

Deconstructing Leviticus:

Finding a Queer Spiritual Path Back from the Exile of Sacred Text

By Avi Rose

Queer & Jewish--A Personal Journey

And if a man lie with mankind as with womankind, both of them have committed an abomination: they shall surely be put to death; their blood shall be upon them - Leviticus XX, 13

I was born into a rabbinical family for whom Judaism meant everything. For as long as I can remember, I was a Jew first and everything else second. The rhythm of Jewish life permeated my consciousness and directed most of my activities. Food, clothing, study, music and art, were all infused with Jewish content, story and meaning. No matter what I did, I saw the world essentially through Jewish eyes.

When I began to find myself attracted to men, at around age 10, I was confused. I understood our tradition well enough to know that these feelings were antithetical to my existence as a Jew and as such, were unacceptable. I ran from them, hiding my burgeoning sexuality deep within my soul, working as hard as I could at almost anything else in my life in order to avoid it.

For a long time it worked. I became an actor and a puppeteer, trying out fantasies and living out lives on the safe and sacred ground of the stage. I painted large colourful compositions, rife with adolescent pain and rage, hiding my passion beneath the brush strokes. Later, I took on the role of leader within our Jewish community, teaching and guiding, rather than living and feeling the things I could not allow myself to confront.

Almost twenty years went by before I began to come terms with my sexuality. Twenty years of longing looks, private thoughts and personal pain. While I dated women, wanting more than anything else to have the kind of Jewish family and community that my parents and later my younger siblings had, love and passion never developed. No matter how much I tried to be the person I wanted to be, the person who I was burst forth and interfered.

At the age of thirty, the walls within me crumbled. While trying once more to make a relationship with a woman work, I was struck, one day, by a powerful, almost overwhelming daydream, an image in my mind. There I was with the family of my dreams, only this time the partner was a man. This flash of vision infiltrated my being to the very core, leaving me with less and less room for denial and distance. Finally, as I agonized over how to reveal the truth, a friend bluntly asked me if I was gay. The word "yes" came pouring out of my mouth, unleashing a torrent of emotion and insight from the deepest depths of my soul. That moment of coming out, stands as one of the most liberating, frightening, thrilling and meaningful events of my life thus far.

Since then, I have been on a journey of reclamation and reconciliation. Coming out to myself, to my friends and finally to my family, took a great deal of energy, along

with repeated acts of courage. Thankfully, I was blessed with a community of supportive, understanding and loving individuals, who helped me work through some of the more complex facets of coming to terms with the loss and joy of being out. I am one of the lucky ones, I did not lose a friend or member of my family to the hatred and fear that clouds so many of the relationships in the lives of queer folk.

This is not to say that there hasn't been pain or anguish present in many of these relationships as a result of being out. At the heart of these conflicts was, often, the perception that to be queer was to be incompatible with the goals and values of the Jewish people. When I went public with my queerness and was photographed in the local Jewish newspaper marching in Pride Day, for example, members of my former work community (in a somewhat traditional and conservative branch of Judaism), seemed to feel that I had given up the Jewish piece of myself in favour of my queer identity. "I hear you're part of something else now", said one parent, whose child I had led in our youth group.

Truth was, that though I had no intention of making the choice, I kept hearing over and over that there was one to make. For, despite all of the incredible work that has been done by both queer and straight Jews to reconcile the inherent conflicts, there are still real barriers for gay and lesbian Jews to overcome. Queer Jews are still not accepted in a whole and complete manner by any of the major Jewish movements (with the exception of the tiny Reconstructionist branch ¹), even by those that are supposedly liberal and progressive. The Reform movement, for example-the first and so far only one of the large branches to accept gay and lesbian clergy and congregations-still cannot reach consensus among its rabbis to perform commitment rituals for same-gender couples.

The more out I was and the more closeness I felt with members of my family and community as they accepted my whole self, the less I felt comfortable with the dogma of Judaism and its stubborn refusal to allow me in. All of a sudden, I went from being the consummate insider, to the ultimate outsider, the "other" of the Jewish world, condemned and isolated for the sin of being myself.

