

GENDER DIVERSITY IN JEWISH SACRED TEXTS AND OUR COMMUNITIES



Time: 30-60 minutes depending on how many texts you choose to examine

Audience: Students from high school through college, Adults

Note: As facilitator, you can choose to have participants look at a variety of texts at once and then have one large discussion. Or you can give them 10 minutes with each text and reconvene as a large group in between each text.

Jewish sacred texts offer an opportunity to engage with a variety of Jewish voices that have been a central part of Jewish thought and practice over the past two thousand years. The texts themselves are talking to each other. At times they are arguing, at times they agree. It is our turn to enter the conversation and make these texts meaningful and relevant in our lives. It is our turn to generate new ways of understanding these ideas and simultaneously create the texts of our generation.

1. **Introduce the Texts:** Begin by going over any new or unfamiliar terms that might appear in the texts. Be sure to hand out the lists of contemporary and Jewish terms for people to refer back to.
Note: It is important to notice the complexity of reading texts outside of the context in which they were written. The terms in the texts are the language of their time, just as we have our own language for describing gender and sexual diversity. In an effort to identify with the texts, we must always be careful not to erase the particularities that each of the terms carries in the context that created it. Just as they refer to *tumtum* and *androgynos*, we can talk about intersex, transgender, and genderqueer people.
2. **Chevruta:** Break the group into pairs and explain that they should take turns reading the texts out loud and then discussing them.
3. **Shiur:** Reconvene everyone for a large group discussion. Refer back to the guiding questions below as a way to ground the conversation.
4. **Guiding Questions:**
 - What does Judaism have to say about gender diversity?
 - What are some of the challenges created by reading a text out of the context in which it was created?
 - How can we use these texts in our work for greater inclusion of LGBTQ people in our communities?

Contemporary Terms for Gender Diversity

Transgender or Trans: An umbrella term for anyone who knows themselves to be a gender that is different than the gender they were assigned at birth. Some trans people may have an alternate gender identity that is neither male nor female, and for some people their gender identity may vary at different points in their lives. Some transgender people modify their bodies through medical means, and some do not.

Gender Identity: A person's inner understanding of what gender(s) they belong to or identify with. This is each person's unique knowing or feeling, and it is separate from a person's physical body or appearance (although often related).

FTM (Female to Male): A person who appeared to be – or was assigned at birth to be – female, was raised as a girl, who knows himself to be male, and who wishes to or does live as a male part or all of the time. Some people may also identify as “transmen” or “trans-masculine.”

MTF (Male to Female): A person who appeared to be – or was assigned at birth to be – male, was raised as a boy, who knows herself to be female, and who wishes to or does live as a female part or all of the time. Some people may also identify as “transwomen” or “trans-feminine.”

Intersex: A general term used for a variety of conditions in which a person is born with a reproductive or sexual anatomy that does not seem to fit the normative definitions of female or male. Visit www.isna.org for more information about intersex issues. Hermaphrodite is an older term used by the medical community to describe intersex people. It is considered a disrespectful term, because it stigmatizing and does not reflect modern scientific understanding of intersex conditions. If you hear someone use the word hermaphrodite, please let them know that the term ‘intersex’ is preferred.

Gender Nonconforming: An umbrella term that can include anyone whose gender identity, expression, or behavior is outside of social norms of women who are “feminine” and men who are “masculine,” such as butch women, effeminate men, drag queens/kings, fairies, bois, and others.

Queer: 1) An umbrella term used by some to describe lesbian, gay, bisexual, and transgender people. 2) A term used to describe people who transgress social, cultural, and sexual norms. 3) Historically and currently used as a slur targeting those perceived to transgress “norms” of sexual orientation and/or gender expression.

Genderqueer: 1) A broad political and cultural identity that includes many (but not all) transgender, transsexual, and gender nonconforming people, as well as others who see their gender as falling outside of mainstream norms. 2) People who identify as neither male nor female, both male and female, or who claim an alternate gender identity of their own.

