



## What Is a Jewish Family? Changing Rabbinic Views

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**A**LTHOUGH NO ONE can gainsay the fluidity of family life over the long course of Jewish history and in the many social and cultural environments inhabited by Jews, several fundamental assumptions about what constitutes a Jewish family and what ought to be sanctioned and encouraged by Jewish religious institutions have remained relatively stable, at least since the emergence of rabbinic Judaism some two thousand years ago—until our own time. Over the past few decades, changing social patterns within the American Jewish community have prompted a reconsideration of profound questions concerning the nature of the Jewish family: its purpose, composition, and proper roles. As has been the case in American society at large, the questioning of long-held assumptions and religious practices has occasioned considerable turmoil within Jewish denominations and has sparked culture wars between religious movements.<sup>1</sup>

By virtue of their roles as the guardians and interpreters of Judaism, rabbis have stood at the front lines of such skirmishes. They have been pressed to defend or amend Jewish religious teachings regarding family matters, and even more directly, rabbis themselves have been challenged to reconsider their own religious policies within the synagogue sanctuary and school, and under the marriage canopy. Not surprisingly, rabbinic discourse has shifted considerably in recent decades: new types of analyses have been brought to bear; the rhetoric has shifted; and even among traditionalists, long-standing

assumptions have eroded. Symptomatic of the radicalization of discourse is the difficulty experienced by contemporary rabbis—including those within the same religious movement—to find a common language of religious conversation when they address certain questions related to the Jewish family.

For close to two millennia, rabbis have based their decisions about family law upon a vast body of Jewish literature, beginning with the biblical text and continuing with rabbinic works such as the Mishnah and Talmud. Rabbis also drew on later Jewish legal codes and exegetical works, all of which had much to say about family life. The Pentateuch itself, the formative text of the Jewish religious tradition, devotes considerable attention to the family narratives of Israel's patriarchs and matriarchs and also contains an extensive set of commandments and prohibitions. Among the most important of these commandments are that: (1) men are to marry,<sup>2</sup> (2) they are to procreate (some rabbinic works considered procreation to be the first of the commandments),<sup>3</sup> and (3) they are obligated to teach their children about the religious traditions of Israel. (4) Women, as conceived by rabbinic Judaism, above all, are to attend to their children—consequently they are exempt from time-bound ritual obligations. The biblical text and subsequent rabbinic Judaism also elaborate upon prohibitions affecting family life: (1) certain types of sexual acts are forbidden, (2) even sexual relations between husband and wife are regulated by laws of menstrual purity, (3) certain types of marriages are forbidden, including exogamous marriages. (Divorce, however, is sanctioned and regulated.) Together, these do's and don'ts were understood by rabbinic Judaism to hold *legal force* either as religious duties or religious prohibitions.

While a vast corpus of rabbinic literature developed to address these family matters, many additional concerns were not regulated by Jewish *religious law*, but rather were subject to *local custom*. Recent research has illuminated the changeability of those family arrangements that were governed by custom, rather than law. The age of marriage and childbearing has varied greatly, arranged marriages were more popular in some environments than in others, the roles of women inside the home and in the marketplace have undergone changes, views of the parental role in the disciplining of children have varied, conceptions of proper sexual modesty have changed, and so too have attitudes about the enjoyment of sexual pleasure within marriage. Circumstances and custom also shaped the relationship between the nuclear and extended family.

In the modern era, new cultural perspectives and legal and social circumstances further accelerated changes within the Jewish family over the past 250 years.<sup>4</sup> The ideal of romantic love triumphed over arranged marriages, so

much so that Jewish Enlightenment figures took up the cause of freedom of choice in the selection of a spouse.<sup>5</sup> Fertility rates plummeted in all modernizing Jewish communities.<sup>6</sup> Thanks to the decline in their family size and their embourgeoisement, upwardly mobile Jews could afford child care and the luxury of doting on their children.<sup>7</sup> Migration, a disruptive experience undergone by most Jewish families in the modern era, upended family relationships, casting children as educators of their parents and wives as the “breadgivers” who supported their families.<sup>8</sup> Jewish assimilation also increased the numbers of Jews who lapsed in their religious behavior. Rates of intermarriage soared in the late nineteenth and early twentieth centuries in much of western and central Europe. And when communism triumphed in Russia and other parts of eastern Europe, intermarriage became the norm there. But while rabbinic and communal leaders certainly scrambled to address a host of legal and communal issues prompted by such massive changes, the fundamental religious understanding of what constituted a Jewish family remained unchanged.

During the last two decades of the twentieth century, new questions surfacing about family have prompted the adoption of radically new approaches and policies toward families by various branches of American Judaism. What follows is a thumbnail sketch of the four most contentious issues and the arguments employed by proponents of change.<sup>9</sup>

## WHO IS A JEW?

Until quite recently, Jews of different religious denominations, whatever their theological disagreements, could agree on who was a member of the Jewish community. Early in the Common Era, rabbinic Judaism determined that a Jew was one who either had been born to a Jewish mother or had converted to the Jewish faith.<sup>10</sup> The rabbinic standard was universally accepted, and the barriers to intermarriage created by internal Jewish taboos as well as by gentile hostility saw to it that the standard was easily maintained. But with today’s massive increase in exogamy, some have been prompted to reconsider traditional definitions.

