

Sermon Parashat Aharei Mot/Kedoshim 5766
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If Martin Buber's claim that "to live is to be holy" is true, then I add to that to be loved is to be blessed.

This week a verdict was finally handed out in the case against Moussaoui, and he was spared execution. The only person tried for the 2001 attacks will spend life in prison. After a week of deliberation the jury made this determination despite his own testimony, only his immigration arrest kept him from piloting a suicide jetliner that day. Commenting on this judgment President Bush stated "jurors showed a mercy that Moussaoui never did." Let me also say we have finally progressed as a society, in one small step, and in one case - but we have moved forward. The Rabbis knew the death penalty to be barbaric and a remnant of an ancient primitive culture. When they created strictures and fierce guidelines for the implementation of the death penalty - they rejected the biblical proscription that the death penalty ought to be employed. What is most extraordinary about this case is that it is of national import. This resolution is under a president's watch who hails from the most brutal state in the union with regards to the implementation of the death penalty. We have taken a step forward. Our society is learning. There is no question we have a long way to go, but we are headed in the right direction. There is much work to be done, but we are setting the right course.

Our rabbinic tradition demands it. Each generation must make the commitment to reformation and change; to refinement and adjustment. We must continue to learn and apply the humanitarian messages of our sages, if not their specific implementations. We must continue to extend the kindness and the inclusiveness, the pluralism and the premium we place on human life that have been the hall mark of *our* unique contribution to world culture and the evolution of civilization. If Martin Buber's claim that "to live is to be holy" is true, then I add that to be loved is to be blessed.

In this week's reading we have a statement in the Torah that has yet to be fully understood and it joins the ranks of others portions of the Torah which are not fully understood. The remark states that a rebellious child is supposed to be stoned to death. The Rabbis dispense with that possibility by creating so many strictures that this law could never be applied. When the Rabbis of the Talmud explain that the circumstances around which a child who acts out against his parents are limited, almost no child would ever be eligible for the extreme of capital punishment. They say - *lo haya v'lo kayam*- it never happened and it will never happen.

The extreme of the Torah in the black and white of the written text is softened by the rabbis and is applied humanely. We find ourselves in that circumstance again. The tradition of the Talmud and the approach of the rabbis must once again empower us to interpret the Torah in such a way as to keep it relevant and instructive.

Over the past 20 years the Conservative movement has been engaged in a discussion which can only occur in our movement. We have worked hard to maintain our standards and commitment to Jewish law, halakha, while at the same time recognizing the significant contribution modernity makes on that system. For 20 years we have tried to reconcile the modern, scientific evidence of homosexuality with the clear ban on that lifestyle as explained in this week's Torah reading. Only *we* care about the preservation of these two worlds. Only *our* movement takes seriously the demands that Torah be applied to our world rather than disregard either halakha or our society as it has developed. Only our movement struggles.

When we are faced with the clear demand found in this week's reading "*v'et zachar lo tishkav mishkavei isha, toaivah he* - do not lie with a man as one lies with a woman; it is abhorrent." (Leviticus 18:22) we are conflicted and if we are not, we ought to be. For almost 20 years the scientific evidence seems to suggest that homosexuality is not a personal choice. Those living this lifestyle are simply wired that way and I would add wired that way by God. Therefore, at the very least, the witch hunts must stop and the persecution must come to an end.

I am not suggesting I have the path towards a reconciliation of the complex implications of this issue. I am only suggesting that I know what is right. George Orwell said, “in a time of universal deceit, telling the truth is a revolutionary act.” So I speak truth, as I know it today. I don’t know if we should extend family memberships to gay couples, or if there should be gay clergy or if I should perform commitment ceremonies or if we should permit gay teachers in our religious school. All issues, I believe, will come to resolution soon. We ought to let the legalist of our movement decide *halakhik* issues and the leadership of this congregation together with our clergy ought to find the answers to the rest.

For me it is pretty simple. There are three issues at play. First, what is the impact of homosexual unions on the survival of our people? Will condoning a homosexual lifestyle diminish our people? Will our population, already in decline, further shrink?

Second, who am I to judge others. This issue has become the cause cilebre both of the homosexual community’s and of the heterosexual community’s making. The rhetoric and xenophobia has reached a peak and we have made ourselves adjudicators of what is right and what is wrong.

This leads me to my third issue, what does God want of me? Faced with competing values and opposing challenges I am forced to throw up my hands and look to heavens and ask, God what is right, what do You want of me? What is my role?

On all three I consistently arrive at the same conclusion. Two people, no matter their gender or sexual orientation, who are dedicated to our people, can and must raise children that perpetuate our people either through birth or adoption. Two people, no matter their gender or their sexual orientation, can and must insure our values. Two people, no matter their gender or sexual orientation, can and must inculcate a Jewish lifestyle and raise confident, literate, identified Jews.

The torah says don't transgress Shabbat, don't mix wool and linen, respect your parents, and don't steal. Many of us transgress and I refuse to stand here in judgment. There are two jobs many people want me to do that I am unqualified for, that is to be a prophet and judge. What people do behind closed doors of their own home and in the privacy of their bedrooms is none of my business, or anyone else's for that matter. I say the same thing to both the heterosexual and the homosexual communities. Sexuality ought to be reserved for the quiet respectful conversation found in the home between parents and children. If we are going to advance our society away from the degradation of the human body so often manifested in poor self body image and rampant sexual misconduct, it should only happen in safe places such as our homes, schools and sanctuaries.

Finally, what does God want of me? God wants me to love each and every being. All of us created in the image of God deserve no less. There is so much pain in this world. Why can't we focus on changing that reality. I don't know the science of sexuality, but I do know the ethics of care and concern. In 1939 when the Reich's Penal code forced us to wear yellow stars, they forced homosexuals to wear a pink triangle. When the Nazi's came for us they also came for homosexuals. We are therefore, compelled by history and mandated by our sacred inheritance, to deplore violence against gays and lesbians. To support full civil equality in national life for gays and lesbians and welcome them as members to our congregation.. When the Rabbis affirm the value in every generation of *kavod habriot*, honor and respect for one another, they never qualify it based on sexual orientation. If Martin Buber's claim that "to live is to be holy" is true, then I add to that - to be loved is to be blessed.

The greatest joy in my life is the love I receive. The love I receive from dear friends, from my children, from my parents and most exquisitely from my wife. That partnership and understanding supports me and satisfies me in immeasurable ways. No matter how much I would choose to deny that, I cannot, and I refuse to stand here as a religious leader, a man of God and moral leader, and deny that of others.

Make no mistake, I reject the promiscuous lifestyle, be that of the heterosexual or others. I believe a promiscuous lifestyle tears at the very fabric of human relationships. It hinders our ability to realize our greatest human potential that is more easily realized in relationships that are based on truth, honesty, and commitment.

Shabbat Shalom.