Some Background on Jewish Sacred Texts

Tanach (Hebrew Bible): The Tanach or Hebrew Bible consists of the Torah (Genesis, Exodus, Leviticus, Deuteronomy and Numbers), the Prophets (Joshua, Judges, Samuel, Kings, Isaiah, Jeremiah, Ezekiel, and the 12 minor prophets) and the Writings (Psalms, Proverbs, Song of Songs, Daniel, Ecclesiastes, Ruth, Job, Esther, Lamentations, Ezra, Nehemiah, and Chronicles). We don't know exactly the dates when these texts were compiled, but many scholars date the earlier parts of the Bible to around 1000 B.C.E., and the latest parts to the 2nd century B.C.E..

Mishna: Edited around the 2nd century of the common era, the Mishna is a compilation of what had been oral traditions establishing laws and practices which were based on rabbinic interpretation of the Torah.

Talmud: In the Talmud, rabbis and scholars recorded their conversations and disagreements about the laws of the Mishna. The Talmud contains conversations within and across generations. In addition to legal issues, the rabbis of the Talmud tell stories about their teachers and their students, and present interpretations of biblical stories and texts. The Talmud includes contributions from about 200 C.E. to 600 C.E.

Midrash: Midrash is a genre of rabbinic literature. It was produced in the same circles as the Talmud, but not included in the Talmud. The subject of this literature is non-legal—posing and answering questions that are suggested by the text of the Bible. This literature begins around the same time as the Talmud, but continues for another 2 – 3 centuries after the Talmud is closed.

Terms for Gender Diversity in Jewish Sacred Texts:

Zachar: This term is derived from the word for a pointy sword and refers to a phallus. It is usually translated as “male” in English.

Nekevah: This term is derived from the word for a crevice and probably refers to a vaginal opening. It is usually translated as “female” in English.

Androgynos: A person who has both “male” and “female” sexual characteristics. In the Talmud, the androgynos is understood as someone who both has a penis as well as some female sex traits. 149 references in Mishna and Talmud (1st – 8th Centuries CE); 350 in classical midrash and Jewish law codes (2nd – 16th Centuries CE).

Tumtum: A person whose sexual characteristics are indeterminate or obscured. In the Talmud the tumtum has indeterminate genitals. 181 references in Mishna and Talmud; 335 in classical midrash and Jewish law codes.

Ay'lonit: A person who is identified as “female” at birth but develops “male” characteristics at puberty and is infertile. 80 references in Mishna and Talmud; 40 in classical midrash and Jewish law codes.

Saris: A person who is identified as “male” at birth but develops “female” characteristics at puberty or later. A saris is considered male, but has no penis or a very small penis. A saris can be “naturally” a saris (saris hamah), or become one through human intervention (saris adam). This status is also known as a eunuch. 156 references in mishna and Talmud; 379 in classical midrash and Jewish law codes.

Text 1: Queerly Created

וַיִּבְרָא אֱלֹהִים אֶת-הָאָדָם בְּצַלְמוֹ בְּצַלְמֵ אֱלֹהִים בָּרָא אֹתוֹ זָכָר וּנְקֵבָה בָּרָא אֹתָם
- בראשית א: כז

God created the adam [the first human being] in God's own image; in the image of God He created him – male and female [God] created them.

- Genesis 1:27

אָמַר ר' יִרְמְיָהּ בֶּן אֶלְעָזָר: בְּשִׁעָה שִׁבְרָא הַקָּדוֹשׁ בְּרוּךְ הוּא אֶת אָדָם הָרִאשׁוֹן, יֵאָבְדְרוּ גֵינוֹם בָּרְאוֹ,
- פְּרָשָׁה ח

Said Rabbi Jeremiah ben Elazar: "When the Holy One, blessed be the One, created the first adam [human being], [God] created him [an] "androgynos."