The first and most obvious target has been the doctrine of matrilineal descent.<sup>11</sup> Why, some have asked, should a child with only one Jewish parent be treated differently by the official religious community if that parent happens to be the child’s father rather than his or her mother? Should not community and synagogue alike embrace such children and thereby encourage “interfaith” families to identify as Jews? Is it not self-destructive to risk the loss of hundreds of thousands of children solely to maintain a principle which, whatever may be said for it historically, no longer suits our circumstances?

In 1983, the Reform movement, currently the denomination with which the plurality of American Jews identify, formally rejected the traditional definition of Jewish identity by adopting a resolution accepting any child of intermarriage as a Jew. In the rabbinic debate over the resolution, proponents argued that the shift would merely recognize the *de facto* policy already practiced within the Reform movement.<sup>12</sup> The patrilineal policy, moreover, ameliorated the condition of Jewish fathers who wished to raise their children as Jewish, and it continued the process of equalizing the status of males and females, since it avoided giving preferential treatment either to Jewish mothers or to Jewish fathers. As one rabbi put it, the new policy was more equitable, as it gave “the father’s religion a vote.”<sup>13</sup> In short, the redefinition of Jewish identity was justified in the name of *gender equality*.<sup>14</sup>

Though often described as a policy on patrilineality, the Reform document in fact was nonlinear in its approach to Jewish identity: no longer was descent from a Jewish mother a necessary condition; nor, for that matter, was formal conversion to Judaism. Rather, the child’s Jewish identity was redefined as an act of personal choice, the only proviso being that the “presumption” of Jewish status was “to be established through public and formal acts of identification with the Jewish faith and people.”<sup>15</sup> The consequence of this decision has been the intentional severance of the link between the family and Jewish identity: rather than base membership in the Jewish community primarily upon descent from a Jewish family, the patrilineal decision added or substituted personal choice and acts of identification as considerations for Jewish identification.<sup>16</sup> Hence, the proud embrace of the slogan, “we are all Jews by choice,” by a range of Jewish groups, a slogan that reflects a radical break from earlier Jewish thinking, which conceives of Jewish identity as inherited and fixed, an ascribed rather than a freely chosen characteristic.

This ruling has been duly rejected by the Conservative and Orthodox movements, both of which maintain the traditional rabbinic position on Jewish identity and regard Jews who intermarry as having broken a fundamental taboo. Consequently there is no agreement in the Jewish community over who is a Jew, a dispute that has important social repercussions, particularly because it revolves around questions of personal status. Not long ago, an Internet forum for Reform rabbis was buzzing with stories of Conservative rabbis who do not allow the teenagers in their synagogues to fraternize with their peers from local Reform temples, on the grounds that this could lead to dating young people not considered Jewish according to traditional criteria. Or consider the dilemma of a Conservative rabbi asked by a female congregant to officiate at her marriage to a young man who is

Jewish only according to Reform's patrilineal dispensation. A rabbi who acquiesces will be committing an act punishable by expulsion from the organization of Conservative rabbis; a rabbi who declines will end up alienating at least two families on account of "intolerance." We are rapidly approaching the time, moreover, when there will be rabbis who are themselves offspring of interfaith families, and who will not be recognized by their colleagues as *Jews*. This state of affairs actually has some historical precedents: various Jewish sects erected high social barriers that discouraged social mingling and marriages with members of competing religious groups they deemed to be misguided Jews. But it is more difficult to find examples of a time when adherents of Jewish groups could not marry one another because they disagreed about the definition of what is necessary to be counted as a Jew.

### WHAT IS THE RELIGIOUS STATUS OF INTERFAITH FAMILIES?

As rates of intermarriage have soared since the 1960s, reaching nearly 50 percent of all Jews who marry in this country, religious institutions have been challenged to formulate policies vis-à-vis the huge population of interfaith families.<sup>17</sup> To begin with, rabbis must decide whether they will officiate at wedding ceremonies at which a Jew marries a non-Jew. The fundamental question is whether the traditional ceremony with its assumption that both partners adhere to "the religion of Moses and Israel" (as the traditional formula puts it) makes any sense when one partner is not an adherent of that religion. Beyond that, a rabbi may be asked to incorporate aspects of two religious traditions in the ceremony, and to coofficiate with clergy of another religion. Rabbis must decide whether such syncretistic ceremonies in any sense can be called Jewish or can conform to any recognizable understanding of what makes for a Jewish wedding.<sup>18</sup> On a deeper level, a rabbi needs to reconcile his or her participation at such a wedding with biblical and subsequent Jewish prohibitions against exogamy, such as the explicit statement in Deuteronomy, "you shall not intermarry with them."

Several hundred Reform, Reconstructionist, and nondenominational rabbis participate in such ceremonies, convinced that their presence will draw interfaith families closer to the Jewish community and encourage them to raise their children as Jews. As a cantor who has performed hundreds of such weddings put it, "I feel I have a calling. God wants me to help his people stay in the Jewish fold. . . . A Jew is entitled to a Jewish wedding."<sup>19</sup> Officiating at "interweddings" is justified in a number of ways: it is a Jew's right to be married according to a Jewish rite, families wishing for such a service are entitled to it, and the long-term effect will be positive, as it leaves

the door open to the interfaith family's future participation in Jewish life. Significantly, the rabbinic organizations of the Reform and Reconstructionist movements do not apply any sanctions to such rabbis, deferring, instead, to their "autonomy," their right to decide for themselves.