Over and over again, as I explored the roots of this homo-hatred, I kept coming back to the biblical text in the book of Leviticus. In these few sentences, there seemed to be great power and authority, which, to my horror, appeared to overshadow the rightness and reality of my own feelings. Surprisingly, this left me with a deep sense of hostility and resentment rather than shame or sadness. Whereas once, I questioned the validity of my sexuality because it seemed at odds with this text, I now became angry with the text for denying me the right to be the human being and Jew that I was.

As the years of my being out have progressed, I have found myself at various times more and more enraged with the text of Leviticus and by extension, with the entirety of the bible itself. My anger spread like an infection, colouring my whole understanding of my once beloved Torah. The patient I believed, could not be saved, the putrid limb prevented it from recovering.

The conflict reached a crescendo for me on the eve of Shavuot, sitting with friends and participating in a ritual that is thousands of years old. Together, we celebrated the festival of receiving the Torah with an all-night study vigil. Many speakers contributed their wisdom and insight and much discussion was held. Words flew

around the room, empowered with intellect, emotion and spirit. Through it all though-even as the discussion turned to the problems inherent in the Torah-I felt distanced and removed. I could not, as some had suggested, love the Torah and accept it as my central document of humanity, while it stubbornly refused me the same courtesy.

Frightened by the place that I had so suddenly come to in my life of faith, I began to try and find a path back into the Torah. I knew it to be a document of real power and humanity-it changed forever the way in which people worshipped, looked upon the creator and saw themselves as members of the human race. I understood that though thousands of years old, its central messages still bring hope and meaning to millions, offering light and insight into the human condition. I also knew that without it, I could not continue to enjoy my sense of belonging and spiritual connection with my tradition. Though I was angry with the Jewish community for its rejection of its lesbian and gay family members, I was still a Jew and wanted very much to retain my deep connection. I knew no other way to be and had no intention of seeking alternate forms of spiritual practice and expression.

Thus, I began to tackle the heart of the textual conflict by asking questions and seeking out its roots and nucleus. While this is a process that will presumably take a lifetime, I have already begun to find a way around the roadblocks created by the Leviticus text and back to a place of comfort and growth. In order to achieve this, I have had to deconstruct the text, examining its origins, context and meaning. So far, I am pleased with what I have found.

What I have learned is that this text-so often used by both Jews and Christians-is most often misused by people who are unfamiliar with its foundation, subtlety or structure. Being that it is a biblical text, it comes with much baggage and meaning which must be slowly teased out and theoretically dissected, in order to grasp its true intentions. It must be understood as a document which emerged out of very particular political and sociological conditions, which was intended for a society in a specific context and time frame, and which had as its goal a very limited social order. What follows, is a brief summary of how I have come to see the text in this new light-highlights from a journey of understanding on the path back into my biblical roots.

The Text

There are only two references to male (and none to female) homosexuality in the bible, both of them in the book of Leviticus. In the first, chapter 18 (verse 22), the prohibition against a man "lying" (biblical lexicon for sexual activity) with mankind as he would with womankind, is regarded as a "Toevah", an abomination. The second reference-two chapters later (verse 13)-repeats the interdiction, adding to it that those who engage in this kind of behavior should "surely be put to death".

The book of Leviticus offers a lengthy listing of laws and practices which the People of Israel assumed as partners in a new covenant with God. Distinguishing themselves from the pagan cultures which surrounded them, Jews took upon themselves the worship of one God who was neither seen, nor represented in image or form. The tribe ended practices of hunting, ritual sacrifice of humans and temple sexuality, common to other religions of the time.

Instead, the Israelite community accepted upon itself a strict code which separated their world into sharp contrasts. Animal meat was either "kosher", or unacceptable for consumption. The Sabbath was a day of complete cessation from acts of work and creation. Humans were either pure if they worshipped one God or impudent if they worshipped many. Sexual acts were either heterosexual, monogamous ² (at least within the confines of marriage) and not at all related to ritual worship ceremonies, or deemed offensive. Life was, in short, either defined as sacred or profane-few shades of grey were offered in this black and white reality.

