For many years, I have been coming to TBZ for Yom Kippur -- and to this mincha service. I have been listening to the always inspiring and sometimes wrenching diverei torah that gay and lesbian members of our community have shared about their personal struggles to reconcile their sexual identity with the Torah, particularly Leviticus 18:22.

But I am “straight,” a word that I will come back to in a few minutes. And because I am not gay, I have been – in an ironic sense – an outsider to these powerful moments at TBZ.

So why me? Why am I standing here and talking to you? There are a couple of reasons.

First, Meredith and Margie asked me, and when your community comes calling, it is better to be like Abraham and say, hineni, then like Jonah and run for Tarshish.

Second, how we read and respond to Leviticus 18:22 is not an LBGT issue; it is a Jewish issue.

**Leviticus 18 in Context**

Rather than focus narrowly on Leviticus 18, perhaps we should look more broadly at its context.
On Yom Kippur of all days, Leviticus 16 stands out. It is the intricate description of the priestly service of atonement, in the Holy of Holies, a service that at one time was the theological, spiritual and emotional climax of Yom Kippur and, arguably, of the entire Jewish year. During the wandering in the midbar, Aaron conducted this service in the mishkan, and later, the High Priest performed the same rites in the Temple in Jerusalem.

For me, and I imagine many of us, the ritual is bizarre, brutal and baffling – sacrificing animals, sprinkling blood on the curtain and the altar, burning incense in the Holy of Holies, drawing of lots over a pair of goats, and sending the scapegoat into the wilderness.

This ritual is not what we do, what we want to do, or what we ever expect to do again, in order to atone for our own failures or to experience closeness with God on YK. So why do we read about this service, every year, in great detail, and even act out the part of the priests laying face down on the floor of the Temple?

**Israel trip**

I thought about that question, this summer, when Beth and I travelled with Maddy and Ruby to Israel. We arrived shortly before Tisha B’Av, another
day of fasting, one that marks the destruction of the Temple. The holiday is a particularly thought-provoking time to be in the Old City of Jerusalem.

We Jews who enjoy the good fortune of living after the end of the exile know Israel as a political reality, not a liturgical yearning. But that situation begs a confounding question: what is the purpose of our miraculous return to Zion? Have Jews come home to rebuild the Temple, reestablish the priesthood, and install a High Priest to atone for our sins? For me, the answer is no.

The Torah says, repeatedly and explicitly, there should be a Temple and, in it, there should be an Avodah service on Yom Kippur. Although we continue to read the text, we recognize that is what Judaism was – not what Judaism is, or who we as Jews now are.

In the aftermath of the destruction of the Second Temple, Rabbi Yochanan ben Zakkai left Jerusalem, traveled to Yavneh, and founded a school. He saved Judaism by reimagining it, transforming sacrifices into prayers (just think about this “mincha” service!).

We are as much, or more so, the decedents of Yochanan ben Zakkai (one of the first modern “rabbis”) than of Abraham (who talked directly to God and nearly sacrificed his own son) or any High Priest (who slaughtered bulls, goats and birds in a Temple that no longer stands).
I am glad that we, as a people, have transcended the text and reinvented our Jewish notions of sacrifice and repentance. We have not forgotten the text. We read it. We remember it. We even value it. But we no longer live it.

Instead, we have reinterpreted the Torah to better and more honestly reflect the lives that we actually live. And we can, and should, continue to do that. To be clear, the transition from a priestly cult to a rabbinic community was extraordinary, but being Jews in the world is an ever-evolving process.

**Effect of text**

That being said, change isn’t easy, and our relationship with the text is complicated.

For Jews, the Torah, even the pasukim that are most incomprehensible, get in our bones – or in Yiddish medical terms, in our kishkehs. We experience the Hebrew words, the ancient melodies, even the distinct feel of the parchment before we have any idea what we are dealing with, much less the intellectual or psychological maturity to wrestle with the text.

It is many years before we are ready to ask the truly tough questions. Where was God for the Jews who were killed by Nazis? And where is God for the gay, lesbian and transgender Jews who feel so excluded, despised and
unloved that they would even consider killing themselves? By then, our souls have been indelibly marked by the Torah.

What does that mean for me? And what does any of this have to do with Leviticus 18:22?

**Cursing the Deaf**

Again, let’s step back and put Leviticus 18:22 in context. A favorite drash of mine is based on Leviticus 19:14 – You shall not curse a deaf person or put a stumbling block before a blind person. The second part makes sense: a blind person who stumbles may get hurt. But why the first: a deaf person cannot be hurt by harsh words?

A beautiful commentary from the Rambam and Rabbenu Bahye suggests that this mitzvah is intended for the person who *utters* the curse, not the deaf person *targeted* by it, because intolerance and unkindness can be just as hurtful and corrosive for the person who harbors any such feelings. Even if actual words go unheard, and even if the underlying feelings go unspoken, the curse itself hardens the heart.

That is the challenge of Leviticus 18:22 for “straight” people like me. I have thought of myself as “straight” since long before I knew anything about sexual identity. How has that deeply word affected my sense of self? Has the
label implicitly taught me I would be “twisted” or “crooked” if I were gay or transgender?

I am proud to count gay, lesbian and transgender people as friends. And still, reading this curse, every year, is an important and necessary reminder to search deep in my own heart for any subconscious bias or hidden indifference – and to atone for it. The words are a harsh wake up call, like the sound of the shofar, not to be a self-satisfied Brookline liberal, but to take seriously the words of the Yom Kippur liturgy that none of us is so arrogant as to say that we have not sinned and that we could not do better.

Again, consider the context: Leviticus 19:18 teach us, the goal is not to tolerate my neighbor, but to love my neighbor as myself.

The Next Generation

Meanwhile, we have reason for hope.

For Ruby and Maddy, the next generation, who are growing up breathing the air of this sanctuary, this is our community and our Judaism.

As Jews, we are known as the People of the Book. The Torah, even Leviticus 18:22, is our Book. But the Jews in this room are our People.
Yom Kippur 5777  
Mincha Drash – Daniel Marx

I am grateful that my children are growing up around gay, lesbian and transgender members, parents, friends, rabbis and teachers. I hope that our community’s commitment to inclusivity will get into their little kishkes.

In this way, TBZ gives us all the opportunity to meaningfully sustain our tradition while, at the same time, to radically reimagine what our tradition says about gay, lesbian and transgender Jews – and more broadly, how we grapple with the most difficult questions about sexuality, gender and identity. In this way, our community is like Yavneh, a place where courageous Jews struggle to save Judaism, even from itself.

After all, on Yom Kippur, if it is better to be like Abraham than Jonah, it is even better to be the version of Abraham who, in Sodom and Gemorrah, protested chalilah lach – Far be it from you, God! – to destroy the cities. That Abraham was a righteous person of faith who challenged even God and demanded justice and love for all.

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