

**In God's Image?**  
**Judaism on Homosexuality and Civil Rights**  
**Parashat Behar-Behukotai; May 14, 1993**

original version, prior to publication in Kulanu (All of Us),  
the Union for Reform Judaism's pioneering book on GLBT inclusion

Jerusalem, 1981. I am a junior in college. I walk the streets of the Old City with a first year rabbinical student I had just met. In the course of an hour of conversation he had given me more ideas, and more to think about than most of my courses the previous semester. He was articulate, and intelligent, and challenging. And in those walks and talks, my own thoughts of the rabbinate were given more shape and substance and passion than they had had before.

Boston, in the summer of 1983. I am in graduate school, and that friend of mine from Jerusalem, about to begin his fourth year at Hebrew Union College, had an summer internship at a large Reform synagogue in Brookline. This time, our walks take us to Boston Commons and Harvard Yard, and our talks center on helping people and on honesty. And in the course of those talks, when I spoke with my friend about anything and everything, I seem to recall having made some disparaging remarks about the place of homosexuals in nature and in God's world. And it was also in that summer, that I knew that I wanted to be a rabbi.

It was only later that I learned that my friend was accepting a pulpit at a congregation with a special outreach to gay and lesbian Jews. It was only later that I was told, by someone else, that the friend who had impressed me so much, who was so well-spoken and so knowledgeable, who was so gentle and compassionate, was also gay. But I knew my friend as a rabbi first, and a good one. A very good one. And I looked myself in the mirror. And my world changed.

My friends, what does it mean to be a serious Reform Jew? It's not just to accept change -- even ongoing change and continual experimentation -- in services. It's not just mixed seating and instrumental music and electric microphones and optional head coverings. It's not just our actions as Reform Jews that were -- and continue to be -- revolutionary in Jewish history. It is also our attitude, the basic ideological approach to Judaism that is at the heart of what it means to be a Reform Jew. It means that we are able -- indeed, that we are required, *mandated* to strike a balance in our lives between our ancient traditions and the modern world.

What does it mean to be a serious modern religious Jew? One can be a serious modern Jew -- and follow every fad and fashion, every trend and new idea deemed by our society to be "modern," while disregarding altogether the call of tradition. One can be a serious religious Jew, following the dictates of ancient sages, and dismissing out of hand the insights of our age. Or, finally, frankly, one *can* be a modern, religious Jew, but not a serious one, just doing whatever you want to do and not doing what you don't want to do, because it's easy, without ever thinking about why you are choosing, or how you are choosing, or what, after four thousand years of Jewish history, gives you the right to choose at all.

To be a serious... and modern... and religious Jew, one must face the task... of taking our traditions seriously, and of taking the modern world seriously, and of slowly, painstakingly, building a shaky bridge between the two.

In almost no area of human activity is the gap between the teachings of our tradition and the practices of the modern world as wide as it is in the arena of human sexuality. And within that arena itself, no aspect is so fraught with tension and disagreement, no topic as taboo or as controversial, no subject so sure to send the most committed modernists diving for their dust-covered Bibles... as is the issue of homosexuality.

The traditional prohibitions of homosexuality in our tradition seem to be fairly well known. The Book of Leviticus twice condemns male homosexuality, and once indicates that such practices were considered a capital crime. The Talmud goes on to indicate that the following people are to be stoned: one who has... relations... with his mother, with his step-mother, with his daughter-in-law, with another male, or with an animal. [Same fate]

Lesbianism, interestingly enough, is completely ignored in both the Bible and the Talmud. Male homosexuality was seen as the more serious offense, for it involved the wasting of seed, whereas lesbianism was seen more as a waste... of time. It was explicitly prohibited by the later Jewish law codes, but the punishment for this... frivolousness... was never seen to be as severe.

