



GAYS & LESBIANS

UNDER THE CHUPAH



BY BETH M. GILBERT

A growing number of same-sex Jewish couples are choosing to affirm their relationship with a commitment ceremony in the synagogue. What is at stake legally and religiously?

When Rabbi Jerome Davidson of Temple Beth El in Great Neck, New York called his colleague Rabbi Karen Bender and her life partner Rachel Bernstein to the *bimah* during Shabbat services last summer for an unannounced *auftruf*—a pre-marital blessing—he had no idea just how hot that summer would get.

Most of the congregation was just fine. But some were



a little shocked. Some were dismayed. And some were very angry. Seven members withdrew their membership. At least seven joined in support.

"Some people began losing sight of Karen and her many remarkable talents," Rabbi Davidson says.

Why, the unhappy congregants asked, will you perform a pre-marital blessing for a same-sex, albeit Jewish, couple when you won't perform a pre-marital blessing when one of our children marries a non-Jew? And why give same-sex Jewish couples equal footing with heterosexual Jewish couples?

Beth M. Gilbert is a freelance writer living in New York. She gratefully acknowledges the assistance of Rabbi Margaret Moers Wenig in preparing this article for publication.



"We're at temple every Friday night, so not to have had

"I have not officiated at intermarriages because I believe every marriage I perform should be the beginning of a Jewish home where Judaism is lived, learned, shared, and celebrated," Rabbi Davidson replied. "The question of Jewish lesbians and gays who come to a rabbi to sanction their union simply cannot be misconstrued as the same as that of an interfaith couple."

The local newspapers ran the controversial angle of the story and "hounded" the couple after they returned from their wedding in California. It became the talk of backyard barbecues and a lively debate on same-sex marriage with over 200 entries on the Internet.

Overall, however, Rabbi Bender says, the response to the wedding was overwhelmingly loving. "Rachel and I received wedding gifts and heartfelt

notes from 250 families. The temple got seven pieces of hate mail."

The controversy aside, Rabbi Bender says she can't imagine not having had a Jewish pre-marital blessing or wedding.

These moments were pure joy," she says, "Our wedding was a natural step for us—a personal decision, not a political statement. Jewish ceremonies are very important to us. Why should we be deprived?"

An Opportunity to Wed

Such weddings are no longer an isolated phenomenon. A growing number of Jewish same-sex couples are choosing to solemnize their relationship with a life-cycle ceremony. Some call it a wedding, some a commitment ceremony, others *kiddushin* or sanctification.

Within a year, Hawaii may permit lesbian and gay couples to marry. As no state currently recognizes same-sex marriages, it is likely that hundreds of gay and lesbian couples will decide to seal their vows in that state.

A great deal is at stake here. Legal marriage would afford lesbian and gay couples a host of rights and responsibilities currently benefitting heterosexual married couples, among them power of attorney; status of next-of-kin for medical and burial decisions; joint insurance policies; joint leases; and spousal employee benefits such as health insurance annuities, pension plans, social security, and Medicare. Partners would be entitled to take care of one another should either become seriously ill, avoiding tragedies such as the one Sharon Kowalsky and



At left: Rabbi Helene Ferris (r.) officiates at the commitment ceremony of Jan Catalfumo (l.) and Ileen Kaufman. Top: David Stein (r.), president of Congregation Sha'ar Zahav in San Francisco, and his life

partner Alex Ingersoll celebrate David's 50th birthday at a temple reception following a special Shabbat morning service. Alex baked the challah.

a Jewish wedding ceremony would have been wrong."

Karen Thompson experienced (see page 20). They would be able to adopt one another's child, as well as secure joint parenting and foster care, a benefit provided by only a handful of states.

Reform and Same-Sex Marriage

The Reform movement is on record as supporting civil marriage for gays and lesbians. In 1993 the UAHC resolved "to oppose state and local statutes restricting the civil rights of gays, lesbians, or bisexuals, and to call upon governments to adopt legislation affording committed lesbian and gay partners spousal benefits; ensuring that lesbians and gay men are not adjudged unfit to raise children; and affording partners the means of legally acknowledging their relationships." Last

February, the executive committee of the Commission on Social Action of Reform Judaism passed a motion acknowledging that this means "to recognize legalizing same-sex civil marriage." At the March, the Central Conference of American Rabbis passed a resolution supporting civil marriage for gays and lesbians.

