

Revisiting Jewish same sex unions/commitment ceremonies

Studying and subsequently being ordained as a rabbi in the Conservative Movement, the issues concerning homosexuality and lesbianism have continuously been discussed and debated. In the 1990's, several responsa from different rabbis on the Committee on Jewish Law and Standards (CJLS) of the Rabbinical Assembly all resulted in a similar conclusion upholding traditional norms against homosexual and lesbian behaviors.

The issues were reconsidered by the CJLS in 2006. Three responsa were passed. A minority responsum advocated conversion therapy. Two other responsa were passed based on different methodologies and which reached different conclusions. Rabbi Joel Roth, who had authored one of the responsa in the 1990's, continued on the same traditionalist line. Rabbis Elliot Dorf, Daniel Nevins, and Avrum Reisner, who collaborated on an alternative responsum, argued to maintain the Biblical prohibitions as stated in Torah. They concluded, based on an interpretation by Nachmanides in the Middle Ages, that all the other prohibitions were "rabbinical" and not "Torahitic," and that the rabbinical dictum of "Kevod Ha'Briyot (human dignity)" could be used to overturn other rabbinical edicts. This responsum also concluded that gay and lesbian students could be accepted into rabbinical school, and that same sex unions could be performed. At the time in 2006, there was no suggestion as to what a ceremony could look like. The Roth responsum prohibited gay and lesbian rabbinical students and the performance of same sex unions

(Rabbinical Assembly.org). At that time in 2006/7, Beth Emeth's Governance and Administration Steering Committee (GAASC) with my recommendation decided that Beth Emeth should not serve as a venue for gay/lesbian wedding ceremonies.

Since that time, continued scholarship and deliberation have taken place from modern Orthodox, Conservative, and other rabbinical sources. Over the years, I have kept serious tabs on the research coming out. Many learned essays from different viewpoints can be found Online by Sefaria. In particular, I have been influenced by the following works:

1. Judaism and Homosexuality: An Authentic Orthodox view by Chaim Rapoport. This book offers compassion to homosexuals and lesbians and uses a variety of halakhic categories to understand and even validate behaviors.
2. Wrestling with God and Men: Homosexuality in the Jewish Tradition, by Steven Greenberg. Rabbi Greenberg is himself an Orthodox rabbi who came public in the 1980's. In addition to his now classic work, he suggests an approach which inspired the Dorf/Nevins/Reisner Conservative responsum.
3. Statements, writings, and positions taken by a small number of influential modern Orthodox rabbis, including Benny Lau in Israel, Danny Landes in Israel, Asher Lopatin in the U.S. and others. They all understand in their own halakhic way that gay/lesbian behavior today is vastly different from what was perceived in Biblical and

Rabbinic times. With fidelity to Halakha, Rabbi Landes has ordained homosexual rabbis and has consented to perform same sex unions/commitment ceremonies (See Online references: "Small but growing number of Orthodox rabbis officiating gay/same sex weddings," Times of Israel and The Jerusalem Post).

Rabbi Howard Morrison - Why now is he revisiting this topic?

In recent years, I have met many homosexuals, lesbians, and couples who were raised in the Beth Emeth community, or whom I have met in the broader Jewish community. They are wonderful people, serious about their Judaism, and who have only one outlet from which to express a sincere loving relationship.

Before the responsa of 2012 published by the Rabbinical Assembly's CJLS and the contemporary understandings of a few but significant Orthodox rabbis, there were few templates available that clearly distinguished between Kiddushin, the traditional heterosexual ceremony, and the non-Kiddushin ceremonies that have been suggested for gay/lesbian same sex unions/commitment ceremonies. As long as the ritual and ideology of the ceremony clearly distinguish between Kiddushin and non-Kiddushin, I now see no reason to reject gay/lesbian couples who wish to sanctify their relationship in a non-Kiddushin format.

I would strictly require that both partners be Jewish according to Halakha. I would require that any venue be strictly Kosher. I maintain these same requirements for heterosexual weddings (Kiddushin).

All in all, my revised thinking perpetuates an adherence to Halakha and demonstrates compassion and sensitivity to a new and growing demographic in the Jewish community.

I thank you for your shared understanding, compassion, and sensitivity to my approach on this matter.

Sincerely,

Rabbi Howard Morrison

This policy is fully supported by the Ritual Committee Co-Chairs and all members of the Executive Committee

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