

**Intermarriage Officiation:
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Beth Emet The Free Synagogue
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Preface

During nearly 14 years as a rabbi, it has been my practice not to officiate at intermarriages. Today, after concentrated study and deliberation, reflection on the heterogeneous society in which we live, thorough exploration of Jewish texts and Reform interpretations of Jewish tradition, I have decided to change my stance, and will, under prescribed circumstances, officiate at marriages between Jews and non-Jews. Since this decision portends a significant departure for Beth Emet The Free Synagogue, this document summarizes the study and thought leading up to my decision, and provides the base for discussion, explanation and dialogue within our community.

Background

The leadership of Beth Emet has long been aware of the need to reach out in special ways to make intermarried couples and their families feel included and comfortable in the congregation. The rabbis have taken steps to define appropriate roles and boundaries so that family members who are not Jewish¹ are included in life-cycle events.^{2 3} The Interfaith Outreach Committee works to create programs that address the issues and concerns of intermarried couples and their families.

Yet neither the Interfaith Outreach Committee nor the policies and practices we have introduced were intended to address the issue of rabbinic officiation at marriages between Jews and non-Jews. We have heard time and again from congregants who were hurt that they or their children were “denied” rabbinic officiation at their weddings. And opposition to intermarriage officiation has fostered the impression that Beth Emet is not a welcoming place for intermarried couples and their families. In short, the issue of officiation at weddings in which one spouse is not Jewish remains an important outstanding issue to be addressed.

¹ The term “non-Jew” refers to anyone who was not born Jewish or did not convert to Judaism. A convert to Judaism is considered a full-fledged Jew with all the rights and responsibilities accorded to all Jews.

² Most notably non-Jews cannot recite the Torah blessing in which one proclaims that he or she has been chosen from other peoples to be a recipient of Torah. One must also be Jewish to proclaim blessings that include the formula, “You have sanctified us with your commandments.” This does not imply Jewish superiority, but rather the unique relationship that Jews have with God based on Torah and its commandments.

³ A document about the roles non-Jews can play in b’nai mitzvah ceremonies was drafted in 2009 and can be found at <http://www.bethemet.org/intermarriageofficiation/Bnai%20Mitzvah%20Honors.pdf>.

Why I Have Now Decided to Officiate at Intermarriages

Much has changed in the Jewish world since the Central Conference of American Rabbis (CCAR) issued its last *responsum* on intermarriage in 1973⁴ stating that Reform rabbis should not officiate at intermarriages.⁵ Between 1970 and 2000, the rate of intermarriage among U.S. Jews rose from 13 percent to 47 percent, according to the National Jewish Population Studies.⁶ Meanwhile, Jewish acceptance of intermarriage has also grown. In 1970, 50 percent of Jews expressed strong opposition to intermarriage.⁷ Opposition fell to 22 percent by 1990.⁸

In her book, *Double or Nothing: Jewish Families and Mixed Marriage*, Sylvia Barack Fishman⁹ attributes the increasing acceptance of intermarriage to the “permeable boundaries and multi-cultural ethos of contemporary American Jewish life, along with the wide-spread social acceptability of Jews as marital partners for non-Jews.” She continues, “Judaism as a faith tradition has been strikingly Americanized, creating commonalities and bridges between Jews and non-Jews who occupy the same socioeconomic, educational, geographical, and political milieus.”¹⁰

In addition to citing reasons of Jewish law and tradition, another reason that rabbis have historically declined to officiate at intermarriages is that they sought to avoid an overt endorsement or encouragement of intermarriage.¹¹ While that strategy may have been noble in its intent—among other things, to promote the creation of Jewish families—the statistics cited above suggest that despite the lack of rabbinic endorsement of intermarriage, the rate of Jews marrying non-Jews continues to increase. As Egon Mayer, director of the Center for Jewish Studies of the Graduate Center of the City University of New York, said, being for or against intermarriage “is like being for or against the weather. It’s a demographic and social reality.”¹²

⁴ This responsa was affirmed again in 1982 (CCAR Responsa, Vol. XCII, pp. 213-215).