The Reform rabbinate, however, has not yet called such relationships *kiddushin*. In 1990 the CCAR accepted a report of its Ad Hoc Committee on Homosexuality and the Rabbinate which acknowledged that a lesbian or gay relationship may possess ethical and spiritual value but reserved the special status of *kiddushin* for monogamous, heterosexual, procreative marriage. That position is now being reevaluated by an ad hoc committee on

Human Sexuality.

While advocating for change, the UAHC Task Force on Lesbian and Gay Inclusion realizes that the issue of same-sex commitment ceremonies will, indeed, take time to be fully accepted. Notes Rabbi Julie Spitzer, regional director of the New York Federation on Reform Synagogues and staff director of the Task Force: "While the Task Force members are strong advocates for the full and uncompromising integration of lesbian and gay individuals and families in all aspects of synagogue life, we spent considerable time discussing the issue of how strongly to advocate for *kiddushin* in our new manual, 'Kulanu: Program To Include

* signifies that the person has chosen to use a name other than his/her own.

Lesbian and Gay Jews in Our Temples.' Ultimately, we agreed to acknowledge rabbinic authority in ritual matters and to encourage clergy and lay leaders to thoroughly examine the issue in light of Reform Jewish teachings. It was a difficult compromise, but ultimately an important recognition that the task of studying this issue and guiding our congregants is ongoing."

Rabbinic Controversy Remains

Reform rabbis remain divided on the *kiddushin* question. Rabbi Jeffrey Salkin, senior rabbi of Central Synagogue of Nassau County in Rockville Centre, New York, says, "At this time I do not feel comfortable sanctifying those unions. I support, appreciate, even empathize with these couples. But, because of my readings of Jewish history, tradition, theology, and liturgy, I cannot use the word 'sanctify.'"

"I tend to be a traditionalist," he adds. "But as a true liberal, I'm not offended by rabbis who take a different view. No one has asked me yet to perform a same-sex ceremony. Although I wouldn't, I suspect I would refer them to someone who would."

Rabbi Ronne Friedman of Temple Beth Zion in Buffalo, New York will participate in same-sex wedding ceremonies, calling his decision "an intuitive response to what ought to be." He views it as a civil rights issue that he expects will not be resolved in the '90s. "I fear it will be the civil rights issue into the next millennium," he says.

Rabbi Michael Stroh of Temple Har Zion in Thornhill, Ontario believes that

Reform rabbis should not officiate at same-sex marriage ceremonies but acknowledges that his position is not an easy one for him. "I know and respect colleagues who are gay or lesbian," he says. "Frequently, their positions on Jewish issues are closer to my own. I do not want to cause them pain. I'd like to say that, as a modern person, I accept homosexuality as the equivalent of heterosexuality. But I cannot. I do not believe that this is the case. Nor do I believe that, from a Jewish point of view, heterosexual and homosexual relationships are equivalent. I'm not saying that homosexuals do not have the right to companionship. I am saying that, at this point, I am not prepared to perform a Jewish marriage ceremony."

Congregants, too, have expressed ambivalence about rabbinic officiation at commitment ceremonies for lesbian or gay couples. "I don't care if my rabbi officiates," says one mother of young children, "as long as my children don't know about it." One Reform congregation permits its rabbi to use the sanctuary for commitment ceremonies but will not permit him to call same-sex couples to the Torah, fearing that the family and guests of the bar/bat mitzvah might be offended.

In his Rosh Hashanah morning sermon last year, Rabbi Jerome Davidson disputed the notion that same-sex marriage offends family values. "First," he pointed out, "it provides an option for gays other than a life of loneliness, of hiding, that is true to their real identities. Second, they can create a truly Jewish home together, live Jewish lives, and, if

they choose, raise Jewish children. Finally, a gay and lesbian union can be an instrument of reconciliation among children, their parents, and their siblings. Having been kept apart by years of continuing fear, stigma, and ridicule, they can come home again."

Rosanne and Ora

Dr. Rosanne Leipzig would agree with Rabbi Davidson. Most of her large family had figured she was a workaholic, married to her career.

"I maintained a superficial relationship with various aunts and cousins," says Rosanne, a physician specializing in geriatrics. "I'd had enough rejection when I told members of my immediate family I was a lesbian."

