Resolution Adopted by the CCAR

Report of the Ad Hoc Committee on HOMOSEXUALITY AND THE RABBINATE

Composition of the Committee

Chair: Selig Salkowitz; Norman J. Cohen, A. Stanley Dreyfus (RPC), Joseph B. Glaser (CCAR), Walter Jacob, Yoel H. Kahn, Samuel E. Karff, Peter S. Knobel, Joseph Levine, Jack Stern, Richard S. Sternberger (UAHC), Ronald B. Sobel (RPC), Elliot L. Stevens (CCAR), Harvey M. Tattelbaum, Albert Vorspan (UAHC), Margaret M. Wenig, Gary Zola (HUC-JIR).

Origin of the Committee

The committee was formed in response to a resolution proposed by Margaret Holub (then student rabbi) and Margaret Wenig for the June 1986 Convention of the Central Conference of American Rabbis in Snowmass, Colorado. The proposed resolution dealt with the admissions policies of the Hebrew Union College-Jewish Institute of Religion and of the CCAR and with the placement policy of the Rabbinical Placement Commission. The matter was referred for further study.

Given the seriousness of the issues and the broad implications for the Reform rabbinate and for the entire movement, President Jack Stern appointed a broadly-representative ad hoc committee and named Selig Salkowitz as its chair. The committee's first meeting took place in the autumn of 1986. Following that meeting, in order to ensure adequate institutional participation, the committee invited the Union of American Hebrew Congregations, the HUC-JIR, and the Rabbinical Placement Commission to appoint official representatives. The committee has met regularly during the past four years. Through extensive study and discussion, the committee has sought to arrive at a unified position on homosexuality and the rabbinate. From the outset, the committee was keenly aware of both the controversial nature and the complexity of the issues. The committee's deliberations have been characterized by vigorous debate carried on in a spirit of warm collegiality. All members found themselves profoundly moved. However, the committee did not achieve consensus on every issue, and recognized that there are legitimate differences of opinion. The committee calls upon members of the Conference to be sensitive to and accepting of those whose positions differ from their own.

The committee undertook a comprehensive investigation of the subject. Its members read studies on the origin and nature of sexual identity, and of homosexuality specifically, and reviewed some of the contemporary legal literature, and studied documents prepared by Christian groups grappling with the status of homosexuals and homosexuality within their own denominations with a specific focus on the question of ordination. Yoel H. Kahn prepared an extensive anthology of articles on Judaism and homosexuality which cut across denominational lines. The committee commissioned Eugene B. Borowitz, Yoel H. Kahn, Robert S. Kirschner, and Peter S. Knobel to prepare working papers.[1] Consultations were held with leaders of other Jewish streams. The committee solicited and received anonymous personal testimony from gay and lesbian rabbis and rabbinic students. It reviewed the admissions policies of the HUC-JIR and the CCAR as well as the placement policy of the Rabbinical Placement Commission. It read previous resolutions of the UAHC biennial conventions and the CCAR conventions, and related Reform Responsa. The work of previous committees was also reviewed. It convened a late night information session at the Tarpon Springs Convention of 1987; submitted a draft resolution to the CCAR Executive Board in 1988 (which was sent back to the committee for further consideration); sponsored a plenary session at the Centennial Convention in Cincinnati in 1989 at which Leonard S. Kravitz and Yoel H. Kahn presented papers[2] followed by workshops; held consultations at each of the regional CCAR Kallot and with MaRaM; and requested that the UAHC sponsor workshops at upcoming regional biennials.

This document is meant to summarize the results of our deliberations, to indicate areas of agreement and disagreement, and to encourage further discussion and understanding. It represents four years of struggle and growth. We hope that it will serve as a model for those who take up these matters upon which we have diligently and painstakingly deliberated.

Concern for Gay and Lesbian Colleagues

The committee is acutely aware that the inability of most gay and lesbian rabbis to live openly as homosexuals is deeply

painful. Therefore, the committee wishes to avoid any action that will cause greater distress to our colleagues. As a result, the committee has determined that a comprehensive report is in the best interest of our Conference and the Reform movement as a whole.

