

## Torah's Approach to People With Different Sexual Orientation (LGBTQ)

*Note: Though many of the sources below deal more explicitly with the category of SSA (Same-Sex Attraction), it appears that some of the same principles may be applicable to other categories as well. For more on transgender issues, see the index on this topic.*

**[1]** Sich'a of the Rebbe on Purim 5746 (1986), and **[1a]** a free translation entitled "'Rights' or Ills," that touches upon various issues related to SSA – the fundamental problem, its social, emotional and health risks, its psychological manifestations and its actual threat to society and individuals. The Rebbe suggested clear-cut remedies and proposed a humane therapeutical approach, which takes account of the seriousness of the problem and still remains cognizant of the important aspect of self-respect and self-esteem of many men and women. Finally, the Rebbe urged to stop naming this issue an issue of "rights" – but to see it and treat it for what it really is – a serious physical, mental and spiritual problem which needs immediate help from concerned, devoted and compassionate people. **[1b]** The transcript of the above sich'a with corrections in the Rebbe's handwriting.

Two letters from the Rebbe on the subject, **[1c]** one from 5737 [1976] and **[1d]** one from 5746 [1986].

**[2]** A responsum of R. Moshe Feinstein from 5736 [1976].

**[3]** An excerpt of "Aids: A Jewish Perspective" by R. J. David Bleich in which he presents the Torah's attitude of "non-acceptance" towards such lifestyle and behavior. "The validity or non-validity of the claim that homosexuality is natural rather than aberrant, or a normal state rather than an illness, is irrelevant to Jewish teaching regarding this matter."

**[4]** A letter by R. Ahron Feldman to someone with such an orientation.



[5a-d] Excerpts from “Judaism and Homosexuality: An Authentic Orthodox View” by R. Chaim Rapoport (London and Portland: Vallentine Mitchell, 2004):

[5a] Discounting the argument that practicing homosexuals can be excused under the rubric of duress (*anusim*). [5b] Suggesting that “We have more than reason to believe that the only motivation that otherwise faithful Jewish homosexuals have for transgressing the prohibitions . . . is the fact that they have no other legitimate outlet for their sexual and emotional desires. Consequently, the status of the vast majority of knowledgeable Jewish practicing homosexuals is—at worst—the Talmudic category of the ‘hedonistic renegade’” – מומר להיאבון. [5c] Suggesting that “A careful appraisal of the ‘conditioning’ of an individual sexually active homosexual may well lead to the conclusion that the person in question ought to be granted the status of a *tinok she-nishbah* . . . Consequently, we are duty bound to befriend and reach out to the individual homosexual with ‘words of peace’ and with ‘thick bonds of love.’” [5d] An article by the same author in which he presents his opinion regarding the proper general attitude towards people with such a disposition.

[6] An article by R. Ezra Schochet.

[7] An article by Dr. Joel B. Wolowelsky and Rabbi Bernard L. Weinstein on “Initial Religious Counselling for a Male Orthodox Adolescent Homosexual.”

[8] An article by Joseph Berger in which he writes that “it can be stated quite unequivocally that in spite of an enormous amount of scientific research conducted over the past two decades, there is absolutely no scientific support for any physical or genetic causation of homosexuality, whatever any individual person, journalist or scientist may ‘believe’ or ‘claim to know.’” “[A] proper understanding of the literature demonstrates that there is no solid scientific basis for supporting a claim of a biological origin for homosexuality. Neither is there scientific support for any notion that anyone is born homosexual.”

[9] A Hebrew presentation of suggested guidelines for the community’s attitude towards such individuals.



— שהרי אי אפשר ללמוד כל התורה כולה בבת אחת. וגם כשלומדים ענין בתורה ששקול כנגד כל התורה או כולל כל התורה (כגון אהבת ישראל, שהיא "כל התורה כולה"<sup>71</sup>) — הרי זו מצוה אחת ויחידה, וישנם תרי"ב מצוות נוספות —

הרי "כשאתה תופס במקצתו אתה תופס בכולו"<sup>19</sup>.

ואף שישנם ההגבלות של זמן ומקום, וכפי שהדבר מודגש בפורים עצמו, שזמנו ביום י"ד וט"ו לחודש אדר, ולא בחדש שבט וכיו"ב, שזה מרגיש מדידת והגבלת הזמן — הנה ברגע זה ובזמן זה מכניסים את כל העצם, ובאופן שזה משפיע על האדם כולו.

ובפשטות: כשאדם מתבונן בכך שזהו רגע של ימי הפורים, ובנוסף לכך זהו רגע של יום השלישי בשבוע, הנה כל רגע מוסיף בו חיות ואומץ, וזה נעשה "יחוד נצחי"<sup>72</sup>, שנמשך אח"כ בכל השנה, במשך כל השנה ניכרת ההשפעה של ההתבוננות שלו ומצב רוחו והתלהבותו בימי הפורים.