But some Reform and Reconstructionist rabbis nevertheless desist from officiating at such ceremonies. As one Reform rabbi explained: "I don't perform weddings between Jews and non-Jews because the *berachot* [blessings] don't apply if both people aren't Jewish. I would have to perform a non-Jewish ceremony—and I wasn't ordained to do non-Jewish weddings." Another Reform rabbi explains his position even more directly: "Jewish tradition says I can't do this. And I don't feel comfortable doing it because it's contrary to my tradition."<sup>20</sup> Both of these views sum up the positions of Orthodox and Conservative rabbinic organizations that are on record as firmly opposed to such ceremonies, claiming they would expel a member who officiated at an "interwedding."

A different set of questions arises when interfaith families make contact with Jewish religious institutions and wish to participate in religious services. When the child of such a union reaches the age of bar or bat mitzvah, should the non-Jewish parent be permitted to utter a Jewish prayer in public during the relevant religious service? And what if the gentile parent would like to offer a Christian, Islamic, or Buddhist prayer: are such prayers to be included in a synagogue service? The deeper question as Rabbi Michael Wasserman has written is the "authentication as Jewish families [and] easier access to the rituals by which the Jewish community defines its boundaries."<sup>21</sup> Here too some synagogues have bent, welcoming non-Jews to lead public prayer and partake of Jewish religious services. The rationale offered is that the synagogue wishes to honor parents who participate positively in the Jewish education of their children. Synagogues pride themselves, moreover, on their inclusiveness, their openness to many different types of families, both the conventional and the unconventional. As a liberal Conservative rabbi has put it in the course of explaining his policies on such matters: "Given a choice between a note of welcome or a message of distance, [his synagogue] prefers the arms that are open to the hand that is closed."<sup>22</sup>

Finally, religious institutions grapple with the question of whether they should explicitly encourage interfaith families to decide in favor of unambiguous Jewish identification. Communal leaders of the so-called secular agencies of the Jewish community shy away from exerting any pressure in such a direction, lest they seem insufficiently inclusive. What is noteworthy, however, is the extent to which some rabbis subscribe to this approach. As one rabbi put it, "The right thing to do is not to be judgmental about a

decision that has already been made . . . the question is, ‘How can we help you work through it?’”<sup>23</sup> In other words, some Jewish religious leaders favor a therapeutic approach, preferring to help couples “working through” any difficulties in their relationship, and to remain studiously “nonjudgmental,” rather than encourage interfaith families to become . . . Jewish.

Not long ago, the leader of the Reform movement conceded that this way of thinking permeates many synagogues. Writing in the pages of the house organ of the Reform Judaism, Rabbi Eric Yoffie, the president of the congregational arm of the Reform movement, described how

conversations with both rabbis and lay leaders lead me to believe that in most instances we do not encourage conversion by non-Jewish spouses in our synagogues. Perhaps this bespeaks a natural reluctance to do what we fear will give rise to an awkward or uncomfortable situation. Or perhaps we have been so successful in making non-Jews feel comfortable in our congregation that we have inadvertently sent the message that we neither want nor expect conversion.<sup>24</sup>

In Yoffie’s analysis, the key to understanding his movement’s inaction is concern for “comfort,” a further symptom of the therapeutic role synagogues are now expected to play.

In catering to the population of intermarried Jews and their families, synagogues and community centers have created an unprecedented new lobby. Congregations now often *require* their rabbis to officiate at interfaith weddings, often alongside Christian clergy,<sup>25</sup> and discourage them from speaking about or urging conversion to Judaism. Agencies of Jewish philanthropy employ a large cadre of social workers to help keep intermarried families intact. In religious schools run by synagogues, teachers can no longer utter a word in favor of endogamy or prevent Jewish youngsters from being exposed to the jumbled religious views of their dual-faith classmates who, often “confused about which religion is which” (as one observer has reported), have trouble telling “who is Jesus and who is Moses.”<sup>26</sup>

Still, defenders of change argue the virtues of an open, hospitable synagogue. They exhort congregations to engage interfaith families, and do what is necessary to insure their comfort. These are standard features of Reform and Reconstructionist congregational life, but interestingly some rabbis in the more traditional camps of the Conservative and Orthodox movements also have begun to worry about putting forth a more inviting welcome sign. A recent Conservative publication urged the involvement of “non-Jews in the Torah service [which] may offend certain members but it allows loving

family to continue to be part of their children's and grandchildren's lives."<sup>27</sup> Even some Orthodox rabbis have been pressed by congregants to "extend a *mazal tov* [congratulations] to a recently intermarried couple" and have begun to explore how intermarried Jews should be treated when it comes to synagogue services.<sup>28</sup>

