Ethnologies

ethnologies

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Volume 28, Number 2, 2006

Les noces en vrai
Wedding Realities

URI: https://id.erudit.org/iderudit/014986ar
DOI: https://doi.org/10.7202/014986ar

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Publisher(s)

Association Canadienne d'Ethnologie et de Folklore

ISSN

1481-5974 (print)
1708-0401 (digital)

Explore this journal

Cite this article

Lash, S. (2006). Struggling with Tradition: Making Room for Same-Sex Weddings in a Liberal Jewish Context. *Ethnologies*, *28*(2), 133–156. https://doi.org/10.7202/014986ar

Article abstract

Despite growing acceptance of homosexuality in mainstream popular culture, debates about legalizing same-sex unions continue largely because they conflict with religious notions of heterosexual marriage and family. Marriage has become a symbol of status, making public weddings a sought-after goal for marginalized groups to gain greater social acceptance. Liberal Judaism particularly has responded to changing cultural circumstances and adapted tradition to meet the needs of diverse worshippers within a growing spiritual marketplace. These branches of the tradition contend with problematic textual and ritual elements that have obstructed the acceptance of gay, lesbian, bisexual, and queer Jews into their communities. Alternative understandings of Leviticus 18:22 and the Talmudic concept of *kiddushin* make room for same-sex weddings to occur in the synagogue. Because same-sex marriage challenges dominant attitudes about what constitutes a conventional family, wedding ceremonies performed in religious settings can transform communities that witness them, especially within Canada where same-sex marriage is legal.

Struggling with Tradition

Making Room for Same-Sex Weddings in a Liberal Jewish Context

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> Sometimes the rose will lean toward the rose, the jonquil towards the jonquil ("The First Captain's Tale" in *The Thousand and One Arabian Nights,* Mathers 1953: 341-351).
>
> From every human being there rises a light that reaches straight to heaven.
> And when two souls that are destined to be together find each other, their streams of light flow together, and a single brighter light goes forth from their united being (Baal Shem Tov).[1]

With celebrities like Elton John,[2] Melissa Etheridge, Rosie O'Donnell, and George Michael heading to the altar amidst widespread media attention, mainstream culture appears to be celebrating the public commitments, both informal and legally recognised, that same-sex couples are making to each other in various parts of the world.[3] For many, being gay, lesbian, bisexual or queer is no longer perceived as a

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1. This prose is commonly recited at Jewish weddings. The author is unknown but the text is often attributed to Israel ben Eleazar, or the Baal Shem Tov (Master of the Good Name), the founder of Hasidism in the eighteenth century.
2. John and his longtime partner David Furnish were joined in a civil union in London, England on December 21, 2005 shortly after the Civil Partnership Act was passed in the British Parliament. The event was met with worldwide media coverage (http://www.liberaljudaism.org/news_liturgypress coverage.htm, retrieved December 2005).
3. Currently, same-sex marriages are recognized in the Netherlands, Belgium, Spain, Canada, and the U.S. state of Massachusetts. At the end of 2006, marriage in South Africa will be extended to include same-sex couples. Civil unions, domestic partnerships, registered partnership, and other legal recognitions of same-sex couples which offer varying amounts of the benefits of marriage are

transgressive lifestyle choice, but rather just another way of being human in a postmodern, culturally diverse society.[4] A recent article by entertainment columnist Johanna Schneller in the *Globe and Mail* confirms this shift in perception, pointing out that film storylines with lesbian, gay, bisexual, and transgendered central protagonists are on the rise. Their sexuality is not presented as a plot element, but simply as part of who they are. In the examples she cites, including *Transamerica*, *Brokeback Mountain*, *Capote*, *The Dying Gaul*, *Kiss Kiss Bang Bang*, *Rent*, *Breakfast on Pluto*, and *The Family Stone*, characters with alternative sexual identities are struggling with the kinds of issues that affect everyone (2005: R4).[5]

Despite the growing integration of gay and lesbian relationships into mainstream culture over the past several years, political posturing about legalizing same-sex marriage continues. In Canada, recently elected conservative Prime Minister, Stephen Harper, vowed to fulfill a campaign promise[6] to conduct a free vote on same-sex marriage, even though public opinion polls suggest that the issue is no longer relevant to most Canadians.[7] Regardless of the real or perceived controversy

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available in Andorra, Argentina, Brazil, Croatia, Czech Republic, Denmark, Finland, France, Germany, Iceland, Israel, Luxembourg, New Zealand, Norway, Portugal, Slovenia, Sweden, Switzerland, and the United Kingdom; the Australian state of Tasmania, and the U.S. states of California, Connecticut, Hawaii, Maine, New Jersey, and Vermont; and the U.S. District of Columbia (http://en.wikipedia.org/wiki/Same-sex_marriage, retrieved August 24, 2006).

4. In referring appropriately to lesbian, gay, bisexual or transgender individuals, certain words and terms are fluid and evolving. Often, word usage depends on context. This paper incorporates the terms bisexual and queer where applicable to indicate that many forms of sexual identity fall outside of polarities. The designation "queer," developed primarily for social/political/intellectual purposes, may refer to non-heterosexual individuals or to someone who is questioning their identity. This umbrella term seeks to encompass rather than compartmentalize a broad range of sexual orientations, behaviors and expressions. For more, see T.E.A.C.H Toronto (Teens Educating and Confronting Homophobia, www.teachtoronto.ca).
5. Schneller was referring to the 2005 line-up of holiday movies.
6. In an effort to win votes, then Canadian Conservative Party leader Stephen Harper promised during his election campaign to revisit the decision to legalize same-sex marriage (*Globe and Mail* December 13, 2005).
7. From EGALE Canada website (http://www.egale.ca/index.asp?lang=E&menu=1&item=1335, retrieved August 23, 2006). EGALE Canada is a national organization that advances equality and justice for lesbian, gay, bisexual, and trans-identified people and their families across Canada.

the subject generates, the law passed in the Canadian Senate in July, 2005 extending the legal definition of marriage to include same-sex couples made an important statement about the equal rights of Canadians and the diverse cultural landscape in which they live.

