbent.

I do not know whether this is of any help, but I will not risk a telephone conversation with you, although I trust you.

Sincerely,
An anonymous colleague.

Dear Walter,

I am glad that you are on the committee to study the homosexual rabbi, although I am not sure what you or anyone else can do. Ideally I, who am a homosexual rabbi, properly concealed behind a wife and family, would like to be in the open about this. A policy by HUC or the CCAR might help some much younger colleagues, but I am not sure about this. There are a few cities where an out of the closet homosexual may be accepted, but in most of the country that is not so. I wonder too about the neo-conservatism which we are experiencing and how this will affect us.

I would welcome a statement on sex education or anything which might have some long range effect without endangering our present position or leading some younger colleagues to take a bold step which they may regret. I have little faith in resolutions and do not know whether the divisive effect of a strong resolution of any kind (among our Orthodox, Conservative, and many Reform colleagues) would not be harmful. The statements of Judaism are clear and cannot be easily changed.

Good luck.

Appendix C: Survey on Same-Sex Sanctification and Non-Marital Sexual Relations

Conducted by the CCAR Ad Hoc Committee on Human Sexuality
Conducted at the 107th annual CCAR Convention
Philadelphia, Pennsylvania
March 28, 1996

Note: The majority of the responses were submitted anonymously. However, in the cases where the rabbis identified themselves on the survey, the term “Rabbi” is used in the place of the full name. The original surveys are found in the Selig Salkowitz Papers, Manuscript Collection 725, Box 5, Folder 7, The American Jewish Archives, Cincinnati, OH.

1

Name: Anonymous

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

I support ritual sanctification (celebration?) of same sex committed relationships. I don't think this ritual should be called marriage or קידושין (Kiddushin), but commitment ceremonies or some other term—coming up with a meaningful Jewish term would be nice!

Guess we need to do work on what exactly the difference is between traditional hetero marriage and same sex commitment ceremonies...

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of “kedusha”. Please share your position.

I think it would be helpful for us all to get a copy of the Conservative movement's recent statement on the “hierarchy” of sexual relationships. Why not benefit from their work and discussions?

I don't think we need to speak only in terms of “kedusha.” I believe that monogamous, loving marriage is the ideal, but I also believe that sexual relationships prior to marriage are OK. There's a continuum.

I do think we Jews need guidelines regarding pre-marital sex—regarding responsibility to oneself and one's partner/s.

Are there moral issues in sexuality other than how one's actions affect emotional/physical health/feelings?

(On side of page) Does God disapprove if two consenting adults have casual sex and enjoy it? ["casual"=caring but no love or commitment]

What I would most like from the CCAR is lots of materials—especially texts, to help us learn and inform our ideas.

(R. Allen Bennett in our session said he had a lot of texts on the topic of a hierarchy of sexual relationships).

TOP OF PAGE: "I appreciate your work!"

2

Name: Anonymous

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

I endorse ritual sanctification of gay and lesbian relationships, where they are Jewish. However, I want to call the ceremonies something other than marriage or wedding and not duplicate the ritual associated with traditional Jewish marriage.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

I oppose any condoning of sexual relationships between one who is married and one who is not his/her spouse. However, I do acknowledge a degree of *kedusha* in sexual relations between two single adults in a personal committed union. Consult article by Arthur Green on this subject in The Jewish Catalogue. Also, committee needs to study the relationships between sin and certain sexual unions. Do we have any type of עבירה (sin) left?

3

Name: Anonymous

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

I am as yet undecided—I know I could officiate (I haven't been asked to yet), but I'm not sure if I would call it Kiddushim. A "commitment ceremony" somehow feels different from a marriage.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

I do not want us even to approach endorsing anything that can be defined as adultery. "Non-marital" is not the same as "extra-marital." It should be noted that often women are the victims in many sexual relationships, especially those outside of marriage.

I believe that rabbis have a higher responsibility. I am horrified by rabbis who commit adultery and expect no sanctions from the conference or the Jewish community. As someone who was a victim (as a student many years ago) of rabbis wandering from their marital vows and abusing their position of power, I feel we cannot be strong enough about this issue.

4

Name: Anonymous

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

Ritual sanctification sets the movement against a primary Jewish value—family. While gay couples may raise a child, this is an unusual circumstance and generally the result of adoption. Where I understand and sympathize with the needs of gays and lesbians to find intimacy, I believe ritual sanctification goes too far.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

There may be such instances both in heterosexual and homosexual relationships. I believe these do not need public affirmation although the feelings can exist within the privacy of the relationship. It is a very important question and we need to define which kind of relationships we are talking about. Question is too broad and ambiguous.

5

Name: Anonymous

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

As long as it is illegal for one to conduct a same-sex marriage in my state and as long as I function as both a civil and religions official, I therefore feel it improper to answer a question that, in essence, has me breaking the civil law.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

The term "certain degree" is ambiguous and truly unfair to the reader. The term "boundaries" has been mentioned innumerable times during this convention. The wording of the above statement, to me, contradicts any concept of "boundaries."

6

Name: Anonymous

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

I find myself on the horns of the famous "dilemma": While on the one hand, my impulse toward a liberal, loving view of all people moves me to view same-gender relationships and committed relationships/marriage as worthy and proper, I am hesitant in the extreme, about granting the status of Kiddushim to them. Similarly, I am at this point unsure about my feelings regarding the appropriateness of rabbinic officiation of such....rituals?

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

What are defining as "sexual intimacy"? Is it dating? Intercourse? In the '90s are we, so affected by the sexual openness of the past 30 years really going to speak of no sexual activity at all, outside of marriage? I think such a response will encourage people living in the "real world" to take us less seriously than we would hope. Perhaps the issue's serious resolution depends to a large degree on how we define "sexual intimacy."

Name: Anonymous

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

I'm strongly in favor of ritual sanctification of gay and lesbian relationships. Such affirmation of the קדושה of a loving, monogamous relationship publicly elevates its. Moreover, cuts through stigma, aloneness, and isolation. It is healing for both families and communities. Finally, in the powerful language of ritual and holiness it expresses something which is true. I've witnessed and experienced this with my own family and feel blessed.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

I'm 100% more muddled on this issue. It seems to me that utter devotion, faithfulness and commitment make for (and are required for) קדושה and yet such attachments must grow and develop in movements. From a religious/philosophical position I think we must uphold the covenantal deep power of קדושתן without ambiguity. But this does not answer the question.

Name: Rabbi

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

I am a rabbi. I am not a clergyman. I try to help people to celebrate Jewish events. I am very concerned about how fragile heterosexual "marriage" has become. I do not think it is helpful to regard same sex relationships as "marriage" in any Jewish sense. We are using ancient words to mark a new world and new concepts.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

After "The" pill and "safe" sex I know that sexual intimacy is not confined to marriage (Almost every couple who comes to the Chuppah gives us the same address). Why do people get married? Because they want to strengthen their relationship with the armor of tradition. They are involved in the miracle of the transmission and continuation of the Jewish People. There is private intimacy and public, personal friendship i.e. marriage—that is HOLY!

9

Name: Anonymous

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

Ok, but maybe a distinction in kind (not quality) with kiddushin.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

Not Kedusha, but perhaps benignity or moral neutrality- assuming we accept #1??? Don't denigrate.

#1. We must address bi-sexuality as apposed to adultery and pre-marital sex or sex after divorce or death as opposed to adultery. But don't call it "Kadosh"

10

Name: Rabbi

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

Yes, yes, yes! Furthermore, I believe we should forthrightly affirm such relationships are generally, fully kiddushin because I believe that they are!

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in

which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

I think I believe that there are some instances in which sexual intimacy outside of marriage is and/or "may reach" a certain level of kiddushin. But, I am embarrassed to admit that I have given much less thought to this and I think it is the much more difficult of the two questions. I would appreciate a structural and more extensive opportunity to consider this, as a group of rabbis.

11

Name: Anonymous

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

Rabbis absolutely should do this. Committed, loving relationships should be sanctified Jewishly. Having supported civil marriage of lesbians and gay men, the Conference needs to support religious marriages. Doing so is supportive of the family. Same sex marriages are in keeping with Jewish values.

In deciding, Rabbis who are struggling should look at same-sex, loving, committed relationships in their congregations.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

To the extent that certain couples may be barred from marrying legally, they should not be barred from having a religious ceremony.

If this relates to something else, it's not clear to me.

Specifically about what this involves would be crucial.

12

Name: Anonymous

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

- Despite the apparent reticence of "the tradition" to extend the umbrella of kiddushin to same-sex relationships, this should be no barrier to our stand on the

issue as Reform rabbis. There are so many areas in which we have deliberately advocated positions on the fringe of, or directly opposed to “the tradition” and this can be another such instance.

- On the substance of the issue—public acts of commitment and of affirmation of positive Jewish values, no only validate the legitimacy of the couple but also draw the community into the couples support system and serve as signs of historic and communal validation.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of “kedusha”. Please share your position.