⁵ CCAR Yearbook, vol 83, p. 97, “The Central Conference of American Rabbis, recalling its stand adopted in 1909 ‘that mixed marriage is contrary to the Jewish tradition and should be discouraged,’ now declares its opposition to participation by its member in any ceremony which solemnizes a mixed marriage.”

⁶ National Jewish Population Study, 2000-2001.

⁷ National Jewish Population Study, 1970-1971.

⁸ National Jewish Population Study, 1990-1991.

⁹ Sylvia Barack Fishman is a professor of Contemporary Jewish Life in the Near Eastern and Judaic Studies Department at Brandeis University, and also co-director of the Hadassah-Brandeis Institute.

¹⁰ Fishman, Sylvia Barack, *Double or Nothing: Jewish Families and Mixed Marriage*, p. 138.

¹¹ CCAR Responsa, Vol. XCII, 1982, pp. 213-215, “The agreement to officiate at intermarriages would be a clear signal to others in the community, especially children, that this is a matter of indifference of less than paramount concern to the rabbi.”

¹² Fishman, Sylvia Barack, p. 129, quoting *Forward* online, November 16, 2000.

Meanwhile, the percentage of intermarried families raising their children as Jews has increased. Thirty-seven percent of children raised in intermarried households¹³ are being raised exclusively as Jewish. This compares to 25 percent in the 1990 NJPS study.

In 2007 under the leadership of Rabbi Knobel, the CCAR once again took up the issue of intermarriage. The CCAR task force, which is still deliberating, has decided not to issue a statement about rabbinic officiation, instead focusing on four areas: pre and post-marital counseling, Jewish engagement of couples and conversion, ritual and liturgy, and how rabbis communicate a stance to their communities. The CCAR has left the decision of officiation up to individual rabbis.

My Decision

Yet neither the demographic realities of 2010 nor the failure of principled rabbinic opposition to reduce intermarriage's prevalence is sufficient justification for a volte face on the issue.

Rather, the prevalence of intermarriage in and around our community compelled me and should compel all of us to reevaluate accepted principles and to confront with intellectual integrity old assumptions. I have been engaged in that process during 20 years as a student and then ordained rabbi. During the past year, and particularly during the past few months, I have devoted considerable time to reviewing the rabbinical and sociological literature on this subject and to formulating a position that speaks to the needs of our community.

In the pages that follow, I offer my review of the existing Jewish responsa and scholarship, and I seek to expand our understanding of a Jewish wedding in a manner that maintains its integrity within a liberal Jewish worldview while broadening its definition to include weddings between Jews and non-Jews under certain circumstances.

Based on this study and introspection, consultation with colleagues, and discussions with Beth Emet members, I have determined that I will officiate at intermarriages, with some modifications to the traditional Reform ceremony, for couples who are committed to:

1. Taking an Introduction to Judaism class or its equivalent;
2. Establishing and maintaining a Jewish home and, if blessed with children, to raise them as Jews;
3. Pre-marital counseling with me;
4. Exclusively Jewish clergy officiation at the wedding;¹⁴
5. Participating in a Jewish community wherever they choose to settle after they are married.¹⁵

¹³ National Jewish Population Study, 2000-2001 (Jewish Federation). The figure is slightly higher, 39 percent, for households in which the parents are under 50.

¹⁴ Since I expect the couple to make a commitment to creating a Jewish home if they want me to officiate, having a non-Jewish clergy person would signal the couples' desire to have an interfaith home.

Rationale

Rabbis play many different roles within communities. The rabbi is a counselor and source of comfort and support. The rabbi is also the *mara d'atra*, the religious decision-maker for his/her particular community. This means the rabbi has the freedom and responsibility to make decisions on religious issues based on the needs and concerns of the community and the application of Jewish teachings and tradition to the situations at hand.¹⁶ Sometimes the role of *mara d'atra* means setting boundaries that come into conflict with the counseling role. The rabbi has the responsibility to balance the needs of the community and the integrity of the tradition with the needs of individuals.

