

In the Image of God: **Sexual and Gender Identity at Home in Synagogue and State**

Kol Nidre 5772, October 7, 2011, Mount Zion Temple, Rabbi Adam Stock Spilker

Kol Nidre is the sanctuary of the soul of the Jewish people. For centuries, despite oftentimes profound persecution, this was the night that we could be open with our faith, true to our identity.

Tonight we spoke the following words before the Kol Nidre prayer: “We are permitted to pray with the transgressors.” It is a surprising line said to refer to those who outwardly chose a different faith in order to survive. These crypto-Jews came to synagogue on Kol Nidre to seek forgiveness. Within the sanctuary, our ancestors could be at home with who they truly were.

In 1935, Kol Nidre came less than a month after the Nuremberg Laws were passed in Germany stripping Jews of their civil rights as German citizens. It was also eight days before marriage laws changed which effectively ended legal marriage for Jews.

For that Kol Nidre, German Chief Rabbi Leo Baeck wrote a prayer to be read in synagogues throughout Germany, but he was arrested and the prayer banned by the Gestapo.

Here is Rabbi Baeck’s prayer:¹

In this hour all Israel stands before God, the Judge and the Forgiver. In God’s presence, let us all examine our ways, our deeds, and what we have failed to do. Where we transgressed, let us openly confess: “We have sinned!” and, determined to return to God, let us pray: “Forgive us.”

We stand before our God.

With the same fervor with which we confess our sins, the sins of the individual and the sins of the community, do we, in indignation and abhorrence, express our contempt for the lies concerning us and the defamation of our religion and its testimonies.

We have trust in our faith and in our future. Who made known to the world the mystery of the Eternal, the one God?...Who taught the world respect for [the human being], created in the image of God? Who spoke of the commandment of righteousness, of social justice?

In all this, we see manifest the spirit of the prophets, the divine revelation of the Jewish people. It grew out of our Judaism and is still growing. By these facts we repel the insults flung at us....

All Israel stands before our God in this hour. In our prayers, in our hope, in our confession, we are one with all Jews on earth. We look upon each other and know who we are; we look up to our God and know what shall abide.

“Hineh lo yanum v’lo yishan...” “Behold, the One that keeps Israel neither slumbers nor sleeps” (Psalm 121:4). *Oseh shalom bimromav, hu ya’aseh shalom alenu v’al kol Yisrael --* “May the One who makes peace in the heavens make peace for us and for all Israel.” *Amen.*

We Jews have seen our share of discrimination, abject hatred, and its horrific consequences. In 1935, discrimination became legal in Germany and in contrast, Jews taught inclusion. In Rabbi Baeck’s words: “Who taught the world respect for [the human being], created in the image of God?”

We know the pain of legal discrimination. We believe that each of us is created in the image of God, *b'tzelem Elohim*. Now in 2011 we are challenged to apply both our experience and our belief to members of our community who have endured hate speech, bullying and violence, and legal prejudice based not on their religion or ethnic background but on their sexual or gender identity.

When the Nazis came for the Jews, they also came for the homosexuals who were forced to wear a pink triangle. Many were arrested and many sent to the concentration camps, a fact only officially apologized for by Germany in 2002. There are significant differences between the unique Nazi hatred against the Jews and what homosexuals endured. I am not drawing equivalencies. But this is a part of the Nazi horror not always fully told.

Thank God we live in a different era, a free society, a time of openness and acceptance, where the idea of government endorsed violence is anathema. And yet, take a moment to appreciate what a person has to endure who discovers—sometimes through personal torment—that their sexuality is not solely heterosexual or that their gender does not conform to societal norms.

There is the moment or moments of coming out; there are the explanations to family and friends and others with various reactions; and there is the experiencing of looks, and potentially teasing, outright bullying and sometimes violence.

We in Minnesota know this too well. Bullying in the Anoka-Hennepin school system has led to our community's pain that some teens have taken their own lives. Just imagine how these students felt when the schools said that teachers could not address the LGBT issues that were the basis of the bullying. This is now a legal case that has gained national attention. These teens' deaths are a moral stain, a signifier of our shortcomings. Kids have taken their own lives because of our society's failure to prevent discrimination.