- Personal frustration over my rabbinic years that there was no communal act (historically based) by which older couples can consecrate their relationship while obviating economic (social security, etc.) punishments—DO IT!
There are other life situations which also should be sanctified/validated.
- Premarital sex/extra-marital sex—are OTHER issues.

If the issue is language/words (קדוּשָׁין) how can reform Jews who do not accept the divinity of תורה use the word מצוה ? Isn't much of what we do and say as reform rabbis putting new content (sometimes antithetical to “the tradition”) into “old” rituals or acts or words?

13

Name: Allen Bennett

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

I support your moving in your current direction and suggest applying the same values to prospective marriages (and current relationships) between two people of the same gender as we do for people of different genders.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of “kedusha”. Please share your position.

Our tradition clearly articulates guidelines for pre-marital sexual relations. I would urge exploration of the possible expansion of these guidelines for non-marital sexual relations as well.

Name: Anonymous

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

I am concerned that we be clear that we use the term “kiddushin” in a far different manner than the sources call for. We understand kiddushin for heterosexual relationships differently than Chazal. We certainly have the right to label a same sex relationship as kiddushin. Do we want to? I honestly don’t know. The answer for me will be based in moral philosophy and practical implications at least as much as the talmudic concept of “kiddushin.” I need to explore and brainstorm what any affiliation at same sex ceremonies will mean.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of “kedusha”. Please share your position.

I believe Jon Stern has worked out a continuum of sexual values. This affects the essay of Arthur Green more than 20 years ago in the 2nd Jewish Catalog in which he adumbrates a “sliding scale of sexual values.” It is simply unrealistic to expect young people to wait until they are 30 to be sexually intimate.* And yet—violating the marriage vow is untenable. The only exception is the medical or psychological incapacities of one partner in a marriage. Pleasure for pleasure’s sake, regardless of relationship, is a concept that I find offensive and foreign in spirit to kedusha as I understand it.

SIDE OF PAGE: *Kedusha is an ideal. Same sexual relationships may be beneficial and uplifting but not admit of kedusha.

Name: Rabbi

TOP OF PAGE: LANGUAGE MUST BE VERY PRECISE IN THESE MATTERS SO THAT WE ARE TALKING ABOUT THE SAME VALUES, BEHAVIORS.

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

I believe we should “find a way” to make this possible. I think we need to clarify, in advance, precisely what we meant by קדוּשִׁין before we can determine how to proceed. Perhaps we need to create categories or levels of קדוּשִׁין; perhaps we need to create a totally new category in which to understand and celebrate same-sex relationships. I also think that there must be a divorce/separation category.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of “kedusha”. Please share your position.

CIRCLED “SEXUAL INTIMACY” ON QUESTION AND WROTE “WHAT IS THIS?”
(See back of page)

There is little question in my mind that sexual intimacy outside marriage may reach not only a certain degree but also complete Kedusha. Again, we need to create categories—talk specifically about what we mean by Kedusha—and talk specifically about behaviors. We also need to define—or at least try to define—“sexual intimacy.”

I am not discouraged or unhappy that contemporary mores affect me. I tend to believe that we cannot change mores but we can help guide people towards them and adapt them to their own particular life.

BACK OF PAGE: This seems to imply sexual intercourse. Intimacy involves far more than intercourse. “Kedusha” is a function of who’s doing it and what they are doing.

16

Name: Anonymous

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

We need to consider issues of divorce in this context. If we marry a couple, such a marriage stands until a formed dissolution is affected. We need same in same-sex marriages.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of “kedusha”. Please share your position.

No answer

17

Name: Anonymous

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

On one hand I understand the desire of gay and lesbian couples to have their relationships ritually sanctified. On the other hand I have a problem of how to do it within the framework of our tradition "כדת משה וישראל". Will there not be those interfaith couples who will question how we can sanction such unions while denying the interfaith couples the opportunity to sanctify theirs in the same way. Would the dissolution of such a relationship require a ritual act/document such as a get?

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

I'm not sure it is "Kedusha." Does this mean there would be "sanctification" of such relationships? Doesn't giving non-marital sexual relationships a level of kedusha weaken the structure of the family? I believe it is possible to find "Kedusha"—as holiness—in many relationships—even non sexual ones.

18

Name: Anonymous

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

I agree with the direction the committee is moving in.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

Kedusha only goes together with sex when people are married!

Name: Anonymous

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

A gay or lesbian relationship which embodies the value of love, friendship, fidelity and trust should be sanctified as Kiddushin. כל הכבוד and thanks for your leadership!

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

To be honest, I have not given this matter sufficient consideration to offer an opinion, but I agree with the direction in which the committee seems to be heading.

Name: Rabbi

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

I am a rabbi who officiates at single-sex marriages. I would very much like a statement from my rabbinical conference in some way supporting and legitimizing my decision to do so.

My single-sex wedding ceremony is no different from the ceremony at which I officiate for a man and a woman, except for gender distinctions. If we believe, as I do, that homosexual and heterosexual marriages are both קדושין, are both marriages of equal legitimacy, as I do, then we must call them the same thing and treat them equally.

Just as I do not officiate at heterosexual intermarriages, I do not officiate at homosexual intermarriages.

Just as I would not officiate at a heterosexual marriage without a civil marriage license, I would not officiate at a homosexual marriage without civil documents binding the couple—e.g. wills, durable powers of attorney, insurance and pension designations, etc. (If there were civil homosexual marriage, this point would be moot.)

SIDE OF PAGE: N. B. Perhaps an issue that has not been sufficiently addressed previously (pointing at the last paragraph of his statement—that is religious marriages without civil documents).

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

I agree, and often teach youth and adults about a list of conditions needed to call a non-marital sexual relationship "holy," and I do use the term "קדושין"

But I wonder why we need a statement on this issue.

If the purpose is to limit those sexual relationships which may be called holy—that is fine with me, though I wonder whether we'll agree on the conditions.

If their purpose is to give a הכשר to certain relationships that we imagine are now considered treif, then I think we're fooling ourselves. Our people, and even our rabbis—myself included, pre-marriage...are not waiting to hear from the CCAR before declaring at least some non-marital sexual relationships.

21

Name: Anonymous

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

I would strongly agree that we should support such marriages, yet we must not require them of our colleagues. Sexual orientation does not affect my requirement that both be Jewish. Liturgical help, too, would be most appreciated.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

While sexual intimacy may be very special in any number of circumstances, it would be a great mistake to ascribe the word "kedusha" or to grant any official status to such feelings.

We have no license in this area; this from a person who lived with my now-spouse before we were married!

Jews do not come to us for permission; they come for official sanction/blessing. We should not choose our sanctification based on what people are allowed to do.

NAME: Rabbi

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

I have rarely felt so out of step with the CCAR. It is quite politically incorrect to speak out forcibly against so many of the concerns which certainly reflect liberal values and seem to engage precious little consideration of Jewish values, Klal Yisrael or public perception. It is an anomaly at best, for so many in our conference to speak of traditional "Mitzvot" while at the same time disregard those same generic concepts when it is expedient or simply when it "feels right" to do so or contemporary mores impel us to do so. For the Conference to condemn mixed marriage officiation under stringent conditions which I believe perpetuate Jewish life (that is at least the mood and message sent) and then to support "ritual sanctification" is an oxymoron.

I would like us neither to affirm or condemn same sex relationships.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

No Response

NAME: Anonymous

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

I strongly oppose supporting ritual sanctification of gay and lesbian relationships. Not only are they forbidden in Jewish tradition, but they are also contradictory to the national mitzvah of procreation (family). While I am a proponent of love and intimacy in the confidentiality of personal relationships, I cannot view their ritual sanctification as a means of tacit providing approval and support of such relationships.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in

which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

I cannot accept the concept of Kedushah in sexual intimacy outside of traditional marriage. Kiddushin is the time honored Jewish ritual of sanctifying intimacy as a means of "setting apart" for love sexual intimacy and procreation (family). I believe it also weakens and compromises the reputation and place of the Reform Rabbinate in the eyes of the traditional Jewish world.

24.

NAME: Ronne Friedman

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

I have already officiated at "commitment ceremonies" for gay and lesbian Jews in Boston and in Buffalo (where I now serve). I presented a position paper on the subject at the CCAR Convention in Montreal in 1993. That paper and the discussion were not included in the CCAR yearbook nor was it offered on tape as a condition by the Exec. V.P. and the President of the Conference in return for permission extended to the Committee Chair—Elyse Goldstein to sponsor the discussion. It is refreshing to know that we are moving toward the amelioration of the civil impediments to Gay/Lesbian Marriage. Recognition of the sanctity of those relationships will bring integrity to our political action and more important, provide greater acceptance affirmation and inclusion within our midst to gay and lesbian Jews.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

We must be very careful about our use of language. Is the question "in what instance or under what circumstances is it possible to hallow sexual intimacy outside of marriage?" or "should the CCAR endorse the "sanctity" of sexual intimacy outside of marriage in certain specific categories?" Question is too fraught with ambiguity.