והעבודה בטוב לשמים וטוב לבריות תזרו עוד יותר את ביאת משיח צדקנו, שהרי סיבת הגלות היא "מפוזר ומפורד", היפך אהבת חנם, וכאשר מתבטלת הסיבה מתבטל גם המסובב. ואז יהי' "מסמך גאולה לגאולה", סמיכת גאולת פורים, שלאחרי' נמצאים עדיין בגלות, "אכתי עבדי אחשוורוש אנן", לגאולה האמיתית והשלימה ע"י משיח צדקנו, במהרה בימינו ממש.

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טז. מבואר במדרש<sup>73</sup> שביטול גזירת המן בפועל (בדיבור שלמעלה ודיבור שלמטה, ועד לדיבורו של אחשוורוש) הי' בזכות תשב"ר. וכמבואר בארוכה במאמרו של כ"ק מו"ח נשיא דורנו, מפורים קטן תרפ"ז<sup>74</sup>, שע"י "מפי עוללים ויונקים יסדת עוז"<sup>75</sup>, "אין עוז אלא תורה"<sup>76</sup>, פועלים "להשבית אויב ומתנקם" (ומכיון שהמאמר בא גם בדפוס, הרי נעשה תורה והוראה נצחית<sup>77</sup>).

מכיון שחינוך מתחיל מ"עוללים ויונקים", מובן שיש לחנך גם אלו שהם כבר גדולים בשנים, אבל הם "עוללים ויונקים" בידיעה והבנה והשגה, או אלו שטבעם או יצרם הרע "משחד" אותם ואינו מאפשר להם לראות את האמת. וכמסופר בסיפור הראשון שבתורה, בנוגע לעץ הדעת, שהעובדה ש"תאווה הוא לעינים" הביאה ל"ותקח מפריה ותאכל"<sup>78</sup>, למרות ציווי הקב"ה, ומזה יצא ענין של היפך החיים לאדם ולדורותיו, כמבואר ומסופר במאמרי חז"ל. מובן,

71) שבת לא, א. 72) ראה תניא פכ"ה. 73) אסת"ר פ"ט, ד. ובכ"מ. 74) סה"מ תרפ"ז ע' קיא ואילך. ועוד. 75) תהלים ח, ג. 76) מדרש תהלים עה"פ. שהש"ר פ"א, ד. פ"ב, ג. 77) ראה אג"ק אדמו"ר מוהרי"צ ח"ב ע' שפב. לקו"ש ח"ב ע' 522. ועוד. 78) בראשית ג, ו.

## Publisher's Foreword

XX The persistent problem of the so called Amendment to "Local Law 2" has been plaguing some people for several years. Although this ~~serious~~ ~~social~~ problem has much wider national and international ramifications, the New York version of this problem has taken on a strange political hue.

During the Purim Farbrengen of 5746, the Lubavitcher Rebbe, Shlita, addressed this issue. He touched upon the fundamental problem, its social, emotional and health risks, its psychological manifestations and its actual threat to society and individuals.

At the same time, the Rebbe suggested clear-cut remedies and proposed a humane therapeutical approach, which takes account of the seriousness of the problem and still remains cognizant of the important aspect of self-respect and self-esteem of many men and women. *nam 128*

Finally, the Rebbe urged to stop ~~looking~~ ~~this issue in the~~ ~~garb of~~ an issue of "rights" — but to see it and treat it for what it really is — a serious physical, mental and spiritual problem which needs immediate help from concerned, devoted and compassionate people. The Rebbe expressed the hope that this issue will be re-examined in its true light and be dealt with accordingly.

This Essay is excerpted from the Rebbe's sicha, in a *free translation* by the publishers.

SICHOS IN ENGLISH

21st Day of Iyar, 5746

## I

### Developing a Healthy Personality, Through Education

X True education is not merely the transmission of facts and imparting information. The fundamental role of education, and ~~perhaps~~ one of its earliest and most important goals, is to mold a healthy, productive individual and to safeguard a person against his own potential negative tendencies and offensive traits. This is especially true of early childhood education.

On his own, a person is not objective in evaluating his own characteristics. A person's inclination and his own innate, materialistic nature and self-love often will "bribe" an individual into a distorted view of his negative traits. Proper education is therefore required to help an individual cultivate and carefully focus his/her introspective analysis.

(gathering)

(discussion)



eternal gratitude for the firm direction and support they received from family, counsellors and friends.

Maimonides teaches:

Free will is bestowed on every human being. If one desires to turn towards the good way and be righteous he has the power to do so. If one wishes to turn towards the evil way and be wicked, he is at liberty to do so.

(Laws of Repentance 5:1)

Consequently, This  
This true, free will, described by Maimonides, ~~seems to be~~ is decisively all-powerful. Yet, in the laws relating to Moral Disposition and Ethical Conduct, Maimonides admits that:

Every human being is characterized by numerous moral dispositions...exceedingly divergent. One man is choleric, always hot tempered; another sedate, never angry...one is a sensualist whose lusts are never gratified; another is so pure that he does not even long for the few things that our physical nature needs...stingy, generous, cruel, merciful, and so forth.

(Laws of Ethical Conduct 1:1)

Maimonides adds:

Of all the various dispositions, some belong to one from the beginning of his existence and correspond to his physical constitution.