While popular sentiment appears to be in favour of same-sex marriage, opposition to it rages on, especially among conservative religious groups that continue to lobby the government to uphold the "preservation of traditional marriage." Allowing two women or two men the right to marry, they argue, compromises the very foundation of this sacred institution. As a symbolic paradigm, marriage between a man and a woman is inextricably linked to religious ideals about gender complimentarity, family, and child rearing that are anchored in the West to biblical texts and traditional teachings. The passing of new marriage laws demonstrates that cultural maps are changing in contemporary society and subsequently within some religious communities. The marginalized voices that religious texts have historically ignored or neglected have grown stronger in recent decades. Feminist critiques and the emergence of female (as well as lesbian and gay) religious leaders have challenged outdated assumptions embedded in patriarchal and exclusionary liturgical language, imagery, and symbols (Plaskow 2000: 26). The ceremonies that bring together two women or two men as life partners provide an opportunity for pushing the boundaries of religious change even further.

We will examine here the religious and spiritual dimensions of same-sex marriage by first exploring the social significance of marriage itself within North American culture. As a symbol of prestige and social acceptance rather than an institution in which to raise children, the wedding is an important signifier for couples that facilitates their acceptance into mainstream society. Then, by placing a particular focus on the efforts and inroads made by liberal Judaisms,[8] I will illustrate how leaders within an established religious tradition are wrestling and negotiating with time-honoured texts and customs. They do so in order that the religion can be more accommodating and relevant to the lives of modern Jews who are demanding more from their institutions in a growing spiritual marketplace wherein religious organizations are

8. This article will at times employ the plural term "liberal Judaisms" to demonstrate that there are several organized streams of the religion receptive to blessing same-sex marriages. They include, but are not limited to, Reform Judaism, Reconstructionist Judaism, Secular Humanist Judaism, and Jewish Renewal.

struggling to retain membership amidst a culture of spiritual consumerism (Roof 1999: 59).[9]

Marriage as a Changing Institution

Discussion about same-sex marriage and its public commemoration often raises the fundamental question of why lesbian and gay couples, who in many ways subvert mainstream religious constructs, seek to adopt an implicitly heterosexual practice, historically entwined with ownership and acquisition, gender hierarchies, and rightful inheritance (Adler 1998: 169). Feminist critiques of marriage as a heterosexist, patriarchal construction that oppresses women are widespread, and many activists argue that queer marriage would not only benefit the privileged but also result in mainstream assimilation, thus undermining the basic goals of gay liberation (Ettelbrick 1992: 20-21; Owen 2001: 90-91). While these criticisms are valid and deserve close attention, response to these concerns should include an exploration of what marriage represents in contemporary society apart from its reputation as an entrenched institution. Sociologist Andrew Cherlin identifies two major trends that have altered the meaning of marriage, especially since the end of World War II. The first is an increased emphasis on emotional satisfaction and romantic love, and the second is the rise of the "ethic of individualism" (2004: 851). From a psychological perspective, modern marriage is now "based on feeling rather than function" (Welwood 2002: 234).

The modern "love match" began in eighteenth century Enlightenment Europe when the personal choice of partners gained precedence over arranged marriage as a social ideal (Coontz 2005: 145-147). As the standard of living improved, the sentimental bonds of family became central and marital success depended upon the emotional well-being of each spouse. By the 1950s, especially in the United States, an emphasis on the nuclear family dominated postwar enthusiasm for marriage. With the rise of television and consumer culture, the marital roles of husband and wife were celebrated in the mainstream and promoted as a source of mutual gratification. During the postwar era, marriage was by and large the only socially acceptable

9. Roof outlines the challenges of pluralism, individualism, and modernity, which have given birth to a "quest culture" in North America where one may seek out spiritual fulfillment from a number of different cultural and religious sources (1999: 41).

way to be in a sexual relationship and to raise children. Matrimony was a passport into gaining admission into a full family life, which was highly prized and sought after in ordinary society right up until the early 1960s (Cherlin 2004: 851; Coontz 2005: 225-226).

In the 1960s idealized standards of marriage began to change. During a period challenging accepted norms of behaviour and institutional structures, awareness turned to the rights and needs of the individual. At this time, the dominance of marriage as the only acceptable path for relationship was brought into question. During the 1960s and 1970s, cohabitation became more commonplace in North America. The invention and widespread availability of the birth control pill fuelled the sexual revolution, and childbearing outside of marriage became less stigmatized than it once had been (Cherlin 2004: 852; Wuthnow 1998: 68). During this tumultuous period, alternative arrangements nurtured the individual needs of each partner and gained popularity over more traditional forms of companionate marriage. "Individualized marriage," as Cherlin terms it, concentrated on self-development, the expression of feelings, and challenging traditional gender hierarchies (2004: 852). The declining power of social norms and the expanding role of personal choice served to detach marriage from its institutional origins and its function as the only appropriate structure in which to bear and raise children.