Gone are the days when a rabbi, let alone a sociological researcher, would flatly declare, as did Milton M. Barron some two generations ago, that 90 percent of intermarriages are unsuccessful and only "undermine the stability of the home . . . and bring children into the world with a rift in their souls that can never be healed." Or a Rabbi Dangelow who opined, based on his forty-one years in the rabbinate, "mixed marriages are rarely happy."<sup>29</sup> Or a researcher like Louis Berman who claimed in 1961 that

intermarriage is classically viewed as an act of rebellion against social authority. Intermarrieds include more than their share of the headstrong, the rebels, those who think of themselves as "exceptions" to the ordinary rules of society. Perhaps their unwillingness to yield to society's disfavor of intermarriage reappears as an unwillingness to yield to each other's conflicting interests in the day-by-day drama of married life. Furthermore, attitudes which predispose a person to flout society's opposition to intermarriage should also help him flout society's opposition to divorce. How could it be otherwise? In each case the individual is guided by the dictum that his marital state is a private affair.<sup>30</sup>

By the end of the twentieth century, such voices had been silenced by the sheer size of the intermarried population and the concern about hurting the feelings of interfaith families.<sup>31</sup> Moreover, the impulse to create a warm, hospitable congregational environment had trumped long-standing taboos even in more traditional religious circles. In a telling forthcoming article, a Conservative rabbi exhorts his movement's congregations to "love the intermarried"—a remarkable reversal considering that intermarried Jews had long been regarded as outcasts and renegades.<sup>32</sup>

### WHAT IS A JEWISH WEDDING?

The sexual revolution of the past few decades has prompted a reconsideration of sexual ethics, ranging over issues such as premarital sex, multiple sex partners, extramarital relationships, and homosexuality. What is perhaps most noteworthy is the *absence* of serious *public* discussion in the Jewish community about some of these issues. Whereas Jewish religious teachings



have had much to say about sexual ethics, it appears that few Jews bother to consult with rabbis about such matters. A study of Modern Orthodox Jews claimed that even within this relatively traditional sector of the Jewish community, attitudes toward premarital sex had liberalized considerably within the rank and file, though not the rabbinate.<sup>33</sup> Somewhat belatedly, rabbinic organizations have published pamphlets to clarify their understanding of some of these issues.<sup>34</sup>

One issue that *has* garnered a good deal of press attention over the past two decades is the religious status of homosexuality. All Jewish religious movements outside of the Orthodox world have gone on record in their opposition to civil discrimination against gays (though they differ on whether gay marriages should be recognized by the state). Rabbinic leaders have also addressed the question of whether openly gay and lesbian Jews ought to be ordained as rabbis and whether same-gender relationships should be sanctified through a religious ceremony conducted by a rabbi. In the ensuing debates no one has argued that there is a precedent for either; the argument in favor of change revolves around new understandings of sexuality and the family, and also proper respect for fellow human beings.

What is fascinating in these debates is the extent to which no common language can be found to bridge differences. The point is illustrated in a religious responsum issued by the Reform rabbinate in 1996 in reply to an inquiry about whether “a Reform rabbi [may] officiate at a wedding or ‘commitment’ ceremony between two homosexuals,” and whether “such a union qualif[ies] as *kiddushin* from a Reform perspective.” (The term *kiddushin* refers to a sanctified Jewish marriage; precisely what that means was at the heart of the debate because a rabbi does not sanctify a Jewish marriage, rather the bride is sanctified to her husband during the ceremony, according to the traditional rabbinic view, or the couple sanctifies each other, in the more liberal view.) The responsum began with a lengthy explanation of the tortured process by which the committee arrived at an answer:

This question . . . has been an extraordinarily difficult one for our Committee. This is not only because we disagree as to its answer. . . . The difficulty in this case arises from the fact that argument itself, understood as the joint deliberative attempt to reach a common ground through persuasive speech, has broken down and proven impossible. On this *she’elah* [question], we have discovered that we no longer share a language of argument. . . . We have split into two or more camps, each framing the issue in a language or argument which the other side finds foreign, indecipherable, and obtuse.<sup>35</sup>

The majority ruled against rabbinic officiating at such marriages; the minority ruled in favor. Within two years, however, this ruling was deemed so intolerable that the Reform rabbinate through a plenum vote at its convention overturned the findings of its own responsa committee, authorizing rabbis to follow the dictates of their conscience on the matter.<sup>36</sup>

There are, of course, many complex nuances to the debate over homosexuality, but for our purposes a few aspects of the discussion are especially salient. To begin with, the debate over gays and lesbians has prompted a reconsideration of Jewish attitudes toward sexual expression. A recent pronouncement by a Conservative rabbi deeply unhappy with his movement's current stance on homosexuality illustrates how willing some rabbis are to break radically with earlier Jewish religious thinking about matters of sexuality: "We don't give a damn," he declared, "what they do when they go to bed."<sup>37</sup> This pithy outburst gives clear expression to the wish of many to privatize sexual ethics: it is no one's business what two consenting adults decide to do in private. Whether this judgment applies only to gays and lesbians or to all Jews, it surely represents a significant departure from traditional Jewish thinking about sexuality, if only because the Bible and subsequent rabbinic texts take a strong interest in what Jewish people "do when they go to bed," and the rabbis took these prohibitions so seriously that they selected the Torah portion of Leviticus 18, which deals with forbidden sexual relationships, for the afternoon of the Day of Atonement.