Those who followed this tradition, apparently saw it as a starting point, choosing, almost immediately, to soften the harshness of Torah law. In the absence of great detail, scholars and leaders began a lengthy process of teasing out the subtleties which were understood to implicitly lie within the text. This led to the development of rabbinical discussion and interpretation, codified in the volumes of the "Mishnah" and "Talmud". To this day, there is debate and growth within the Jewish legal community-the process of adding shade and hue continues. Christianity, which sees itself as the next step in monotheistic culture, abandoned these strict laws altogether, seeking instead, a new spiritual understanding of God and the acts of human kindness which seem to emerge from biblical tradition.

It is interesting, therefore, that long after they have both evolved away from the strictness of biblical precept, some Christians and Jews run back to the narrowness of the text when it seems convenient. Christians, who ignore biblical precepts related to dietary and Sabbath observance, still consider the Leviticus text as legitimate and real. Jews, who allowed their legal thinking to soften on many issues raised in the bible, adhere to its anti-gay sentiment with great ferocity. Even Jews who would themselves be liable for death penalties under biblical law for violations of the Sabbath, insubordination against parents and even adultery, freely use the Leviticus text to cut out queer Jews from their midst.

So, how am I, as a queer, committed Jew, able to live with this text? I cannot simply dismiss it as a piece of homophobic rhetoric, it does, after all, sit within the very heart of my spiritual and religious tradition. Neither, am I content to live in its shadow, accepting its rightness and my wrongness, perpetuating the rift between my Jewish and Queer selves.

What I choose to do, is to follow the example set by previous generations of Jews and deconstruct the text and its context. Rather than a work in stone, I see the bible as a mirror, a reflection of human thought and belief which emerged under very specific sociological, historical and political circumstances. This does not mean that I deny the divine inspiration of the text, for I do believe that on some level the bible contains in it the seeds of both Godliness and ultimate humanity. What I do hold to be true, though, is that humans (mostly male patriarchs) interpreted and complied the teachings of Torah into a document which served both universal and specific (political) purposes. Thus, I believe, that the fire of the Torah is both black and white, fore and background, seen and unseen. What is required, is intensive spiritual detective work in order to clearly understand where the framers of the Torah text were coming from and where they hoped that humanity was moving towards under their leadership.

The Biological Argument

Looking back at the needs of the newly liberated tribe of Israel, it is easy to see why exclusive man to man sexual contact might have been threatening. After all, the greatest weapon at the disposal of the patriarchal tribes, was their sheer force of number. In fact, the whole story of Exodus starts with Pharaoh's assumption that the Jews had become too numerous and therefore threatened the safety of the Egyptian nation.

As such, the most common understanding of the Leviticus text is purely biological-for men to ignore their responsibility as progenitors would be disastrous. The fact that men spent a great deal of time segregated from women and that there was a tradition of homosexuality in the surrounding cultures, is cited as proof of this view of the text. By extension, this argument is used even in modern times. In a post-Holocaust reality, it is argued, when the depleted ranks of the Jewish community face biological obliteration, could there be any other understanding of the law?

The answer is both a strong yes and no. While such a rationale has merit, it does not go far enough to fully explain the prohibition. This is because it is simply impossible that a man would have even considered an exclusively homosexual life, even if that were their primary orientation. Given the societal imperative for procreation, a man's reproductive role was likely never questioned. Multiple sexual partnering for men, was, therefore, not only acceptable, but regarded as a symbol of wealth and prestige.

Homosexuality, if it were to occur, could only have existed as an accompaniment to marriage. If they were inclined to engage sexually with another man, it could occur only in such a way that would not threaten the biological survival of the tribe. As such, it must be concluded that though a partial rationale, the purely biological explanation falls short of clearing up the core nature of the Leviticus text. Obviously, there are other factors at work.

Keeping the Civil Order

If biology was not the main reason for the prohibition, it seems logical to look at the socio-cultural factors which might be useful in understanding the Leviticus text. Something about certain aspects of homosexuality seemed threatening to the social order of the community.

Two explanations for this, can be found by examining the linguistic structure of the text. Torah text is usually very economical and specific, such that scholars look for clues in the words chosen, the context in which they are placed and the patterns which are common with other occurrences in the text.