In Kabbalistic terms, the rabbi's role is to find *tiferet*¹⁷—beauty—the uniting force between the poles of *hesed*—unconditional love—and *gevurah*—boundary setting.¹⁸ *Hesed* is love for others regardless of their actions and *gevurah* is the limits to individual freedom that are needed in order to maintain the community and the tradition. *Tiferet* is a conciliatory approach, balancing the desire to reach out to couples who are intermarrying with the concern for the continuity and the integrity of Jewish tradition.

At the philosophical core of Reform Judaism is the assumption that we should base our practices on the contemporary conditions in which Jews live and how Jewish tradition speaks to their situation. As we like to quip in the Reform Movement, “Reform is a verb!” which means it is always evolving. Beth Emet's statement of principles also reminds us of this value, “Our congregation is dedicated to relevant, dynamic and liberal Judaism. We will stress the all-embracing character of Judaism and the Jewish people.”¹⁹

By officiating at intermarriages in which the couple is committed to having a Jewish household I believe I am in keeping within the Reform Movement's and Beth Emet's principles and can achieve *tiferet* on this issue. I can nurture the creation of new Jewish

¹⁵ The current policy is that anyone married by a Beth Emet clergy person must be a member of Beth Emet or one of the parents of the couple must be a member. This policy will be the same for mixed couples. As part of my counseling, I will discuss the importance of being engaged with a Jewish community in order to support the development of their Jewish home and will encourage them to become connected to a Jewish community.

¹⁶ Beth Emet Statement of Principles also reminds us of the rabbi's role to interpret the Jewish tradition as he or she sees fit. Principle #6 states, “We shall hold sacred the personal, intellectual and spiritual integrity of our rabbi. He shall be free in every respect. He shall have complete freedom to preach and to teach. While we may at times differ with his views and shall feel free to express our differences, we shall not challenge directly or indirectly his spiritual and intellectual freedom without which he cannot be a rabbi.”

¹⁷ For this reason, the consortium of Conservative rabbis who wrote a document about the role of intermarried couples in the Conservative Movement called, *A Place in the Tent*, 2005, was known as the *Tiferet* Project.

¹⁸ These are three of God's qualities as defined by the Kabbalistic enumeration known as the *Sephirot*—God's emanations.

¹⁹ Principle #8, Beth Emet Statement of Principles.

homes at a crucial time in people's lives without relinquishing the Jewish tradition or the needs of the community.

For the past 14 years as a rabbi, I maintained that my ordination empowered me only to officiate at weddings between Jews and that the liturgy of the Jewish wedding and its symbolism should be reserved for Jewish couples. I also believed that counseling of mixed couples, rather than officiation, was the key to creating Jewish households. Yet I have found that when I decline to officiate at intermarriages, couples are subsequently disinclined to meet with me. Even though I always invite and encourage couples to meet with me for discussion and counseling—in their view, I have closed the door on their relationship. At a time when couples are making decisions about the kind of household they want to create, the support, the input, and the counsel of the Jewish community is critical. By declining to officiate at intermarriages, I am precluded from being part of a couple's decision-making process.

By changing my stance on intermarriage officiation, I seek to balance two competing, but important values: the desire to retain and respect the unique sacred character of the Jewish wedding and the opportunity to welcome mixed couples into the Jewish community and help them create Jewish homes.

I am not so cavalier as to believe that my interaction with couples as they prepare to marry will guarantee the creation of a Jewish home. “Study after study shows that the role of officiating clergy—rabbi, minister, or justice of the peace—actually has no statistical connection to the Jewishness—or lack of it—within the Jewish-Christian household. This is because the officiating rabbi, unlike the rabbi-mentor, usually does not serve as a conduit to Jewish social networks but instead renders a one-time service for the couple as a solo performance.”²⁰

Fishman argues that the rabbi who has the greatest influence on a couple is the “rabbi-mentor,” the rabbi who connects the couple to Jewish activities and social networks.²¹ It is not enough for a couple to develop a relationship with a rabbi or make a commitment to creating a Jewish home. The couple needs a community that will support and sustain the couple's Jewish commitments. The logical conclusion is that my role as rabbi is not merely to counsel the couple or officiate at a wedding, but to foster their connection to a Jewish social network, whether or not both individuals are Jewish. I must serve not merely as the “rabbi-officiant” but as a rabbinic mentor to couples, helping them to create Jewish homes within Jewish communities.