POSSIBLE SITUATIONS:

OLDER COUPLES IN COMMITTED RELATINSHIP WHO WOULD LOSE ECONOMIC BENEFITS

PERSON WHOSE SPOUSE IS INCURABLY, IRREVERSIBLY CONFINED "IN EXTREMIS"

WHO MAINTAINS MARRIAGE WITHOUT A TRUE MATE—CAN THIS PERSON ENTER HALLOWED RELATIONSHIP?

25

NAME: Anonymous

ON TOP OF PAGE: It is crucial that Yoel Kahn's (or other equally good guidelines) for affiliation be made easily available.

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

Absolutely in favor. Kiddushin is a sanctified Relationship; two Jews are consecrated to one another. This definition and understanding are inclusive (and do not preclude Gay and Lesbian relationships.)

Further as our definition of family has expanded and continues to expand, we recognize that the "traditional family" is no longer an appropriate definition. We understand Gay and lesbian couples desire and ability to have a family, to raise children, and if not, to support Jewish children through teaching, community involvement...etc.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

Yes. Are you asking about "unmarried" same-sex couples? Or are you talking about those who choose not to marry? ...those who are not (yet) married?

(UNDERLINES: "be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha" and points an arrow to what he writes next)

I agree for all 3. Also, I understand that this point probably needs stating as a backdrop, but it smacks of righteous intrusion/blindness/entering into the bedroom/ignorance.

26

NAME: Anonymous

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

I am strongly in favor of the conference's support of ritual sanctification of committed gay and lesbian relationships. As an individual who will stand under the chuppah this fall with my lesbian lover, I would appreciate our movement's support of my rabbi who will recite blessings and make the ceremony a kiddushim. As a rabbi who has just this past week been asked by a lesbian couple to bless their relationship under the chuppah, I would appreciate the added guidance that the conference and my colleagues could give me if our ideas were shared institutionally rather than individually. I feel as a rabbi that Jewish couples in long-term committed relationships of love are in relationships of Kiddushim and deserve our support. I also believe that we should consider these kiddushim because these are holy relationships.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

When two mutually consenting adults express their love and exclusive commitment through sexual intimacy they may bring God's presence and holiness into their lives and into the world, even if they are not married if they are not committed to anyone else.

27.

NAME: Anonymous

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

This is a good direction to go in—as someone who is about to celebrate (with a religious ceremony) ten years of living as part of a loving committed same-sex relationship and after many years of officiating for heterosexual couples, I can settle for no less than treating this occasion exactly as I would treat the same thing for heterosexual couples. We will have a ketubah, we will exchange rings with הרי את and our friends and family will recite a modified version of the שבע ברכות as we stand under the חפה. Today's world and its understanding of what it means to be gay/lesbian is vastly different than what it was in the biblical and rabbinic period. I believe that in the eyes of God and the Jewish community we are indeed celebrating our קדושין.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

There exists a reality for many engaged in dating situations that sexual intimacy is part of a relationship. Therefore, do have some context based in religious values—some framework for such individuals and couples is necessary and timely and would be an important opportunity to elevate the relationship to a higher level.

28

NAME: Anonymous

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

Whole heartedly support-

Hopefully strategies will be provided to best inform congregations especially when intermarriages are not performed.

These relations create families where there might not have been.

Erase issues of loneliness, disenfranchisement.

Provides opportunities to stabilize family life.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

Agree.

Question of age, stage in life, long term commitment, need to be discussed. How do we draw lines of distinction between relationships we see blessed with "Kedusha" and those we don't?

29

NAME: Rabbi

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

Rachmanis, love, commitment

We must officiate-

Would love to see conference take position.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

Mature responsible individuals who recognize the integrity of "the other" certainly can have whole relationships before marriage. Both MUST be eligible for marriage. Responsible sex of course means protection against disease and unwanted pregnancy. My first grandchild, a much wanted child, was born outside of marriage.

30

NAME: Anonymous

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

Kiddushin is the key. I believe that whenever two human beings find one another and are willing to commit themselves to life-long monogamous relationship, that this is Kidushim.

I have had the privilege of officiating several times.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

I agree that some level of Kedusha can be achieved if two human beings lovingly care for one another and express that love in physical form.

31

NAME: Anonymous

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

הללויה!

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

1. If the relationship is based upon mutual respect and there is no power issues (above/below age of consent; prostitution, etc.)
2. Note! Biblically (and halakhically) A married man did not commit adultery when he had sex outside of marriage with a woman who was not married. [In modernity, this has changed.] The understanding of sexuality and sexual acts HAS changed over time within Judaism.

32

NAME: Rabbi

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

I believe there is kedusha in a committed love relationship, whether heterosexual or homosexual and that it is appropriate for a rabbi to acknowledge this kedusha before God and the community by officiating at a marriage ceremony. Those who differ should never be obligated to officiate but Reform's recognition of legitimate diversity of belief and practice should allow for this.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

The "kedusha" of two people, who genuinely value each other as whole persons in an enduring way, sometimes, for many reasons, does not involve marriage. Such situations, which may be moving toward marriage or may face obstacles which make marriage impossible or inadvisable, are appropriate contexts for a committed sexual relationship.

Non-committed, but non-exploitative, sex is not about kedusha, but may be morally neutral and permissible under contemporary standards. I do not believe that prohibitionist's position is constructive or realistic except in the matter of exploitive relationships.

33

NAME: Rabbi

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

I had the privilege of officiating at my first lesbian wedding in September. The 2 brides I worked with were partners with me in creating a wedding of Jewish values and practice leading to a continuing life steeped in Judaism. After consulting papers, and opinions of colleagues we used the formulaic *את הרי את* of Kedushah knowing full well we were sanctifying and blessing this union. I don't think I would have it any other way. I perform marriages because I am a rabbi—I only officiate at Jewish weddings. These ceremonies replete with Kedusha are the only way I would do a wedding.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

As a rabbi in 1996 I question a couple who tell me they are not living together. While I understand fully where our tradition comes from, our society has changed in such a way as to expect sexual intimacy and sharing as the norm. I resonate to this position and believe it adds to a couple's knowledge of each other toward the relationship of marriage and intimacy within that relationship. It can be an indication of the couple's "rightness" for each other and therefore is valuable.

34

NAME: Rabbi

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

Excellent.

I would appreciate help from the Conference with appropriate liturgy.

If I were designing a ceremony (and I have not yet been asked to perform a same-sex ceremony), I would seek language separate from what we use for classic "normative" heterosexual-procreative marriage, but still state that long-term, loving relationships are sacred.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in

which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

Sexuality, one of many things that bring meaning and fulfillment to our lives, can be appropriate even outside marriage for the non-married. Adultery must certainly not be sanctioned or promiscuity. But as an expression of love and commitment—beyond recreation—in I/Thou and not I/It relations, in an age of birth control, we need to recognize that marriage is not the only appropriate venue for intercourse.

35

NAME: Rabbi

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

I am in favor of ritual sanctification of same-sex marriage, but I would want to maintain a distinction between a same sex ceremony and traditional קדושין

Source of authority: "Autonomous Jewish self."

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

I believe that certain non-marital exclusive sexual relationships attain a level of קדושה. It is important to attempt to define the boundaries of such relationships.

36

NAME: Anonymous

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

I am in full support of this conclusion. I strongly believe that gay and lesbian relationships in a long-term, intimate, monogamous context can be considered as "worthy" of ritual sanctification. Personally, I don't know what ceremony I would perform, but I have no reservations about voting in favor of a resolution that would provide a pathway for a religious Jewish ceremony or more likely ceremonies. I'm not sure how I feel about calling it Kiddushin—on one hand I say yes, of course why not, we've already changed the definition; on the other hand, I say no, it must be something else completely different.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

In this, there is a need to balance reality with the values being articulated. I speak here of teenagers' experimentation. How do we provide a framework for mature decision making and postponement of sexual involvement until more than physical maturity is reached? That's one issue.

Clearly, there are non-marital relationships which can reach a degree of "Kedusha"—long term, intimate and (non-coercive) monogamous, as above. For example, what of an older couple? There is no chance of children issuing from the marriage. What about post-college age young people? How can we articulate values which will enable them to clarify the religious context of their relationship?

37

NAME: Anonymous

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

I am in favor of civil rights for G & L, but emotionally am not ready to officiate at the "wedding" which I do not consider קדושין A blessing on their companionship yes; "Kiddushin" not yet!

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

Sexual intimacy should be the result of love, mature love. I maintain that 2 adults who are in love should/could/may engage in sex as an expression of their love and without a sense of religious guilt.

38

NAME: Anonymous

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

I am still uncomfortable with it in terms of being equivalent to marriage. I would probably use an alternative to the "traditional" marriage ceremony.

I also fear the message sent to intermarried—a far larger population—if we do same sex marriages but not theirs.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

I agree but I find definitions and boundaries hard to articulate. Marriage must remain the ideal and the rule, not the exception for us.

