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Can a rabbi marry someone of another religion? Debates of the American Reform movement whether intermarried rabbis can lead Reform congregations

Dana Evan Kaplan

ABSTRACT

Traditionally, rabbis were expected to marry women who were devoted to Judaism. The convention was a logical one. As a symbolic exemplar of Judaism, everything a rabbi does should reflect his commitment to the Jewish religion. Instead, over the course of the modern period, non-Orthodox denominations have deviated from many traditional positions. This has included the Reform movement's allowance that rabbis can determine whether they will officiate at interfaith marriage ceremonies. However, while many Reform rabbis have conducted such ceremonies, they were nevertheless expected to have married within the faith themselves. Recently, some rabbis have begun advocating for Reform rabbis to marry gentiles who have not converted to Judaism. The Hebrew Union College–Jewish Institute of Religion, the academic institution serving the Reform movement of North America, which has campuses in the United States and Israel, went through a process of discussion, debate, evaluation, and decision making. At the end of this process, the decision was made to retain the policy of prohibiting intermarried students from matriculating or graduating. This article outlines the development as well as the resolution of the current controversy.

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Introduction

Reform Judaism is a practical approach to religious observance that acknowledges the need to bring one's ritual practice into harmony with one's actual religious beliefs (Kaplan 2013a, 1–4). Because the Reform movement is a theologically flexible and politically liberal American religious group, this dynamic creates opportunities, but it also presents real challenges. Foremost among these challenges is how to present Jewish religious belief in the absence of a consensus of what Reform Jews should, could, and do believe (Meyer 1988).

Reform Judaism presents its leadership with challenges not shared by religious groups that adhere to the hierarchical model of a 'strict church'. That is, there is no central decision-making body with the authority to make obligatory and binding policies. This autonomy exemplifies the nature of Reform Jewish thought. Reform Jews are free to consider different ideas and make personal religious decisions on the basis of their spiritual implication. Congregants find a variety of issues to be religiously meaningful, which precludes the building of a consensus around contemporary requirements (Kaplan 2000).

The Reform movement accepts that the Torah should be interpreted to meet the needs of contemporary Jews. This approach is not new. The sages of the classical rabbinic tradition explicitly argued that the Torah was not in heaven and that God had given the responsibility for the interpretation of the Torah to human beings. Yet the Reform movement took this idea much further than traditionalists could have, once the Reformers were freed from the shackles of *halacha*, traditional Jewish law (Washofsky 2001).

Whereas today most Reform Jews understand ‘autonomy’ as each person being allowed to choose what is meaningful based simply on individual inclination, most of the early Reformers espoused the Kantian view of autonomy. Immanuel Kant conceived of an *autonomy of reason*, based on rational evaluation and thus identical for all people (see Seeskin 1992). The Kantian view of autonomy, as Rabbi Jacob Adler of the University of Arkansas explains, would “*oppose a person’s being moved by personal feelings, emotions, or inclinations, if they go against reason*” (Adler 2016). There needs to be a clear differentiation between the folk concept of autonomy, which is an inchoate desire for freedom in various personal areas of one’s life, and moral autonomy, the concept explained by Kant. Moral autonomy is a person’s capacity to develop rational philosophic thought concerning what is moral; what is moral can be reasoned out rather than merely accepted. Kant was one of the most important influences on early Reform thinkers, because he gave them justifications for taking strong positions on religious issues outside the framework of Jewish law (Meyer 1988).

Released from the decree of the Jewish legal system, Reform Jews could completely re-conceptualize what it meant to be a religious Jew and how Judaism could and should be practised. This open-ended approach had tremendous positive possibilities for allowing spiritual flexibility but also had the negative potential for encouraging increasing laxity and obligating the movement continually to accommodate sociological realities seemingly at odds with religious norms.

It is possible to argue in favor of allowing rabbis to marry a partner of a different faith, because, as Robert Bellah posits in a different context, “the great modern transformation involves the internalization of authority” (1991, 223). One of the earliest values espoused by Reform thinkers in Central Europe was that each person had the right and indeed the responsibility to determine what was religiously authentic for themselves. Thus Bellah’s term ‘the internalization of authority’ applies to Reform Jewish thought as well. The internalization of religious authority goes hand in hand with de-traditionalization (Woodhead and Heelas 2000, 342).

There was a precedent for this in another non-Orthodox American Jewish religious movement. Rabbi Zalman Schachter-Shalomi, a founder of the Jewish Renewal movement, had ordained Tirzah Firestone in 1992, making her the first openly intermarried rabbi in the United States. Rabbi Marcia Prager, the dean at ALEPH, Jewish Renewal’s rabbinic training program since 2002, stated that the program evaluates potential rabbinic students with non-Jewish partners case by case (Prager 2016). “ALEPH’s ordination program has, in a very limited and experimental way, been, from time to time, ordaining rabbis who are married to non-Jews who are powerful companions and allies of the Jewish people and of their rabbinate”, according to Prager (2016).

In 2015, another larger rabbinic program announced, on the day before Yom Kippur, a decision echoing ALEPH’s approach (Hostein 2015). The Reconstructionist Rabbinical College (RRC) would begin admitting and ordaining rabbinical students involved in

interfaith relationships. Rabbi Deborah Waxman, RRC president, said that revoking RRC's former "non-Jewish partner" policy was an action of the faculty which was "heavily influenced through consultation with alumni, congregations, and students". The faculty reaffirmed, she said, that "all rabbinical candidates must model commitment to Judaism in their communal, personal, and family lives" and simultaneously affirmed that "We witness Jews with non-Jewish partners demonstrating these commitments every day in many Jewish communities" (Hostein 2015).