Rabbis who favor officiating at gay commitment ceremonies quite self-consciously have rejected past views. Indeed, some have also rethought the nature of Jewish wedding ceremonies. As a practical matter, they have rewritten the traditional ceremony, dropping references to the act of sanctification (*qiddushin*) and some of the other traditional blessings.<sup>38</sup> In their place they have come to substitute newly composed liturgies. Moreover, some rabbis have also rethought the very purpose of the ceremony. One Conservative rabbi, for example, has asserted his willingness to "create an appropriate liturgy for any two people wanting to enter into a covenantal relationship, whether they be roommates, business partners, or a gay or lesbian couple."<sup>39</sup> The downgrading of the wedding ceremony could not be clearer: it is now regarded as a private affair that affirms the "covenant" between two people entering into *any* kind of relationship.

## DOES JUDAISM CONTINUE TO VALUE MARRIAGE?

The debate over homosexuality—and also the emergence of nontraditional family constellations—has indirectly led to the rethinking of the very institution of marriage and its relationship to the Jewish family, as is evidenced by

two documents issued by the Reform and Reconstructionist rabbinates during the 1990s. The first of these, “A Statement on Human Sexuality” drafted by the Reform rabbinate, explicitly acknowledges the change in thinking:

In our age, the traditional notion of family as being two parents and children (and perhaps older generations) living in the same household is in the process of being redefined. Men and women of various ages living together, singles, gay and lesbian couples, single parent households, etc., may be understood as families in the wider, if not traditional sense. “Family” also has multiple meanings in an age of increasingly complex biotechnology and choice. While procreation and family are especially important as guarantors of the survival of the Jewish people, all Jews have a responsibility to raise and nurture the next generation of our people. The importance of family, whether biologically or relationally based, remains the foundation of meaningful human existence.

This statement radically expands the definition of a Jewish family to encompass all kinds of relationships. Quite dramatically, it also omits one element previously thought to be the *sine qua non* of Jewish sexual expression and family life—marriage. Indeed, this document on the Reform Jewish view of human sexuality “encourages adults of all ages and physical and mental capabilities to develop expressions of their sexuality that are both responsible and joyful,” but it never once encourages Jews to marry!<sup>40</sup>

A second document issued by the Reconstructionist rabbinate also avoids an endorsement of marriage as a Jewish ideal. The framers of the document list a series of values that “undergird our stance on homosexuality,” including equality, loving, caring relationships, stable family and community life, personal freedom, inclusive community, democracy, physical pleasure, and spiritual health. Marriage is absent from this list, but not from the document, where it is described as historically a relationship of “two unequal parties.” By contrast, the document extols today’s ideals: “Contemporary liberal Jews affirm the equality of both partners and understand that it is the obligation of each partner to treat the other with dignity. It is the qualities of mutual respect, trust, and love that we consider the fundamental attributes of loving partnerships”—not, however, marriage. Similarly, when discussing “stable family life” the document affirms its “commitment to preserving the traditional primacy of family because we understand the family as the primary, stable unity of intimacy.” But the document is quick to add that “many old and new kinds of families can fulfill these values.”<sup>41</sup> Here,

then, are two documents on human sexuality and on the family issued by major rabbinic organizations, and neither endorses marriage as the necessary context for the expression of sexuality and the construction of Jewish family life.<sup>42</sup>

The astonishing radicalization of rabbinic thinking that has taken hold within ever expanding sectors of the Jewish community is all the more remarkable when we note the rapidity with which traditional religious policies have been overturned. Consider the following: In the early 1980s, the Reform rabbinate was asked to address the following questions: (1) Should we extend Temple membership to the non-Jewish member in a mixed married family? (2) Should a young unmarried couple be permitted to join a Temple as a family unit rather than as individuals? (3) Should a congregation engage a known homosexual as a religious school teacher or executive secretary? In all three cases, the responsa committee of the Reform rabbinate said no. Within a few years, all of these decisions were rejected, either through a formal decision or “on the ground,” by a great many Reform rabbis and congregations.<sup>43</sup>

How are we to explain this turn of events? To begin with, the rejection of traditional views of the family by sectors of the Jewish community is part of a larger trend within American society to rethink “family values.” Whereas the question of who is a Jew and the proper treatment of interfaith families may have few parallels outside the Jewish world, battles do rage in Christian denominations over questions of homosexuality and the proper ordering of family life. The broader sexual revolution and the rapidly changing social realities have forced most religious communities to scrutinize their religious traditions, and some of the more liberal Christian denominations have altered their policies in ways that parallel their counterparts within American Judaism.

Still, the Jewish community is even more apt to reconsider its position on family matters than are other religious groups. For one thing, as constituents of a voluntary community that is losing adherents, Jewish institutions are scrambling to be as inclusive as possible. With only 40–45 percent of American Jews affiliated with a synagogue at any given moment, Jewish congregations are under enormous pressures to institute “inclusive” policies that demonstrate just how welcoming they are. Most conclude they can ill afford to draw boundaries that will exclude potential members. Recent research has demonstrated, moreover, that large numbers of Jews make religious decisions based solely upon the inclinations of the “sovereign self.”<sup>44</sup> Religious leaders are, therefore, under enormous pressure to bow to consumer demands, rather than work to convince individual Jewish families to

surrender any of their autonomy. Hence, Jewish religious and communal leaders prefer to bend rather than break.