39

NAME: Anonymous

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

I would support some sort of ceremony but not if it is to be identical with the קדושין ceremony for heterosexuals

Heterosexual marriage should be seen as the ideal. Will we be able to say that in religious school or from the pulpit or will it be like mixed marriage—where it is difficult and dangerous to say that it is better for Jews to marry Jews.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

"A certain degree"—sure.

I also feel it can be acceptable, even if not attaining a significant degree of "Kedusha."

OTHER ITEMS TO BE EXPLORED:

RABBIS WHO DO NOT AKE THE "POLITICALLY CORRECT" POSITION DO NOT FEEL FREE TO SPEAK OUT IN THE CCAR.

A SECRET BALLOT VOTE WOULD BE VERY DIFFERENT FROM A PUBLIC OPEN VOTE.

40

NAME: Rabbi

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

YES

Reform Rabbis should be encouraged to bring a sense of Kedushah to Gay and Lesbian relationships through ritual sanctification. There should be no distinction between gay and lesbian relationships and heterosexual relationships.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

NO

Kedushah I believe is only reachable through covenant—Sexual intimacy before marriage is part of our societal behavior—but it is not Kedushah

41

NAME: Anonymous

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

I am tending toward officiation. Several years ago I saw the film "Chicks in white satin." I came to the conclusion that if one of my children were gay, I would so support the most stable and Jewish relationship possible.

I am not sure if have showed we a separate category of wedding.

And yet in back of my mind is the real concern that we don't know what homosexuality really is—illness? Personal free choice? Genetic? Some other personal predisposition just as heterosexuality is for the majority of us—It is very disconcerting to me to be trying to make decisions about something that we really don't understand.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

I agree. Surely marriage with long term legal and personal commitment is the highest; but, couples in a relationship that is genuinely loving, respectful, caring and

mutually supportive has all the ingredients of קדושה except legally established long-term commitment? However, NO couple should have children unless there is long term legal commitment.

42

NAME: Anonymous

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

I support ritual sanctification of Gay and Lesbian (intended to be permanent) relationships. I would consider this Kiddushin.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

1. I doubt the accuracy of their statements. For example, there was times when the *Pilegish* was deemed appropriate.
2. I would leave out the "However"—There are some times when sexual intimacy outside of marriage may achieve "Kedusha." This dodges the questions of which times?

43

NAME: Anonymous

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

Yes. I think this is obvious. I don't see gender as a determining factor of Kiddushin.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

I believe that marriage is ideally a lifetime commitment. I believe that sexual relations and sexual desire are very intense and therefore pre-marital sex may allow for couples deciding upon marriage to have a long view in mind. I think Kedusha is possible, maybe,

if expectations and limited expectations are disclosed honestly. Extra-marital sex I have much more problem with.

You might consider having discussion of this 2nd matter at a different time, etc. so it too gets attention.

44

NAME: Anonymous

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

I believe the conference should support the right of individual Rabbis to develop and perform ritual sanctification ceremonies for Gay and Lesbians committed to a life long relationship with each other in a Jewish framework.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

I acknowledge the reality of sexual relationships outside of marriage for both (teenagers, college students) and adults of all ages. I respect their right to safely explore and learn about sexual relationships, but I do not believe that we can elevate these "sexual acts of intimacy" to any level of Kedushah. Kedushah should come with commitment. To legitimize less is to cheapen the concept of Kedushah.

I believe that heterosexuals and homosexuals should strive for "Kedushah" as the ideal, to sanctify anything else would be offering an acceptable lesser goal for relationships.

45

NAME: Anonymous

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

I don't use the Rabbis manual for wedding ceremonies--it's not a great ceremony, model, etc. If you do create a ritual (great!), but please make it a good/better one.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

Kedusha is an ideal. I go along with the Conservative paper of trying to attain the ideal.

46

NAME: Anonymous

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

At this time I am in support of same type of "Ritual Sanctification" of gay relationships. But am unclear of what this ritual would look like. Chuppah—yes. Wine—yes. שְׁהַחֲיוֹ—yes. Vows—? Shevah Berachot-Traditional—?

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

I am in agreement with this. That in certain circumstances a couple can have a committed/sacred relationship that exists before a marriage can be entered into. I do not support casual sex and promiscuity that does not in my mind have the level of emotional intimacy and personal commitment.

47

NAME: Anonymous

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

I am in favor of "ritual sanctification" and may well favor קְדוּשָׁה i.e. At this point I am prepared to participate in some consecrating ceremony but I'm not sure if it's קְדוּשָׁה as with heterosexual marriage. I have some concerns about how this will impact Reform colleagues in more traditional settings (Israel), particularly if a distinction isn't drawn between the ceremony for heterosexual and homosexual.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

I agree that קדושה can exist outside of marriage, i.e. in a committed relationship between two consenting adults who for any number of reasons cannot marry.

48

NAME: Anonymous

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

I believe that this is in keeping with the highest ideals of Reform Judaism. Kiddushin of gay and lesbian relationships between 2 loving people helps to promote the values of family: fidelity, monogamy, inclusivity, love and equality.

I am proud to live in the period in history when, despite growing conservatism and fundamentalism, our movement can demonstrate the courage and prophetic vision of its forbears in taking a stand on what's right, ethical and true in and for our time. The category of Kedusha must be extended to G/L relationships, in order for us to truly be in partnership with God's efforts towards Tikkun Olam. The notion of hetero marriage as being the only instance of "ideal" is insulting to the value of B'tzeleim Elohim!

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

I agree. I believe that in order for Judaism to continue to be relevant and compelling for our young people on matters of sexuality and intimacy—we must be willing to clarify our Reform position on these relationships.

49

NAME: Rabbi

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

I feel strongly that we should affirm Rabbinic officiation at same-sex unions. We should support and validate individuals who commit themselves to relationships of

integrity, commitment and love. Our officiation is critical to affirming same loving bonds as legitimate and creating a climate in which gay Jews can freely be who they are. Our stance against homophobia and for tolerance is most meaningful if we act upon it in this way.

One caveat: Concerns relevant to heterosexual union (e.g. Intermarriage, pre-marital counseling) are certainly pertinent here, too.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

I would support affirming sexual intimacy in relationships which are characterized by: respect, affection, the intention or behavior enduring connection, honesty and integrity.

50

NAME: Anonymous

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

I fully support the sanctification of gay and lesbian relationships. To me, these relationships should be accorded every right of commitment that heterosexual relationships have. I would definitely call this ceremony Kiddushin.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

There seems to me no reason to have a sanctification of kidushin of a relationship without marriage. There can (and is), however, be holiness in many non-marital relationships. I find it increasingly hard to ask that people marry before engaging in sex. This is not a choice that I nor any of my generation took. In fact, many of my class lived together before marriage. I do believe that a ritual sanctification does affirm commitment and the holiness of the sexual as well as non-sexual relationship.

51

NAME: Anonymous

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

Great idea—I truly believe that there is halachic jurisdiction to make this work. Even though there is clear biblical prohibition against gay relationships there is enough Reform Jewish legitimacy to resolve a ceremonial conflict. The current wedding ceremony in the Rabbis' Manual offers many choices and options that allow each rabbi to move towards or away from a traditional wedding.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

This is an area of great concern. While I am certain the committee is thinking primarily of consenting adults, perhaps a clarification will be necessitated to prevent an automatic talmudra principle of Kiddushin—Ketubah, rings or sexual intercourse. I'm thinking primarily of teens. Because "kedusha" by definition has no age boundaries.

Questions to consider

1. Ceremony of commitment vs. wedding ceremony
2. Congregational Issues
 - a. Same-sex marriage vs. not doing inter-religious marriage
 - b. Life cycle events after marriage.

52

NAME: Rabbi

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

I am in favor of the sanctification of Gay and Lesbian relationships. The issues I am struggling with are: which rituals (new, old, renewed, re-created, created) should be part of these ceremonies. One critical issue which influences my decision is—Is Kiddushin a Jewishly legal formula for a union or a conceptual ideal about any union/marriage. If we accept it as our legal formula then I think we need to change the ceremony. If it is a concept/idea then we don't have to change our traditional ritual.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

Is there, can there be, what is—Kedusha outside of Kiddushin.

Meaning—if Kiddushin is the formula that creates a status of a relationship with Kedusha then sex outside of marriage is not actually Kedusha.

From the above comments—there is a major philosophic question—what essentially is Kiddushin? To me this is essence of the issue and the creation of ceremonies which sanctify gay relationships.

53

NAME: Anonymous

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

I am in support of a "ritual sanctification." I am still struggling with a definition of what that would be—whether or not to make a distinction between a קדושין for heterosexual couples and one for homosexual couples.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

I think sexual intimacy is an integral part of any loving relationship and it is part of the development of that relationship. What must be reinforced is that notion that sexual intimacy, to be קדוש, must be between mature willing individuals. That sex cannot be used as a central issue.

I am torn about the notion of sexual relations as part of a person's individual growth and not a part of a long-lasting relationship. I don't think "casual sex" is קדוש.