The traditional attitude in Jewish *law* towards homosexuality is clear-cut, unanimous and negative. But there are other instances, hints in stories that might be examples of real people trying to speak to us. The story of the friendship of David and Jonathan in the Bible, for example, may be... may be a different image than the legal condemnation.

Reform Judaism pioneered the rights of women, at least in theory, over a century ago. It fought for child-labor laws and civil rights and legalized contraception from the first decades of this century. Our movement has stood up for the elderly, and the handicapped, and the depressed... all those whose lonely voices cry out in need for companionship... and compassion. But it has taken our movement a while for our position on homosexuality to emerge. And it has done so only recently, and only with a great deal of struggle.

By the late 1970's, both the Central Conference of American Rabbis and the Union of American Hebrew Congregations were on record as seeking to decriminalize homosexual acts between consenting adults and, even more challenging, as opposing all discrimination based on sexual preference. The movement saw this as an issue of civil rights. Until, that is, people started asking why the *seminary* of the Reform movement had a policy... of neither admitting nor ordaining homosexuals.

For four long and intense years, from 1986 to 1990, a special Committee on Homosexuality and the Rabbinate struggled with this issue. How seriously did we take our own expression of civil rights? Or was this not a matter of civil rights at all? Was this a matter of role models, of a statement of what was and was not kosher? The debate tore at the Reform rabbinate. I lived through it and with it, first as a student and then, and now, as a young rabbi in our movement committed to both the pursuit of justice as I see it as a modern person... *and* the continuation of an *authentic* expression of Jewish life.

My thesis adviser, and one of the leading modern philosophers of Judaism, Eugene Borowitz, led the charge against the change. He argued that being a rabbi is a privilege, not an inherent Jewish right, and that rabbis ought to be role models of Jewish ideals, and the Jewish ideal expression of sexuality is monogamous, permanent, procreative heterosexual love.

On the other side of the scholarly debate, Rabbi Robert Kirschner wrote a fascinating article with a very powerful analogy. He pointed out that in the interpretation of Jewish tradition, where there is a halachic will, there is a halachic way. In other words, if our understanding of a situation changes, we Jews have *always* found a way to make the law fit in with our new understanding. His example was the treatment of the *heresh*. The word *heresh* in Hebrew means a deaf person. According to Jewish law, a h. was not allowed to testify in a Jewish court, nor receive any other the rights and privileges of "unblemished" Jews. But recently, with the evolution of our conscience and the invention of sign language, our understanding of the abilities of the deaf has changed dramatically. And so, even in the most Orthodox community, all readers now interpret the word *heresh* to mean "a mentally incompetent deaf-mute." All other hearing-impaired members of our community are now accorded the rights and respect that was their due all along... and Jewish law has really changed, even though the Orthodox would only say that its all a matter of interpretation.

Kirschner simply proposed that the references to homosexuality in the Bible and Talmud be viewed... as non-consensual acts, essentially, as homosexual rape. Of course, it's unlikely that that was the *original* intent. But, hey: *heresh* meant deaf person. At least, once it did.

Finally, there was a paper by a young rabbi from San Francisco, named Yoel Kahn. In his paper, *Judaism and Homosexuality*, this bright, articulate, talented rabbi built a bridge between a modern scientific and psychological understanding of homosexuality and the rules of the tradition, and made the case for a view of gays as Covenant-loyal, responsible members of the Jewish community.

After four years, Rabbi Kahn's argument carried the day. Sort of. Maybe. In a divided vote at a rabbinic convention in Seattle in 1990 at which I was not present, the CCAR voted to accept the report of the ad hoc committee on Homosexuality in the Rabbinate. The report was a highly nuanced document, full of subtle distinctions and traditional affirmations as well as a seemingly radical conclusion. The report affirmed, for instance, that monogamous loving procreative heterosexual marriage *was and is* the ideal of Jewish tradition and, therefore, were sexual identity to be a matter of choice, the choice to be made is clear. But it is not always, nor even often, a matter of choice... and therefore the committee affirmed the religious equality of all individuals, regardless of sexual orientation. It went on to recommend that sexual orientation, in and of itself, not be a criteria for or against admission to the Hebrew Union College. It was this nuanced recommendation that was accepted by the convention: an endorsement of the theoretical primacy of heterosexuality wherever possible, but the removal of *all* layers of discrimination in practice. And this vote led to the screaming headlines: Reform Judaism to Admit Gays!