But eight years ago, when Rosanne and Ora Chakin, members both of Beth Am, The People's Temple and Bet Simchat Torah in New York City, decided to marry, Rosanne wrote a letter to her extended family explaining that, yes, I am a lesbian. And, yes, this wedding ceremony has the same emotional significance as any other wedding in the family. And, yes, I probably should have told you sooner. But we'd like you to be there.

Some sixty letters went out. With three exceptions, everyone responded. And almost everyone attended the wedding.

"They were incredibly caring," Rosanne says of her family. "Most felt that if I was happy, well, it was okay. Clearly, some were uncomfortable, but they came to show their support."

Ora says it was great to see everyone gathered together for the first time.

The Case of Sharon Kowalsky and Karen Thompson: A Legal Nightmare

In 1983 Sharon Kowalsky and Karen Thompson had lived together for four years. They wore each other's rings and had purchased a house together. Everything changed one day when Sharon's car was hit by a drunk driver.

Anxious about Sharon's condition, Karen repeatedly requested information about her from the hospital, which ignored her pleas and denied her access to the intensive care unit.

When Sharon emerged from a coma, it was clear she had suffered extensive brain damage. She was moved from the hospital to a nursing home.

Karen became concerned that the medical team and Sharon's parents (who did not know the nature of their relationship) were

insufficiently vigilant about Sharon's rehabilitation. In 1984 she filed for guardianship. A year later Karen's visitation rights were terminated within twenty-four hours of the court's grant of unconditional guardianship to Karen's father.

After a three-and-a-half-year battle, Karen finally won a motion to have Sharon tested for competency (a test Sharon's father had refused to allow). As soon as Sharon was deemed competent and allowed to receive any visitors she requested, she immediately asked to see Karen. And at long last, after nearly four years of separation, they were reunited.

In 1992, after a nine-year-long battle, Karen Thompson finally won the right to be named Sharon's guardian and brought her home.

"There were gay and lesbian friends, old friends, family, and people we worked with. After spending so many years hiding, it was liberating."

Ileen and Jan

Six years ago, when few rabbis would officiate at a commitment ceremony, Rabbi Helene Ferris presided as Ileen Kaufman and Jan Catalfumo stood together under the *chupah*.

Ileen and Jan still remember the exact time they first saw each other: 9:02 p.m. on May 23, 1989. It was love at first sight that rainy night in a Manhattan nightclub.

Ileen smiled that smile that "lights up her face," says Jan. They danced, exchanged first names, and agreed to meet again in a week at the same time, same place. But one week later when Jan arrived, the club was closed—dark and locked. There Ileen was, waiting patiently. They spent the rest of the evening talking and laughing at an ice cream parlor, and kissed goodnight on a Lexington Avenue sidewalk.

"It was meant to be," Jan says.

By June, they were dating exclusively. In July, they were "talking marriage," and in August they set the date for a January 21, 1990 wedding. They agreed Ileen's six-year-old daughter Heather would share in the experience.

"We wanted Heather to feel special and to know we'd be a family unit forever," Ileen says.

At the wedding ceremony, ring-carrier Heather walked proudly down the aisle with Rabbi Ferris. At the reception Heather toasted her parents with ginger ale. Then, wearing dark sunglasses, the three entertained their guests, lip-synching to Bette Midler's "Under the Boardwalk."

"We're very religious people, Jan and Heather and I," says Ileen. "We're at temple every Friday night for services. Even when Heather was a baby, we went. I wheeled her there in her stroller. So, not to have had a wedding ceremony would have been wrong.

"Having a rabbi bless our union meant God was with us and we could accomplish anything," she adds.

A former Catholic, Jan converted to Judaism with 650 friends and family in attendance at Stephen Wise Free

continued on page 61

Gays & Lesbians

continued from p. 21

Synagogue on Manhattan's Upper West Side. All three are active members. Jan serves on numerous committees and sings in the choir. Ileen was named volunteer of the year last year, and Heather, who sings in the junior choir, will celebrate her bat mitzvah there next fall.

Ileen and Jan's primary concern is Heather's well-being. Ileen had adopted her before she met Jan. Should Ileen die, Jan would be Heather's legal guardian, and that would open the door for Jan to adopt Heather. But they have opted not to seek legal co-parent adoption, which would give them equal parental status. Until recently, co-parent adoption by gays and lesbians in New York was an iffy thing, with no guarantees that the judge would grant it. "Heather is old enough now to know what's going on," says Ileen. "It would be devastating to her if a judge ruled Jan was not her mother, too."