54

NAME: Anonymous

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

I am already at the point of agreement as to performing commitment ceremonies for same sex relationship couples. I do not feel comfortable using the traditional קדושין ritual, but I am willing to draw from traditional sources that speak of the sanctity of human relationships. Since I don't officiate at mixed marriage, I knew that this will cause problems for me with members of my congregation.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

Pre-marital sex is a reality. We need to speak to the consecration of relationships as opportunities for קדושה.

55

NAME: Anonymous

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

In theory I believe we should "sanctify" such marriage. In some states, performing any marriage with out a civil form is, I believe, illegal. That of course raises special problem and would need legal clarification. It would be nice to develop a definition of קדושין based on the root קדש (concretion, separation) and unrelated to "marriage" which has heterosexual overtones. Some modifications in the wedding ceremony and the language would be in order.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

This statement is too vague. What are "some instances?" The reality is, virtually every couple has intercourse prior to marriage. Years ago Eugene Borriwitz wrote a work of sexual ethics that might help here—an approach that left open the possibility that intercourse be likened to ethical relationships rather than to "marriage." He ended with a "conservative," but not wholly logical, conclusion, basically disapproving of premarital sex. Sex also the law of Gittelson's "sex ethic." Adultery, on the other hand, is unacceptable.

56

NAME: Anonymous

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

I am greatly concerned about the further "marginalization" of Reform in the Jewish community but of the same true feel "compelled" by a sense of "justice" and compassion of such officiation.

I am concerned about equality same sex relationships with "marriage" in the traditional sense and would prefer some other term—but still agree to the civil rights gay are entitled to. I would officiate.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

This premise flies in the face of a reality shaped by birth control technology and the decline of parental controls on teenagers and college students. It further defies the realities of divorced people dating.

57

NAME: Anonymous

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

No No No! We should be working towards the legal recognition of gay marriage which cannot be broken except through divorce, not for empty ceremonies which mean little more in practical terms than a hippie love-in.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

"From now on, when I pick up a woman in a bar, we will negotiate our level of Kedusha in addition to agreeing on birth control methods."

Seriously, I am horrified by the mere suggestion of this and embarrassed for us as a religious movement.

Kedushah derives from a brit, a formal contract, which cannot be broken except by most solemn legal and ritual act (divorce, get).

Commitment does not lead to Kedusha in and of itself.
This is a travesty! (PS what is "a certain degree of Kedushah?")

58

NAME: Anonymous

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

Homosexuals prefer their own congregation. This is moot for most of the Rabbis of the CCAR.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

No Kedusha until marriage. Sexual intimacy outside of a marriage given today, but marriage brings the Kedushah into the relationships.

59

NAME: Rabbi

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

Against! No grounding in Jewish tradition. Love and commitment are wonderful values but they don't equal kedushin which is covenantal in Judaism. A lady loved her cat dearly. At the cat's death she was devastated and wanted to make her mourning Jewish. I could not imagine our encouraging her to recite Kaddish. Same here. Great love, great relationship, but it's not kiddushin.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

Against. We're doing it, it can be wonderful, intimate, fulfilling, but it isn't kedusha, covenantal. We can do things that are moral, responsible, and loving and still not have to

call it Kedusha. It's equally hard to define at this point what is morally wrong. By using code words like Kedusha you're muddying the waters even more.

Not Other Items but, for me, primary—what is authority for considering this? Tradition says no—Not a question of love or commitment.

60

NAME: Anonymous

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

Probably I agree with this because we have a religious obligation to defend basic human rights. Officiating at ceremonies I am not yet ready to affirm, though, and the slope is very slippery.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

I think we have to stand for something here. Using the word Kedusha should apply only to lifelong committed relationships. The fact that it happens doesn't mean we have to use our most sacred word.

In addition, we have to be very careful of how our high school kids perceive this.

61

NAME: Anonymous

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

Difficult question that deserves public debate and thoughtful discussion. I can't be any more ambivalent, huh? It's not that I don't believe that same sex relationships are not holy. To the contrary, but there are issues that result from a public affirmation by a rabbi. Those issues are a concern to me.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

There is much ambiguity in your statement and therefore makes the issue impossible to address. In our individual rabbinate we privately counsel couples, sometimes acknowledging an "unusual" arrangement of relationships due to circumstances. However, to publicly acknowledge sexual intimacy outside of marriage offers license to those whose situation does not fall into a category that we acknowledge as holy.

62

NAME: Anonymous

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

I am currently unsure about the Jewish legitimacy of ritual sanctification. This is primarily a result of my own incomplete knowledge about the halachic views on homosexuality, the definition and parameters of Kiddushin. A second source of my ambivalence is the tension I feel between my secular liberal ethics, which leads me to support full equality for gays and lesbians, and my (heretofore incomplete) understanding of the Jewish ethical position as indicated in Halacha.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

It would be inappropriate to clarify non-marital sex "kedusha." At the same time, we must recognize the reality of our day. If we speak of non-marital relationships kedusha we diminish the sanctity of and impetus for marriage. This may be a very slippery slope and I think *מְרֵעֵת עֵין* is a very serious consideration here!

63

NAME: Anonymous

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

Reform's definition of "kidushin" should be clarified and delineated. (The critical issue—to what authority does the movement take recourse in supporting sanctification of Gay and Lesbian relationships.)

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

Under what circumstances and on the bases of what authoritative premise(s) would this be the case?

64

NAME: Rabbi

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

It's pretty clear to me that this is something we ought to be doing and that I would feel much more comfortable doing so (I haven't yet had the opportunity) if I had the support and sanction of the CCAR. I would like to get beyond the question of "whether" to the question of "how."

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

Surprisingly (to me) I have more discomfort with this than with the above! I have no doubt that sex outside marriage can be "holy;" the pragmatic question is what we are going to do about it? I see one of the reasons for creating same-sex commitment ceremonies is to helping homosexual couples to form stable familial relationships and I'm not sure how this fits that purpose.

65

NAME: Anonymous

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

I am for this. I am already involved in other life cycle ceremonies such as britot milah and marriage, funerals and home dedications for same sex couples. Why not complete the cycle?

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

(Circled "Please share your position" and drew an arrow.) We should not establish separate standards for homosexual/lesbian liaisons as compared with heterosexual.

66

NAME: Anonymous

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

I support ritual sanctification of such relationships. I am struggling with the "authentic" Jewish (vs. simple humanistic) bases of such a practice. The tension between change and being part of the same tradition (on a continuum) seems stretched pretty far here. I know what I think is correct but the intellectual honesty of stretching Jewish symbolism this far is currently confusing me.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

How to define a useful boundary? Responsible, caring, respectful relations. Understanding or approval?

67

NAME: Anonymous

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

It is important to affirm the relationships of those already within our community and those distanced from the Jewish community over this issue. One's sexual orientation has no consequence over the Jewish nature of the relationship or home one wishes to create. It is therefore important to develop some type of ritual sanctification that has meaning for G&L Jews.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

"Kedusha"—does that suggest Kiddushin? Perhaps "Kedusha" is the wrong type of terminology. Perhaps there are grays in which we can affirm such loving relationships.

68

NAME: Anonymous

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

I think there should be a distinction between presiding at "commitment" or "covenant" services and at a service of קדושין. I favor the former and oppose the latter. קדושין has a specific meaning in Jewish law and I believe we should not use the term for a relationship which does not fit that meaning which is a heterosexual one. It threatens to undermine our creditability any time we use the word קדושין. I think as a movement we do not, ideally, need to make any statements on this issue, leaving colleagues free as they have always been, to act in this matter as they choose. If a statement is deemed necessary, I would favor merely a restatement of the previous sentences.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

Of course, it is agrees on what tradition says. But does the committee agree with the view of the tradition? Outside of marriage, one may say that is the custom of a clearly committed relationship planning for and ready to marry, sexual relations...etc.

69

NAME: Anonymous

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

I am as yet undecided but moving in the same direction. Mixed marriages, definition of Kiddushin are stumbling blocks.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

How do we define the instances? (e.g. engaged couples) How can we still preserve positive value of Kiddushin?

70

NAME: Anonymous

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

I have performed several such ceremonies, with the same great pleasure I derive from officiating at any other wedding.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

No answer

71

NAME: Anonymous

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

1. In supporting this concept/proposal/direction, rabbis, congregations and the couples themselves would need ritual guides/ceremonies/services designed

specifically or are the "traditional" modalities to be used? The concern is changing to text etc. may, in effect, weaken or lessen or make the marriage appear as if 2nd rate/level.