Even though the latter functional reason for marriage has become less pressing, Cherlin's statistics point to the persistence of couples taking part in formal weddings all across North America. Because it involves a public commitment to a long-term and possibly lifelong relationship, marriage enables individuals to emotionally invest in the partnership with less fear of abandonment (854-855). It also has tremendous symbolic significance. Marriage has evolved from a "marker of conformity to a marker of prestige" (855). It has come to represent the culmination of adult accomplishment rather than the foundation for it. According to Cherlin, those who marry in large public ceremonies are making a statement about their privileged status within the community, especially within marginalized communities where marriage is more difficult to achieve for either financial or social reasons.[10]

10. Cherlin cites low-income communities where people are less likely to achieve the financial means for a big public wedding. But as Lewin argues, this observation equally applies to same-sex couples who have been denied the right to marry until very recently (2004: 1005).

Because matrimony has transcended its ritual purpose of legal and social legitimation for having children, the wedding itself now serves as a status symbol. It is not only a display of financial stability, it is also a statement to family and friends that the couple has reached a rite of passage and achieved a milestone in their own self-development (857). Cherlin's study notes further a marked increase in weddings that take place in religious institutions, even though the secularization of the marriage process should lead to an escalation in civil ceremonies. This observation is echoed by Ronald Grimes, who reports that three quarters of American weddings are "religious" and officiated by members of the clergy, despite the acceptability of common-law marriages and civil ceremonies (2000: 153).

If marriage and public weddings signify social status and recognition, especially for marginalized individuals and groups, then its importance for many same-sex couples can be better understood.[11] Because of its symbolic significance, the option of obtaining separate but equal status by calling same-sex marriages "civil unions" — a designation that is currently available in some parts of the United States (and recently in the U. K.) — is profoundly unacceptable according to many civil rights advocates.[12] Lesbian anthropologist Ellen Lewin supports legal marriage for same-sex couples, arguing that merely gaining *similar* legal rights to heterosexual married couples denies lesbians and gays access to marriage's mark of legitimacy and authenticity in their own communities. Refusing same-sex couples the right to marry, she contends, obstructs them from fully claiming their own multilayered identity through their most important relationships. As an illustration, Lewin cites couples from Canada, indicating that their wedding ceremonies communicate a more powerful sense of legitimacy.

My own experience of attending a lesbian wedding in Toronto supports Lewin's contention. At an intimate meeting in the rabbi's study prior to the wedding ceremony, the couple signed three official documents in the presence of close friends and family. The first acknowledged their registry into the congregation's list of married couples, the second was the Province of Ontario's marriage license form, and the third was their Jewish marriage contract, also known as the

11. It is important to note that some GLBT activists are critical of marriage and favour same-sex unions or domestic partnerships over adopting or appropriating a heterosexual model of union.
12. Stoddard (1992) provides an excellent explanation of this position.

ketubbah. Although their ceremony took place shortly afterward in front of a larger group in the synagogue's chapel, both women confirmed later that the document signing was especially moving because it recognized the full legitimacy of their relationship, making their wedding all the more meaningful.[13] One said to me: "I thought the warmth and the happiness that I felt from the people around me was the best. You know, obviously I felt that way myself, but you could actually, I felt, feel it in the room. It was a tangible thing." Same-sex wedding ceremonies, then, can provide benefits to couples that transcend mere legal entitlements. Same-sex couples, by ritualizing their unions in a public and meaningful way, are making statements to their friends, family and communities, about themselves, their relationships, and their rightful place in society (Lewin 2004:1005).

Redefining Tradition through Same-Sex Weddings

In addition to marking status in society, the ritual dimensions of marriage ceremonies, and those of same-sex weddings in particular, have the potential to incorporate elements of resistance and conformity, which can act as tools of social transformation. By subverting the gendered definitions of heterosexual marriage from within a recognizable structure, same-sex weddings encourage society to rethink basic assumptions about what constitutes family and a committed, loving relationship. Because of their revolutionary status within an established religious framework, Lewin suggests that gay and lesbian couples can create rituals that both cling to conventions while also moving away from them. Her fieldwork in the United States explores the ways in which couples plan commitment ceremonies[14] by conceptualizing "tradition" both as something they can appropriate from the wider society and as something they are in the process of creating for themselves (1998: 85). Many of the ceremonies Lewin observes include an eclectic combination, or pastiche, of components drawn from a variety of cultural and religious sources in order to incorporate the couple's layered identities and connection to several overlapping communities. Other couples' ceremonies tend to follow very traditional standards as a way of asserting their moral equivalency to heterosexual marriage. Some

13. From personal interview, August, 2006.
14. Lewin uses the term "commitment ceremonies" because in most parts of the United States, marriage is not legally recognized for gay and lesbian couples, which renders the term "wedding" misleading.

ceremonies fall in the middle of two extremes by identifying the couple both as part of the lesbian, gay, bisexual, and/or queer community and as ordinary members of mainstream society. One couple planned a traditional Jewish wedding, but also highlighted the resonance of their difference as lesbians within a larger religious narrative of cultural exclusion and marginality.[15] Whatever shape same-sex commitment ceremonies take, Lewin suggests couples are engaged in a tension with and manipulation of existing traditions. Ceremonial elements are embraced or criticized, retained or discarded, and this process of negotiation eventually gives way to renewed understandings and creative ritual solutions.

