

"A Simple Matter of Justice"¹ Achare Mot-Kedoshim

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As my brother and I headed out the door one afternoon our mother came to the top of the stairs to give us an earnest send off. "Goodbye," she said, "Don't go far and don't stay long." We laughed affectionately at her familiar goodbye. We laughed because she was still saying to us in our 40s the same thing she'd said to us all our lives. "Don't go far, don't stay long."

But for my mother it's no joking matter, especially when I'm going off to do something she considers really dangerous—such as attend the March on Washington last Sunday. Like many of her generation and ethnic origin, my mother is keenly aware of the risk of violence in response to protest.

Despite my mother's warnings I do participate in marches and demonstrations. I don't do so out of disrespect for my mother. In fact, I take to heart the commandment *"eesh emo v'avicha tita-oo"* "Revere your mother and your father." If I defy my mother's instructions, and not only go far, but also stay long, I do so because I also take to heart other mitzvot that she taught me: Love your neighbor as yourself. Don't stand by idly while your neighbor bleeds. Do not oppress the stranger.

I'm sure you've felt such conflicts . . . especially in *Parashat Kedoshim* with its litany of mitzvot that so often conflict with one another. One of those conflicts has preoccupied the Reform Movement for the last several years. It's now become the focus of the split between halakhic and liberal Jews, and between the political right and left in this country:

"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].

If a man lies with a male: If a man has sexual intercourse with another man . . . the two of them have done an abhorrent thing . . . disgusting, unnatural, queer. They shall be put to death.

Now that we know that homosexuality, bisexuality, and heterosexuality are seldom simply matters of choice, now that we have seen Jewish gay men and

lesbians eager to turn or return to Jewish community, to Judaism, to God, now that we know so much more than ever before about gay, lesbian, and bisexual people; and know personally so many of them—How can it be that some liberal Jews still quote this verse? And that others still take it to heart, even if they are too politically correct to say it aloud? Why why why does this verse still hold sway? Because the verse, and the people who teach it, have succeeded in convincing us, on some profound emotional level, that homosexuality is *toevah*, strange, abhorrent, innately disgusting, queer.

Unlearning that hatred has become an imperative, for what is at stake is life and death. If a man lies with a male, *mot yu-ma-tu* "they will surely die": if we continue to give tacit permission to kill them. *D'mei-hem team* "their blood is upon them":—shed by those who feel free to kill faggots and dykes. *Mot yu-ma-tu*: "They shall surely die" . . . from suicide, from AIDS, from the pain, loneliness, and self-hatred that descends when families withdraw their love.

What is at stake is life and death. That is why last weekend, in Washington, DC., hundreds of thousands of people, including a number of us in this room (you can recognize us from our sunburns!), took part in an attempt to stop the devastating consequences of this verse. Unwilling to stand by idly any longer, we followed in the tradition of the great civil rights marches of our nation, marches in which Jews have always taken part. There were marchers from every state in the union and many other countries, from every economic class and education level, from every race and religion. In a country where the rights of lesbian and gay people are still granted or denied on a case-by-case, state-by-state, city-by-city, school district-by-school district, employer-by-employer, landlord-by-landlord basis, hundreds of thousands of people went to Washington to call such arbitrary and discriminatory treatment unjust and unacceptable—a *toevah*. Thousands of people went to Washington to advocate lifting the ban against gays in the military—the

country's largest employer—and for the passage of a lesbian and gay civil rights act. We marched because in 24 states homosexual relations still constitute criminal acts,² because gays and lesbians remain the only minority group in the United States unprotected by federal civil rights legislation, because gay- and lesbian-bashing, including murder, continues to be the fastest growing hate crime in America; because 30 to 35 percent of teenage suicides are gay and lesbian teens.³

Mot yu-ma-tu They shall surely die—physically or spiritually. Jews understand those stakes. [The coincidence of timing in the opening of the Holocaust Museum in Washington last weekend did not go unnoticed]. Only a generation or two ago Jews said the same words that gay, lesbian and bisexual people said last weekend: "Never again! We will no longer be scapegoated or made to feel ashamed for being different; we will no longer be excluded or attacked for reassuring our differences; we will no longer hide or try to assimilate or pretend we are other than who we really are. And we will no longer let you kill us—not physically, not spiritually."