2. Can this be done prior to legal civil sanctions of these marriages?

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

No answer

72

NAME: Rabbi

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

I am in support of Rabbinic Officiation in order to give ritual sanctification to same-sex unions. I base my support on our tradition and the Reform Movement of taking a holistic approach to our decision making. I believe that today we understand homosexuality differently then did the generation before us. Our increased awareness makes it imperative that we understand that such committed relationships do attain a certain degree of Kedusha. My question is whether such a union in the ideal as expressed in Jewish tradition of Kiddushin. I view Kiddushin as the ideal and feel that it would be held up as the ideal. What can we do to express the "limited" Kiddushin of same-sex union? My agreement to officiate would probably depend on how, within the ceremony, the holiness could be expressed, but understood as being divided from the traditional understanding of Kiddushin.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

The question is a bit unclear. I do not quite understand how Kedusha is meant here. But I would be inclined to say no to this question.

73

NAME: Rabbi

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

1. As a psychotherapist I have to deal with people as they come through my door. I do have the responsibility however, of referring those with problem-areas which are not within my competence to other specialists. Basically, I have to acknowledge legitimacy to their issues and treat them with respect, guarding against my own vulnerability to transference and counter-transference.
2. As Reform Rabbis, we already have "amended" the traditional meaning of *כדת משה וישראל*. So what is the issue with regards to homosexuals? For Reform, the question is moot!
3. So many rabbis are becoming psychotherapists or pastoral counselors. The rules in these organizations are clear. Treat the issues and not the person whether personally you may or may not have your likes and dislikes.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

1. Psychotherapist organizations have very strict rules on marital affairs between therapist and clients, especially those who transgress the boundaries. I believe the same is appropriate with the rabbinate. There is no *תשובה* for returning to be a therapist in psychotherapeutic organizations. I will be glad to supply an example of these instructions.
2. Yes, for those with partners who are terminal, especially if they have a "need" committed or *קדושה* relationship.

74

NAME: Rabbi

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

I support the sanctification (Kiddushin) of gay and lesbian relationships wholeheartedly and had the opportunity to officiate at such a ceremony this past summer. I would love to assist in developing our movement's position as well as the ?/liturgy used at such weddings.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

I agree. Marriage represents a higher degree of Kedusha than other sexual relationships. However, a non-marital committed relationship can include a degree of kedusha, too. I think that in response to today's social circumstances of graduate school and delayed financial independence (making early marriage difficult) we should openly accept pre-marital sex in committed relationships. Our impact is lessened when we don't take a clear stance differentiating between committed and non-committed sexual relationships.

I believe we should look into developing a Jewish marital engagement ritual.

75

NAME: Anonymous

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

I think that given the statements which value the Toraitic concept of B'tzelim Elohim the CCAR should support ritual sanctification of gay and lesbian relationships. As many of our colleagues have already studied the issue at length and are currently officiating at such marriage, this is a logical step in officiation of such unions as being part of Jewish Kiddushin.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

Having read the Reconstructionist statement on human sexuality, I have some idea of what may be meant by Kedusha in sexual intimacy outside of marriage. However, I feel that the phrase "a certain degree" and the ambiguity of what defines "sexual intimacy outside of marriage" needs to be clarified.

76

NAME: Anonymous

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

I believe that we ought help couples sanctify these relationships. We should develop ceremonies which are akin to a wedding ceremony but appropriately adjusted. I have no doubt that 2 homosexuals can have a relationships which is a קדושין

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

I do not know that these sharing of self are קדושה I would not say that sexual intimacy by two single, consenting adults is wrong. Is it representative of קדושה? No, I do not think so.

I am disturbed that the draft avoids talking about marriage and promoting marriage in an direct and straight forward manner. Marriage is קדושין because the relationship is set apart.

77

NAME: Anonymous

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

Whole hearted support as one who has already officiated at same-sex ceremonies and feels strongly about the legal and religious justification of same. It is קדושין-though many same-sex couples choose to call it something else, for example ברית קדוש לבבות, ברית אהבה

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

As a heterosexual single woman who is seeking a suitable marriage partner, I find myself pained by the innuendo that my sexual activity outside of marriage may not be קדושה. There is a continuum of קדושה in any relationship as Nancy Weiner so well portrayed in her workshop on pre-marital counseling—the wedding ceremony is a public statement of the קדושה that has already been developing over time and which will continue to grow and develop, but קדושה does not begin at the moment of marriage.

I also believe that sex can be (is) holy within the context of an honest, open, intimate relationship whose goal is not necessarily marriage and may be an important way of determining whether in fact that relationship is "marriage worthy." I have a

broader concept of what קדוש is-how does a couple fall in love except by sharing significant moments of intimacy/sacredness which can be called קדוש

78

NAME: Anonymous

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

Many of us are already officiating at these ceremonies. It would be wonderful to give validity as a conference to people seeking recognition of their love for one another.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

I am uncertain what the phrase "certain degree" even implies. I agree with the position taken by the Conservative Rabbinate the loving relationships that are monogamous should be supported with all it implies. Are questions 1 and 2 linked?

79

NAME: Anonymous

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

I appreciate the thoughtful time spent on such a major issue in the Conference and respect the process necessary to reach a solution. I fully support devising a manner in which Gay/Lesbian relationships can be sanctified. Whether the ultimate conclusion with קדושין or a religious commitment ceremony is of less concern. The important point is to affirm in theory and devise a manner to sanctify such relationships.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

No answer

NAME: Rabbi

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

This is an absolutely necessary as a last step in the progress made by the Conference. I will do such ceremonies with or without that support. It is Kiddushin.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

I am uncomfortable, yet I recognize reality—there can be kedusha—but we must encourage "Chupa."

NAME: Rabbi

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

For those who wish to perform, in keeping with our creative liturgy and interpretation of tradition, it would be helpful/necessary. The fear: As in mixed marriage—the disapproval on both sides or the "other side," those who do and those who don't could truly in this instance become a Bete Noire.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

If קדוּשָׁין is not just sanctification but "separated for one other...upon monogamy, there could be a Jewish approval. [Difficult to read]

NAME: Rabbi

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

While I am concerned about the reaction of congregants to the awareness that their rabbi not only endorses but officiates at same-sex commitment services (i.e. marriage, but I'm not yet comfortable with the word as a description of what this is) I support the direction furthered in the sentence above.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

A person who does not discover his or her soul-mate to marry should not thereby be deprived of meaningful expression of his or her sexuality including intercourse. And I have to problems with affirming the appropriateness of such intimacy in consenting, non-manipulative relationships for those *21 years of age or older regardless of whether we are speaking of heterosexual or same-sex relationship

*I offer this specific precisely to discourage adolescent sexual expression that may well be inappropriate.

83

NAME: Rabbi

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

I support the ritual sanctification of Gay and Lesbian relationships. There are related issues, however, which need to be considered. Will this support these rituals for Jews only? If not, or even if so, what does this do to the position of those who oppose officiation at intermarriage?

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

This is even more difficult for me. By stating that any instances of sexual intimacy outside marriage are "Kedusha" do we not run the risk of endorsing a degree of

promiscuity and sexual intimacy even among young people? Are we accepting these relationships out of conviction or because "this is the way the world is?"

84

NAME: Rabbi

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

I would favor the committee's affirmation for the sanctification of Gay and Lesbian relationships. The decision to officiate should be up to the conscience of the individual rabbi.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

Sexual intimacy which is truly loving and not exploitative should be affirmed. I'm not sure I would attach to it the word "kedusha". I hope we would emphasize that most experience of sexual intimacy should hopefully be a prelude to "kiddushin" in marriage.

85

NAME: Anonymous

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

To stop short of full support and recognition of Gay and Lesbian relationships makes all of our previous statements very hollow. קדושה is possible. We must move forward and complete the process we have started. Some have linked this question to that of interfaith marriage. They are different. While neither has a basis in הלכה an interfaith marriage is not Jewish. A same-sex relationship that does blossom in קדושה and is between 2 Jews is Jewish.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

1. I agree

2. Marriage is a legal term as much as a social term. Does the "However..." statement refer to same sex partnerships? A legal redefinition of marriage to include same sex couples will impact this position.

86

NAME: Rabbi

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

I heartedly endorse and encourage! My preference would be for a rite which would match us closely as possible the rite used for hetero couples. I do not favor a dissimilar rite as is often proposed by certain "political" factions in the gay/lesbian community who want to be further distinguished from straight counterparts, (and some in the straight community for similar reasons. My aim is to normalize same gender relationships and integrate those couples as much as possible into our religious community.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

I am certain that this is true of older persons who live together but cannot afford to lose \$ benefits by marrying.

I am less certain about the situation of younger persons living together before or instead of marrying.

87

NAME: Rabbi

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

I have written on this subject seven years ago and have not yet prepared to change my position. One question: how would a public position regarding Rabbinic officiation at a same sex marriage be different from public pronouncements regarding officiation at mixed-marriages (It would be different-that's obvious, but just how!)

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in

which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

Is sexual intimacy that component of a marriage that is קדוש ? Could a couple determined to be celibate participate in קדושין ? I believe that the sex act in and of itself is neither קדוש nor חול and can be only evaluated as such in a larger context of commitment, promise-keeping and acting for the sake of God's will. ה'היו קדוש כי אני ה' אל-הם קדוש.

