

Will You Marry Me?
A Jewish View of Marriage Equality
Rosh Hashanah 5770
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A friend recently sent me a link to a video on YouTube.¹ It features a young man in his late 20s or early 30s. As the video begins, the man brushes off the toes of his shoes, buttons his sports coat and fixes his hair. Then, he takes a deep breath—the kind you take when you are about to undergo a nerve wracking experience—and walks up to the front door of a nearby house. When the door opens, the young man is greeted by a gentleman, perhaps in his 60s. The young man looks the gentleman in the eye, with a mixed look of fear and anticipation, and says, “I’d like to ask for Sinead’s hand in marriage.” The gentleman takes a similar deep breath and says, “Sure. No problem.”

In the next scene, we don’t find the younger man standing with his beloved before an officiant. Instead, we get a glimpse, from inside a house, of him coming up the front walk. He rings the door bell and repeats the previous scene with the woman who lives there. Then, we watch him walk to the house next door and later down an alley. He speaks more than one language. He visits an apartment building, presumably stopping at each apartment. He is in urban centers and rural fields. He stops a woman walking her dog. And each time, he asks the same question, “May I ask for Sinead’s hand in marriage?”

At the end of the video, words appear on the screen: *How would you feel if you had to ask 4 million people for permission to get married? Lesbians and gay men are denied access to civil marriage in Ireland.* Lesbians and gay men are denied access to civil marriage in Minnesota, too. And if marriage equality were to be put up to a popular vote, gay men and lesbians where we live

¹ MarriageEquality, “Sinead’s Hand,” <http://www.marriageequality.ie/action/sineadshand/>.

would have to ask three-and-a-half million friends, neighbors and fellow Minnesotans for permission to get married.

Marriage is about sanctifying a loving relationship. It is an opportunity for a couple to celebrate the values of long-term commitment, faithfulness and the willingness to share life's joys and sorrows. It is about a public pledge of commitment.² Marriage has the potential to provide mutual care for both partners. Marriage enables the individuals to make a greater contribution to the common good. Marriage helps to make sure that all children are wanted, loved, and nurtured. "The benefits of a good marriage are the same, no matter your sexual orientation."³

So, why should I address you on the topic of marriage on Rosh Hashanah? First of all, Rosh Hashanah reminds us of the magnitude of the world and how small we are in comparison to it. Our liturgy helps us remember that we have little control over how or when we will die – who by fire and who by water – or how or when we were born. So much of who we are is beyond our control. Each of us is as unique as our fingerprints.⁴ Like so much else about us, our sexual identities are determined for us, not by us.⁵

Secondly, Rosh Hashanah is inherently connected to the concept of marriage. On this day, the first of the *Yamim Nora'im*, the Days of Awe, we formally begin the process of *teshuvah*, our return to God. Our tradition teaches us that when we received Torah at Sinai, the people of Israel wedded God with Mount Sinai as our *chuppah* and Torah our *ketubah*. Over the past year, we have strayed from our relationship with God and perhaps even feel that God has strayed

² Rebecca T. Alpert, "Reconstructionist Judaism and Marriage Equality," June 2005.

³ Jerry Brown, "Protecting the Institution of Marriage..." Northridge, CA: Temple Ahavat Shalom, Yom Kippur 5769/2008.

⁴ Ken Chasen and Rachel Timoner, "Ve'erastich Li Be-Tzedek: I Will Betroth You to Me in Righteousness," Los Angeles, CA: Leo Baeck Temple, Yamim Noraim 5769 (Fall 2008).

⁵ Marcia A. Zimmerman, "My House Shall Be A House of Prayer for All Peoples: How Welcoming Are We to Gays and Lesbians?" Minneapolis: Temple Israel, December 3, 2004.

from us, too. So today, on Rosh Hashanah, we renew our wedding vows, we return to our commitment, we reinvest in our relationship with God.⁶

But for some of us, the metaphor that our relationship with God is a marriage is just that, a metaphor. For gay men and lesbians, marriage is mere figure of speech, withheld from us by secular society. Today, on this morning of Rosh Hashanah, I want to discuss with you the topic of marriage equality. Marriage equality goes by a variety of names, many of which I will use during the course of this sermon, based upon the papers, essays, and sermons that I have read in preparation. Some people say gay marriage. Others say same-sex marriage or same-gender marriage. No matter what it's called, it's all the same thing. It is the right of two people of the same sex to marry one another. And in the State of Minnesota, that right does not exist.

In 1994, a committee here at Temple Israel addressed the issue of wedding ceremonies for gay and lesbian couples. The result was a full educational program on the inclusion of gay and lesbian individuals, couples and families in the Temple community, including the affirmation that wedding ceremonies would be performed by our rabbis in the sanctuary or chapel for any two Jews, regardless of whether those two Jews were of the same sex or of opposite sexes. Over the past year, we have explored the topic of ceremonies for interfaith couples. I will not be addressing interfaith marriage today. Nor will I be addressing same sex marriages performed on this *bimah*. Both of those issues have been decided and are part of the fabric of life at Temple Israel.