- Midrash Rabbah 8:1

Text 2: Genders Beyond Male and Female

Mishna Bikkurim Chapter 4

פרק ד

א אנדרוגינוס יש בו דרכים שוה לאנשים, ויש בו דרכים שוה לנשים, ויש בו דרכים שוה לאנשים ונשים אינו שוה לאנשים ונשים:

Mishnah 1: The androgynos is in some ways like men, and in some ways like women, and some ways like both men and women and in some ways neither like men nor women.

ב כיצד שוה לאנשים, מטמא בלבן כאנשים. ומתעטף, כאנשים. ונושא אכל לא נשא, כאנשים, ואמו יושבת עליו בדם טהר, כאנשים. ואינו מתיחד עם הנשים, כאנשים. ואינו נזון עם הפנות, כאנשים. ועובר על כל תקיף וכל תשחית וכל תטמא למתים, כאנשים. וחיב בכל המצוות האמורות בתורה, כאנשים:

Mishnah 2: How is he (sic) like men? He becomes impure when he has a seminal discharge like men, and he dresses like men. He can take a wife, but he cannot be taken as a wife like men... He must not be alone in the company of women like men... And he must perform all the commands of the Torah like men.

ג כיצד שוה לנשים, מטמא באדם, בנשים. ואינו מתיחד עם האנשים, בנשים. ואינו זקוק ליבום, בנשים. ואינו חולק עם הבנים, בנשים. ואין אוכל בקדשי המקדש, בנשים. ואמו יושבת עליו בדם טמא, בנשים. ופסול מן העדות, בנשים. ואם נבעל בעברה נפסל מן התרומה, בנשים:

Mishnah 3: And how is he like women? He becomes impure when he has a menstrual flow like women, and he must not be alone in the company of men like women; and he does not share the inheritance with the sons like women... Like women, he is disqualified from acting as a witness...

ד כיצד שוה לאנשים ונשים, חיבים על מפתו וקללתו, כאנשים ונשים. וההורגו שוגג גולה ומזיד נהרג, כאנשים ונשים. ואמו מביאה עליו קרבן, כאנשים ונשים. ואוכל בקדשי הגבול, כאנשים ונשים. ונוחל לכל הנחלות, כאנשים ונשים:

Mishnah 4: How is he like both men and women? Guilt is incurred for killing him or for cursing him, as in the case of men and women; one who unwittingly slays him must go into exile, and one who intentionally slays him receives the death penalty... He inherits in all cases of inheritance like both men and women.

ה כיצד אינו שׁוה לא לְאִנְשִׁים וְלֹא לְנָשִׁים, אֵין שׁוֹרְפִין תְּרוּמָה עַל טְמֵאת זִבְתּוֹ, וְאֵין חִיבִין עָלָיו עַל בִּיאַת מִקְדָּשׁ, לֹא כְּאִנְשִׁים וְלֹא כְּנָשִׁים. וְאֵין נִמְכָּר בְּעֶבֶד עֲבָרִי, לֹא כְּאִנְשִׁים וְלֹא כְּנָשִׁים. וְאֵינוֹ נִעְרָךְ לֹא כְּאִנְשִׁים וְלֹא כְּנָשִׁים, וְאִם אָמַר, הֲרִינִי נָזִיר שׁוֹה לֹא אִישׁ וְלֹא אִשָּׁה, נָזִיר. רַבִּי יוֹסִי אָמַר, אֲנִדְרוּגִינוֹם בְּרִיָּה בְּפָנֶי עֲצֻמָּה הוּא, וְלֹא יִכְלוּ חֲכָמִים לְהַכְרִיעַ עָלָיו אִם הוּא אִישׁ אוֹ אִשָּׁה. אֲבָל טוּמְטוּם אֵינוֹ כֵּן, פְּעָמִים שֶׁהוּא אִישׁ, פְּעָמִים שֶׁהוּא אִשָּׁה:

Mishnah 5: And how is like neither men nor women? ... He cannot be assigned a value (for the biblical Temple tax, because one amount is specified for men and another amount for women) unlike men or women; and he cannot be sold as a Hebrew slave, unlike men or women. If someone says, “I will become a Nazirite (take vows of asceticism) if he is neither a man nor a woman,” then he becomes a Nazirite.