Rabbi Dr. Michael Samuel, an orthodox scholar, offers an understanding of the Leviticus text in his internet discussion of the subject³. He claims that the use of the Hebrew word for male "Zachar", is used elsewhere in the text with great precision. In fact, he argues that it specifically refers to male children and not mankind in general. As such, it is possible that what the Torah is really stating, is that an adult cannot have sexual contact with the younger male members of his clan. This would make sense, given the placement of the statement. The law pertaining to male/male

sex, is part of a string of prohibitions outlawing incest and sexual activity with members of extended family and community.

A related understanding of the text's civil order intentions is offered by Reb Zalman Schachter-Shalomi⁴. Reb Zalman is of the opinion that the text warns men not to substitute other men as sexual partners, when in fact, it is a woman that is desired. His proof for this is the fact that the text goes to the trouble of stating that what is prohibited is sexual contact like that with a woman. If the Torah had wanted to ban all sexual contact between men, it might have sufficed with a statement such as "do not lie with a man". Since it does, however, take the time to be specific and since it is well known that men spent a great deal of time together in isolation, it is possible to conclude that the Torah warned men not to forcefully use each other as substitutes for what they really needed. Issues of bisexuality aside, this argument makes a great deal of sense. Telling men that they could not have sexual contact with other males under certain circumstances-rather than not at all-would fit in well with the vision of civil order implied in the text.

Separating Judaism from Other Religious Practices

Judaism was a revolution in its time. The prevailing custom dictated belief in multiple gods, the sacrifice of humans and the use of sexuality as a form of worship. All of this was rejected by the Torah, which called for a radical shift in religious paradigms.

Several commentators, including Rebbeca Alpert in the classic work on queerness and Judaism entitled "Twice Blessed"⁵, note that it was common for men in cultures surrounding the Israelites to engage in ritual sex with temple prostitutes of both genders. In fact, vestiges of these pan sexual ritual humans still exist in parts of the world.

These authors point once again to the language of the Torah in order to buttress their contention that what is prohibited in the Leviticus text is not a personal relationship between men, but rather a religious one. Noting that the word used to connote the negative image of homosexuality is "Toevah", the commentators state that this word is otherwise reserved for acts of ritual practice deemed outside the acceptable norms of Jewish convention.

Strength for this argument, comes from re-examining the placement of the prohibitive law in the general text. The anti-homosex statute, comes right after other forms of inter-family and community sex and right before a statement which forbids sex acts with members of the Molechite tribe. The Molechite tribe, was known to use sexual rituals as part of its idolatrous worship ceremonies. As such, it can easily be stated that what the text intended, was for Jews to refrain from sexual activity known to be primarily for ritual purposes. Loving sex between two men did not likely enter the equation- either because it was not considered enough of a phenomenon to warrant mention, or because it was accepted as part of human nature. The fact that sex between women (which was not a common ritual practice) is not mentioned in a document which otherwise severely limits the sexual practices of females, adds validity to this view. If the Torah really wanted to

ban homosex rather than ritual sex, it would have clearly told both genders to refrain from doing so.

The Feminist Understanding

For me, the strongest and most visceral reading of the Leviticus text comes from a feminist interpretation of the law. Rabbi Elyse Goldstein, in her upcoming book of Torah commentary⁶, claims that male/male sexuality was threatening to the patriarchal framers of the bible, since it was, in many ways, a direct rejection of the patriarchy and the sharp distinctions between male and female necessary for its survival.

Rabbi Goldstein's argument is, that once a man allows himself to play the passive role in a sexual contact, he violates the very essence of patriarchal thinking. To be receptive as a sexual partner is to be female - to be lesser than and subordinate to the dominance of others. The fact that a man might choose such a role part or all of the time, threatens the order of a society which believes that divisions of power necessarily fall along gender lines.

As such, the Torah might well have seen homosex as an act of subversion, something which it could not accept. It challenged the idea that at a basic genetic level, all men were aggressive and all women passive. It opened the door to women demanding more rights and primacy within the community. This, it feared, might loosen the bonds of tribal power which otherwise flowed in an orderly fashion from one generation of males to another, using women as conduits rather than participants in the process.

