



An affirming Orthodox Jewish network
for people with same-gender loves,
trans and/or non-binary gender experiences,
and/or intersex bodies

Wholeness of the table: Five basic tips for meaningful Orthodox Jewish dialogue about people's same-gender loves, trans and/or non-binary gender experiences, and intersex bodies

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Multiple times a year, people in my Orthodox Jewish community invite me to participate in debates about 'homosexuality' or notify me of public statements that rabbis have published about 'homosexuality' or 'gay marriage'. Occasionally, these published statements take the form of attempts to express support. These supportive attempts usually talk about 'LGBTI people' or 'the gay community'.

Although superficially distinct in tone and intent, both the overtly negative and ostensibly positive statements share some fundamental assumptions that interfere with meaningful understanding by Orthodox Jewish rabbis, lay leaders, and community members. Both deal in abstractions or sweeping generalisations. Rarely do these pronouncements display an understanding of the everyday lives of the people who are being discussed. These misconceptions and assumptions are so ubiquitous in Orthodox Jewish communities that I thought it would be helpful to write a list of five tips for those who wish to approach this topic in an informed and respectful way.

1. Abstraction dehumanises.

Jewish scholar and Holocaust survivor Elie Wiesel has said that *'we must not see any person as an abstraction. Instead, we must see in every person a universe with its own secrets, with its own treasures, with its own sources of anguish, and with some measure of triumph.'* Wiesel's ethos of viewing and treating people as universes unto themselves echoes the view articulated in the Talmud Bavli, Sanhedrin 37a that *'anyone who causes one Israelite life to be lost, the text accounts to [that person] as if [they] caused a whole world to be lost. And anyone who sustains one Israelite life, the text accounts to [them] as if [they] sustained an entire world.'* The passage goes on to recount that the value of each person stems from the uniqueness of each individual:

...a person forges many coins from the same mold and each one is identical. But the Ruler of rulers of rulers, the Holy Blessed One forges each person from the same mold of the original person and no one is like [another person]. Therefore, each and every person is obligated to say, 'For me was the world created.'

When we speak about 'homosexuality' as if it were a homogeneous phenomenon divorced from people's actual experiences of everyday life, we degrade an otherwise meaningful conversation focused on finding thoughtful and compassionate responses within halachic (Jewish legal) tradition to one that removes the human-ness—or *dehumanizes*—people who are in need of viable ways to participate in and contribute to Orthodox Jewish communities.

2. Secular identity labels can obscure lived religious experience.

In A Theory of Emotions, Rav Soloveitchik ל"צז emphasizes the need to embrace the totality of human emotional experience in order to achieve full and authentic religious lives:

Judaism has insisted upon the integrity and wholeness of the table of emotions, leading like a spectrum from joy, sympathy, and humility (the conjunctive feelings) to anger, sadness and anguish (the disjunctive emotions). Absolutization of one feeling at the expense of others, or the granting of unconditioned centrality to certain emotions while denoting others to a peripheral status, may have damaging complications for the religious development of the personality.



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Consider the Rav's caution about relegating some aspects of people's emotional lives to periphery and the harm such relegation can cause to people's spiritual development and their ability to lead full religious lives. When Orthodox Rabbis speak about 'the gay community' and 'the Jewish community', this often gives the impression that these groups are distinct and mutually exclusive categories. What space does this close off to those in same-gender relationships who wish to be and often are pivotal members of Orthodox Jewish communities? What misconceptions might such discourse perpetuate about a same-gender Orthodox Jewish couple who might feel excluded from or unwelcome in 'the gay community' due to their religious lifestyle needs such as kosher food, events not being held during Shabbat, and many other issues?

Historically, the concept that people can be classified by the gender of those with whom they have sexual intimacy is modern and not cross-culturally universal. From around the mid-1800s in Europe, emerging secular ideology promoted the modern concept that people can be defined as distinct essential 'types' based on the gender(s) of those to whom they are attracted sexually and/or romantically. In *The history of sexuality: An introduction, Volume 1*, Social historian and philosopher Michel Foucault describes this historical shift as 'the invention of homosexuality'—the word 'homosexuality' was coined as recently as the 1860s. The tendency for Orthodox rabbis, communal leaders, and text translators to adopt this modern-day secular ideology and to inject this secular revisionism into interpretations of Torah and other Jewish religious text is rarely challenged. Yet the concept that an Orthodox Jewish man who loves and builds a home with another man is automatically 'a gay man', 'a homosexual', part of 'a gay couple', or part of 'the gay community' imposes exactly the sort of revisionist, secular approach that many rabbis claim is antithetical to Torah values.