Rabbi Yose says: The androgynos is a creation of its own kind, and the sages could not decide if he was a man or a woman. But this is not the case for the tumtum—sometimes a tumtum is a man, and sometimes a tumtum is a woman.

Text 3: What Color Booties for the Baby – Blue, Pink, Purple, or Green?

ז הריני נזיר לבשיתה לי בן, ונולד לו בן, הרי זה נזיר. נולד לו בת, טמטום, ואנדרוגינוס,
אינו נזיר. אם אמר פשאראה פשיתה לי ולד, אפלו נולד לו בת, טמטום, ואנדרוגינוס,
הרי זה נזיר:

If someone said, “I will become a nazir when a son is born to me” and a son was born to him, behold, this one is a nazir!

If a daughter, a tumtum or an androgynos is born to him, he is not a nazir.

But if he said, “When I see that a child is born to me [I shall be a nazir],” even if a daughter, a tumtum or an androgynos is born to him, behold, he is a nazir!

- Mishna Nazir 2:7

Text 4: Our Genderqueer Ancestors: Abraham & Sarah

דף סד: א דף סד: ב

א"ר יצחק: מפני מה היו אבותינו עקורים? מפני שהקב"ה מתאוה לתפלתן של צדיקים.

א"ר יצחק: למה נמשלה תפלתן של צדיקים כעתר? מה עתר זה מהפך התבואה ממקום למקום, כך תפלתן של צדיקים מהפכת מדותיו של הקב"ה ממדת רגזנות למדת רחמנות.

אמר רבי אמאי: אברהם ושרה טומטמין היו, שנאמר: +ישעיהו נ"א+ הביטו אל צור חוצבתם ואל מקבת בור נוקרתם, וכתוב: +ישעיהו נא+ הביטו אל אברהם אביכם ואל שרה תחוללכם.

אמר רב נחמן אמר רבה בר אבוה: שרה אמנו אילונית היתה, שנאמר: +בראשית י"א+ ותהי שרי עקרה אין לה ולד, אפי" בית ולד אין לה.

Babylonian Talmud Yevamot 64a-b

R. Isaac said: Why were our ancestors (Abraham and Sarah, Isaac and Rebecca) infertile? Because the Holy One, blessed be, longs to hear the prayer of the righteous.

R. Isaac further stated: Why is the prayer of the righteous compared to a pitchfork? As a pitchfork turns the sheaves of grain from one position to another, so does the prayer of the righteous turn the heart of the Holy One, blessed be, from the attribute of strict judgment to the attribute of compassion.

R. Ammi said: Abraham and Sarah were originally tumtums, for it is said, "Look to the rock you were hewn from, and the hollow of the pit from which you were dug." (Isaiah 51:1), and this is followed by the text, "Look to Abraham your father and to Sarah who bore you."

R. Nachman said in the name of Rabbah b. Abbuha: Our mother Sarah was an aylonit, for it is said, "And Sarai was barren, she had no child" (Genesis 11:30). [The verse says both 'was barren' and 'had no child' to tell us that] she didn't even have a womb.

