

**On Gays and Lesbians in the Conservative Movement**  
**By Joel A. Alter**

I wish to offer what I hope is a helpful path into our discussion of homosexuality. I also propose action to be taken now, in light of the existing RA Consensus Statement. My thanks to several colleagues who helped sharpen my thinking and presentation.

I begin the discussion of homosexuality with a narrative, mythological text: Genesis 2:24. Genesis' striking language of "they become one flesh" describes the profound sense of union that, ideally, any two people feel with their partner. Let's say this verse draws on the image of sexual union. Even so, that is not the only moment in which a couple becomes "one flesh." Rather, I think Genesis 2 uses this language to signify the deep power of the marriage bond overall. This teleological text describes the irresistible force by which two separate individuals grow up and away from their parents and toward each other, thus establishing each successive generation.

Genesis 2 teaches that all people crave fit companionship. It further teaches that, as Rabbi Steve Greenberg has pointed out, God provides us with companionship to correct the one flaw in his original design. Rabbi Joseph Soloveitchik's "Lonely Man of Faith," argues that the existential challenge of human existence is loneliness. This loneliness drives us in pursuit of both God and one another. By establishing a bayit ne'eman b'Yisrael, the faithful Jew hopes to gain the dignity and integrity of resolving this loneliness in one unified and sanctified endeavor.

In contrast to this framing of the issue, the approach that begins with Leviticus 18 and 20 is less compelling. It is true that the most reasonable reading of the Torah's two explicit verses on homosexuality understands them as proscribing male to male anal intercourse. Focusing on to'evah intercourse, however, distracts us from what underlies this debate.

Despite the profound differences between Genesis 2 and the Leviticus passages, I think there is a common purpose in their respective allusions to intercourse. In both passages, is not the Torah calling on us to seek out fit relationships with one another, and to reject unfit ones? The Jewish problem with homosexuality is not, then, focused on the sexual act that is commonly associated with its male expression, but on the fundamental question of whether homosexuals can have fit relationships with one another.

Do we resolve the larger issues of the Gay and Lesbian Jews debate by showing that the Torah is interested only in prohibiting male to male anal intercourse? Shall we trumpet as good news for gays and lesbians the Torah's silence on lesbian sexual behavior? Are we really going to stand up and say that lesbian relations are mere licentiousness, and call that helpful? What about same-sex kissing? Oral sex? Whom are we kidding? Allowing the Torah's explicit language in Leviticus to ground our discussion in sexual behaviors ignores the heart of the gay and lesbian person's experience.

To those who would say that homosexuality is defined by sex in ways that heterosexuality is not, and to those who say further that sex is a private matter, I respond: It is false that heterosexuality is a private matter. Consider: Torah, chuppah, u'ma'asim tovim; wedding rings; pictures on desks and walls; hand-in-hand strolls; Shabbat Shalom kisses; appropriate remarks about others' beauty; public adulation and celebration for engaged and married couples; family-

oriented everything and so on and so on. Heterosexuality is not in the least bit private. Note too that with many public expressions of heterosexuality comes an implied announcement of heterosexual intimacy. (Consider how we dance before a bride and groom by miming a baby cradled in our arms.) This is as it should be. Heterosexuality is a pillar of human society. (Not exactly news, I know.) What ought to be private is not heterosexuality per se, but heterosexual sex. Tzniut is called for in the latter, not the former, category. Declared or demonstrated sexuality is not the same as declared or demonstrated sexual behavior.

Toward action, then: If we are to affirm homosexual relationships, then our movement's attempt to straddle the fence by saying, in essence, that we love the sinner but hate the sin cannot stand. We cannot maintain the issurim stemming from the Leviticus texts without condemning and excluding gay and lesbian relationships altogether. Homosexual Jews hear halakhic rulings against specific behaviors as a broad, profound pronouncement: "Your whole relationship is unfit in the eyes of God and the Jewish community."