Jews, moreover, are especially susceptible to the types of arguments made in favor of change. As past victims of intolerance, Jews are especially vulnerable to an argument framed in terms of civil rights, nondiscrimination, and inclusiveness. Proponents of change understand this and shape their case accordingly. To cite a particularly striking example: urging his colleagues to support the introduction of civil legislation to legitimize same sex marriages, one rabbi drew a parallel between the struggle for homosexual rights in our own time and the battle for racial equality in the middle of the twentieth century: "We were there then," he declared. "We have no choice to be there now."<sup>45</sup> The implication is clear: opponents of same sex marriages are bigots. Given such a reading, how can a rabbi possibly side with foes of civil rights? Similarly, those who oppose the special treatment of interfaith families in the synagogue bemoan such policies as discriminatory and exclusive; and opponents of the matrilineal policy stigmatize it as nonegalitarian because it discriminates between Jewish fathers and Jewish mothers who are intermarried.

A study guide issued by the Reconstructionist movement ups the ante even further by linking the "mistreatment and negative stereotyping directed at Jews and [at] gay and lesbian people": it encourages a group discussion within synagogues designed to foster an understanding of "the nature of groups targeted by a people and the parallels between anti-Semitism and the mistreatment of gays and lesbians."<sup>46</sup>

It is unthinkable for most American Jews, let alone their rabbis, to resist such arguments. American Jews, after all, have for decades registered the view that anti-Semitic discrimination poses the greatest threat to Jewish life in the United States. The official representatives of Jewish organizations accordingly have embraced the cause of civil rights and fought for an end to any form of discrimination, marching under the banner of American *egalitarianism*. Given these deeply entrenched tendencies, there is little prospect that the American Jewish community will long resist those who challenge fundamental teachings about Jewish family life and obligations as long as those challenges invoke ideals such as equality, privacy, inclusiveness and pluralism—precisely the framing ideals employed in numerous battles against anti-Semitism.

In a more positive vein, proponents of change also link their causes to past struggles in which Jews have played an active and successful role as agents of change. We have already noted the parallel drawn between the struggle for black equality and gay rights. In a similar vein, proponents of homosexual equality link their cause with the struggle against gender dis-

crimination. When the Women's Rabbinic Network, the organization of Reform women rabbis, led the campaign to overturn their movement's negative responsum on homosexual marriages, one leader of the group proudly observed that this effort "once again highlight[ed] the link between the ordination of women as rabbis and gay and lesbian issues."<sup>47</sup> The implication here too is clear: just as gender equality has won wide acceptance among Jews, so too must the struggle for parity between homosexual liaisons and heterosexual relationships.

Perhaps, just as important, the changing rhetoric and policies within Jewish religious circles in the United States reflect the internalization by Jews of contemporary American sensibilities. Religion has come to be defined as a matter of choice, and participants in religious activities expect to have a "meaningful experience." Religious leaders in turn are valued for their understanding and compassion, not for their teaching of a perspective at odds with contemporary cultural assumptions. "There is a reluctance to judge, to assert a language of responsibility and a posture of authority," contend sociologists Charles S. Liebman and Sylvia Barack Fishman.<sup>48</sup> Religion, instead, is expected to offer therapy, to help people feel "comfortable," to attend to the personal needs of the individual, rather than the collective needs of the group.<sup>49</sup>

As rabbis continue to adapt to this new climate, they will be hard-pressed to reconcile current religious sensibilities with Judaism's long-standing commandments and prohibitions. With the passage of time, rabbis, as guardians of the vitality and integrity of Jewish religious expression, will undoubtedly encounter new challenges posed by the continuing disparity between American ideals and the imperatives of Judaism. Ultimately, even the most open-minded will need to draw a line in the sand. American egalitarianism, after all, seeks to level distinctions between peoples, to efface categories and boundaries. Judaism, by contrast, has been a distinction-making religion that distinguishes between Jews and gentiles, men and women, heterosexuality and homosexuality, and between the married and the unmarried.

In the short term, though, rabbis have underplayed the dissonance and have reshaped Judaism to fit American egalitarian ideals. It remains to be seen how well the new rabbinic thinking will serve the Jewish religion—and the Jewish family.

## NOTES

1. On the heightened religious polarization among American Jews that has marked the past few decades, see Jack Wertheimer, *A People Divided: Judaism in*

*Contemporary America* (New York, 1993); and Samuel G. Freedman, *Jew vs. Jew: The Struggle for the Soul of American Jewry* (New York, 2000).

2. In the traditional formulation, these requirements apply to males only. A crucial legal shift occurred when polygamy was formally banned by Ashkenazic rabbis about a thousand years ago. We do not know how widespread nonmonogamous marriages were before then or in lands where this ban was not accepted.

3. "The duty of procreation," writes David M. Feldman, "has the popular distinction of being called the 'first mitzvah [commandment]' of the Torah." *Marital Relations, Birth Control, and Abortion in Jewish Law* (New York, 1974), 46.

4. For an overview of these changes, see Paula E. Hyman, "The Modern Jewish Family: Image and Reality," in *The Jewish Family: Metaphor and Memory*, ed. David Kraemer (New York, 1989), 179–93.

5. See Jacob Katz, "Marriage and Sexual Life among the Jews at the End of the Middle Ages," *Zion* 9 (1944): 21–54 (in Hebrew).