However, in pre-modern or traditional society, there was an authoritative communal leadership with power over the individual secured through a divine source, direct or indirect. Faith was transmitted from a transcendent religious revelation situated in the past. The past revelation provided the blueprint for what needed to be done in the present and in the future in order to rise to the demands of the tradition, which was believed to emanate directly from God (Borowitz 1984). Today, liberal Western society rejects what tradition held to be sacred. Rather, people are allowed and encouraged to investigate alternative sources of spirituality. Truth can be found in direct experience rather than through the dictates of professional religious leaders. Authority can be found within, if only the individual makes the effort to search his or her heart (Bellah 2007).

In recent months, the academic arm of the Reform movement has begun studying what may materialize as the final incongruity in what many recognize as a series of incremental liberalizations regarding identity status: the possibility of allowing intermarried candidates to enter rabbinical school (and other professional programs) at the Hebrew Union College–Jewish Institute of Religion (HUC–JIR), the Reform movement's academic institution. A small number of opponents may have vehemently (if quietly) protested, but the momentum had been building for many years. Standards and/or restrictions of any kind are being swept away in the name of personal autonomy. Antinomianism has become necessary in order to be inclusive.

"At stake in this debate are competing visions of our people's future—if and how we will survive, what we will look like, and the role that rabbis and cantors will play in shaping our people's future", Rabbi Shirley Idelson, dean of the New York school of HUC–JIR, told a Jewish college newspaper in 2009 (Gillick 2009). Idelson, like the rest of the HUC–JIR administration and faculty, now refuses to comment further, referring all requests to a single spokesperson.

Idelson was alluding to the possible admittance to the institution of intermarried students who had intended to study for the Reform rabbinate and other positions of Jewish religious leadership. In previous years, the idea would have been decidedly preposterous. By 2009, it had gained serious support, and in spring 2013, it became the current *cause célèbre* of the Reform movement, the largest of all of the American Jewish denominations (Pew Research Center 2013).

The specific issue related to admissions policies at HUC–JIR, the academic institution serving the Reform movement of North America, which has four campuses in the United States and Israel. The HUC–JIR has rabbinic, cantorial, educational, Jewish communal service, and graduate programs at its various branches. Admission requirements have symbolic importance beyond their substantive impact on the students and their families, and it is for this reason that the debate has been followed closely by parties interested in the development of American Judaism. If the College permits intermarried students, the rabbinical association

will likely be conscripted to admit them, since all HUC–JIR graduates are automatically eligible for membership in the Central Conference of American Rabbis (CCAR).

There has been previous conflict about the eligibility of candidates under consideration for ordination as rabbis, initially in reference to women and later in relation to homosexual applicants. Both groups won the right to matriculate by large majorities. In other cases, admission requirements were changed or reinterpreted without an open debate, perhaps because the specific case was regarded as a sub-category of a previous policy decision. For illustration, transgender individuals have been admitted, beginning with Reuven Zellman in 2003, without notable conflict.

Recently, the eligibility issue is transmigrating to the matter of the intermarried. The logic may suggest that, if intermarried Jews are accepted in synagogues, assuredly, they should be allowed in rabbinic (and other Jewish professional) programs. The debate is centered on whether students with spouses or partners applying to study at HUC–JIR should be held to the current policy that bars the admission of an applicant who is “engaged, married, or partnered/committed to a person not Jewish by birth or conversion” (CCAR Responsum 2001). While the question is restricted to students in the process of applying, it is clear that a policy change will also have immediate implications for rabbis, cantors, and Jewish educators already in the field.

Are these potential spouses and partners individuals who believe in and observe Reform Judaism and have neglected to convert? If most are not practising any other religions and are regularly attending a Reform temple, why do they appear to be reluctant to convert? Do they not appreciate that to do so would engender an easier life for their partners, if no other rationalization prompts them to convert? This is the quandary that goes to the center of this controversy. How do people envision their identities and how does religious belief figure in that broader issue of self-conception? Historically, the rabbi was a male and his wife was expected to devote her life to helping him model an ideal Reform Jewish family life in- and outside the congregation. This is no longer true, with many spouses of various genders pursuing their own interests and avoiding the synagogue almost entirely. However, how far can things go? This article traces the development of this controversy, analyzes the contending arguments, and speculates on the rationalism of the arguments.

Early manifestations of potential discontent

The issue first arose in 1999 when Sandra M. Fox, a clinical social worker, approached Rabbi James A. Gibson of Temple Sinai in Pittsburgh, her rabbi, with the hypothetical question of whether she would be admitted as a rabbinic student despite her marriage to a non-Jewish man, a religious artist. A few months after her discussion with Fox, Gibson submitted the question as a *sheala* (rabbinic inquiry) to the CCAR Responsa Committee (Gibson 2013).

As is customary, once the Responsa Committee agrees to deliberate on a *sheala*, each member researches the issue individually and then the members do this as a group. They conduct a number of group discussions, which is typically done by conference calls. Upon their satisfaction that the points of the issue are understood and certain conclusions have been met, the position is penned.