Publicly acknowledging one's homosexuality is a personal decision that can have grave professional consequences. Therefore, in the light of the limited ability of the Placement Commission or the CCAR to guarantee the tenure of the gay or lesbian rabbis who "come out of the closet," the committee does not want to encourage colleagues to put their careers at risk. Regrettably, a decision to declare oneself publicly can have potentially negative effects on a person's ability to serve a given community effectively. In addition, the committee is anxious to avoid a situation in which pulpit selection committees will request information on the sexual orientation of candidates. The committee urges that all rabbis, regardless of sexual orientation, be accorded the opportunity to fulfill the sacred vocation that they have chosen.

Civil Rights for Gays and Lesbians

All human beings are created *betselem Elohim* ("in the divine image"). Their personhood must therefore be accorded full dignity. Sexual orientation is irrelevant to the human worth of a person. Therefore, the Reform movement has supported vigorously all efforts to eliminate discrimination in housing and employment.[3] The committee unequivocally condemns verbal and physical abuse against gay men and lesbian women or those perceived to be gay or lesbian. We reject any implication that AIDS can be understood as God's punishment of homosexuals. We applaud the fine work of the gay and lesbian outreach synagogues, and we, along with the UAHC, call upon rabbis and congregations to treat with respect and to integrate fully all Jews into the life of the community regardless of sexual orientation.

Origin and Nature of Sexual Identity

The committee's task was made particularly difficult because the specific origin of sexual identity and its etiology are still imperfectly understood.

> Scholars are not likely to come to an agreement anytime soon about the causes of sexual orientation, or its nature. various disciplines look at sexuality in different ways and rarely confront each other's ideas.... Short of definitive evidence, which no theory has thus far received, the disagreement is likely to continue. Cognitive and normative pluralism will persist for the indefinite future.[4]

The lack of unanimity in the scientific community and the unanimous condemnation of homosexual behavior by Jewish tradition adds to the complexity of the question. It is clear, however, that for many people sexual orientation is not a matter of conscious choice but is constitutional and therefore not subject to change. It is also true that for some, sexual orientation may be a matter of conscious choice. The committee devoted considerable time in its discussion to the significance of conscious choice as a criterion for formulating a position on the religious status of homosexuality. The majority of the committee believes that the issue of choice is crucial. For some on the committee the issue of choice is not significant.

In Jewish tradition heterosexual, monogamous, procreative marriage is the ideal human relationship for the perpetuation of species, covenantal fulfillment, and the preservation of the Jewish people. While acknowledging that there are other human relationships which possess ethical and spiritual value and that there are some people for whom heterosexual, monogamous, procreative marriage is not a viable option or possibility,[5] the majority of the committee reaffirms unequivocally the centrality of this ideal and its special status as *kiddushin*. To the extent that sexual orientation is a matter of choice, the majority of the committee affirms that heterosexuality is the only appropriate Jewish choice for fulfilling one's covenantal obligations.

A minority of the committee dissents, affirming the equal possibility of covenantal fulfillment in homosexual and heterosexual relationships. The relationship, not the gender, should determine its Jewish value -- *Kiddushin*.

The committee strongly endorses the view that all Jews are religiously equal regardless of their sexual orientation. We are aware of loving and committed relationships between people of the same sex. Issues such as the religious status of these relationships as well as the creation of special ceremonies are matters of continuing discussion and differences of opinion.

Sexual Morality and the Rabbi

The general subject of sexual morality is important. The committee, in various stages of its deliberations, sought to discuss homosexuality within that larger framework. However, it concluded that while a comprehensive statement on sexuality and sexual morality was a desideratum, it was beyond the mandate of the committee.

Nevertheless, rabbis are both role models and exemplars. Therefore, the committee calls upon all rabbis--without regard

to sexual orientation--to conduct their private lives with discretion and with full regard for the mores and sensibilities of their communities, and in consonance with the preamble to the CCAR's *Code of Ethics*:

> As teachers of Judaism, rabbis are expected to abide by the highest moral values of our religion: the virtues of family life, integrity, and honorable social relationships. In their personal lives they are called upon to set an example of the ideals they proclaim.