Sophia and Deborah

Sophia, 40,* and Deborah, 49,* took the risks of petitioning for co-parent adoption after sharing a Jewish home together in Manhattan for eight years and raising Rachel,* now 5, from birth. Following a long, arduous process, Deborah won the right to be Rachel's co-parent in October 1995.

"Rachel has rights to me now. She can't be taken away," says Deborah.

During Shabbat services following their successful co-parent adoption, Sophia and Deborah's rabbi began her sermon, "Moses had two mommies...."

"One of the other kids called out, 'Hey Rachel, just like you!'"

Sophia recalls. "Then our rabbi called the three of us up to the *bimah* for a blessing. The congregation threw candy at us and danced with us around the sanctuary. It was such a sweet night. And that was our commitment ceremony. From that point on I felt we were a secure family."

David and Alex

To David Stein, 54, president of Congregation Sha'ar Zahav in San Francisco, and his life partner Alex Ingersoll, 49, a religious wedding ceremony might have made sense twenty-two years ago—had either one even thought of it.

The two met as graduate students at the University of Illinois' Champaign-Urbana campus during the mid-'70s.

"It was a time when individual freedoms and free thinking were cherished—especially on a college campus," David recalls. "But it also was a time when gays were often referred to as 'confirmed bachelors' or 'the uncle that never married.'"

Although neither was openly "out," Alex says there was an undefinable con-

nection between the two.

"So I invited him over to my house for dinner," he says. "And he still hasn't gone home."

For four years, "home" was Israel, where David continued his graduate studies. During their stay in Israel, Alex says, he was drawn to Judaism. "It was the first time since I was ten that I had any spiritual connection," he says. He converted thirteen years ago.

In the twenty-two years they've been together, David and Alex say an evolution has been ongoing among gays and lesbians regarding commitment ceremonies. In fact, they have attended and served as witnesses at a number of such ceremonies, which, David says, can bring the couple closer and bring the congregation closer to the couple.

"But for us, our ceremony of commitment was coming 'out' to our friends as a couple," David says. "It was a series of events—of introductions. And at this point in our life together, a standing-under-the-*chupah* ceremony would be for the outside world. Right now it would be a re-commitment ceremony."

"After twenty-two years, if you don't feel committed...." Alex says. "But I can appreciate a new couple having a ceremony to make a statement about their relationship. It was very important to me that my family understand that David has the same slot in the family as my brother's wife. He has automatic inclusion and respect. Maybe, for some, a ceremony encourages that understanding."

David and Alex did, however, decide to apply for a domestic partnership certificate through the San Francisco clerk recorder's office, which they received this spring. For city employees, this means partners can share in city benefits. For those not employed by the city, it merely means the city recognizes their status as a couple. "It's a step, a small step," says David. "It wasn't necessary for us personally. But it met our need to make a social statement for the marital equality of gay and lesbian couples."

David and Alex say they would also consider flying to Hawaii for a civil ceremony if the state sanctions same-sex marriages. "On one level I'd like to wait until California approves it," David says. "But that might not be in my lifetime." □

The Battle Over Same-Sex Civil Marriage

In anticipation of the Hawaii decision, the religious right is urging law-makers in other states to prohibit the recognition of same-sex marriages performed elsewhere and/or to foreclose the possibility of same-sex marriage in their own states.

As of March 1996 anti-gay-marriage bills have been introduced in twenty-nine states. In March 1995 Utah legislators voted overwhelmingly to deny recognition to marriages performed elsewhere that do not conform to Utah law. In January 1996 the California State Assembly passed a similar bill (the bill has not yet come before the California State Senate).

In addition, during the weekend of the 1996 Iowa Caucuses, the religious right launched a "National Campaign to

Protect the Sanctity of Marriage" and circulated a "Marriage Protection Resolution" for presidential candidates to sign. It was signed by all seven Republican candidates with the exception of Richard Lugar. Since then, the Mormon and Catholic Churches have joined the battle to oppose same-sex marriage.

In a letter signed by Rabbis David Saperstein and Lynne Landsberg, the Religious Action Center of Reform Judaism affirmed that "the UAHC supports civil marriage for gays and lesbians, and sees these efforts of the religious right as an assault on the civil rights of these Americans," and urged rabbis in the twenty-nine affected states to lobby their legislators to oppose anti-gay marriage bills.