Arguments Against Rabbinic Officiation at Intermarriages:

Five arguments against rabbinic officiation at intermarriages are often raised:

1. Officiating at intermarriages gives a green light to intermarriage.
2. A wedding is only 20 minutes. What's the big deal if a rabbi is present or not?

²⁰ Fishman, Sylvia Barack, p. 72.

²¹ Ibid., p. 71.

3. Intermarriage will weaken the Jewish community.
4. Officiating at intermarriages discourages conversion to Judaism.
5. A wedding between a Jew and a non-Jew does not constitute *Kiddushin*—a sanctified marriage, according to Jewish tradition.

Officiating at intermarriages gives a green light to intermarriage: Studies have shown that people make their decisions about whom to marry without regard to whether or not a rabbi will officiate. There is very little communal stigma, especially in non-Orthodox Jewish communities, against intermarriage, and there is no indication that rabbinic non-officiation has any impact on the choice of a mate. These facts do not negate or diminish the value of encouraging Jews to marry other Jews or instilling a positive, compelling Jewish identity in our children. They simply underscore that a rabbi's non-officiation has little influence on the decisions of those contemplating marriage.

A wedding is only 20 minutes: This argument should be rejected out of hand as it minimizes the demonstrable power of ritual, especially ritual associated with life-cycle events, to play a transformative role in one's life.

Intermarriage will weaken the Jewish community: There is no denying that couples in which both partners are Jewish are more likely to create a Jewish home and to raise Jewish children.²² Recent studies, however, indicate that the percentage of intermarried households that are raising Jewish children is on the rise. We can attribute the increase to the fact that Jewish communities have become more welcoming and inclusive toward non-Jews and intermarried couples, making it easier for intermarried couples to feel comfortable with the notion of creating a Jewish home and finding a community that accepts their choice.

Credit for this growing openness to intermarried couples should go in part to the outreach movement launched in 1978 by Rabbi Alexander Schindler during his tenure as president of the Union of American Hebrew Congregations (UAHC), predecessor to the Union for Reform Judaism (URJ). Rabbi Schindler created a department for outreach that encouraged and supported Reform congregations seeking ways to welcome non-Jews. The goal of outreach, as he wrote in his "ethical will" in 1995,²³ was to support the creation of Jewish families in which one partner was not Jewish. "The mission of Reform Jewish outreach is not preventive, but restorative. Its purpose is to draw the intermarried back into Jewish life in the hope that non-Jewish partners will ultimately choose Judaism, and above all that the children of these marriages will be reared as Jews."

Yet I believe there is a formative period in the creation of a marital relationship and home life during which we can influence the lifestyle, including the faith and ritual practices, which a couple makes after marriage. My decision to officiate allows me to begin a process of outreach during the formative period of that emerging household.

²² 96 percent of children are raised Jewish when both parents are Jews as opposed to 38 percent where one parent is not Jewish. (NJPS 2000)

²³ http://archive.urj.net/Articles/index.cfm?id=3827&page_prg_id=49842&page_id=1186, 12/2/95.

Officiating at intermarriages will discourage conversion: Conversion to Judaism is a sign that the non-Jew is prepared to accept membership in the Jewish people. It is a necessary step for one who seeks to be accorded all the rights and responsibilities of being a Jew. A commitment to creating a Jewish home and raising a Jewish family is not a substitute for conversion. By the same token, pressuring someone to convert, whether that pressure comes from the spouse to be or his/her family or the rabbi, in order to get married may prevent the individual from converting when he or she feels ready.

I have worked with and guided many people who have converted to Judaism long after they were married to a Jewish spouse. In every case, the convert already was living in a Jewish home and raising Jewish children. At the time of marriage, however, the individual did not yet feel ready to convert, even if he or she had expressed a commitment to creating a Jewish home. In some cases, the individual did not want the marriage to be contingent on conversion. Some felt it was important to make the decision to convert on their own timeline rather than because of the imposed deadline of a wedding date. Most wanted to avoid converting “for the sake of the wedding” or having others perceive the marriage as the reason for the conversion. Others felt that it was difficult enough for their parents to accept their marriage to someone of a different faith and that conversion prior to marriage would create even more familial tension. I am optimistic that my decision to officiate will foster an environment in which people can convert to Judaism when *they* are ready.