Our Relationship to *Kelal Yisrael* and the Non-Jewish Community

The committee devoted considerable discussion to the effect of any statement on our relationship to *Kelal Yisrael*. The committee expressed deep concern about the reactions of the other Jewish movements and strongly urges that the dialogue continue with them on this issue. Nevertheless, it concluded that our decision should be governed by the principles and practices of Reform Judaism. Similarly, the committee considered and discussed with the members of MaRaM the possible effects of a statement on Reform Judaism in Israel. Again, it concluded that while sensitivity was in order, the committee could address only the North American situation. In addition, the committee attempted to assess how various stands would affect our relationship with non-Jewish groups. Again, the committee was concerned but felt that it had to make its decision independent of that consideration.

Congregational Issues

The acceptance by our congregations of gay and lesbian Jews as rabbis was a topic of discussion. We know that the majority of Reform Jews strongly support civil rights for gays and lesbians, but the unique position of the rabbi as spiritual leader and Judaic role model make the acceptance of gay or lesbian rabbis an intensely emotional and potentially divisive issue. While we acknowledge that there are gay and lesbian rabbis who are serving their communities effectively, with dignity, compassion, and integrity, we believe that there is a great need for education and dialogue in our congregations.

Admissions Policy of the College-Institute

One of the original issues that brought the committee into existence was a concern about the admissions policy of the College-Institute. President Alfred Gottschalk has recently set forth the admissions policy of HUC-JIR. The written guidelines state that HUC-JIR considers sexual orientation of an applicant only within the context of a candidate's overall suitability for the rabbinate, his or her qualifications to serve the Jewish community effectively, and his or her capacity to find personal fulfillment within the rabbinate. The committee agrees with this admissions policy of our College-Institute.

Membership in the CCAR

The CCAR has always accepted into membership, upon application, all rabbinic graduates of the HUC-JIR.

The committee reaffirms this policy to admit upon application rabbinic graduates of the HUC-JIR.

Placement

Since its inception, the Rabbinical Placement Commission has provided placement services to all members of the CCAR in good standing, in accordance with its rules.

The committee agrees with this policy of the Rabbinical Placement Commission which provides placement services to all members of the CCAR in good standing, in accordance with the Commission's established rules.

Respectfully submitted,
Chair: Selig Salkowitz; Norman J. Cohen,
A. Stanley Dreyfus (RPC), Joseph B. Glaser (CCAR),
Walter Jacob, Yoel H. Kahn, Samuel E. Karff, Peter S. Knobel,
Joseph Levine, Jack Stern, Richard S. Sternberger (UAHC),
Ronald B. Sobel (RPC), Elliot L. Stevens (CCAR),
Harvey M. Tattelbaum, Albert Vorspan (UAHC),
Margaret M. Wenig, Gary Zola (HUC-JIR).

Committee Endorsement

The committee expresses its sincere appreciation to the many members of the CCAR who communicated with it in writing and orally. We urge all rabbis to study and reflect on these critical issues in order to lead their congregations and other

members of the Jewish community toward greater awareness and sensitivity through education and dialogue. The committee unanimously endorses this report as a fair reflection of four years of deliberation and urges its adoption.

Notes

[1] *Homosexuality, the Rabbinate, and Liberal Judaism: Papers prepared for the Ad-Hoc Committee on Homosexuality and the Rabbinate*, Selig Salkowitz, Chair. "Halakhah and Homosexuality: A Reappraisal" by Robert Kirschner. "On Homosexuality and the Rabbinate, a Covenantal Response " by Eugene B. Borowitz. "Judaism and Homosexuality " by Yoel H. Kahn. "Homosexuality: A Liberal Jewish Theological and Ethical Reflection " by Peter S. Knobel.
Copies of these were distributed to the entire membership of the CCAR prior to the June 1989 convention in Cincinnati. These papers should be consulted for a description of the range of positions considered by the committee.

[2] Yoel H. Kahn, "The Kedusha of Homosexual Relationships" and Leonard S. Kravitz, "Address." The papers were distributed to the members of the Conference through the regional presidents as material for discussion at the regional kallot. They should be consulted for an understanding of the two different approaches to the subject of the religious status of homosexual relationships.

[3] CCAR resolution 1977. UAHC resolutions 1975, 1985,1987, and 1989.

[4] David Greenberg, *The Construction of Homosexuality* (Chicago, 1988), pp. 480-481.

[5] Cf. *Gates of Mitzvah*, p. 11, note at bottom of page.

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