Today, October 7th, was the 18th Annual Coming Out day in Minnesota. The metaphor of “coming out” connects beautifully with Kol Nidre, where we are meant to be wholehearted with our identity, not to hide; to ask *and* tell; to know, in the words of tomorrow's Torah reading, that *Atem nitzavim hayom culchem / You stand here this day all of you....every one of us is here together.*

In a book entitled *Twice Blessed*, Rachel Wahba, a psychotherapist, ties her coming out to her pride in being Jewish while attending a Catholic school:ⁱⁱ

Sister Joan, my favorite nun and an early mentor of mine told me year after year that she was “praying for my soul.” She liked me, but could not fully accept me, because I was a Jew. I learned in that school to be a very proud Jew who had to be strong despite the difference, a Jew who felt very connected to her people and to God, and felt absolutely no reason to be Christianized.

As you all know, hiding is very unhealthy for the soul. We don't hide as Jews when we wear our Magen Davids (stars of David), form an anti-defamation league,...fail to assimilate and remain proud to be Jews. We never stop “coming out” as Jews every time we speak up and refuse to disappear. As Jews we all know how important it is to have a voice, and to be openly visible. And when you are gay in a heterosexual society, it's the same: you never stop “coming out.”...It is better for the soul than passing through life in various shades of invisibility.

Over the past year, an initiative called “It Gets Better” has inspired tens of thousands of videos

of people saying to high school students who are Lesbian, Gay, Bisexual, or Transgender that life gets better. Or in the words of Rabbi Andrea Meyers, "It gets beautiful."ⁱⁱⁱ Many videos are from Jewish institutions including our own Reform Movement.

We well know however that discrimination does not end at high school. If someone who is gay or lesbian decides to form a committed relationship, it is not recognized by the State of Minnesota. Despite however many years of being together or whether they have raised kids, there are at least five hundred and fifteen legal ways a same-sex couple does not have the rights that a heterosexual, married couple enjoys.

As Jews, we are attuned to the pain of discrimination. We are mindful of our value that all are created in the image of the divine. At the same time, we know that Judaism has not historically been in favor of homosexuality. The account of how one verse in the Torah has been understood in its day and over the millennia and how views have changed authentically within segments of all streams of Judaism including Orthodoxy, is a conversation for another day. It is an important conversation because it cuts to the heart of how religious understandings can change. It is the same change Rabbenu Gershom recognized over 1000 years ago when he officially banned polygamy in Judaism against the norms of Torah.

What needs to be stated clearly is that our Reform Movement has championed the rights of homosexuals for decades. Almost fifty years ago, the National Federation of Temple Sisterhoods gathered for their Biennial in 1965 and resolved:^{iv}

We...deplore the tendency on the part of community authorities to harass homosexuals. We associate ourselves with those religious leaders and legal experts who urge revision in the criminal code as it relates to homosexuality ... between consenting adults.

Imagine America fifty years ago and the courage of these women to speak out. Twenty years later the Reform Movement firmly committed to welcoming LGBT Jews into Jewish communal life. And then in 1993, the Movement passed a resolution affirming gay and lesbian partnerships.

Almost twenty years later, our pursuit of justice is being put to the test here in Minnesota. This past summer, Mount Zion's Board of Directors voted, after congregational input, to oppose the upcoming 2012 ballot initiative to amend our state constitution limiting marriage to being between a man and a woman.

There were many reasons for this Board decision, but the consensus reason was that this is a matter of justice in line with our Movement's decisions over the decades. We as Jews are sensitive to discrimination and should fight it in our country's laws. The national and state constitutions should, as they have done over our country's history, enfranchise more and more classes of peoples not the opposite.

Ten years ago there were just two states in America that had passed similar constitutional amendments by popular vote excluding same-sex unions. Today there are twenty-nine. North Carolina will vote a similar measure next May before Minnesota votes next November. I hope we will be the second state to turn the tide of discrimination in our country. Of course, the vote will not give anyone additional rights. But by not making marriage a constitutional issue, it will allow our legislature and judiciary to grant such rights in the future.

This is a time when once again America needs to hear a religious voice which values each person created in the image of God, which knows that homosexuality is not a sin and that life is too precious to abide intolerance and hatred.