Struggling with established traditional norms, made obvious in part by the needs of same-sex couples, can be demonstrated through the particular religious framework of liberal Judaism, branches of Jewish tradition that address individual seekers and are active in the general trajectory of change that is currently underway in North American religion (see Roof 1999; Wuthnow 1998). The movements that constitute liberal Judaism, which include Reform, Reconstructionist, Secular Humanist, and Jewish Renewal, are by and large receptive to meeting the challenges placed on the tradition by changing social realities including the desire of same-sex couples to marry.

Religion and the Spiritual Marketplace

Stretching tradition to accommodate social change is inherent in both Judaism and western post-industrial, consumer-driven culture. Wade Clark Roof articulates this interaction aptly: "as the social demographics of religious constituencies change over time, religions and spiritual leaders are in a position to envision beliefs and practices appropriate to changing circumstances" (1999: 78). Roof asserts that religious institutions in the post Baby Boomer era in North America (1960s and beyond) are motivated to look at themselves more reflexively to stay relevant and competitive within an increasingly diverse spiritual marketplace, where people pick and choose a religious tradition that best fits their personal needs. Religious institutions today must continually rise to meet the demands of the individual seeker

15. Lewin cites a wedding between Jewish lesbians who tied the political issues surrounding their marriage to the larger historical context of marginalization of the Jewish people (1998: 81).

who is more discerning than ever before about what they want from their particular faith community.

With so many choices for religious or spiritual affiliation, one might wonder why same-sex couples do not completely bypass religious sanctioning for their marriages, especially since most traditions outright reject the practice of homosexuality. While many couples do create new and innovative ceremonies from a variety of religious frameworks to commemorate their union, many are drawn back to their religion of origin to mark important life cycle events such as marriage. For lesbian, gay, bisexual, and queer Jews in particular, their identification with Judaism is often very strong regardless of their religious background. This attitude was particularly evident in the wedding I attended where one of the partners was a secular Jew and the other a convert to Judaism. Marginality on the basis of sexuality has also been perceived by some as a parallel to the cultural and religious oppression Jews have experienced throughout history (Kahn 1989: 186). Roof calls this enduring connection to one's faith of origin a longing to "interact with a rich heritage" and a desire for identification with a collective cultural memory, even if it means reinterpreting the tradition's teachings, customs, and texts (1999: 94). Despite the emphasis on individual expressions of faith and spirituality, so common in today's spiritual marketplace, Roof insists that affiliation with their tradition of origin links a person with a distant past and with a particular group or community. Tradition provides the "scaffolding" of teachings, symbols, beliefs, and practices that may be built upon or strengthened by the needs of the individual seeker who feels most at home in the faith in which they were raised (136). Therefore, in order to retain membership and promote religious continuity, some religious institutions are working harder than ever before to address modern concerns while continuing to engage in the maintenance of the tradition's integrity.

The desire to stay relevant is especially true among the liberal movements of North American Judaism, where the ongoing process of negotiation and innovation is considered the cornerstone of keeping the ancient religion alive in a rapidly changing world. Feminist critiques of the religion in the 1970s and 1980s, due in part to an increase in female spiritual leadership, resulted in the publication of new gender neutral prayerbooks, life cycle events that honour female experience, and liturgy that celebrates alternative aspects of God (for examples, see Goldstein 1998; Gottlieb 1995; Falk 1996). Liberal Judaisms'

receptivity to blessing same-sex marriages exists along this continuum of negotiating with modern issues that confront current understandings of long-held customs, texts, and teachings (Alpert 1998: 12).

Liberal Judaisms and Same-Sex Marriage

Liberal Judaism in the broadest sense refers to both the Reform and Reconstructionist movements in North America.[16] While each is a distinct stream of practice, they are similar in their process of welcoming all Jews, regardless of sexual orientation as full members of their congregations and communities. Reform Judaism grew out of Enlightenment ideology in Germany in the nineteenth century, which led to sweeping changes in Jewish observance in secularized European society (Kahn 1989: 184). Reform as well as Reconstructionist Judaism, which was founded in the 1920s, combines respect for Jewish heritage with the positive acceptance of modern knowledge and regard for the realities of the world in which we live. Both streams stress the full equality of participation of men and women in every sphere of religious life, including spiritual leadership, and place an emphasis on ethical conduct over and above strict ritual observance, or *Halachah*.[17] Contemporary liberal Jewish movements, whether or not they are affiliated with the Reform or Reconstructionist streams, share the principles of respecting individual autonomy in interpreting the Torah and Oral Law (*Talmud*), as well as deciding which observances are most appropriate to follow.[18] In the latter half of the twentieth century, Jewish feminism had a tremendous impact on liberal Judaisms by calling into question patriarchal assumptions of the religion and by redeveloping liturgy and symbols that reflect alternative representations of the divine as well as the experiences of women and other marginalized groups[19].

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16. Jewish Renewal and Secular Humanist Judaism are also considered liberal forms of the religion but their membership and organizations are smaller; for more information see www.aleph.org and www.ifshj.org.
17. *Halachah* is Talmudic literature that deals with law and with the interpretation of the laws in the Hebrew Scriptures. *Halachah* guides not only religious practices and beliefs, but also numerous aspects of day-to-day life.
18. This data is compiled from material provided on the official websites for the Reform Movement (www.rj.org), and the Jewish Reconstructionist Federation (www.jrf.org, retrieved December 2005).
19. Including gay, lesbian, bisexual, and queer Jews as well as unpartnered, childless, divorced, widowed, and elderly members of the community.