88

NAME: Anonymous

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

"Esau and a blessing for me too, father." Is that different than Kiddushin? I don't know. Does it need to be? I don't know. Commitment ceremony does not equal Kiddushin! Civil marriage does not equal Kiddushin! Zeitgeist is not enough!

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

A certain degree of authenticity—not קדושה

89

NAME: Anonymous

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

I am still troubled by the question of viewing same sex relationships as kiddushin, in the same way we view heterosexual unions. While there should be a way to recognize such a union and give it a greater degree of sanctity. I feel that there are still distinctions. Committed relationship

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in

which sexual intimacy outside of marriage may reach a certain degree of "kedusha".
Please share your position.
No answer

90

NAME: Anonymous

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

Disagreement and disappointment. Liberal Judaism need not and often should not "bless" contemporary 'wisdom'/correctness. To consider same-sex relationships as one among many equally valid alternates is a mistake.

However for those in a committed, monogamous relationship Liberal Judaism may want to develop a ritual of validation/recognition which is clearly not קדוּשִׁין. We've developed an affirmation ceremony different from conversion: I have faith we can be creative in this area as well.

While it's important to protect minority rights and privileges, it is equally/more important to affirm/applaud/commend/recommend/advocate/urge/PUBLICALLY BLESS heterosexual, Jew to Jew marriages. Our people need models.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

"Some instances"→I'd need to study these instances.

"Please share your position."→missionary et al.

91

NAME: Anonymous

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

I am concerned with the "line." At what point do we cross it. I am also concerned that if we call it "whatever" others will see it as marriage. I am concerned as well as what a stance will do to Klal Yisrael.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

Any sexual intimacy should be done with Kedusha. We need to make sure that our people understand that.

92

NAME: Anonymous

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

1. I am opposed to rabbinic officiation (sanctification) of same-sex MARRIAGE. MARRIAGE by universal definition has historically been defined as heterosexual i.e. opposite sex relationships. Ergo, IF we consider any type of "sanctification," call it by a separate name and not obfuscate what has always been clear.
2. It appears to me that we are responding to some truly heart rendering personal situations by throwing normality upside-down and calling them the norm.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

No answer

93

NAME: Anonymous

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

Perhaps we should study Halachic sources and reform response before we arrive at a final decision. There must be a process.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in

which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

Same as above.

94

NAME: Rabbi

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

I am uncomfortable with this step, though I cannot state that I categorically oppose it. Though I know the argument has been used before, I am very worried that we are separating ourselves from ככל ישראל and "leading" to such an extent that our congregants will not be able/willing/ready to follow.

The question of "ritual sanctification" of course comes down to three options: 1. Don't do it. 2. Consider marriage as the only appropriate method of ritual sanctification "קדושין" 3. Find another designation for sanctification. I am probably more compatible with #3 but in light of our policy of supporting marriage, I doubt that this is likely to happen.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

I am unsure of what these instances might be. While acknowledging its existence and realizing that it may happen in a loving relationship, I am not prepared to declare it to possess "Kedusha." I believe that as patrilineality is widely misunderstood to mean it is enough to have 1 Jewish parent, this will be understood to sanctify most sexual relationships outside of marriage.

95

NAME: Rabbi

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

In light of what we know at this time, it seems that same sex relations for some people are as "natural/normative/God given" as heterosexual relations are for most. As

emotionally difficult as it is for me to imagine me officiating at such a ceremony, intellectually I believe that officiating at the wedding of 2 Jews who pledge to live in a monogamous relationship is consistent with my mission as a Rabbi to serve and sanctify God in the midst of the Jewish people and the world.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position

I think it unhelpful and inauthentic for us to declare sex outside of marriage in any level "Kedusah." It can be nice, loving, totally dedicated, but not holy. Those who do not marry choose to because other factors (money, fear) are seen as more important than marriage.

96

NAME: Rabbi

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

If a same-sex couple satisfied similar criteria to those applied to a different-sex couple, i.e. establishment of a Jewish home, I feel I am moving in the direction of agreeing to officiate at such marriages (as Kiddushin), though I have yet to do one; nor have I been asked yet to perform such a ceremony.

One pragmatic consideration: as divorce has exceeded 50% among different-sex marriages, I feel children adopted in same-sex marriage have at least a good a chance of continuous parental care as do children of different sex marriage.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position

Yes, sexual intimacy outside of marriage can partake of Kedusha for instance, among older couples who for economic reasons (i.e. social security) maintain legal separation while living together.

However, a ceremony of commitment would add to the understanding of Kedusha.

97

NAME: Anonymous

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

It was primarily through my work on the UAHC committee on AIDS that I became firmly committed to officiate on same-sex sources of commitment. I witnessed such love and devotion of same sex couples in periods of pain and darkness—comparable to or exceeding any experience of heterosexual marriages. Also, we have condemned promiscuity among homosexuals. If we don't accept and support same-sex [marriage], we want it both ways.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

No answer.

98

NAME: Rabbi

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

B'ezrat HaShem. My understanding of our Jewish concept of בצלם אלוהים means that having developed within ourselves the tools (qualities of personality) to confront the world, we are also encouraged and expected by a God who hopes for our responses, to do that which will elevate our being by growing toward the God within us. Each individual has this capacity.

קדושין or lifting up above the ordinary occurs when two individuals create that relationship within the Jewish community which will commit them and enable them to help one another to grow and develop in this way. That is, to grow towards God in awareness and in behavior.

Homosexuals, no less than heterosexuals are created בצלם אלוהים and can choose to commit to a process and a ceremony of קדושין.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

No answer

99

NAME: Rabbi

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

No answer.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

Proposed language for a resolution on human sexuality. The CCAR affirms the Jewish tradition's teaching that sexuality is an important and unique part of the human personality. We affirm as well that sexual intimacy is properly expressed in the context of an exclusive relationship.

100

NAME: Anonymous

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

In my reading, there is significant data to indicate that: 1. The Tanach's view of homosexuality as "abomination" is clearly tied to idolatry and cult prostitution; 2. That homosexuality is biologically predisposed and therefore cannot be held as a sin. Thus, I favor rabbinic officiation at same sex marriage, conducted with full ritual sanctification involved.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

While the overwhelming aggadic perspective re: non-marital sex prohibits such relations, halachic teachings carry no significant sanctions. This does not suggest, however, that

"anything goes." I believe that sexual expression between 2 people in love with one another carries a degree of sanctity even outside of marriage. Within marriage the sanctity is at its highest. Finally, adultery is never possessed of sanctity.

101

NAME: Anonymous

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

I struggle with this issue and have only once in 19 years actually been asked to conduct such a ceremony.

Just as I do not perform interfaith sanctifications, I do not see this to be Jewishly appropriate. I am open to see how it might be. Perhaps old prejudices are blinding my eyes.

My heart certainly feels for such couples.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

I remember Dr. Borowitz's book on sex ethics. There has always been pre-marital sex. I can accept a covenantal love ethic, which allows for sexual intimacy. I used to see us be strong on the ethic that says there must be a relationship of more than what feels good.

102

NAME: Rabbi

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

I have asked Walter Jacob about the possibility of life-partnership contract forms of Shitafut (for heterosexual and/or same-sex partners?). Such contracts would be celebrated/sanctified as a rabbi might decide to do (as civil adoptions might be) with the idea that contract be viewed ברית חסד not a commercial צדק ברית (as the קנין of a traditional wedding is not just a commercial contract). I guess this is more properly addressed to the present Responsa Committee. "Marrying?" Not without a civil certificate.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position

Pre-marital sex is a problem, for examples: Does it attain "a measure of קדושה?" My first thought in that the issue of קדושי is best addressed in terms of the committed relationship (partnerships) rather than in terms of sex acts.

103

NAME: Rabbi

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

I not only would support a resolution in favor of rabbinic officiation at gay/lesbian marriages but I myself would officiate. I believe that we should be encouraging people to seek committed monogamous relationships and to create Jewish families, however, they are configured. I have known many gay/lesbian couples whose love for each other and commitment to one another is no less valid or real than mine is for my husband. I believe the bringing together of two Jews before God is Kiddushin and could not feel more strongly about this.

I don't do inter-marriages: Apples and Oranges.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position

I have mixed feelings about this question. While I am not opposed to pre-marital sex in a committed monogamous relationship I work very hard to teach kids that they should wait until they are ready and are in such a relationship. I'm not sure how we would define this in a resolution. I guess I don't know how a resolution on this would be handled.

104

NAME: Rabbi

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

I am comfortable with the possibility that we as a Conference will support the availability of Kiddushin for same sex marriages. I believe that a sacred opportunity for commitment for stability, for child rearing, for life planning is both appropriate and correct.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position

Obviously s.i. (I think this means sexual intimacy) occurs outside of marriage in a variety of settings—some of which can be viewed as healthy, some as casual, some destructive and violative of fundamental human rights. I cannot agree, given the variety of possibilities that קדוּשָׁין should apply here we should retain "sanctity" for the highest form of s.i., namely within a marriage. To do otherwise would be to obscure and confuse. To do otherwise is to be more a social liberal than a concerned and thoughtful religious body seeking grounds upon which to teach, to guide, to sustain. I cannot believe that we need to damage further the troubled structure of the family unit.