In the eyes of the patriarchs who framed the Torah, homosexuality's dirty little secret was that variation in roles fell along a continuum of humanity and not gender. Sexuality, as the great symbol of power, created the illusion that men would always be on top and women forever on the bottom. Men having sex with other men, sharing their power rather than "lording" it over women, threatened to pull down the whole house of cards which was the patriarchal system. In order to prevent this from happening, it was deemed necessary to place homosex in the cesspool of human sexual urges-with ritual blasphemy and incest-lest it be let out of its cage and reveal its deep, dark truth.

I can see the validity of this argument in the ways and means which we are still grappling with the residue of patriarchy in modern society. Women are still being forced into passive, second class status- raped, beaten, threatened, starved and impoverished into submission. Men who dare to desire each other, or to act in effeminate ways, face ridicule, censure, isolation and similar consequences to those of women.

Even within the community of gay men, there are attempts to modify the patriarchy and unwittingly preserve its hold on society. The devaluing of effeminacy, the glorification of the macho, the myth of men's natural promiscuity and inability to maintain "feminine" style monogamy and the strict separation of men into ranks of "top" or "bottom" are but a few examples.

So What Now?

The Leviticus verses seen in the light of these explanations, lose much of their authoritarian power and absolutism. Behind the smoke and mirrors of their magic, they seem suddenly less monstrous, even puny. Yet, for all that we see it as mere bark, we have allowed it to have great bite. We are still, as both Jews and Christians, controlled and dominated by the text. For many, even the most rational and reasonable explanation of the verses is mere apologetics, a means by which to cloud the truth that God hates homos.

So, it seems to me that all the scholarship in the world is useless, unless and until we are willing to both give and receive of its wisdom. Without a chorus of voices from within the queer community and from our straight brothers and sisters, the message is lost in the apparent negative clarity of Leviticus. We cannot expect the rational mind to take in information which the emotional and experiential self deems as inauthentic. We need to believe and act upon the truth of these more enlightened views of the Torah, if we are to make it possible for a wider audience of religious followers to listen and treat queer members of society with respect and acceptance.

As such, I remain committed to my tradition and to my people, even when they try to criticize and isolate me. Simple, or not, I choose to sew together my queer and Jewish identities, even if the pieces do not seem to fit, or even match in fundamental ways. I will do my best to create an environment of healing and reconciliation between the Jewish community and the community of queer Jews. Painful as it often is, I see myself and others like me, committed to restoring our Torah to its true nature and Godly intention. It is my prayer that we can clean the lens of our collective eyes and allow the Torah's light to bring humans closer together. As a Jew, I see it as my responsibility to repair the world and engage in an attempt to make of humanity the clearest reflection of the Divine that we can possibly be.

Footnotes

¹ The Reconstructionist movement ordains openly gay and lesbian Jews and performs commitment ceremonies. Though gaining in popularity, the movement is still relatively small, with fewer than 100 congregations worldwide.

² Monogamy in Torah law is a relative term. Women are forbidden to have sexual relations with more than one man. Men were permitted to take multiple partners, so long as they either married or kept them as concubines. European Jews outlawed polygamy in the 10th century, though Jews in other regions continued in the practice well into the 20th.

³ This comment is part of a wider discussion on re-thinking Orthodoxy's view on homosexuality, offered by Rabbi Dr. Samuel. It was first posted on AOL in January of 1999 and re-posted in "Gays Jews", a queer/jewish discussion group.

⁴ Reb Zalman shared this teaching with me in the summer of 1996.

⁵*Twice Blessed: On Being Lesbian, Gay and Jewish*/edited by Christie Balka and Andy Rose is published by Beacon Press of Boston, 1989. Rebbeca Alpert authored a further work in 1996 on lesbian/Jewish issues called *Like Bread on a Seder Plate*, published by Columbia University Press of New York.

⁶Rabbi Goldstein's book *Womens Touch Torah Commentry* was published in July 2000 by Jewish Lights Publishing. Her 1998 book *ReVisions: Seeing Torah Through a Feminist Lens* is published by Key Porter Books of Toronto.

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