Jews understand the stakes. No doubt that is why the Reform Movement, through its various institutions [including this one], has been among the first and largest of the religious movements advocating the civil, religious, and human rights of lesbians and gays. No doubt that is why Rabbi Alexander Schindler, President of the UAHC, has reminded us that Jews, more than most people, should understand the need of gay and lesbian Jews to be accepted on terms of visibility, not invisibility.⁴ No doubt that is why, among all those people in Washington last Sunday, there were so many Jewish allies.

And no doubt that is why I can look at many of you in this senior class and feel safe. Since I began HUC in Jerusalem with you almost 5 years ago (has it really been 5 years!), I know that many of you have confronted your own feelings and carefully considered the issues, and I know that having done so, you will be able to help others do the same. I know that lesbian and gay Jews and their families will find in many of you needed support or advocacy, including officiation at their life cycle events. I know that many of you will be helping to break the conspiracy of silence that still surrounds these issues on so any pulpits. And I thank you for all that.

Yet despite so much inspiring leadership, much

remains to be done—even in the Reform Movement.

ITEM: Over 20 lesbian rabbis turned up at an impromptu meeting in NYC last February. Close to 20% of the rabbis attending the Women's Rabbinic Network last month were lesbians. And at the march last Sunday, there were many, many lesbian, gay and bisexual Jews, including rabbis, cantors, Jewish educators, administrators and social workers, as well as students in all these fields. Only a few of all these people can afford to be out, however, because, though the CCAR and the College have been officially accepting of openly gay and lesbian rabbis and students for almost 3 years now,⁵ no formal effort has yet been made by either institution to work with congregations to confront their concerns about hiring a lesbian or gay rabbi.

ITEM: To date, only one mainstream Reform congregation has hired an openly lesbian or gay rabbi. Since that was over 5 years ago, it was apparently not precedent-setting. Gay and lesbian cantors and educators have only slightly better statistics in this area.

ITEM: CCAR officials refused to print a "Mazel Tov" to Rabbi Yoel Kahn and his partner Dan Belm on the occasion of their kiddushin ceremony and on their adoption of a baby boy. Shortly after this refusal, the CCAR, in a plenary session vote, decided to permanently replace the "Mazel Tov" column in the CCAR Newsletter with one titled "Members' News," lest they be asked again to offer a "mazel tov" for questionable simchas.

ITEM: At least one senior rabbi this spring tried to get HUC students to identify the lesbian and gay students interviewing for jobs.

ITEM: Despite public statements of support for gay and lesbian Jewish professionals by the 3 institutions of the Reform Movement, few congregations have non-discriminatory personnel policies, few allow commitment ceremonies in their sanctuaries, few use inclusive language in their membership materials, or make any attempt to welcome gays and lesbians to participate or belong. Some congregations have actually rejected proposals to follow such a path.

ITEM: Last Friday night about 700 gay, lesbian and bisexual Jews attended a Kabbalat Shabbat service in Washington, DC. Many wept, overcome to be

back home in the Judaism they thought had rejected them.

When women rabbis needed advocacy in the early years of women in the rabbinate, the CCAR and the College stood with them. Gay and lesbian rabbis, cantors, and educators need your help now; and lesbian and gay Jews need your welcome.

We cannot allow the hated verse to hold us back. I appreciate the efforts of theologians and thinkers who have tried to LESSEN THE BLOW of this verse by explaining away the prohibition against homosexual sex.⁶ But such attempts, well-meaning though they may be, are insufficient—THE BLOW CAN'T BE LESSENERED BECAUSE IT'S ALREADY BEEN DEALT. If this verse had not already dealt the blow, had not affected our psyches so profoundly, we could perhaps mitigate its effects, but now a stronger response is necessary. What have Jews done with other verses considered destructive? That a woman must marry her rapist [Deut 22:29]? That a rebellious son shall be stoned to death? In the words of the Talmud, such mitzvot had to be "uprooted" [la'akor] from the Torah.⁷

In our own Reform tradition the approach was to remove destructive verses from our liturgical canon. That's exactly what they did 100 years ago. A hundred years ago our Reform ancestors removed from the Torah reading for Yom Kippur afternoon the list of sexual prohibitions in Leviticus 18. In its place they substituted excerpts from *Kedoshim*, picking and choosing the verses they most deeply took to heart. Jennifer just chanted from their selection. "Do not lie with a male as one lies with a woman" was not among their chosen ones! Instead, they gave us "a litany for survival."⁸ They chose life and not death. And so must we.