6. See Paul Ritterband, ed., *Modern Jewish Fertility* (Leiden, 1981).

7. See, for example, Marion A. Kaplan, *The Making of the Jewish Middle Class: Women, Family, and Identity in Imperial Germany* (New York, 1991).

8. See the depiction of this process in Irving Howe, *The World of Our Fathers*. See also Anzia Yezierska, *Breadgivers* (New York, 1925), for a fictional account of the new roles played by immigrant women.

9. Because this chapter focuses on changing attitudes, it devotes less attention to the arguments of traditionalists.

10. The historian Shaye J.D. Cohen has traced this process of clarification to the first five centuries of the Common Era. See *The Beginnings of Jewishness: Boundaries, Varieties, Uncertainties* (Berkeley, Calif., 1999).

11. Some also question whether conversion is still necessary and instead favor self-identification with the fate of the Jewish people as a sufficient qualification for acceptance as a Jew. See, for example, Egon Mayer, "Love Means Never Having to Be Proactive," *Sh'ma*, October 1999, 1–3.

12. As early as 1947, the Reform rabbinate had defined informal guidelines for accepting as a Jew the child of a Jewish father and a non-Jewish mother; these guidelines were included in a rabbis' manual produced in 1961. See Ellen Jaffe-Gill, "Patrilineality: Creating a Schism or Updating Judaism," *Moment*, December 1998, 71.

13. Quoted by Jaffe-Gill, "Patrilineality."

14. A summary of the debate appears in the *Yearbook of the Central Conference of American Rabbis* 93 (1983): 14–60. To be sure, proponents justified the change by referring to the Hebrew Bible's patrilineal approach to the matter of tribal identity (i.e., an Israelite was of the same tribe as his father), and observed that only with the codification of the Mishnah in the third century was matrilineal descent deemed determinative for Jewish identity. But the rationale offered for change was based on the conviction that fathers and mothers must be treated equally.

15. The document appears in Walter Jacob, ed., *American Reform Responsa: Jewish Questions, Rabbinic Answers* (New York, 1983), 547–50. The small Jewish Reconstructionist movement made a similar decision fifteen years earlier. The Reform rab-

binate has never formulated a definition of what constitutes “public and formal acts” marking Jewish identity.

16. It has been a subject of some debate whether “acts of formal identification” are required of all Reform Jews or only those born to non-Jewish mothers. See Jaffe-Gill, “Patrilineality,” 96.

17. The precise national figure for intermarriage has been hotly debated for over a decade. In the early 1990s, the National Jewish Population Survey claimed an intermarriage rate of 52 percent for Jews who married between 1985 and 1990. Using a different method, a study conducted in 2000–2001 reduced the figure to 43 percent, but claimed that between 1995 and 2000, 47 percent of marriages involving a Jew were intermarriages. *The National Jewish Population Survey 2000–2001: Strength, Challenge, and Diversity in the American Jewish Population* (New York, 2003), 16–20.

18. While many rabbis may grapple with these questions of religious principle and authenticity, some are preoccupied with a more mundane question: “How can we create a wedding ceremony that includes aspects of both of our traditions without offending anyone?” In reply, one Reform rabbi opined: “It is not only possible, but it is easier to achieve than you might think.” Remarkably, her formula for success includes an admonition to “avoid saying prayers in Jesus’ name,” as if such a ceremony might not “offend” Christians. The operative concern, of course, is to avoid giving offense, not to achieve religious authenticity and coherence. Rabbi Devon A. Lerner, “One Rabbi’s Approach to Interfaith Wedding Ceremonies,” [www.interfaithfamily.com/article/issue7.lerner.htm](http://www.interfaithfamily.com/article/issue7.lerner.htm).

19. Alan H. Feiler, “Will You Marry Me? Rabbis and Cantors Who Say ‘I Do’ to Interfaith Couples,” *Baltimore Jewish Times*, August 6, 1993, 50.

20. Andrea Jacobs, “‘Interweddings’: Should Rabbis Officiate?” *Intermountain Jewish News*, December 27, 2002.

21. Michael Wasserman, “Intermarriage and Jewish Continuity: The Rabbinic Double Bind,” *Conservative Judaism*, 48, no. 2 (1996), p. 35.

22. Rabbi Mark Loeb, “From the Rabbi: A Concern to Draw People Near,” *Bulletin* (Beth El Congregation of Baltimore), February 1996.

23. Ami Eden, “Should the Walls Come Tumbling Down? The Jericho Project Seeks to Help Intermarried Families Find Their Way,” *Jewish Exponent* (Philadelphia), May 4, 2000, 6.

24. Eric H. Yoffie, “A Call to Outreach,” *Reform Judaism*, Fall 1999, 32–33.

25. For specific cases, see Gabriel Kahn, “Wanted: Rabbi Who Does Intermarriages,” *Forward*, February 9, 1996.

26. Quoted in “Reform Rabbis Confront Issues of Intermarriage,” *Jewish Post and Opinion*, December 1999, 3.

27. Federation of Jewish Men’s Clubs, *Building the Faith: A Book of Inclusion for Dual-Faith Families* (New York, 2001), 17.