That is an intolerable position for us as Conservative rabbis, because we cannot muster good reasons for condemning gay and lesbian Jewish relationships in the face of all we know. We have a choice to make about which of the Torah's voices on this matter will lead us – the call for fit relationships or the one for exclusive heterosexuality. If it is no longer credible to claim that these passages speak with a single voice on what constitutes a fit relationship for Jews then we have an impetus for Conservative Jewish action. The halakhic mechanisms for undertaking so profound a reinterpretation are available to us. Their application feels worryingly bold to some, reckless to others. I would say bold for sure, and the right way to go.

Homosexuality, whatever its origin, is constitutional to the gay person. It is a fixture in human society. It is demonstrably not unloving, corrosive, or unhealthy. On the contrary. That it is biologically non-procreative is hardly a reason to deny the companionship a union offers. Further, gay and lesbian couples can and do raise children. Unless we validate homosexual behavior and invoke God's blessing on its expression in marriage, we cannot expect homosexuals to embrace Judaism.

Many of us analogize the present question to the ordination of women. With women, we found that it was untenable to call for full coeducation for Jewish girls and women but deny them the crown of Jewish learning, the title "Rabbi." We followed a similar path with the cantorate. The gay question should not begin with ordination. As with women, the question concerns all gay and lesbian Jews. Once our movement comes to terms with the broader issue of the validity and dignity of gay and lesbian relationships, ordaining gay and lesbian rabbis and cantors will follow as a matter of course.

Many gay and lesbian Jews walk away from Judaism because they think they have to choose between their identities. But if gay relationships are fit ones, and people of the same sex can be an ezer k'negdo to one another, then choosing here is as false and unnecessary as choosing between Genesis and evolution.

It is not enough for us to "welcome" gay and lesbian Jews. We have to annul the prohibitions on gay sex. Not because homosexuality is about sex, but because sex is the language the Torah uses to teach about the relationships we should and should not enter.

Some gay Jews make their private peace with God and halakha, counting themselves into the community while ignoring halakhic proscriptions. These Jews have thrown in their lot with Judaism. What dignity is there in our saying to them: “we welcome you but will not marry you; we welcome you but will not let you teach our children, or lead them on trips to Israel, or receive aliyyot. You crave companionship but God does not provide for you. Be celibate or keep quiet.”?

I am fully aware that mine is not the language of technical halakhic discourse. When we do find the means to declare the prohibitions and restrictions null, and when we do openly marry gay and lesbian Jews, we can only do so through the authentic mechanisms of halakhic authority. Moral imperatives may steel our backs, but they will not in themselves dissolve our halakhic barriers. As painful as it was for me to observe the CJLS debates on homosexuality 11 years ago, I felt that neither pro-gay teshuvah put forward at the time was adequate to the task.

I endorse Judy Yudof’s call for us to discuss gay and lesbian status among Conservative Jews. This will bring information and understanding to our communities. If we rabbis are ready with the teshuvah that can credibly overturn the weighty precedents against homosexuality, well and good. If we are not yet ready to declare permissible what is now prohibited, then the CJLS ought to withhold debate on the final questions.

In the meantime, let us apply our creative energies to give some substance to our purported welcome to gay and lesbian Jews. Following our historically inclusive impulses, let us remove up front all restrictions that we can: on the bimot and boards of our synagogues, on the faculties and boards of our Schechter schools; Let gay kids invite same sex Jewish dates to Schechter proms; Let’s open up the staffing of our USY programs and chapters, and broaden our offerings for couples counseling and singles events in our congregations; Let’s offer gay couples family memberships and full honors in congregational life; Let’s put ads in the religion section of gay newspapers; Let’s assure pulpit placement to rabbis and cantors who come out subsequent to ordination; Let’s preach clearly on Yom Kippur afternoons. Finally, let our theologians and philosophers help us understand where we are going while our poskim consider this challenging but vital halakhic change.

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