Today, I will be addressing the need for marriage equality in the State of Minnesota and our Jewish responsibility to ensure that any two people, regardless of their gender, can have

⁶ Denise L. Eger, "Erev Rosh Hashanah 5769," West Hollywood, CA: Congregation Kol Ami, September 29, 2008.

their marriage recognized not only by God and the Jewish community, but by our civil society, as well.

Opponents of marriage equality assert that same-sex marriage is not traditional marriage, but what does that term really mean? They imply that traditional marriage is the marriage of one man and one woman, but we Jews know that the definition of marriage has continually changed. The Bible defines marriage as a union between one man and one or more women. There are three patriarchs mentioned in the T'filah and four matriarchs, after all. Jacob had two wives. Classical rabbinic texts understand marriage as the acquisition of property. A man acquires his wife from her father.

We also understand as Americans that marriage has changed. In the past, most states prohibited interracial marriage, but that injustice ended with perhaps one of the best named Supreme Court cases, *Loving vs. Virginia*, in which Mildred Loving, a woman of African and Native American descent, and her husband, Richard, won the right to remain married, overturning Virginia's and subsequently all states' laws banning interracial marriage. "These understandings have changed ... in greater recognition of the humanity of persons and their moral and civil rights."⁷ Our current understanding of marriage must also change, because of our greater recognition of the moral and civil rights of gay men and lesbians.

The classical rabbinic texts do not address same sex marriage. The scant references to homosexuality in our tradition are unaware of the possibility of committed, long-term relationships between two people of the same sex and often condemn what the rabbis *do* know of homosexuality. But the Talmud teaches us that the value of human dignity is so great that it supersedes any negative commandment in the Torah.⁸ Deuteronomy teaches us *Tzedek, tzedek*

⁷ Brown.

⁸ Babylonian Talmud, Brachot 19b-20a.

*tirdof, Justice, justice shall you pursue.*⁹ In giving the world the concept of justice, Torah gave the world equality: fair treatment of the poor, the orphan, the widow and the stranger. Time and time again, Torah commands us not to oppress the stranger, because we were strangers in the land of Egypt and we know the heart of the stranger. We are Israel and we know what it is to be labeled as different.¹⁰ As our Daily Worship prayer book reminds us, “We are Israel, schooled in the suffering of those tyrannized by oppression. Their anguish is ours, their poverty and humiliation diminish us.”¹¹ Empathy is a central virtue in Judaism. It demands that we see things from the point of view of the other.

The civil rights era of the 1960s and 1970s saw a renewed voice for various causes: racism, sexism, and anti-Semitism, among others. But equal rights for gays and lesbians all but fell on deaf ears and on many levels cease to exist even today. Until the 1960s, there were no major Jewish voices speaking out for civil rights for gay and lesbian Americans. But in 1965, a year after the Civil Rights Act, “one national Jewish organization spoke out against the harassment of [gays and lesbians] ... that [organization] was the National Federation of Temple Sisterhoods,”¹² what is now the Women of Reform Judaism. Reform Jewish women have always been an empathetic voice for equality; we must listen to them.

In the quest for marriage equality, we hear the words of the 1960s echoing in our ears. Daniel Judson writes, “This is an historic moment in which the rights and human dignity of a minority is [*sic*] under assault. As Jews, we know what it is to be harassed and persecuted because we are different. We too have been considered dangerous, deviant, a threat to society,

⁹ Deuteronomy 16:20.

¹⁰ Joceyln Hudson, “Love Your Neighbor As Yourself,” Santa Ana, CA: Temple Beth Shalom, Yom Kippur 5769.

¹¹ Harvey J. Fields and Chaim Stern, adapted, as it appears in Temple Israel’s Daily Evening Worship for use in the synagogue and the home, Minneapolis, MN: Temple Israel.

¹² Maragert Moers Wenig, “Truly Welcoming Lesbian and Gay Jews,” The Jewish Condition: Essays on Contemporary Judaism Honoring Rabbi Alexander M. Schindler, ed., Aron Hirt-Manheimer, New York: UAHC Press, 1995, p. 330.

abhorrent. As Jews, we ought to be frightened when a majority tries to deny rights to a minority they think are not equal to the rest of us.”¹³ We must have empathy and recognize the need for marriage equality in Minnesota.

Religious Jews who favor same-sex marriage do not do so only because they embrace American ideals. Rather, we approach marriage equality with a sense that it is part of our obligation to pursue justice. In Genesis, we are given a vision of humanity that tells us every human being is created *b'tzelem Elohim*, in the image of God.¹⁴ In confronting the civil rights issues of the 1960s, Rabbi [Max] Shapiro addressed the challenges of racial inequality. “There is a religious standard,” Rabbi Shapiro wrote, “by which man relates to his fellow man. ‘All men are brothers.’ ‘He who honors his fellow man honors God.’ No religious person – no Jew – can dispute this.” Rabbi Shapiro reminded us then that we have always been a people driven by a sense of justice. We Jews have been the victims of discrimination. We have had jobs, schools and neighborhoods withheld from of because of who we are. “We understand that the law is not enough. The law tells us not to injure. The law forbids us from denying others their rights. But religion goes beyond the law. It demands that we help! Judaism demands that we help the less fortunate, that we protect [their] liberties, that we enhance [their] rights.”¹⁵

The Talmud teaches us that God created all of humanity from one person to illustrate God’s genius. When coins are minted from a mold, all are alike. But when God created humankind, though we were all minted from the same mold, each of us turned out differently so that each of us could say, “For my sake was the world created.”¹⁶ The Psalmist teaches us, “How many are the things you have made, O God! You have made them all with wisdom; the

¹³ Chasen and Timoner.