In the Jewish year 5761 (2000–2001), the Responsa Committee published a *teshuvah* (rabbinic response) that outlined the organizational fact that, as an independent institution, the HUC–JIR determines its standards for admission and need not consult the CCAR on proposed changes. The HUC–JIR has complete independence to set any admission policies

it decides upon. The Committee supported the current limitations on admission to the HUC–JIR and wrote that “in our opinion the rule [excluding intermarried candidates] is a good one. We give it our full and unqualified support.” (CCAR Responsum 2001) The Committee then explained that

[t]he purpose of our rabbinical function, our teaching, counseling, and leadership, is to help our people make *Jewish* choices, build *Jewish* homes, and ensure the transmission of *Jewish* life and identity to our children. Mixed marriage tends to frustrate the achievement of these ends.

Conscious of the need to appear sensitive, the Committee wrote that it was important to clarify that

We Reform rabbis are not indifferent to the marriage choices of our people. On the contrary: we want them to make the choice for Jewish marriage, which by definition is a marriage between Jews.

The Committee further stated that the movement did not in the least regret its welcoming attitude toward the intermarried through the Outreach effort,

[b]ut we should never forget that the ideal toward which we rabbis strive, teach, and lead is that Jews should marry Jews. Since one of the ways in which we convey our teaching is through personal example, a rabbi’s life and home should embody this ideal.

However, the definition of ‘Jew’ was left open.

The Responsa Committee had earlier determined that in their opinion – none of their opinions have any authoritative status and are followed closely only by those rabbis interested in their methodology – it would be acceptable to hire a religious school teacher who was intermarried. At that time, the Committee did not seek to limit the theological beliefs of the non-Jewish spouse or partner. Like most of those engaging in this discussion, the Committee members seem to believe that the categories of Jew and non-Jew are clear and self-evident.

The Committee has attempted to clarify its position regarding the question of whether it would be acceptable to hire an intermarried religious school teacher but not acceptable to allow an intermarried candidate to enter rabbinical college. While a religious school teacher would volunteer to teach children on a part-time basis, rabbis as well as cantors and full-time Jewish educators “have accepted upon themselves (and are properly expected by our community to live up to) higher standards of Jewish learning and observance than those that we demand of others” (CCAR Responsum 2001).

Forward (the most widely read national American Jewish newspaper) published a critical response by the late Egon Mayer, the former director of the Jewish Outreach Institute, who advocates Outreach to intermarried and unaffiliated families (Eden 2002). Mayer objected to the ban, saying that

I would say that personal lifestyle choices shouldn’t be the sole test of whether somebody is qualified to be a leader and a teacher and a role model. You have too many examples in real life when unpredictable characters become enormously beneficial to the Jewish community. (Eden 2002)

At that point, support for this idea was minimal. Mayer’s equating of intermarried rabbis with ‘unpredictable characters’ was hardly a ringing endorsement (Eden 2002).

After the responsum was published, the question of whether a Reform rabbinic program had the right to insist upon endogamy regarding its students appeared to recede for a number of years until it re-emerged in a ‘senior sermon’ delivered in 2007 by then HUC–JIR rabbinic student Yael Shmilovitz (2007). In this sermon, she objected to the policy requiring all HUC–JIR students to sign the ‘Blue Sheet’, which states:

I understand that it is the policy and practice of HUC-JIR that any student currently engaged, married, or partnered/committed to a person who is not Jewish by birth or conversion will not be ordained or invested. (Shmilovitz 2007)

Ironically, since the responsum will likely contradict the Reform movement's stance on the taxonomy of the ethical dimension of sexual relationships, this policy seems to apply only to students in serious relationships.

In the published text of her speech, Shmilovitz mentions an empty line at the bottom of her Blue Sheet,

waiting to be covered by my signature. We stared at each other, the form and I, for a long while. All sorts of impossible questions filled my mind. If I signed it, would that mean that if I met that special person, and they weren't Jewish, that they would have to convert in order for me to be ordained? (Shmilovitz 2007)

She wonders whether the motive was adequate for conversion to Judaism to take place: "If making a Jewish family is at stake, can't I have one with a non-Jewish spouse? What if my spouse was Jewish, but disinterested? Would that then be OK?" (Shmilovitz 2007) In her thinking, religious commitment and the marital relationship have no organic connection.

As an education student who had been studying at HUC-JIR for three years, she was aware that some of her classmates were born and raised in intermarried families:

If I signed, what would that say about these unions? That they are regrettable? If I signed, what would it say about my classmates, the children of those unions? What if by signing this sheet, I was signing away an important spiritual tenet of mine? Which is—it is love that binds a family together, and it will be through love that I will make a Jewish family, a new Jewish family, a unique Jewish family, no matter the obstacles? If I signed, what kind of rabbi would that make me? (Shmilovitz 2007)

She ponders what she saw as the inconsistency of the positions taken by the movement:

But by the same token, the movement did not, and still does not, condone intermarriage. Embrace intermarried couples—yes. Condone interfaith unions—no. We don't go that far. Well, if you think about it, why not? Why don't we go that far? (Shmilovitz 2007)

The context of her sermon was, she explained,

my (extreme) discomfort with the policy, on ideological and definitely theological (or spiritual) grounds. Simply put, as a serious seeker, I was looking for a Judaism that would serve as a compelling, relevant source of meaning in the world, for me and for others; the idea that endogamy was the sine qua non of Judaism (as defined by the seminary) was something I was not aligned with, deeply so. (Shmilovitz 2007)

She denied that it was a matter of lifestyle or of convenience. Rather, "it was about whether Judaism could speak to me and many like me about our real lives and concerns as progressive Jews living in the 21st century" (Shmilovitz 2007) as individuals.