(Ibid:2)

etc.) In other words, some people are *born* with the nature of stinginess; and others are born with different natures! Does everyone really have free will to freely choose right from wrong even if it seems to be against his/her nature?!

The commentaries on Maimonides explain that Maimonides means to say that although one may truly have an *inclination* and leaning *by his very nature*, and although he may show a propensity for certain conduct, none of these factors can "force" him to act in a particular way. He still has free will!

The ideal way to control and overcome the offensive predispositions is to be trained, while still a child, by the strong and firm controlling hand of the loving parent and educator. But it is never late for this educational process to begin; a human being can always learn, improve and progress.

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## II

### Recognize the Ills and Bring the Cure

At this point let us turn our attention to a phenomenon affecting some of our society, the problem of individuals who

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# Attitudes to the Practising Homosexual

## TWO TYPES OF TRANSGRESSORS

In the previous chapters of this book, several principles have been established. Firstly, that homosexual practices are forbidden by Jewish law for both men and women. Secondly, that it is not antithetical to Jewish teaching to accept that there are people who are exclusively homosexual in their orientation. Thirdly, irrespective of whether or not the rationales suggested by classical authorities for this prohibition seem to be applicable in any given case, the prohibitions remain in force. Finally, those who find themselves constrained within the boundaries of an exclusive homosexual disposition face a formidable and unenviable challenge.

Taking all these factors into consideration, it is not surprising to learn that in our day and age, there are many homosexuals who do not feel able to abide by the dictates of the *halachah*. Even homosexuals who may be totally committed to all other areas of Jewish Law – in letter and in spirit – may succumb to the persistent and powerful pressure brought upon them by their all-too-human desire for emotional intimacy and sexual love.<sup>1</sup>

The question that must therefore be confronted is: what attitude should the religious Jew, or for that matter the religious non-Jew, espouse in relation to homosexuals who are not celibate, and engage in one form or another of same-sex intimacy? Needless to say, this matter has been the subject of many heated debates, and highly divergent opinions have emerged over the last few decades.

It is, parenthetically, of interest to note that some otherwise Liberal

and 'broad-minded' theologians have expressed some extremely condemnatory attitudes which do not reflect their overall attitude towards Jewish Law. It is possible that, at least in some cases, the reason for this is that such theologians are merely projecting their own personal prejudice onto the teachings of the Jewish tradition.<sup>2</sup> This would explain the inconsistency of their tolerance of other illicit sexual relationships, with their extremely harsh attitude towards homosexual prohibitions. Such manipulation of religious teaching to serve as 'an axe with which to grind' one's own personal ideas is surely deplorable. Nor do such acrobatics work. For those who reject the Divine nature of the Torah; disregard the laws of family purity (*taharat hamishpachah*); do not condemn masturbation, fornication and numerous other biblical and rabbinic prohibitions, cannot truly appeal to biblical or rabbinic texts as a justification for their absolute condemnation of illicit homosexual behaviour. It appears to this author that to do so smacks of sheer hypocrisy.

In a religious system that is highly selective in its commitment to biblical law, and facilitates radical changes in its beliefs and practices in the light of modern ideas, what lasting meaning can a verse in Leviticus have when dealing with the proscription of homosexual activities?<sup>3</sup> Thus, it is towards those who accept the binding nature of Jewish Law that I direct my words in this chapter.

The Talmud differentiates between two kinds of sinner: someone who sins out of spite – the 'defiant rebel (*mumar le-bachis*)' – and one who does not conform to Jewish Law because of his desire for self-gratification – the 'lusting renegade (*mumar le-tei'avon*)'. In the Talmud and subsequent halachic literature, the difference between these two kinds of sinners is demonstrated by the circumstances in which they are prepared to commit transgressions. The 'lusting renegade' would ideally prefer to refrain from sinning. In a situation where, for example, kosher food is available, he will not eat forbidden food, for, as the Talmud puts it: 'He will not abandon the permitted, and eat the forbidden'. In contrast, the 'defiant rebel' refers to the arrogant and aggressive sinner. He is a man of 'principles' – he will make a point of eating forbidden food, despite the availability of a kosher alternative. His spitefulness will propel him to indulge in the illicit, even in such circumstances where his desires could be satiated through permissible means.<sup>4</sup>

In the *halachah*, there is a clear and major distinction made between these two categories of sinner. The 'defiant rebel' is treated as a religious outcast. As such, he loses many of the rights and privileges that are

## *Why the Recent Modern Orthodox Rabbis' Statement on Homosexuality is Unhelpful*

By: JOSEPH BERGER

Recently, a group of modern Orthodox rabbis released a statement that essentially encouraged the Orthodox community to be more accepting and tolerant of those who identify themselves as homosexual.<sup>1</sup> The statement was not *per se* a halakhic statement, and contained no references to either basic sources or recent *teshuvot*.

The introduction to the statement claimed that “mental health professionals” had been involved in producing it, and the statement contained a number of comments regarding the possibilities of change in terms of sexual behavior, and the possibilities of success of psychotherapeutic treatment.

Looking at the list of those who had signed the statement, it would be obvious to people in different communities that particular

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<sup>1</sup> See <<http://statementofprinciplesnya.blogspot.com/>>.

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