Some rabbis who reject these secular labels promote coercive 'treatments' that have been devastating for so many of their victims that they have been criminalised in many jurisdictions around the world. Many people have been harmed by coercive attempts to change their same-gender emotions or force them to accept a gender assignment that feels wrong. These approaches usually lead people to feel spiritually and emotionally disconnected. Many subsequently reject Jewish observance and Jewish communal life entirely. People born with intersex bodies are often subjected to repeated and painful medical procedures to force them to conform to a modern, secular ideal that dehumanises them. Instead of getting caught up in secular debates and binaries, we need to look for an approach grounded in how our tradition understands human beings.

A Torah approach treats all people as whole beings, as unique universes made up of multiple components that require attention. As founding coordinator of Rosh Pinah, I am privileged to be invited into many such universes. These experiences have shown me how secular identity labels often fail to capture the complexity and wholeness required for optimal religious development. When we speak about same-gender loves instead of 'gay people', we create space for people who may self-identify as bisexual and people who do not feel that any identity label can accurately describe their sexuality. When we speak about people's trans and/or non-binary experiences of gender, we make space for people who may identify simply as women or men alongside people who identify with genders that are not either women or men and people whose do not experience themselves to have any gender. When we speak about people born with intersex bodies (that is, people born with hormonal, gonadal, genetic, and/or genital characteristics that are not considered strictly 'female' or 'male' in contemporary medical norms), we affirm that HaKadoshBaruchHu (the holy One, blessed is G!d!) has created many more than two organic and natural body configurations. Genetically, we as a people include more than just XX and XY (e.g., 47,XXY, XXX, XYY, and more).



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3. Dan l'chaf zechut (judging people favourably) applies to all people. This includes people who have same-gender loves, trans and/or non-binary gender experiences, and intersex bodies.

I often hear rabbis and Jewish communal leaders using phrases like 'homosexual sex', 'gay sex', or 'lesbian sex' to describe physical intimacy between two women or two men. These phrases typically accompany halachic statements that such sex is assur min haTorah (prohibited by the Torah). The assumption is that the only possible form of sexual intimacy between two men involves anal penetration, although frank discussion about what exactly most rabbis think two men (or two women) do together in bed is virtually non-existent. Of all the rabbis who have discussed this issue with me, only one has bothered to ask me what exactly I and other Orthodox Jewish men I know do together for sexual intimacy. Any meaningful discussion of what is or isn't permitted must start with accurate information. Sadly, very few people bother to begin their halachic process by gathering information directly from the people whose lives their halachic statements will affect the most. Orthodox Jews with same-gender loves are living a frum (traditionally observant) lifestyle, not 'a gay lifestyle'. Orthodox Jews of trans and/or non-binary experience are living a frum lifestyle and just trying to be themselves. Orthodox Jews born with intersex bodies are also living frum lifestyles.

When I returned to Sydney with my husband several years ago, we realised that we could not lead whole religious lives while hiding our love and our commitment to build a life of holiness and halachic observance together. We did not realise then that we were the only openly same-gender couple in Australia who were both fully Orthodox in observance. I emailed several Orthodox synagogues to see where we might find a welcome. We received a range of responses, from total silence to lukewarm ambiguity to enthusiastic welcome.

One rabbi responded that his community welcomed people who desecrate Shabbat and eat pork, so we would also be welcome. I responded with my halachic duty to rebuke him for not following the obligation of dan l'chaf zechut ('judging people favourably'). I reminded him that it would be halachically inappropriate for me to assume that he and his wife violate the laws of niddah (family purity, in which a husband and wife are prohibited from having physical contact during some days each month). Similarly, it was halachically inappropriate for him to presume that my husband and I violate halachah. Given the emphasis on modesty in halachic Judaism, it still makes me distinctly uncomfortable to know that many people in my community are judging me based on their own unchecked fantasy view about my intimate life.