Given that liberal Jewish leaders are committed to making Judaism relevant to the diversity of modern observers, they are active participants in the spiritual marketplace, where religions throughout history have been maintained by dynamic relationships with their particular cultural environments (Roof 1999: 78). Reconstructionist rabbi Rebecca Alpert confirms that this engagement with society is especially true for those in Jewish communities. Marginalized throughout history, Jews have survived largely by adapting to the culture and attitudes of their host environments (1998: 13). With same-sex marriage becoming more widely accepted, and even celebrated, in mainstream popular culture, liberal Judaisms have already begun to innovate traditional practices in order to accommodate the needs of an ever more diverse population.[20] In 1984, the Reconstructionist Rabbinical College in Philadelphia established a policy of non-discrimination on the basis of sexual orientation and passed a resolution in 2004 supporting civil and religious wedding ceremonies for same-sex couples (Alpert 2003: 36).[21] The Reform Movement passed a similar resolution in 2003 affirming rabbinic autonomy regarding the decision to officiate at same-sex weddings.[22]

The resolutions of both these movements arose after a great deal of debate about sacred texts that often deny and even outright reject the concept of homosexuality, and especially those concerning the holiness placed on Jewish marriage. Even though the texts are not always the ultimate authority in making religious decisions in liberal Judaisms, they must nonetheless be carefully considered before the religion can

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20. This diversity includes single Jews, intermarried and/or interracial families, converts to Judaism, those with mixed ethnic backgrounds, and individuals returning to Judaism as adults with little or no Jewish education or knowledge. Efforts made by liberal Jewish leaders address the ways in which the synagogue can be more welcoming through educational and social programs as well as prayer services that are more accessible to those unfamiliar with Hebrew (see Musleah 2000 and Hoffman 2000).
21. This information was obtained directly from Phill Goldberg, Director of Communications at the Reconstructionist Rabbinical College in Philadelphia, PA in December 2005, and on his press release to the Associated Press dated November 24, 2005.
22. This information obtained directly from Rabbi Sharon Sobel, Executive Director, Canadian Council for Reform Judaism in Toronto in December 2005. CCRJ is the Canadian arm of the Union for American Hebrew Congregations in New York. Sobel provided me with an excerpt from her yet unpublished article on same-sex marriages in Canada.

bend to meet the needs of same-sex couples. The two most contentious elements in Jewish tradition that challenge the full acceptance of lesbian and gay Jews into the community are the prohibitions on sexual behaviour in the Hebrew Bible and the Talmudic concept of *kiddushin*, the theological designation for heterosexual Jewish marriage.

Because Judaism is intimately tied to its sacred texts, laws, and ancient customs, the task for Jews has always been to struggle with their meaning in order to keep the religion relevant and alive in every generation. Many sections of the Torah, or Hebrew Bible, raise disturbing and problematic issues that often conflict with modern understandings, especially passages about conquest, slavery, capital punishment, polygamy, and patriarchal oppression of women. Wrestling with these issues remains a central part of Jewish observance. Many believe these ancient texts continue to illuminate the complexities of human nature and highlight the potential for corruption or holiness. In some ways, for both Jews and Christians, the Hebrew Bible endures as a blueprint for ethical practice, even if the words can no longer be read literally. Understanding the social and historical conditions in which these texts arose enables liberal Jews to challenge sections that conflict with contemporary realities. Modern interpretation of scripture is especially relevant when examining law codes in the Torah that pertain to sexuality.

The main obstacle for conventional or traditional[23] Judaism and its leaders to accepting same-sex couples as equal members of the Jewish community, particularly in regards to sanctifying their marriages, is rooted in a passage from the book of Leviticus in the Hebrew Bible. The book, which follows the Israelites' Exodus from Egypt and begins their desert wanderings, is largely devoted to ritual legislation and acceptable cultic practices. The Holiness Code contained within Leviticus deals specifically with what is considered pure and impure behaviour, and delineates a system of sexual boundary violations and their consequences (Bandstra 1999: 166, 174; Adler 1998: 125). The passage that has been the most damning for homosexuality is the prohibition appearing in verse 18:22 stating: "Do not lie with a male as one lies with a woman; it is a *to-evah*" (often translated as an abomination). [24] Later in the book, the restriction is restated with the

23. Pertaining to Orthodox and Conservative streams, which both insist on the ongoing authority of Jewish law.

24. The meaning of this word is obscure. Although it is related to negative

addition that it carries the penalty of death (20: 13). For gays and lesbians coming to terms with this passage is probably the greatest barrier for those wishing to find an equal place and a home within the Jewish community. Even though the verses do not specifically condemn lesbian behaviour, many have argued that the absence of a prohibition does not give Jewish lesbians any particular advantage for acceptance compared to gay men (Alpert 1997: 26; Umansky 1997: 183; Friedman 1998: 1). The critical aspect of these two passages from Leviticus is that conservative religious leaders and institutional bodies continually evoke them as proof text for the rejection of homosexuality, which thereby undermines the full acceptance of gays and lesbians in the Jewish community and most certainly their right to marry.