The origins of the current controversy

In spring 2013, two rabbinic students, Daniel Kirzane and Brandon Bernstein opened a public debate on this question, first in *Reform Judaism* magazine (Kirzane and Bernstein 2013a), the official organ of the Union for Reform Judaism, and then in *Sh'ma*, an influential newsletter founded by HUC-JIR Professor Eugene B. Borowitz (Kirzane and Bernstein 2013b). When both opposing viewpoints were published as the 'Debatable' feature on the

back page of the spring 2013 issue of *Reform Judaism*, many rabbis in the movement were astounded.

Their surprise reflected the fact that there had been no prior signaling that any Reform Jewish institutions were considering such a radical change. It would indeed be a radical change: not only would it affect the private romantic and marital choices of a small number of rabbinic students, but it would also affect the entire movement's approach toward endogamy. It would shift the Reform movement's approach from one of balance between Jewish particularism and universalism to one favoring universalism.

On 23 April 2013, I published an article in *Forward*, in which I tried to explain the parameters of the controversy and its potential implications. Contrary to how the article was perceived by some, it took no position on whether the policy requiring that rabbinic program applicants not be partnered with non-Jews should be changed. It did, however, argue that theological considerations needed to be included and that any policy change needed to evaluate what religious positions would be acceptable rather than accepting *any* 'non-Jewish partner'. I argued that

If we Reform Jews really saw ourselves as believers, then every policy would be evaluated in terms of whether it was consistent with our faith. If that were so, then the partner of a rabbi would certainly have to have beliefs consistent with Progressive Judaism' (Kaplan 2013b)

If we do not affirm such beliefs, I further argued,

Reform Jews will undermine the claim they once had to representing a true and compelling ethical monotheistic faith. Rather, contemporary Reform Judaism would represent the consequence of a lifestyle choice rather than a theological process. (Kaplan 2013b)

On 6 June 2013, HUC–JIR Vice President Michael Marmor (2013a) sent an e-mail to all graduates, explaining that the attached position paper referred to the question “Should candidates with non-Jewish life partners be admitted into our Rabbinic, Cantoral and Education programs, and if they have been admitted, should they graduate these programs?” He summarized that two significant aspects of Jewish tradition were in conflict: “the maintenance of boundaries and the urge to go beyond them; definition and inclusion; peoplehood and personhood.” What should we do, Marmor asked, in response to these conflicting calls? Would any change in our policy weaken what has been called in a recent work by the then HUC–JIR President David Ellenson and by Conservative Rabbi Daniel Gordis “pledges of Jewish allegiance”? On the other hand, would a refusal to change the policy “reflect a lack of understanding of what is playing out in North American Judaism?” (Marmor 2013a).

Marmor announced that the institution wanted to include all alumni in an effort to encourage a movement-wide debate on the issue before reaching a consensus:

We are turning to you, alumni of the College-Institute, and inviting you to join with us as we grapple with this complex and challenging issue. It is you, after all, who live out these tensions and conflicts every day, and your input is very important to us. (Marmor 2013a)

The HUC-JIR leadership knew, Marmor wrote, that there were strong opinions on “all sides” of the debate. By using the word ‘all’, he implied that there were more than two potential viewpoints. Rather than suppress these views, he stated, “we believe that the best way to be true to the finest values of Reform Judaism is to relate to them in a spirit of honest engagement” (Marmor, 2013a). The time framework for the process was, Marmor explained, still being worked out:

Conversations are now taking place on our various campuses, and in truth the timeframe for the process, and for that matter the way in which the conversation plays out, is still being worked out. (Marmur 2013b)

On 25 April 2013, Marmur wrote,

There is much thinking and talking going on in our faculty on this issue. You may not be surprised to know that there is quite a wide range of passionately held opinions among our faculty and other key stakeholders. (Marmur 2013c)

He had patiently explained that the debate would be limited to the HUC–JIR community at that time: “In time, other voices from our Movement will be included in this discussion. I imagine that in time the fruit of this discourse will begin to appear” (Marmur 2013b). When I asked him if I could quote him, he responded,

Feel free to quote me. Our reticence is simply based on our wish to engage in a non-hysterical and substantive discussion of what I believe to be a complex issue—more complex than the way it is currently portrayed. (Marmur 2013b)

Marmur was sensitive to the potential accusation that HUC–JIR was being secretive:

I believe that under David Ellenson, the College–Institute has been transparent about its challenges, achievements and concerns. The point about this issue is that those who seem to believe it’s a slam dunk on one side or the other are (in my view) missing the complexity. We believe that the best approach is to be deliberative, and to respect the deeply-held views on all sides of the debate. (Marmur 2013b)

How had the debate begun? I emailed Kirzane to ask him directly. Initially, he responded with some information, but soon he insisted that everything in our correspondence must be considered off the record. I responded that there was no reason for anything to be off the record with the exception of personal information. At that point, he stopped responding to my emails. In his senior sermon, Kirzane claimed that, in April 2012, Debbie Shapiro Abelson, Director of Admissions and Recruitment, had met with President David Ellenson and other senior administrators and recommended that the intermarriage policy of the institution be revised to allow for the admission of a broader cross-section of students, since HUC–JIR was losing many otherwise qualified candidates. In his senior sermon, Kirzane stated that