Marriage is a touchstone issue, a place where synagogue and state, church and state intersect. The state has a compelling interest to keep different religious views on marriage out of the civil definition. The only question for the state should be what is just for all of its citizens.

For Reform Judaism, the religious view--not just the civic view--of marriage changed in March 2000. I was part of the historic meeting of the Central Conference of American Rabbis that met in Greensboro, North Carolina. There we became the first mainstream, religious voice in America to publicly affirm commitment ceremonies between people of the same sex. The first commitment ceremony in this sanctuary was in 2003 after study and discussion in our worship committee and among the Board of Directors. For many years before that same-sex couples have been openly welcomed as a household with same rights as every household including single households.

As our Mount Zion vision states clearly, we are an inclusive congregation. Yet we need to do more to make that vision a fully lived reality. That is why our Board has created an LGBT inclusion task force composed of people who are gay or lesbian and those who are not to begin the conversation. This group will help determine how we will speak at Mount Zion about the topics of sexual and gender identity, of bullying against people who are LGBT, of educating ourselves and studying Jewish texts, and of finding the best ways to approach these topics in our religious school. Separately, Charlie Nauen on behalf of the Board will lead our congregation's advocacy on the 2012 vote.

Friends, in the words of the almost Nobel Laureate: "the times they are a'changing." We need to acknowledge that for some of us, this change can be challenging. Seeing what we think is right one day melt away to be replaced by a new morality can be disconcerting.

In *Huckleberry Finn*, Huck has been told all his life that if he hides runaway slaves, he's going to go to hell. But then he gets to know Jim a runaway slave, as a human being. What does he do? Huck's decision "Well, I guess I'll go to hell then" is the tipping point moment of changing one's world view.^v

Change begins by having people *be* who they are and us knowing people *as* they are. Many including the Dalai Lama have been opposed to same-sex unions and then, once getting to know people who were gay, understood how wrong they were.

I don't only feel it; I know it. We are on the cresting wave of a new understanding of humanity, what it means to be in God's image. Years ago, Rabbi Alexander Schindler, past president of the Reform Movement, poetically drew attention to the Star of David, the badge of our identity, in Hebrew the *Magen David*:

...[T]here is another meaning that we can attach to the Magen David. It is an interpretation that any Jewish child with a crayon can tell you: that the Star of David contains within it, the triangle.

For those ... who would...have been wearing the pink triangle as a badge of shame and a mark of death (under the Nazis); for those of us here who today wear it as a badge of honor and resistance and identity: it is time to complete the outline of your Jewish star.

For those of us who have been willingly blind to the geometry of Jewish life, who would keep invisible the presence of the triangle within the Shield of David: it is time to complete the outline of our Jewish star.^{vi}

May our Jewish stars be badges of honor. May they include the full geometry of human life in our midst. To paraphrase the words of Rabbi Baeck: On this Kol Nidre, may we be the ones: “Who [continue to teach] the world respect for [the human being], created in the image of God.”

ⁱ Prayer Composed for all Jewish Communities in Germany for the Eve of the Day of Atonement: October 10, 1935 - *We Stand Before Our God*.

ⁱⁱ “Hiding is Unhealthy for the Soul,” Rachel Wahba, in *Twice Blessed: On Being Lesbian, Gay and Jewish*. Ed. Christie Balka and Andy Rose. (Beacon Press: Boston, 1989), p.56.

ⁱⁱⁱ To read Rabbi Myers article: http://www.huffingtonpost.com/rabbi-andrea-myers/it-gets-beautiful-one-rab_b_862861.html

^{iv} This resolution can be read in full at <http://bjpa.org/Publications/details.cfm?PublicationID=7810>. For full background on the Reform Movement’s positions and current advocacy, go to <http://rac.org/advocacy/issues/issuegl/>.

^v This reference comes from reading: “The Significance of Sex: Social Order and Post-Mythic Religion,” by Jay Michaelson, in *Righteous Indignations: A Jewish Call for Justice*, ed. Rabbi Or N. Rose, Jo Ellen Green Kaiser, Margie Klein. (Jewish Lights Publishing: Woodstock, Vermont, 2008), p. 192.

^{vi} Address at the Jewish community service in support of People with AIDS, Leo Baeck Temple, Los Angeles, California, 12 March 1989, quoted in *Twice Blessed*, p.233.