28. Meryl Ain, “Re-Examine Intermarriage, Orthodox Rabbis Urged,” *Jewish Week*, February 7–13, 1992, 4.

29. Quoted by Louis Berman, *The Jews and Intermarriage: A Study in Personality and Culture* (New York, 1968), 176–77.



30. Quoted by Berman, *Jews and Inter-marriage*, 178–79.

31. The massive increase in intermarriages has also provided more than sufficient evidence that such relationships are not doomed, even though they continue to be prone to higher divorce rates than in-marriages.

32. Dan Isaak, “Love the Inter-married,” in *Let’s Talk about It . . . A Book of Comfort and Guidance for Inter-married Families and Synagogue Leadership* (forthcoming).

33. Samuel Heilman and Steven M. Cohen, *Cosmopolitans and Parochials: Modern Orthodox Jews in America* (Chicago, 1989), chap. 5.

34. See the pamphlets issued by the Reform and Reconstructionist movements cited below, and also “A Letter on Intimate Relations” issued by the Conservative rabbinate in February 1995.

35. “On Homosexual Marriage,” *CCAR Journal: A Reform Jewish Quarterly*, Winter 1998, 5.

36. “Resolution on Same Gender Officiation,” Central Conference of American Rabbis, March 2000, [ccarnet.org/cgi-bin/resodisp.pl?file=gender&year=2000](http://ccarnet.org/cgi-bin/resodisp.pl?file=gender&year=2000). On the Reconstructionist position, see Lenore Meyers and Robert Gluck, *Homosexuality and Judaism: The Reconstructionist Position: The Report on the Reconstructionist Commission on Homosexuality*, rev. ed. (Wyncote, Pa., 1993). This report includes a helpful survey of how this topic was discussed by Jewish groups across the denominational spectrum (32–36). In late 2002, pressure had built within the Conservative movement to reexamine its decade-old consensus statement that prohibited gay ordination and opposed rabbinic officiation at gay commitment ceremonies. “Consensus Statement on Homosexuality,” papers from the CJLS deliberations on homosexuality, March 25, 1992; reprinted in Kassel Abelson and David J. Fine, eds., *Responsa: 1991–2000* (New York, 2002), 612.

37. Abby Cohen, “Conservative Rabbis Here Ask Movement to Liberalize Policy on Gays,” *Jewish Bulletin of Northern California*, February 28, 2003, [http://www.jewishsf.com/content/2-0-/module/displaystory/story\\_id/19836/format/html/edition\\_id/404/displaystory.html](http://www.jewishsf.com/content/2-0-/module/displaystory/story_id/19836/format/html/edition_id/404/displaystory.html).

38. Alexandra J. Wall, “Conservative Rabbis Here Defy Movement’s Ban on Gay Nuptials,” *Jewish Bulletin of Northern California*, March 30, 2001, [http://www.jewishsf.com/content/2-0-/module/displaystory/story\\_id/15812/format/html/edition\\_id/308/displaystory.html](http://www.jewishsf.com/content/2-0-/module/displaystory/story_id/15812/format/html/edition_id/308/displaystory.html).

39. Quoted in Wall, “Conservative Rabbis.”

40. *Report of the Ad Hoc Committee on Human Sexuality* submitted to the Central Conference of American Rabbis in June 1998. A reference to marriage is included only at the end of the report, which invokes “the traditional unique status of heterosexual, monogamous marriage in Judaism.” But that is a descriptive comment about the past, not a prescription for the future. Even more significantly, the actual report refers to “covenantal relationship” as a major ground for “sexual expression in human relationships” and the need to “ground” them in “fidelity and the intention of permanence” but avoids any reference to marriage. The report’s authors freely concede that “the value systems of liberal Jews are based upon contemporary secular norms.”

41. Meyers and Gluck, *Homosexuality and Judaism*, especially 12–13.

42. For a different perspective, see “This Is My Beloved, This Is My Friend: A Rabbinic Letter on Intimate Relations,” issued by the Conservative rabbinic’s Rabbinical Assembly, February 1995. This document explicitly declares, “Judaism posits marriage as the appropriate context for sexual intercourse.” It also declares, “Contrary to the contemporary notion that my body belongs to me, our tradition teaches that our bodies belong to God.” Still, the document has occasioned controversy for offering guidelines for “nonmarital sex.”

43. Jacob, *American Reform Responsa*, 45–54. All the decisions were rendered by the committee in the early 1980s. As already noted, the responsa committee’s ruling on gay marriages was also overturned.

44. Steven M. Cohen and Arnold M. Eisen, *The Jew Within: Self, Family, and Community in America* (Bloomington, Ind., 2000).

45. “Reform Rabbis Approve of Same Sex Marriages,” *Jewish Post and Opinion*, April 3, 1996, 1.

46. Robert Gluck, *Homosexuality and Judaism: A Reconstructionist Workshop Series* (Wyncote, Pa., 1993), 52–53.

47. Denise L. Eger, “Embracing Lesbians and Gay Men: A Reform Jewish Innovation,” in *Contemporary Debates in American Reform Judaism*, ed. Dana Evan Kaplan (New York, 2001), 186–90.

48. Charles S. Liebman and Sylvia Barack Fishman, “Jewish Communal Policy toward Outmarried Families,” *Journal of Jewish Communal Service*, Fall 2000, 17–27.

49. On this theme, see Bernard Susser and Charles S. Liebman, *Choosing Survival: Strategies for a Jewish Future* (New York, 1990).