Only five months ago, Debbie Abelson, director of HUC Admissions and Recruitment, met with senior HUC administrators. At that meeting, Abelson and her staff were explicit about their vision for recruitment at the College. They submitted an official recommendation that what is called our ‘intermarriage policy’ be removed and that we openly advertise this change of position. (2012)

In his footnotes, Kirzane cites a personal conversation he had with Abelson. When I contacted Abelson, she would not respond to e-mails or phone calls. Marmur intervened, reiterating that all contact on this issue should be with him. I persisted and Abelson eventually sent me a short e-mail declining to comment. When I was in Los Angeles in April 2014 as the Scholar-in-Residence at a local synagogue, I visited HUC–JIR and was able to meet her. She was very friendly but apologetically told me that she was under orders not to say anything on this issue.

Marmur wrote that “the national director [Abelson] did not ask for a change in policy, but she and her team did raise the question for discussion about a year ago” (Marmur 2013d). It

had, moreover, already been discussed in HUC–JIR circles before that meeting. He stated, “Neither the recruitment piece nor Daniel’s [Kirzane’s] sermon were the single trigger. As often happens, this was already part of the *zeitgeist*.” (Marmur 2013d)

Arguments for changing the policy

The policy which Kirzane opposes states that HUC–JIR will not admit any applicant who is “engaged, married, or partnered/committed to a person not Jewish by birth or conversion” (CCAR Responsum 2001). Writing in *Reform Judaism* magazine as the advocate in favor of the question “Should Our Seminary Admit Students with non-Jewish Partners?”, he writes,

I urge the Hebrew Union College to make good on the Reform Movement’s commitment to Outreach by changing its policy and opening its doors to *all* who strive to create a Jewish home and serve the Jewish people. (Kirzane and Bernstein 2013a, emphasis in original)

Kirzane clearly implies that he believes that the philosophy of Outreach, as understood in a Reform context, is contradictory to this HUC–JIR policy. But is it?

Kirzane cites as support a paragraph in an Outreach brochure from the Union for Reform Judaism, which opens with the question “Intermarried?” and responds with “Reform Judaism welcomes you”. The brochure then quotes Isaiah 56:7: “My house shall be called a house of prayer for all peoples.” The author of the text in the brochure deduces from this that “from the very earliest days, there have been individuals who lived with the Jewish community but who were not themselves Jewish... You [the intermarried Jew and your spouse/partner] are welcome.” (Kirzane and Bernstein 2013a) This quote is from the same material that was earlier used by Yael Shmilovitz in her senior sermon; it does not appear to advance Kirzane’s argument in a coherent manner. Did Kirzane copy it from her sermon without having a clear idea of what he wanted to do with it? On a substantive level, welcoming intermarried couples and accepting intermarried rabbis are clearly different issues. On an epistemological level, are we to accept religious policy on the basis of what is written by an anonymous author in a pamphlet?

Kirzane appears to believe that the logic of his cause is so obvious that citing related material is sufficient, even if cause and effect are not established. He refers to the actuality that, in 1999, the CCAR affirmed that the Reform movement is “an inclusive community, opening doors to Jewish life to [all] ... who strive to create a Jewish home” (Kirzane and Bernstein 2013a). Kirzane considers that it logically follows that

[o]ur Reform seminary, the Hebrew Union College–Jewish Institute of Religion, should be the greatest exemplar of this ideal, yet it will not admit any applicant who is ‘engaged, married, or partnered/committed to a person not Jewish by birth or conversion.’ (Kirzane and Bernstein 2013a)

Kirzane appears unable to see the potential difference between those on the margins and those who are leading synagogues as clergy. The distinction is quite clear when objectivity prevails, but here Kirzane offers largely subjective comment. Kirzane writes that

Outreach is no longer about ‘turning the tide of intermarriage’, as it was 35 years ago. Today it is about embracing both Jewish and non-Jewish members of Jewish families, affirming their positive contributions to our congregations and religious schools. (Kirzane and Bernstein 2013a)

He explains that

I am a child of one of these families, as are many of my classmates. My parents modeled how to build a Jewish family with non-Jewish members, and I have followed their example by building a home committed to the Jewish values of activism, spirituality, and prayer. (Kirzane and Bernstein 2013a)

Kirzane throws around buzzwords that seemingly clarify what made his parents' home a Judaic one. He has followed the path of his Jewish parent and he has made a home like the one he grew up in. Yet the HUC-JIR would still prevent him from becoming a rabbi, "had I chosen to build this home with a non-Jewish partner". Such a choice would have precluded, he says, even merely applying to the HUC-JIR rabbinical program (Kirzane and Bernstein 2013a).

In the debate of the April edition of *Sh'ma*, Kirzane opens a fictional exchange of letters with his friend Bernstein by stating:

I advocate that HUC-JIR change its current policy not to admit, graduate, or ordain students with non-Jewish partners. I believe that the current policy is outdated, and it flies in the face of contemporary Reform values. (Bernstein and Kirzane 2013)

In the exchange in *Reform Judaism* magazine, Kirzane goes further, stating that the policy is "antithetical to our Movement's essential focus on welcoming and Outreach" (Kirzane and Bernstein 2013a). This policy may be contrary to a universal understanding of Reform Judaism and that is an issue to be studied and debated, but the writing appears to summarize Reform Judaism's positions in a one-dimensional manner.