As a response to a literal reading of these verses, rabbis like Rebecca Alpert and Joan Friedman insist that one must first recognize the cultural context in which they arose in order to understand the meaning of these prohibitions. Most compellingly, in the ancient world, neither homosexuality nor heterosexuality was understood as an orientation as it is today. In the Ancient Near East as well as in the Greco Roman world, sexuality was comprised of a wide spectrum of activity, which anyone might choose to engage in as a source of gratification. The kind of sexual behaviour one participated in was directly related to one's social status and not to one's sexual "nature" or proclivity for a specific gender. Proper gratification was most widely available to free adult males and significantly limited for women, children and slaves (Friedman 1998: 1). Adler further contends that in the world of patriarchal kinships in the Bible, the act of (hetero)sexual intercourse was symbolic of dominant and submissive relations that males and females inhabit as part of the social order in their daily lives. If the power differential of this relationship was disordered, which symbolically it was through homosexual sex, then the role of domination by the male was exposed and left vulnerable to conquest.[25] Thus, Adler asserts, it is the violation of these strict social categories of power and status through homosexual

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consequences, the English translation of abomination is considered by some to be an extreme interpretation (Alpert 1998: 27). In the Hebrew Bible the term *to-evah* can also refer to idolatry, manner of dress, the imitation of outside customs, and dishonest business practices (Dolgin 2005: 179).

25. This theoretical statement presumes not only the forms of sex but also the position in which they are enacted.

sex which was of most concern to the patriarchal biblical authors of these laws, and not the sexual act itself (1998: 131). Such social structures are themselves contested within Liberal Judaisms.

A thoughtful and contextual understanding of the sexual boundaries in Leviticus demonstrates how vastly different contemporary values about sexuality are from those of our ancestors, and must be taken into consideration when assessing the religious legitimacy of modern same-sex relationships. With modern technology, we can now have sex without having children and children without having sex. People can choose from a vast array of sexual options where few constraints are placed on the conduct of consenting adults. Judith Plaskow argues that to confine sexuality to an ancient ideal is a futile exercise because "there are many reasons to question and even undermine the centrality of sexuality as a topic of religious concern" (2000: 1). She insists that private sexual conduct is given far too much emphasis as a subject of religious debate at a time when it is no longer relevant. Therefore, as Adler asserts, Judaism today is in a time of wandering in regards to sexual ethics. She believes it is the challenge of progressive Judaism to establish how holiness may be expressed through sexuality and not whether sexuality must be controlled by antiquated rules and regulations (1998: 126). Rather than promoting sexual promiscuity or irresponsibility, Jews have an "obligation to express their sexuality in a holy way," and as communities, they have an obligation to keep regenerating the norms for how this can be accomplished (126). By recognizing the critiques presented about the Leviticus passages, current interpretations can help liberal Jews move beyond a literal reading of the text to make room for the realities that face us today, and imbue them with a sense of holiness.

The second issue that places an obstacle for same-sex couples in obtaining a Jewish marriage is the concept of *kiddushin*. Rooted in Talmudic property law, the term literally means holiness and is the consecrated designation of a husband and wife as a sacred entity (Friedman 1998: 10; Adler 1998: 169, Dolgin 2005: 185). In a traditional Jewish marriage, the bride-to-be is initially "set apart" for her husband when she is contractually betrothed to him. During the actual wedding ceremony, the couple is symbolically sanctified to represent the bond between God and humanity and the ideal to which all human relationships should strive. *Kiddushin* is the rooting of the human couple in the realm of the sacred and is meant to mirror the

relationship between God and Israel (Friedman 1998: 10).[26] The metaphor of husband and wife in partnership with God through their sexuality is a powerful theological formula, which for obvious reasons poses a challenge to same-sex couples wishing to be blessed within the Jewish tradition. Marriage's intended procreative purpose hearkens to the earliest biblical commandment to "be fruitful and multiply" and is embedded in conventional notions of maintaining and perpetuating a Jewish home.

Even though the significance of *kiddushin* is intimately bound to heterosexual marriage and carries with it a great deal of historical meaning, Friedman and other liberal rabbis argue that the union of two gay or lesbian Jews is equally deserving of this holy designation. Therefore, the sanctification or exclusivity that the term *kiddushin* denotes is only limited to heterosexual couples as long as one refuses to allow for the possibility of committed and monogamous same-sex couples (Friedman 1998: 11; Levi Elwell 2000: 11; Levinson 2000: 15). Critiques of the Leviticus passages demonstrate that homosexuality as currently understood was not a functioning aspect of ancient culture and therefore would have had little relevance for consideration by Talmudic writers. The challenge then becomes how to reframe the basis for a traditional Jewish wedding outside of a heterosexual model.

Rachel Adler challenges the ownership and acquisitional aspects of *kiddushin* in her redefinition of Jewish marriage, which she terms as a contract, or *brit*, between equal subjects. Because traditional marriage liturgy is laden with references to the wife as the possession of the husband, Adler argues that patriarchal legal language for Jewish marriage is fundamentally incompatible with today's egalitarian relationships (1998: 170). Instead she focuses on another part of the traditional Jewish wedding ceremony, the seven blessings, or the *sheva berachot*, which are recited by the rabbi or cantor,[27] and characterize the marriage as more of a covenant between partners who choose each other rather than an agreement to an unequal power relationship (see Appendix).[28]

26. The marital relationship between God (the husband) and Israel (God's wife) is a metaphor that is used frequently by the prophets Hosea, Jeremiah, and others (Friedman 1998: 10).
27. The cantor is trained in liturgical music and chanting, and leads the singing during religious services.
28. Especially in the betrothal part of the marriage, the bride is expected to be silent and passive (Adler 1998: 190). Please see Appendix A for an English, egalitarian translation of these blessings.

