Conservative Jews seek middle on gay issues: Balancing Reform and Orthodox positions

by Holly Lebowitz Rossi RNS in the May 30, 2006 issue

When it comes to questions of whether to ordain gay and lesbian rabbis and perform same-sex commitment ceremonies, Reform and Orthodox Jews know where their movements stand. Simply put, Reform Jews do both, Orthodox Jews do neither.

But the Conservative movement, full of nuances and complex legal processes, is not as easy to categorize. On paper, the movement forbids both the ordination of gay and lesbian rabbis and the blessing of homosexual unions. Yet if a Conservative rabbi blesses a gay union, as some do, that rabbi does not face disciplinary action.

A prolonged debate over homosexuality among Conservative legal scholars is coming to a head. It is a vivid case of the movement's ideological struggle between preserving traditional Jewish legal precedent and embracing modern morality.

The Committee on Law and Standards, comprising 25 Conservative rabbis who vote on issues of Jewish law, met in March in closed session to try to reach an agreement on whether and how the movement's view of Jewish law on homosexual behavior should change.

The outcome of that meeting—a vote was tabled until December—is a telling illustration of how the movement is at a delicate crossroads. No matter which way the rabbis decide, the outcome will inevitably leave some Conservative Jews feeling upset and disappointed.

"We're in the middle," said Rabbi Elliot Dorff, the committee's vice chair and a professor of philosophy at the University of Judaism, the Conservative seminary in Los Angeles.

Dorff, who authored a paper arguing for a compromise interpretation of the verse in Leviticus that calls homosexual behavior an "abomination," believes it is an "empty

welcome” for the movement to allow gays and lesbians to be members of its congregations but not afford them ordination or union opportunities.

“Being gay or lesbian is not a rebellion against the tradition; it’s just simply the way that people were created,” Dorff said.

It is a controversial moment, but not one that threatens the movement’s ultimate survival, observers inside and outside the movement say. After all, the question of whether to ordain women caused similar consternation in the 1980s, and the movement survived that debate.

The very foundation of Conservative Judaism is the ground between traditional Jewish legal authority and contemporary moral values.

Orthodox Judaism holds Jewish law to be binding and unchanging except in its application to new technologies. The Reform movement believes that each individual Jew has the right and the duty to determine the content of that Jew’s covenant with God.

Caught in the middle is the Conservative movement, which holds that Jewish law is binding but has changed over time and may continue to do so to address changing social circumstances and moral sensitivities.

Conservative Jews are wrestling with the same issues that are roiling Protestant denominations, particularly the Episcopal Church, which has been on the edge of schism since the 2003 election of openly gay bishop V. Gene Robinson of New Hampshire touched off a firestorm of debate and controversy.

Among Conservative Jews, the issue draws a line that is largely generational. The movement’s young people—and its next generation of rabbis and leaders, such as those at the Jewish Theological Seminary in New York City—appear to largely disagree with the positions of the movement’s officials.

Arnold M. Eisen, the incoming chancellor of the seminary, has gone on record as supporting the ordination of gay and lesbian rabbis, though he has not said that the movement should officially sanction gay commitment ceremonies. Eisen is not a rabbi, as previous chancellors have been, and on issues such as this the rabbinic law committee may have the largest influence—despite its internal disagreement.

At the Conservative movement's Rabbinical Assembly meeting March 21-23 in Mexico City, some rabbis rebuked their colleagues for taking so long to decide the issue.

"Torah is what *Am Yisrael* [the Jewish people] decides it to be. . . . We ought to be the people of the big tent," said Bradley Shavit Artson, a rabbi who is dean and vice president of the Ziegler School of Rabbinic Studies at the University of Judaism.

The law committee is considering four papers—each called a *teshuva*, from the Hebrew word for "answer"—that articulate interpretations of Jewish law. The papers' views range from strict prohibition against homosexual behavior to full and equal inclusion of gays and lesbians in Jewish life.

According to the law committee's rules, a paper needs only six votes to be accepted as a *teshuva*, or act of judicial interpretation, regardless of how many committee members are present. If a paper receives 13 votes, it is considered an act of legislation.

Several committee members and Conservative leaders say it is possible—even likely—that all four papers will ultimately pass, which would allow individual rabbis to choose which interpretation they support.