Kirzane seems to argue that it is the quality of a couple's Jewish life that is determinative, not the official religion of one's partner. In the exchange in *Sh'ma*, he writes that a

partner's Jewish status is not an essential signifier of what kind of Jewish home the family will have. Connection to the Jewish people, history, beliefs, state, or mythos, for example, can be much more important and powerful an indicator than Jewish *status*, and to presume that a non-Jewish spouse does not have such connections is not only inaccurate, it's unfair. (Bernstein and Kirzane 2013, emphasis in original)

It would be unfair if a person is prevented from converting and then discriminated against because he or she has not officially become a Jew. However, in the American Reform movement, where people of all backgrounds are allowed to convert, providing that they express a sincere interest in Judaism, the above characterization is not unfair.

Kirzane puts the emphasis—appropriately—on the quality of the person's Jewish life rather than on his or her beliefs. So, too, do opponents, who feel that intermarriage (without the conversion of the non-Jewish partner) sets a poor example for Jewish living. Of course, they then need to define what constitutes 'Jewish living'. This should include an evaluation of the underlying religious beliefs that motivate ritual and ceremonial behavior. Without an analysis of the beliefs held by the partner, this debate is an exploration of nothing more than ethnic solidarity. In my view, it is critical to analyze carefully the religious beliefs of each partner in order to determine the compatibility of those beliefs with the theology of Reform Judaism. To establish that element, we must first determine the theology of Reform Judaism, which may be an extraordinarily difficult undertaking. The result is that any decision on this social issue is liable further to obscure the core theological message of Reform Judaism rather than aid its clear communication to a wider audience of potential religious seekers.

On 17 May 2013, approximately one month after I had published my first opinion piece on this topic, *Forward* published an open letter from Rabbi Ellen Lippmann (2013) to the board of governors of HUC-JIR, opposing the ban on intermarried rabbinic students

(Kaplan 2013b). Lippmann explains in the letter that an “inclusive vision of Jewish leadership” means that “we should not push away those who want to become leaders of the Jewish community as rabbis just because they are intermarried” (Lippmann 2013). She describes her purpose in penning an open letter:

I am writing to urge you to reconsider the HUC–JIR requirement that all prospective rabbinical students sign an agreement that “any student engaged, married, or partnered/committed to a person who is not Jewish by birth or conversion will not be admitted or ordained”. (Lippmann 2013)

Lippmann was ordained in 1991 by the HUC–JIR; in 1993, she founded Kolot Chayeinu, a politically and religiously progressive (not specifically Reform) Jewish congregation which rents space from a church in Brooklyn. It was originally a modest group that gathered around her dining-room table, but it grew into a 300-member congregation which is now recognized as one of the more successful of the non-conventional synagogues in New York. In their mission statement, the members of this synagogue describe themselves as a Jewish congregation,

where doubt can be an act of faith and all hands are needed to build our community. We are creative, serious seekers who pray joyfully, wrestle with tradition, pursue justice and refuse to be satisfied with the world as it is. (Kolot Chayeinu/Voices Of Our Lives, n.d.)

In terms of who they are, the statement says they are “individuals of varying sexual orientations, gender identities, races, family arrangements, and Jewish identities and backgrounds” who share “a commitment to the search for meaningful expressions of our Judaism in today’s uncertain world”. (Kolot Chayeinu /Voices Of Our Lives, n.d.)

Lippmann’s reasons in the letter were primarily personal. She writes that she has been partnered with a non-Jewish woman since 1984: “I was an LGBT student at a time when this status was not recognized at the college and there was no such required agreement to sign.” (Lippmann 2013) At the time, gay and lesbian students were of course not admitted to the rabbinic program. A lesbian candidate with a non-Jewish partner would certainly not have been considered.

Lippmann describes her partner’s religious orientation as follows:

We were married under a chuppah [canopy or covering under which, traditionally, a Jewish bride and groom stood during their wedding ceremony] on our 20th anniversary, in 2004, and were legally married when we could do so in New York State, in 2011. We have a grown daughter who celebrates the Sabbath and holidays. In 1988, my partner began welcoming the Sabbath in our home even when my student pulpit took me away. She attends services in my congregation, reads Jewish texts with interest and annually counts the Omer [ceremonial counting of the 49 days between Passover and Shavuot, as described in the Hebrew Bible (Leviticus 23:15–16)] with me. (Lippmann 2013)

This is indeed a high level of observance for a Reform Jew. However, there is a catch:

And no, she has not converted. She believes strongly that one should feel oneself to be fully a Jew in order to convert, and she defines herself instead as a ‘permanently lapsed Irish Catholic’. (Lippmann 2013)

What is important here is that she believes in something strongly. It would be a travesty to force someone to violate a belief to which he or she is strongly aligned. Nevertheless, it is hard to understand why being a ‘permanently lapsed Irish Catholic’ makes it difficult formally to convert to Judaism. Is there any residual religious belief that is inconsistent with Judaism?