To treat both parties as subjects rather than one as possessor and the other as object of possession, Adler introduces what she calls a "lovers' covenant," or a *brit ahuvim*, as an alternative to the traditional Jewish ceremony, which more accurately reflects the kinds of marriages that modern couples are seeking to pledge themselves to. In Adler's model of a contemporary Jewish ceremony, the wedding incorporates both traditional elements and liturgical innovations that help to place the focus more on union than on acquisition. She envisions the Jewish wedding as more than just a private arrangement. It is also "a commitment to establish a *bayit b'Yisrael*, a household among the people, Israel, to contribute to its continuity and well-being and to engage in its task of *tikkun olam*, repairing the world" (1998: 170). The wedding's contractual content is both balancing individual needs while also maintaining communal standards. For Jewish couples of the same sex, the model that Adler proposes offers them an accessible structure in which to position themselves, both as individuals and as contributing and vital members of the larger Jewish community.

Making Room in Tradition for Same-Sex Weddings

A growing number of rabbis now believe that accepting same-sex Jewish couples and blessing their unions is a logical step for liberal Judaism, which has already embraced non-Jewish partners into synagogues and allowed for female (and often gay and lesbian) rabbis and cantors. Many feel that the openness to receive new kinds of leaders, and a different formulation of marriage than tradition allows for, strengthens rather than weakens the valued ethical precepts that Judaism is founded upon (Friedman 1998: 7; Levi Elwell 2000: 11; Levinson 2000: 15; Yoffie 2000: 2; Zeplowitz 2001: 4; Dolgin 2005: 189). By welcoming same-sex couples into the synagogue, and blessing their commitment to each other, liberal Judaisms are not intending to compromise religious integrity. According to Jewish precepts, all married couples, regardless of their sexual orientation, would be subject to the same standards of sexual morality. Their relationships should ideally strive to be committed and sexually satisfying (Friedman 1998: 7). The issue for couples and their rabbis, then, should not be about whether same-sex relationships are valid according to the strict interpretation of the law, but how to use tradition in a way that celebrates love within a committed and faithful partnership of two Jews.

By insisting on public recognition of their relationships in a ritualized setting, same-sex couples are initiating a process of creating meaning at the edges of tradition, perhaps pushing the boundaries further than they have gone before. Grimes writes about the importance of reinventing rites of passage as a way to engage our imagination, communities, and bodies when standardized religious constructs no longer fit the needs of the individual. He suggests that without meaningful rituals that commemorate important life cycle events, humans run the risk of losing touch with each other and the joys and trials of life itself (2004: 3). Anthropologist Victor Turner describes a group liminality that occurs during public rituals where the structure of social norms falls away. The group goes through a transformational process where participants form empowering bonds with each other that serve to critique legal and political norms that otherwise separate them. Turner implies this group *communitas* has the capacity to strengthen society and bring about change within it (V. W. Turner 1969: 96-97; E. Turner 2004: 98).

Couples and rabbis who take part in same-sex wedding ceremonies are reinventing traditional ritual, but the rituals themselves may also serve to transform attitudes in the religious communities where they take place. Published accounts of same-sex Jewish commitment ceremonies in the United States demonstrate that participants and witnesses were deeply moved by their experience. Ellen Lewin, whose own Jewish commitment ceremony took place in a predominantly gay and lesbian synagogue in San Francisco, reports that reactions by friends and family were profound. She writes that guests were "enormously moved" by the ritual. She and her partner both felt that their relationship had achieved a level of respect and a renewed sense of commitment after the event (1998: xix).[29]

This sense of legitimation and recognition was equally true for Paul and Scott, a gay couple in Brooklyn, New York, who decided to have a Jewish commitment ceremony because their religion was crucial to the development of their ethical beliefs and sensitivity to other human beings (Horowitz and Klein 1989: 129). Choosing to make their "wedding" Jewish also made it easier for those present, particularly family members, to understand the seriousness of their commitment to each

29. Lewin's ceremony inspired her to write *Recognizing Ourselves: Ceremonies of Lesbian and Gay Commitment* (1998).

other. More than 150 people attended Paul and Scott's ceremony, which was officiated by a Reform rabbi, and when it was over, the couple was "mobbed by family and friends." There were tears of joy and lots of hugs, even from those who initially felt ill at ease with the process.

When rabbi Sue Levi Elwell pledged a life-long commitment to her partner Nurit under the *chuppah*[30] in 1998, their friends sang and danced with joy at the celebration, knowing that their jubilation was also a cry for liberation. Elwell admits that this exhuberant support was more than just a celebration of Jewish marriage; it was also a symbol of resistance and hope for many same-sex couples who are not yet able to publicly proclaim their love because of prejudice and intolerance (2000: 12).

In Canada, where same-sex couples have equal access to legal marriage, similar stories recount the gratification felt in their acceptance, not only by the tradition and their communities, but also from the government. When I asked Alisa and Michelle, two Toronto women who were married in 2006, whether they would have been satisfied with a ceremony that was only recognized by their religious community, I was met with a resounding "no".