But the headlines were misleading, because they focused only on sexual orientation. A candidate for the rabbinate still must be able to get along with a wide range of people. An openly gay separatist would *still* not be admitted to the seminary, not on the grounds of being gay, but because he or she is a separatist.

The reaction to this vote in our congregations was immediate, and thunderously divided. I can't begin to tell you the number of Jews who had never mentioned the Torah or the Bible to me before, who came up to me with the identical line: "But, Rabbi: The Torah says that homosexuality is an abomination." And in one form or another, obliged to point out the tremendous contradiction in these words coming from a Reform Jew, I responded then and I respond now by reminding them... that the Torah condemns many acts in the very same language, calling them "abominations"... including reading horoscopes in the morning paper... and including the eating of shrimp. We use the Bible selectively, we liberal Jews. If we are to do so responsibly, then, the Bible cannot be our only argument in support of a position.

I believe that all human beings -- all human beings -- male and female, black and white, rich and poor, young and old, straight and gay -- all human beings are created in the image of God.

We are made in the image of God. And throughout history, a certain percentage of the population, whether ten percent or one percent or somewhere in between, in every culture and every country and every century... a real percentage of the population has been gay. Not by choice, not by preference, not by conscious decision. But by inclination.

I believe that if we are, indeed, made in the image of God, and if this percentage of the population is relatively stable always and everywhere, then gay people, too, are made in God's image... made, that is, by God, in God's image... and their lives and their *monogamous* relationships...can partake of the same *k'dushah*, the same sense of holiness, as that found in the monogamous,

committed, caring and loving relationships of heterosexuals.

And I am proud. I am proud to be a Reform Jew, proud to be part of a movement that has had the consistent courage to look into its own heart, and then look Jewish women in the eyes, to look Jewish gays in the eyes, and to say to both groups so long held outside and apart, welcome. Join us. You are one of us. We are one with you.

I am not the only one who feels this pride. A young gay American Jewish man wrote recently of his experience at the march in Washington: "While it warmed my heart to see the gay and lesbian synagogues march on Sunday...it meant much more to see the official delegation of the Reform movement here. While I enjoy attending services with gay Jews, it means much more to me to attend them among Jews of all ages and types at my own synagogue... where I became Bar Mitzvah and where I now serve on the board of directors."

We have come a long way. But there is a long, long way to go. How many of our congregations would exclude from consideration for their pulpits a candidate they knew to be gay? Why? Do the arguments *really* hold up?

And remember: the Reform commitment to civil rights for gays precedes by a decade our decision on full religious participation. The current issue tearing at the fabric of our society now is the debate over gays in the military. Listen carefully! Do the arguments sound familiar? Is it not the cry of the scared, the fearful, the ignorant? Is it not the very same language used against the integration of blacks?

Sometimes change is slow and gradual, evolving organically with the understanding of an entire people. And sometimes leadership needs to come from the top.

In this week's Torah portion, we read of the law of the seventh year, the law which cancelled all debts. And we know that this law caused a problem, because lenders simply stopped lending in the sixth year, knowing that they would not get their money back. And so the great Rabbi Hillel simply issued a decree, a *Takkanah*, an executive order, which effectively changed this situation, and enabled loans to continue through the seventh year. Because people needed loans.

Our people now need justice. Justice in society. And justice in the synagogue. It is time for a *Takkanah*. It is time to remember that we can change our tradition, and still remain loyal to it, if we build the bridge in the right way.

Shabbat Shalom.