105

NAME: Rabbi

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

It seems to me that one of the fundamental problems in this conversation is the notion of Kedusha. Of all the definitions sometimes offered to me that I find most appropriate is religiously acceptable in a Jewish context. Whether there is often overlap with legal and ethical realms (setting aside the corners of the field, not gossiping, etc.) often there is not (dietary laws). While some forms of שְׂדֵדָה have evaporated from our repertoire (not shaving the corner of the head) others remain.

Therefore, while I am not opposed to the state sanctioning same-sex marriage for legal and economic purpose, I cannot attach kedusha to such unions—however much I may esteem, care for and otherwise support such couples. I see it as roughly analogous to interfaith marriage. In this case, I choose neither to judge nor to Judaize.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in

which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

As for non-marital sexuality, I sense that there are several possibilities here. Are we speaking of 14 year olds? 19 year olds? Unmarried lovers? Adulterers? Those who have incapacitated spouse?

Again, such relationships may or may not be ethical or even legal. But they cannot be holy.

I would also add that so much of this conversation has progressed without resort to text, hermeneutics, history, or liturgy.

In fact, our actions have become the texts. We are faced with the devastating possibility that Judaism has become inexorably, the self. We flirt dangerously with the sanctification only of what makes us comfortable.

106

NAME: Rabbi

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

It is a strange thing to grow up, meet the right person, fall in love with that person, (Jewish) and discover that, consequently you can not be married.

We, as Rabbis, must officiate at same-gender marriages, and furthermore we must teach gays and lesbian that they ought to sanctify their relationships. It is not unlike teaching parents that their baby daughters ought to be not just "baby-named" but entered into the Brit.

Finally, we should call it Kiddushin and Marriage, not "Commitment Ceremonies."

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position

Given that our people engage in sexual relations outside of marriage the question is: when is it saved and when is it חורל:

We should only acknowledge as Jewish sexual intimacy that is sacred:

i.e. in the context of love and commitment, monogamy headed toward marriage (as opposed to casual sex, which is unJewish and lacks holiness).

Additionally, we ought to explore the problem, faced by many aged couples who, because of systematic discrimination in our society, can not financially afford to be married.

Many of them are living together in a sacred context. We must do something for them.

107

NAME: Rabbi

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

This is an appropriate and good step for Reform Judaism! We are evolving to a new stage of understanding mature sexual relationship and our readiness to "ritually sanctify" same sex relations affirms and encourages a new understanding of authentic and ethical human relationships.

We should create a new dignified form of קדוּשִׁין. This is pro-family. To sanctify the couple is to strengthen their resolve to fidelity, health, and tz'niyut.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position

I remain confused about the possibility of authorizing or validating this kind of sexual intimacy. Here we can not lead and anything we say will only look like we are lagging, backward and confused. We may be better off saying nothing on this. Is anybody really asking?

108

NAME: Anonymous

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

If Gays/Lesbians are looking for their partnership to be accepted we should accept. Also, we should give ritual sanctification to such partnerships. However, I think our vocabulary should be developed to capture the spirit of קדוּשִׁין without using that word, much like they do not use the titles husband and wife.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position

Even in marriages, not all sex is holy. Therefore not all non-marriage sexual relations can be deemed unholy also. Holiness can be created without marriage and marriage does not guarantee or provide for קדושה. For thousands of years there has been sex without marriage and no proclamation by us or the church will change this.

109

NAME: Rabbi

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

I have no question in my mind that gays and lesbians should be offered legal rights—inheritance, benefits, etc. However, I recognize that in order for that to occur there must be some "act" to commit one to the other. (This prevents casual relationships or momentary engagements that could create impossible "hurdles"). Yet, at the same time I am not ready (because of admitted lack of study and discussion) to participate in a "religious" ceremony that would "unite" same sex couples in marriage. I believe a ceremony of commitment is needed but I do not know if personally I could officiate at this juncture much the same as I do not presently perform intermarriage. What then of the CCAR? I think a form of guidelines, outline, suggestions etc would be welcome.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position

Questions of pre-marital sex—extremely diverse oppose from a one-night stand verses a relationship in which the sexual act is an outgrowth of a "love" relationship. I stress the importance of "ידע" as a key interpretation of sex and intercourse. In this age of open and promiscuous sex I believe we should distinguish between sexual acts.

110

NAME: Anonymous

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

I would participate in the Kiddushin of a same sex couple if they uphold the same values and prerequisites that my heterosexual couples agree to: Jewish home, family, premarital counseling, etc.

If we have the courage to support civil marriage for same sex couples (as we just have) we should also have the courage to stand behind our convictions that we have come to this by way of our Jewish values and offer our support for Rabbinic officiation.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position

With regards to non-marital sex: I find it difficult to acknowledge non-marital sex as having any kedusah. Though I might find non-marital sex acceptable in certain instances, I do not feel it appropriate to assign it any level of Kedushah

111

NAME: Rabbi

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

I feel two Jewish adults should be able to celebrate and sanctify their commitment to one another in a Jewish framework. I am not clear what stops us from using the wedding ceremony. I want to sanctify and lift up monogamous, committed, partner relationships, be it between people of the same or different gender.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

I feel there can be Kedushah in relationships outside of marriage. Particularly, I'm thinking of older people who aren't able to marry a second time due to pension and benefit losses they'd incur in losing benefits from a previous spouse.

Some countries have 2 tiers of marriage, one involving more training, responsibility, commitment (involving children on the 2nd level only). There can be

sanctity on both levels. It seems the amount of couples living together without benefits of marriage may beckon us to explore this possibility and to encourage delaying of children for the more committed level.

112

NAME: Rabbi

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

I favor rabbinic officiation at homosexual marriages, as קדושין. I understand קדושין to mean an exclusive committed relationship in which the partners set aside their highest love and commitment, as well as their sexual activity, for the partner toward a religious goal of building a Jewish home and family.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position

I think קדושה can be possible if the couple is exclusive and has attained a certain level of commitment. I don't know how to define that level of commitment.

113

NAME: Rabbi

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

I am firmly against ritual sanctification of same-sex relationships. What people do on their own is their own business, unless of course if one of the participants is promiscuous. Then, homosexual or heterosexual, that person becomes a potential menace to public health. I am concerned that our movement is placing inclusiveness and political correctness above Jewish tradition and family-centered values. Not everyone has to be comfortable all the time. Living involves varying degrees of discomfort, as well as comfort.

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in

which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position

Hey! If sexual intimacy is only appropriate in marriage, that is where the קדושה lies! (No pun intended) The second half of the question creates an oxymoron when combined with the basic value in the first part of the question. People certainly can have sex outside of marriage, even in a relationship that the couple thinks is committed, but it does not have to be called קדוש. Not everything that Jews do is even in a small way sanctified. Sometimes people behave outside the pole. We do not have to take a firm standard and make it slippery in order to make everyone feel happy or comfortable.

While I believe that the open discussion of these issues has been very healthy and enlightening, I firmly believe that our learning and sharing should not result in a resolution. Colleagues can confront issues and wrestle with them without the CCAR issuing a resolution for everything. All that a resolution would do would be to provide a quasi- through sources like the New York Times.

114

NAME: Rabbi

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

I support ritual sanctification of same sex marriage and am ready to use term "marriage."

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position

I feel non-marital sexual intimacy should be officially condoned in a few rare cases. We all know that non-marital sexual intimacy will continue apace but officially slowing and restraining this might help.

115

NAME: Rabbi

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

No answer

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position

I believe we need to begin by defining Kiddushin from a traditional perspective, then we must determine if that definition can be applied to sexual relations outside of marriage. We may determine that Kiddushin can by definition apply only to marriage; we may need to find some other term to apply to sexual relationships occurring in a mature, consensual, spiritual, and loving context. In English we speak of a spectrum of marriage, living together, exclusivity..."flings." We may need terms other than Kiddushin for non-marital sexual relations.

Therefore:

Our first task is to define Kiddushin from a traditional and Reform perspective.

116

NAME: Rabbi

1. RITUAL SANCTIFICATION OF SAME SEX RELATIONSHIPS

On the basis of our articulated values and lengthy discussions, the committee is moving the direction of supporting ritual sanctification of Gay and Lesbian relationships. Please give your response.

Please go very slow on officiation. We must decide how free we are (c.f. intermarriage)
הלכה ואין מורין כן

2. THE QUESTION OF NON-MARITAL SEXUAL RELATIONSHIPS

The committee agrees that according to our tradition, sexual intimacy is appropriate only in marriage. However, we believe that there may be some instances in which sexual intimacy outside of marriage may reach a certain degree of "kedusha". Please share your position.

Go very slow in deciding for any adultery at all. In total distinction pre-marital sex is much more licensed. Lighten up.

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