

**Defending Love, Defending Marriage**

By TOBA SPITZER

THIS PAST AUGUST, I was blessed to be surrounded by family and friends as Gina, Zachary, Zoë and I made commitments to one another as a family. Combining some components of a traditional Jewish wedding ceremony, a new partnership ritual created by Jewish feminist theologian Rachel Adler, and a few elements of our own devising, we created a ceremony that affirmed my and Gina's partnership and our coming together as a family. It was a wonderful occasion, and we very much appreciated the many well wishes that we received from members of the Dorshei Tzedek community.

While I have no idea if Gina and I would have opted for a more traditional wedding ceremony had the legal option of marriage been available to us at the time, it is certainly amazing to be writing this just a few days after the historic decision by the Massachusetts Supreme Judicial Court. Seemingly overnight, the possibility of validating gay and lesbian partnerships through the force of civil marriage has become a reality.

The other reality is that the battle has just begun. This historic victory for the rights of gay and lesbian families will galvanize those in opposition and cause great disquiet among people who are unsure about the issue. Change is always hard, and when it comes to something as personal and seemingly "eternal" as marriage, new ideas and practices can be perceived as threatening. Such disquiet is fed by what has become a steady assault by some religious and political leaders on gays, lesbians, our partnerships and our families. These assaults not only seek to invalidate our important relationships, but also often blame us for everything from rising divorcerates to inner-city poverty. It remains unclear to me how any loving relationship would lead to the breakdown of another person's marriage, or why a commitment between two men or two women would cause heterosexual folks to flee their familial responsibilities. Yet this is what we are being told, day after day, even by people who profess no ill will towards gays and lesbians.

It is profoundly upsetting to me to see religion so often being used to validate these kinds of attitudes. However much I love to wrestle with and learn from Torah, the Bible is really the last place I would look to as a guide to modern-day family relationships. If there is one area of contemporary life that is radically different from what it was in the land of Canaan over two thousand years ago, it is the realm of family, sexuality and marriage. The Torah does not know marriage as a state institution, but as a relationship between families and between individual men and women. Polygamy was common. (According to the Torah, Isaac is our only monogamous forefather!) The Bible condemns certain homosexual acts and celebrates the profound love of Ruth and Naomi and of Jonathan and David — and on all counts, our contemporary notions of "sexual orientation" are completely foreign to it. The reality is that religious understandings of marriage and family have evolved over the centuries in a variety of ways, and it is simply arrogant to ascribe to God our own very human assumptions and biases.

As the majority opinion of the Supreme Judicial Court recognized, the legal institution of marriage is not a religious phenomenon but a civil one. It is the secular state, not God or the Bible, that has decided that marriage should entail all of the benefits and responsibilities that we now associate with it — such as inheritance rights, hospital

visitation rights, child custody rights and parental responsibilities, and the like. These legal aspects of marriage are not "God-given" or in any way eternal or "natural"; they are policies created by human beings for a variety of social and economic reasons.

In the religious realm, different denominations are making their own choices about which relationships should be affirmed and sanctified. Reconstructionist and Reform rabbis and congregations, along with a few Christian denominations, do, in fact, celebrate the commitments made by gay and lesbian couples — and give those commitments the force of marriage.

The Court ruling, and the political debate that is following in its wake, is not just about who can marry whom. Those who seek to alter both the state and federal constitutions to limit marriage rights to heterosexual couples blur the separation of church and state by imposing a religious definition of marriage, shared by some, on a civil institution that should be accessible to all. The "defense of marriage" campaign, whether intentionally or not, effectively promotes prejudice and hatred against gays and lesbians by insinuating that our relationships are inherently immoral, unnatural and/or detrimental to others. On a practical level, a reversal of the Court ruling would mean that basic legal protections that most heterosexual couples and families take completely for granted will continue to be denied to many thousands of gay and lesbian citizens and their children.

The Reconstructionist movement has been in the forefront for full inclusion and affirmation of gays and lesbians within the Jewish community. Now that the state of Massachusetts has followed our lead (!), I hope that we can speak out in "defense of marriage" — of the right of gays and lesbians to take on the responsibilities and privileges of marriage. May the day soon come when all loving commitments, and all loving families, can be celebrated and affirmed.

**From the Winter 2003-2004 issue of the JRF Quarterly *Reconstructionism Today*.
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Toba Spitzer (RRC '97) is rabbi at Congregation Dorshei Tzedek, a JRF affiliate in West Newton, Massachusetts. This article originally appeared in the December edition of the congregation's newsletter.

[Top of Page](#) [On-Line Reading](#) [RT Main Page](#)