Subsequently, Lippmann writes that the board of governors should address this policy from two “Jewish standpoints” (Lippmann 2013). The first is the question of inclusion or exclusion. She then quotes—unexpectedly—Rabbi Tzvi Hirsch Kalischer, a nineteenth-century Prussian Orthodox rabbi regarded by many as a proto-Zionist. In 1864, Kalischer wrote a responsum concerning the circumcision of males born to Jewish fathers and non-Jewish mothers. He stated that it was a “mitzvah to circumcise such children,” because “with children such as these, there is sometimes the possibility that great leaders of Israel will arise from among them” (Lippmann 2013). Lippmann does not provide any reference, although the then HUC–JIR president, whose retirement was imminent, wrote an academic article years ago in which he discusses the historical controversy of which Kalischer wrote, which took place in New Orleans (Ellenson 1979).

Then Lippmann leaps to the point that Rabbi Alexander Schindler accepted patrilineal descent “for membership in the Jewish community 35 years ago” (Lippmann 2013). In the very next sentence, she writes, “Similarly, we should not push away those who want to become leaders of the Jewish community as rabbis just because they are intermarried” (Lippmann 2013). She seems to suggest that the Patrilineal Descent Resolution (this resolution states the Reform movement’s position that a child may be raised Jewish when either the mother or the father is Jewish; traditionally, the requirement was that the mother, specifically, be Jewish) leads logically and inexorably to her current position.

The second ‘Jewish standpoint’ is the question “What is a rabbi?”. Lippmann argues that, while a rabbi is a role model,

there are many kinds of role models. Inter marriage is a fact of American Jewish life. We can do a better job of connecting intermarried Jews to synagogues, rabbis and Jewish life. One way is to knowingly ordain intermarried rabbis. (Lippmann 2013)

She appears to argue that we should model down, molding our leaders in the image of the masses: “If a rabbi is a Jew like all others, we should welcome rabbis who are married to non-Jews just as we welcome Jews who are married to non-Jews into our congregations.” (Lippmann 2013) This argument is a logical fallacy.

Sociological realities trump philosophical analysis

While the leadership of the Reform movement has been surprisingly quiet on this issue, there are indications of where their sympathies lie. In the May 2013 issue of *Sh’ma*, HUC–JIR President Rabbi David Ellenson interviewed Rabbi Eugene Borowitz, one of the most senior professors at HUC–JIR as well as the founder of the newsletter. While the focus of the discussion is Borowitz’s concept of the covenant, toward the end of the interview, Ellenson turns to the question of whether applicants need to have Jewish spouses/partners:

Some student sermons have challenged our current policy in which we insist on endogamy—that our incoming students with partners have Jewish partners. In fact, last month, two of our students debated this very issue in the pages of *Sh’ma*. I’m now being called upon, as president of the college, to lead a discussion about the possible alteration of this policy. I’m now asking you, as my rabbi and teacher, how might you guide me? (Ellenson and Borowitz 2013)

This is clearly an occasion for a profound response, but Borowitz prevaricates, missing the opportunity to apply his Jewish philosophic teachings to a contemporary policy issue. Instead, he points out that those candidates can make other arrangements and, therefore, the policy will not have a deleterious impact on the American Jewish community:

I would like to call attention to the fact that many institutions give smikha [rabbinic ordination]. By retaining the policy, the college will not deprive the Jewish community of rabbis who are intermarried. Such students can go to other institutions. (Ellenson and Borowitz 2013)

Borowitz then considers the educational institution of the Reform movement:

As one of the major institutions of American Jewish life, HUC–JIR cannot change a policy that was designed to increase and strengthen Jewish life; the policy sets an example of how a Jewish home ought to be. Beyond that, we must remember what marriage and Judaism mean, even in Reform or classical Judaism. (Ellenson and Borowitz 2013)

Borowitz relies on the same support as both rabbinical students: HUC–JIR students need to build strong Jewish homes. But is that the primary or even the only reason?

Ellenson endeavors to follow up:

But is a policy of outreach, our attempt to bring in exogamous couples, inconsistent with a policy which affirms that our rabbinic and cantorial leadership must be endogamous? I am charged with being inconsistent: As the Reform movement, we reach out to be inclusive of intermarried people when they elect to be part of the community—that 40 percent you mentioned earlier—and yet we do not allow rabbis and cantors who themselves might be intermarried, but whose partners would nevertheless ‘practice Judaism’ to be admitted to the college. I confess I favor the continuation of our current policy and regard endogamy as the Jewish ideal. (Ellenson and Borowitz 2013)

Once again Borowitz avoids a philosophic answer:

To my knowledge, HUC has, over the past 50 years, increased its Jewish standards on many different levels: greater literacy in Hebrew and basic Judaism. The college insists that students learn more Hebrew than many want to learn, read more books than they have been required [to read] in the past. So, too, should not the standards with regard to personal observance increase? While recognizing the challenges, and how easy it would be to be nice to every point of view, the college needs to set a standard of Jewish practice that is high and strong and firm. (Ellenson and Borowitz 2013)

While Borowitz is resolute on the focal point of the policy, he does not provide the theological insight that might provide the tools to develop a coherent policy that would be both flexible and consistent. Perhaps that is an impossible undertaking.

Once Ellenson retired and Aaron Panken became the new HUC–JIR president, there was a renewed effort to constitute a final decision on this question. It seemed clear to many observers that changing the policy was inevitable. Inter marriage is embraced as a fact of life in all Reform congregations and most Reform Jews accept the idea that Reform rabbis should not be placed in a separate religious category from other Jews. That issue would seem to have indicated that an open policy would be the most likely intention. Further, comments made by various leaders seemed to imply that, while they were personally opposed, they understood the necessity of changing the policy.