¹⁴ David Ellenson, “Same-Sex Marriage, In the Jewish Tradition,” *The Jewish Week*, March 12, 2004, p. 29.

¹⁵ Max A. Shapiro, “Religion and Politics,” *Here Am I; Send Me*, Minneapolis: Temple Israel, p. 8.

¹⁶ Mishnah Sanhedrin 4:5.

earth is full of your creations!”¹⁷ Our diversity speaks to God’s power. Each one of us has worth and value and dignity.¹⁸ We must find God’s image in one another and recognize the need for marriage equality in Minnesota.

Rabbi Ed Feinstein speaks of his support for marriage equality saying, “I support the freedom to marry because I have never met gays and lesbians in the abstract. It is my son and my daughter, it is my sister and my brother, and I wish for them the privilege, the miracle, the gift of a long and lasting relationship. And in our faith community, we call that marriage.”¹⁹ We do not know gay and lesbian Jews in the abstract. Gay and lesbian Jews are part of our Temple Israel community. We participate in nearly every other aspect of their religious lives. We bless and name them as infants. We celebrate with them as they become B’nai Mitzvah and reach Confirmation. We bury their grandparents and parents and eventually them. But we are barred from fully participating in their marriages, because in the State of Minnesota gays and lesbians cannot be legally married.

Marriage equality must be important to us as the Temple Israel community. Our mission statement affirms that Temple Israel is a welcoming and accessible place for worship, for lifelong learning, for celebration and for gathering. We are a community that takes care of one another. At this point, I could go through a list of all of the rights and responsibilities of marriage that are denied to gay and lesbian couples in Minnesota. There are 515 of them on the state level and over 1100 on the federal level. But at this moment, the details of them don’t matter. What matters is that by denying marriage equality to gays and lesbians, we are denying them the ability to take care of one another and that is in opposition to who we are as a Temple community and as members of the Jewish people.

¹⁷ Psalm 104:24.

¹⁸ Chasen and Timoner.

¹⁹ Hudson.

Legal marriage would offer more than the opportunity of joint income tax filing, health care benefits, the rights of inheritance, and the authority to make health care decisions. Legal marriage would offer the stability and safety that every family and every child deserves. Imagine that one of our Temple families was on vacation and one of the parents fell ill. If the other parent had no legal rights to make a medical decision, that family is at risk. By seeking marriage equality, we are asking for the ability to take care of one another, to look out for our children's well-being. Who can fault anyone for wanting to take care of his or her family?

For those of us born since the Civil Rights movement of the 1960s, I can tell you that marriage equality is a non-partisan issue. Most of us support marriage equality. The ideals of the Democratic Party demand that we protect our civil rights and liberties.²⁰ As for the Republican Party, young Republican Madeline Koch asked for a new GOP for the next generation in an opinion piece in the Star Tribune this summer. In her piece, she indicated her desire to remain a member of the Republican Party, a party that she hopes will not back down on economic issues and homeland security, seeing the need for fiscal conservatism. But she also wrote, "We want gay marriage. Though we may not all be willing to march in the Pride parades or even send fiery letters to our congressmen about it, most of us believe that gay couples deserve the right to be legally wed. I can guarantee you this: The issue of gay marriage is not going to go away, and unless you start shifting within the Republican Party, you will not gain our support."²¹ Both the Democratic Party and the Republican Party will need to embrace marriage equality if they wish continue to have support for their party platforms and remain players in the political arena.

²⁰ The Democratic Party, "What We Stand For," <http://www.dnc.org/a/party/stand.html>.

²¹ Madeline Koch, "Wanted: GOP for the next generation," The Star Tribune, July 30, 2009.

For us, as Jews, especially on this morning of Rosh Hashanah, marriage equality is a religious issue. As we renew our commitment to our relationship with God, we must add our voices to the campaign for marriage equality. As Jews, we know what it is like to have our rights limited. Our experience demands that we care for those who are strangers even in the places they live, because we were strangers in the land of Egypt. As Jews, our tradition demands that we recognize the image of God in each and every individual. “The question is no longer whether Minnesota will achieve marriage equality, but when.”²² Please join me in the campaign for marriage equality in the State of Minnesota.

Hear our voice God and help us to recognize Your image in each and every person, inspiring us to protect liberties and enhance rights. Hear our voice God and help us to pursue justice and human dignity, because everything is created for Your glory. Hear our voice God and help us to diminish the humiliation of gay men and lesbians that we may all be uplifted on this morning of Rosh Hashanah. *Shanah tovah v'tikateivu*, May we all be inscribed for blessing in the Book of Life.

²² OutFront Minnesota Marriage Equality Sign Up, <http://www.outfront.org>.