> Michelle: "We didn't want anything that was not recognized by the law. We wanted basically, 'the full monty.'"
>
> Alisa: "Have you ever heard of a commitment ceremony for a straight couple? There's no such thing. So we don't believe it should be that way for us." [31]

For both women, the legitimacy of their marriage was an empowering incentive that enabled them to insist on a wedding in their well-established Reform synagogue and work with a rabbi who had not previously officiated at a same-sex ceremony. As an observer of this wedding, I noticed none of the political activism that was present in some of the United States commitment ceremonies I had read about. Obvious changes were made to the language in the liturgy, but otherwise it was a typical Jewish wedding. What I did notice was the palpable sense of joy and support in the room. Those present seemed to be aware that they were witnessing an event that is part of the changing history of marriage. As a gesture of approval, spontaneous dancing arose from

30. Wedding canopy.
31. From personal interview in Toronto, August, 2006.

the congregation at the completion of Alisa and Michelle's ceremony when the customary glass is broken to shouts of *Mazel Tov*.[32] A group of people jumped from their seats, joined hands and circled Alisa and Michelle while singing a traditional Hebrew song of joy and good luck. As they danced, more people joined, including Michelle's ninety-seven-year-old grandmother.

The element of celebration was also evident during a festival of contemporary Jewish culture in Toronto in 2005 (called *Rejewvenation*) where I attended a program called "Queer Jewish Weddings." The evening featured traditional Yiddish Klezmer music and juggling intermixed with dramatic personal narratives about gay and lesbian Jewish weddings. As a participant, I was gratified to notice the way tradition is making room, even embracing the complexities of its many members. The supportive atmosphere in the auditorium was a celebration of the diversity of Jews whose voices and experiences can now be heard more fully, especially in Canada where there are few legal obstructions. In alignment with Victor Turner's theory, I suggest that same-sex weddings (legal or not), which are now taking place more frequently, can be a vehicle for the breaking down of structure in *communitas*, which is slowly giving way to new perceptions of tradition. The ceremonies themselves are a challenge to religious paradigms of marriage, but the growing acceptance of these unions in the communities where they take place may also transform conventional ideas of family and what constitutes legitimate loving relationships.

The institution of marriage has changed over the past several decades of the twentieth century. For many committed same-sex couples, marriage is a sought-after designation because it is attached to notions of belonging and recognition within the larger societal framework. Same-sex marriage's challenge to religious tradition has encouraged leaders of progressive movements in liberal Judaism to tackle problematic texts from the Bible and traditional marriage customs that inhibit full inclusion of gays and lesbians couples into their religious communities. New interpretations of these texts have arisen in order to make room for the growing diversity of discerning observers who are now demanding that their voices be heard within a more complex spiritual marketplace. Despite the political controversy that surrounds same-sex marriage, much of mainstream culture has adopted and even embraced non-

32. Hebrew for good luck or congratulations.

heterosexual relationships as part of society. The legal status of same-sex marriage in Canada and in some parts of Europe has planted the seeds for larger social change.

In the United States, where same-sex marriage is generally not legal,[33] the secondary status of commitment ceremonies means that they often exhibit an undercurrent of resistance. According to Lewin and other American authors, same-sex couples, through their rituals of commitment, wish to claim recognition not only from their communities and religious institutions, but also from the state, which for the most part, continues to deny them full equality. Research in Canada may determine whether government sanctioning impacts the content of these ceremonies and whether religious leaders and their communities feel more at ease in supporting them. Clearly, there is a great deal more to be explored on this topic, which represents an emerging area of ritual studies.

33. Only Massachusetts allows same-sex marriage. Vermont and Connecticut permit civil unions (*Globe and Mail* 12/12/05 R2)

APPENDIX

English Translation of the Seven Blessings, or *Sheva Berakhot* from the Jewish wedding ceremony[34]

> *1. Blessed are You, Eternal our God, Ruler of the universe, Who creates the fruit of the vine.*
> *2. Blessed are You, Eternal our God, Ruler of the universe, Who created all things for Your glory.*
> *3. Blessed are You, Eternal our God, Ruler of the universe, Creator of humankind.*
> *4. Blessed are You, Eternal our God, Ruler of the universe, Who created humankind in Your image and Your likeness. Blessed are You, Eternal, Creator of humankind.*
> *5. May lonely Zion rejoice as her children are returned to her in joy. Blessed are You, Eternal our God, Who causes Zion to rejoice with her children.*
> *6. May these two, lovers and companions, rejoice as did Your first creatures in Eden so long ago. Blessed are You, Eternal, Who causes these loving companions to rejoice.*
> *7. Blessed are You, Eternal our God, Ruler of the universe, Who created happiness and joy, exultation, song, pleasure, delight, love, harmony, peace, and companionship. Soon, Eternal our God, may there be heard in the cities of Judah and in the courtyards of Jerusalem, the sound of happiness and the sound of joy, the sound of lovers' jubilation from their chuppah,[35] and of young people from their feasts of song. Blessed are You, Eternal, Who causes these loving companions to rejoice.*

Traditionally, the rabbi or cantor chants these blessings during the second part of the wedding ceremony, after which a cup of wine is drunk by the couple as a symbol of joy and sanctification. Although the origins of these blessings cannot be dated exactly, they are understood to be quite old, likely belonging to the period before rabbinic rules for blessing formulation were developed in the third century CE. Adler contends that these blessings encompass the egalitarian theme of "joining," rather than acquisition, and are therefore highly meaningful for same-sex weddings (1998: 182). Rabbi Joan Friedman provided the English translation printed above, but there are several published variations of this text (see Dolgin 2005: 202-204; Levi Elwell 2000: 13-14). Changes to the original gendered language highlight egalitarian themes of union.

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34. Printed with permission from Rabbi Joan Friedman, Ph.D. Depts. of History and Religious Studies and Office of Interfaith Campus Ministries, The College of Wooster, Wooster, OH. (Obtained in December 2005.) This translation was used during her own commitment ceremony.
35. The *chuppah* is the wedding canopy, symbolizing the Jewish home that the couple will build together.

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