Last weekend hundreds of thousands of people came to Washington to say, "Our loving relationships are a joy, not an abhorrence; a blessing, not a curse. In our community 'queer' means 'neighbor,' 'friend,' 'family.'" Last weekend hundreds of thousands of people proclaimed: "We have come far and we will stay long."—

We are your gay and lesbian children:

You must not seek vengeance, nor bear a grudge against the children of your people.

We are your lesbian mothers and gay fathers:

Revere your mother and your father, each one of you. [19:3]

We are elderly gay men and lesbians:

You shall rise before the aged and show deference to the old. [19:32]

We are the stranger:

You must not oppress the stranger.

You shall love the stranger as yourself, for you were strangers in the land of Egypt. [19:34]

We are lesbian and gay Jews:

You must not go about slandering your kin. [19:16]

We are your gay brothers and your lesbian sisters:

You shall not hate your brother or sister in your heart. [19:17]

We are lesbian and gay victims of gay-bashing and murder:

You may not stand by idly when your neighbor's blood is being shed. [19:16]

We are your gay and lesbian neighbors:

You must not oppress your neighbor. [19:13] You must judge your neighbor justly. [19:15]

You shall love your neighbor as you love yourself. [19:18]

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Rabbi Howard Handler in his article, "In the Image of God: A Dissent in Favor of Full Equality and Acceptance of Gay and Lesbian Jews into the Community of Conservative Judaism," made the halakhic-based argument on "uprooting from the Torah" with regard to gays and lesbians, and pointed out the discussion of that approach in Joel Roth's book (see footnote 7). Handler's article was a dissent to the "CJLS Consensus Statement of Policy Regarding Homosexual Jews in the Conservative Movement."

This sermon is dedicated to Rabbi Sharon Kleinbaum and to the lesbian and gay students—

past' present and future—at Hebrew Union College—Jewish Institute of Religion: pathfinders and inspirations all.

Notes

1. This was the name given to the April 25, 1993 march on Washington for gay, lesbian, bisexual, and transgender rights.
2. NY Times, Sunday, April 18, 1993.
3. These statistics come from Albert Vorspan & David Saperstein, *Tough Choices: Jewish Perspectives on Social Justice* (NY: UAHC Press, 1992), p. 200.
4. See his Presidential Address to the 60th General Assembly of the UAHC (New Orleans, November 2, 1989), p. 12 for one example.
5. At least since the CCAR made its 1990 acceptance statement on the subject, approved by vote at the 1990 CCAR Conference in Seattle.
6. Rebecca T. Alpert, in her article "In God's Image: Coming to Terms with Leviticus" (in *Twice Blessed: On Being Lesbian or Gay, and Jewish*, Christie Balka and Andy Rose, eds. Boston: Beacon Press, 1989), p.69, lists

some of these explanations and their expounders: 1) the text refers only to certain sex acts, not to same-sex love relationships; 2) the absence of woman to woman sexual encounters means lesbian relationships are acceptable; 3) the text is addressing the issue of sexual experimentation or one night stands; 4) when the text says don't lie with a man as you lie with a woman, it means simply that one ought to be aware that gay love and straight love differ from one another.

7. Yevamot 89a-90b: The rabbis conclude that "A court may make a condition uprooting a matter of Torah law through active abrogation." See Rabbi Joel Ross, *The Halakhic Process: A Systematic Analysis* (NY: JTS, 1986), p. 190f, 154, 303.

8. From the blessing by Audre Lord, that NYC Mayor David Dinkins read at the end of his speech to the marchers in Washington:

I leave you the will to fight.
the desire to live,
the right to anger, to love to joy.
to transform silence into language and action.
I leave you a litany for survival.

Audre Lorde [Poet laureate of New York until her death in 1992.]