Another rabbi, who had invited us to visit his synagogue during one of the Shalosh Regalim (three annual festivals), contacted us to arrange a meeting prior to the festival. We knew he was very busy preparing for the holidays. Why, then, was he so intent on seeing us in person prior to the chag (festival)? When we sat down, the reason became clear. With genuine tears brimming in his kind eyes, the rabbi explained to us that his Rav (halachic authority) had informed him that he must rescind his offer of home hospitality to us. His Rav had told him that he could not have 'an unacceptable couple' sleeping in his home.

At that moment, I wondered what would become of us if we were—chas v'chalilah (G!d forbid)—to become homeless. Who in the Orthodox Jewish community would take us in? I wondered what would make a couple like us, whose lives are devoted to Torah and mitzvot (following Torah commandments), 'unacceptable'. I wondered whether his Rav understood how it feels for people without any supportive Orthodox loved ones to hear that their family is 'unacceptable'.



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I thought about women of trans experience who have told me they desperately seek a shul where they can attend Friday night services without worrying that they will be kicked out of the women's section. I thought about men of trans experience who live in fear that someone will kick them out of the men's section and violate their privacy. And I thought about non-binary people for whom there is no section at all. I thought about friends who have been kicked out of both the women's and men's sections, when their appearance did not conform to binary expectations. I thought about the invasive questioning to which people born with intersex characteristics are subjected when they seek to marry. I thought about how similar experiences have pushed so many people away from Torah observance that these attempts to uphold halachah have actually endangered it.

When we apply the Rav's theoretical approach to emotions here, it becomes evident that it is untenable to simply ignore people's same-gender loves, trans and/or non-binary gender experiences, and intersex bodies. Indeed, to achieve the emotional wholeness required to lead full and satisfying religious lives, all aspects of people's emotional lives—including their loves, intimacies, gender experiences, and bodies—must be welcome at the table in Orthodox Jewish communal life.

4. 'LGBTI' isn't synonymous with 'sexuality', 'gay and lesbian people', or 'the gay community'.

In secular contexts, the initialism 'LGBTI' stands for 'lesbian, gay, bisexual, trans, and intersex.' When these distinct aspects of life experience are lumped together, the unique life experiences of people who have experienced both mixed gender and same-gender loves and intimacies are obscured. Women and men of trans experience and non-binary people (that is, people who do not identify as either women or men) may have any sexuality label or none. Many women and men of trans experience live as and identify as heterosexual. Many are not part of 'the gay community'.

People born with intersex bodies can have any sexuality or gender label. When people discuss 'LGBTI people', they usually mean gay men and overlook the unique needs and experiences of the many other people whom this label attempts to include. Instead of imposing these secular labels, we can apply our beautiful tradition to affirm people's experiences in their own words.

5. Middot (Jewish values) apply to how you treat all people. You can improve your virtues by applying middot to how you treat people of all loves, gender experiences, and bodies.

In *Cheshbon HaNefesh*, R. Menachem Mendel Leffin of Satanów ל"צ"ז expounded on core Jewish values, urging people to 'seek to learn wisdom from every [person], to recognise your failings and correct them. In doing so you will learn to stop thinking about your virtues and you will take your mind off your friend's faults.' Reb Satanover also emphasised the value of kindness, saying that 'the words of the wise are stated gently. In being good, do not be called 'evil'.' In other words, in your attempts to uphold and defend halachah, do not be so self-righteous that you cause harm to others. Rabbi Yisrael Salanter ל"צ"ד reiterated that 'the words of the wise are with gentleness heard, so therefore always strive to speak gently.'

Next time you are 'debating' whether other people's loves, intimacies, gender experiences, or bodies should be judged and rejected, overlooked and silenced, or welcomed and included, take a moment to remember that this isn't just a stimulating philosophical debate to have over Seudah Shlishit (third meal on Shabbat afternoon) or a hot new topic to shock your parents at the Shabbat table.

You're talking about my life and about my family. You're talking about the real, everyday lives of people who could be your parent, your sibling, your child, your madrich (youth leader), your rabbi, your spouse, or your chevrotah (learning partner). We are part of Orthodox Jewish communities. We are living Orthodox lifestyles. We are your people, too. And we are not abstractions.