Text 5: God Treasures the Genderqueer

פרק נו

א כה אָמַר יְהוָה שְׁמְרוּ מִשְׁפָּט וְעֲשׂוּ צְדָקָה כִּי־קְרוּבָה יִשׁוּעָתִי לָבוֹא וְצְדָקָתִי לְהַגְלוֹת:
ב אֲשֶׁר־יֵאֱנֹשׁ יַעֲשֶׂה־זֹאת וּבֶן־אָדָם יַחֲזִיק בָּהּ שְׁמֵר שַׁבָּת מִחֻלְלוֹ וְשָׁמַר יָדוֹ מִעֲשׂוֹת
כָּל־רָע: ג וְאֵל־יֹאמֵר בֶּן־הַנֶּכֶד הַנְּלֻחַ אֶל־יְהוָה לֵאמֹר הִבְדֵּל יְבַדִּילֵנִי יְהוָה מֵעַל עַמּוֹ
וְאֵל־יֹאמֵר הַסָּרִיס הֵן אֲנִי עֵץ יָבֵשׁ: ד כִּי־כֹה אָמַר יְהוָה לְסָרִיסִים אֲשֶׁר יִשְׁמְרוּ
אֶת־שַׁבְּתוֹתַי וּבָחֲרוּ בְּאֲשֶׁר הִפְצַתִּי וּמְחַזְּקִים בְּבְרִיתִי: ה וְנָתַתִּי לָהֶם בְּבֵיתִי וּבְחֹמֹתַי יָד
וְשֵׁם טוֹב מִבְּנִים וּמִבְּנוֹת שֵׁם עוֹלָם אֶתֶּן־לוֹ אֲשֶׁר לֹא יִכָּרֵת: ו וּבְנֵי הַנֶּכֶד הַנְּלֻיִם עַל־יְהוָה
לְשָׂרְתוֹ וְלֹא־הִבָּה אֶת־שֵׁם יְהוָה לְהִיּוֹת לוֹ לְעֹבְדִים כָּל־שָׁמַר שַׁבָּת מִחֻלְלוֹ וּמְחַזְּקִים
בְּבְרִיתִי: ז וְהִבִּיאֹתִים אֶל־הַר קְדָשִׁי וְשִׁמְחָתִים בְּבֵית תַּפְלְתִּי עוֹלְתֵיהֶם וְזִבְחֵיהֶם לְרִצּוֹן
עַל־מִזְבְּחִי כִּי בֵיתִי בֵּית־תַּפְלָה יִקְרָא לְכָל־הָעַמִּים: ח נָאִם אֲדַנִּי יְהוָה מִקְבִּץ נְדָחֵי יִשְׂרָאֵל
עוֹד אֶקְבֹּץ עָלָיו לְנִקְבְּצָיו:

*Thus said God:
Observe what is right, and do what is just;
For soon my salvation will come,
And my deliverance will be revealed*

*Happy is the one who does this,
the one who holds fast to it:
Who keeps the sabbath and does not profane it,
Who stays his hand from doing any evil.
Let not the foreigner, who has joined himself to God, say:
“God will keep me apart from God’s people.”
And let not the saris say: “I am a withered tree”*

*For thus says God:
As for the sarises who keep My sabbaths,
Who have chosen what I desire
And who hold fast to My covenant—
I will give them, in My house, and within My walls
A monument and a name, better than sons or daughters.
I will give them an everlasting name that shall not perish.*

*As for the foreigners who join themselves to God,
to minister to God, and to love the name of God,
to be God’s servants—
All who keep the sabbath and do not profane it,
And who hold fast to my covenant—*

*I will bring them to my sacred mount
And let them rejoice in My house of prayer.
Their burnt offerings and sacrifices shall be welcome
on My altar;
For My house shall be called a house of prayer for
all peoples.”*

*Thus declares God, who gathers the dispersed of Israel:
“I will gather still more to those already gathered.”*

- Isaiah 56:1-8

Contemporary Voices

“Who would you be, if you had never been punished for gender inappropriate behavior? What would it be like to walk down the street, go to work or attend a party and take it for granted that the gender of the people you met would not be the first thing you ascertained about them? What if we all helped each other to manifest our most beautiful, sexy, intelligent, creative, and adventurous inner selves, instead of cooperating to suppress them?”

- Patrick Califia

“In order to understand transgender expression and see and respect people as they really are, we have to break down our gender conditioning. We have to get used to (and excited about) bearded ladies... short boys with 'dessert hands' and big-boned gals with deep voices. We have to trash the lists. This is exciting because when we validate other people and create space for their own unique gender, we do the same for ourselves.”

- Micah Bazant