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Gender issues in Jewish law

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Homosexual Convert

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Homosexual Convert

Contemporary American Reform Responsa,
New York, 1987, # 52

Walter Jacob

QUESTION: "In our community there is a small group of 'gay' Jews who have gathered together to form a *havurah*. (Some of them are members of my congregation). The *havurah* meets on a regular basis and holds a monthly *shabbat* service. Occasionally members of the *havurah* attend regular services at the temple or join us for special programs. We have attempted to be as open to them as possible. Recently a few non-Jews have been attracted to the *havurah*. Several of them have indicated an interest in Jewish life, and one individual in particular has approached me in regard to the possibility of studying in order to convert to Judaism. In light of the strong antipathy of Judaism to homosexuality, should we accept a known and active homosexual who desires to convert to Judaism? (Rabbi R. Safran, Ft. Wayne, IN)

ANSWER: The attitude of traditional Judaism to homosexuality is clear. The biblical prohibition against homosexuality is absolute as seen in the verses: "Do not lie with a male as one lies with a woman; it is an abhorrence" (Lev. 18.22); "if a man lies with a male as one lies with a woman, the two of them have done an abhorrent thing; they shall be put to death—their blood-guilt is upon them" (Lev. 20.13). Other statements are equally clear. The Talmudic discussion of the matter makes no substantive changes and continues the prohibition. It deals with the question of rumors, duress, and various forms of the homosexual act (*San.* 53a ff; *Yeb.* 83b; *Ker.* 2a ff; *Ned.* 51a, etc.). In the subsequent codes, the matter is briefly mentioned with the same conclusions (*Yad Hil. Issurei Biah* 1.5, 22.2; *Tur* and *Shulhan Arukh Even Haezer* 24). There is very little material in the responsa literature which deals with homosexuality, as it does not seem to have been a major problem. The commentators to the above mentioned section of the *Shulhan Arukh* felt that suspicion of homosexuality could not arise in their

day, and so various preventive restrictions were superfluous. For example, Moses Rifkes (seventeenth-century Poland) stated that this sin did not exist in his time (*Be-er Hagolah*). Until the most recent modern period, there has been no further discussion of this matter. The Central Conference of American Rabbis has dealt with the issue of homosexuality over a number of years. In 1977, the following resolution was adopted:

Whereas, the Central Conference of American Rabbis consistently supported civil rights and civil liberties for all people, especially for those whom these rights and liberties have been withheld, and

Whereas, homosexuals have been in our society and long endured discrimination,

Be it therefore resolved, that we encourage legislation which decriminalizes homosexual acts between consenting adults, and prohibits discrimination against them as person, and

Be it further resolved, that our Reform Jewish religious organizations undertake programs in cooperation with the total Jewish community to implement the above stand.

We will not discuss the modern Jewish attitude toward homosexuals which has been shaped by two factors: (a) the attitude of tradition toward homosexuality (b) our contemporary understanding of homosexuality, which sees homosexuality as an illness, a genetically based disfunction, or a sexual preference and life style. There is disagreement whether homosexuality represents a willful act or a response to which the individual is driven.

If a homosexual comes to us and seeks conversion, we should explain the attitude of traditional Judaism and that of our Reform movement to him quite clearly. After that, if he continues to show an interest in Judaism and wishes to convert, then we may accept him as any other convert.

The entire matter is somewhat complicated by the fact that this group of homosexuals has organized itself into a *havurah*. We must ask ourselves whether it is simply for the purpose of companionship, or if this is a group which will seek to attract others to a homosexual life style. In the case of the latter, we should not accept a convert who intends to influence others in that direction. Otherwise, a homosexual who wishes to convert to Judaism should be accepted as any other convert.