Committees had been established on each of the four HUC–JIR campuses (New York, Cincinnati, Los Angeles, and Jerusalem) in order to discuss the possibility of change to the policy. At the New York campus, Rabbi Jerome Davidson chaired the committee (Davidson 2016). Years earlier, in a highly publicized case, Davidson had reversed his policy on officiating at inter marriage ceremonies after he had agreed to bless his assistant rabbi and her lesbian partner. Congregants had questioned his willingness to bless lesbian partners, but not an interfaith couple. He had responded that the two cases were qualitatively different because both partners in the lesbian union were committed to the Jewish faith. However, after many of his congregants had complained, Davidson reevaluated his position and

decided to officiate at interfaith weddings (Gilbert, n.d.). The deliberation suggested that, if he gave in to pressure from his own congregation, he would presumably be amenable to a more open admissions policy at HUC-JIR. The writing was on the wall, the rationale went. The impending policy decision would be but a formality.

This popular view was proven to be wrong. In October 2014, Rabbi Barry Block posted a message on a listserv for Reform rabbis, responding to previous comments expressing optimism that the policy would not be changed. Block informed his colleagues that Aaron Panken had indeed ruled on this matter earlier in 2014, determining that there would be no change in the policy against intermarried rabbinical students (Block 2016).

I wrote to Panken asking whether this was the case; he responded that “Barry’s [Block’s] answer is essentially correct” (Panken 2014a). I followed up with a question on the task force chaired by Davidson. Panken’s reply was:

That task force, made up of faculty from each campus, was directly involved in the process, convened many conversations over nine months, and provided Michael Marmor and me with much useful information as we considered what to do. (2014a)

A few days later, Panken (2014b) told me that he had decided not to write an explanation of the policy in response to the questions raised on the listservs, not only on RAVKAV, a listserv for Reform rabbis, but also on HUCALUM. The new policy document, “which is now what we use to communicate our expectations to incoming students” (Panken 2014b), was posted on HUC-JIR’s web site. Under the title “HUC-JIR Rabbinical, Cantorial and Education Programs: Our Policies and Expectations”, there was a sub-section, “Am Yisrael: Representing the Jewish People, Working for All Peoples”, stating

The Reform movement and HUC-JIR share a proud record of reaching out to all who seek to develop their Jewish identity with love and acceptance. Even as our students actively engage in this important work, as rabbis, cantors or educators, we expect them to model a firm and lasting commitment to the Jewish home and the Jewish future through the choices they make in their own family lives. We celebrate the contribution of people of all faiths toward building and sustaining loving Jewish homes, and yet we believe that rabbis, cantors and educators should exemplify a distinct standard of Jewish continuity. Therefore, HUC-JIR will only admit, graduate or ordain candidates who, if in a committed long-term relationship, are in such a relationship with a Jewish partner. It is important that candidates for our program be aware of this policy at the point of application. We encourage you to speak with an admissions director if you have questions or concerns. (HUC-JIR)

I wrote to Panken to declare my surprise about this, because, among other reasons, all the HUC-JIR leaders had implied that Ellenson was cognizant that the policy had to be changed and had wished to retire before this was accomplished. The decision was thus a dramatic revelation. Could he share the methodology employed? Panken’s reply was as follows:

As for the process, it was a wide-ranging set of conversations that involved students, faculty, administration, board members and many partner institutions (URJ, CCAR, MARAM, etc.). We listened carefully and asked a lot of questions, thought about the various options, and made the decision based on our sense of what was right for the movement, the Jewish world and HUC-JIR at this moment in time. Thoughtful proponents on both sides, and lots of passionate questioning of each position. But, in the end, we decided that it was not the right time to change the policy, though, as you can see, we changed the way we communicate it significantly. (Panken 2014b)

I then requested a copy of the committee's report and the results of the faculty vote, but was told "No committee and no vote... Just a thoughtful and long discussion by the parties mentioned and the National administration" (Panken 2014b).

The American Reform movement is challenged by the need to maintain boundaries on the one hand and by the desire to be inclusive on the other hand. The movement values religious pluralism, which is understood to mean that there are many different ways to practise the Jewish religion. However, every religious movement must set boundaries delineating acceptable from unacceptable procedure. The Reform movement has been divided for decades between those who wish to clarify and perhaps codify the boundaries and those who would prefer to eliminate them entirely. In the controversy described in this article, Panken and Marmor were able carefully to manage the debate and prevent the details from becoming public; if they had, this would have generated a great deal of pressure from the universalist wing of the movement to change the policy. Such a policy change would have had an enormous impact on the atmosphere in Reform synagogues and on the impressions the Jewish and non-Jewish worlds would have had of the Reform movement. Nevertheless, the conflict between the universalist and particularist wings of the American Reform movement has not concluded and will surely be revived, whether in relation to this or another issue.

The contours of the controversy over whether intermarried candidates can study for the Reform rabbinate and become ordained as Reform rabbis illustrate that public debate constitutes only one avenue of expression. Many of those advocating radical social and religious change focus on personal reasons and argue from emotion rather than from intellect. At the same time, the institutional leaders of the movement are discussing the merits of the proposed change with an entirely different group of communal leaders and the scholars who largely remain behind the scenes. Policies that are reaffirmed or changed are based on considerations which are only partly visible to the outsider. While this diminishes the democratic and inclusive nature of decision making, it also increases the likelihood that an effective policy will result—effective socially and politically and religiously.

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