Officiating on behalf of couples that have made a commitment to take a course in Judaism and create a Jewish home may indirectly lead some to make the decision to convert before the wedding. This would be a welcome, although not inevitable, outcome of my being able to interact with mixed couples as they prepare to marry.

I also expect that some couples will choose not to have me officiate because they are not prepared to make the commitment to create a Jewish home. In such cases, I will still have had the opportunity to interact with the couple at this critical juncture in their life together and to help them think through questions regarding the kind of home they want to create and the kind of wedding ceremony that will best express their identity and values as a couple.

It’s not *Kiddushin*: A primary reason that rabbis have opposed officiation at intermarriage is the claim that intermarriage cannot constitute *kiddushin*. This argument poses a significant challenge, and a complex one, but it must be addressed in order to grapple in a serious manner with traditional concepts of Jewish marriage and to position our practices as a legitimate extension of Jewish tradition. I will argue that, while intermarriage should not be considered *kiddushin*, it can still qualify as a type of Jewish wedding. There are two parts to the Jewish wedding ceremony: *kiddushin* and *nisuin* or *chupah*. I arrive at the conclusion, after carefully examining the traditional and Reform concept of *kiddushin*, that intermarriage is not *kiddushin*, but can still retain the Jewish aspect of *nisuin* or *chupah*.

In the stories of our ancestors found in the Torah, no specific wedding rituals are mentioned. Abraham sends a servant to his birthplace to bring back a wife—Rebecca, the granddaughter of Abraham’s brother—for Isaac. Of their marriage we learn, “And Isaac brought her into the tent of his mother Sarah; he took Rebecca, and she became his wife and he loved her.”²⁴ When Jacob marries his cousin Leah, Laban makes a feast and invites the community.²⁵ Then Jacob and Leah consummate their marriage.²⁶ Nothing is said of Joseph’s²⁷ and Moses’²⁸ weddings, and both marry outside the clan.

The rabbinic laws of marriage are based on a verse from the book of Deuteronomy: “When a man acquires (*yikach*) a wife and cohabitates (*uva*) with her.”²⁹ The verb “acquires” is also found in Torah in reference to Abraham’s purchase of the cave of Machpelah from Ephron.³⁰ From here the Rabbis of the Talmud teach that just as Abraham had to “acquire” the land through a transfer of money, so too did a man “acquire” a wife by giving her a valuable object (usually a ring). This acquisition is known as *kinyan*. Ramban notes that the Rabbis of the Talmud “did not intend to equate marriage with property, but only to define a mode of legal conveyance.”³¹ From here, the Rabbis established the legal process of establishing the marriage bond known as *kiddushin*.

Rambam begins his code on marriage by discussing the evolution of *kiddushin* in the Torah and on that basis identifying what constitutes *kiddushin*:

“Before the revelation (at Sinai), a man would meet a woman on the street and if both desired marriage, he would bring her into his home and have intercourse privately [without the testimony of witnesses] and she would become his wife. When the Torah was given, the Jews were instructed that in order to marry a woman, the man should “acquire her” in the presence of witnesses and then she would become his wife. As the Torah says, ‘when a man takes a woman and has intercourse with her.’³² This *taking* is a positive commandment and is performed in one of three ways—with money, by contract, or by intercourse...and it is everywhere called *kiddushin* or *erusin*.”³³

²⁴ Genesis 24:67. It should also be noted that Rebecca went willingly to marry Isaac. “Will you go with this man?” And she said, “I will.” Genesis 24:58.

²⁵ Genesis 29:22.

²⁶ Genesis 29:23. “In the evening, he took his daughter Leah and brought her to [Jacob], who made love to her.”

²⁷ Genesis 41”45. “Pharaoh called Joseph Zaphenath-paneah and gave him Asenath daughter of Potiphera priest of On as a wife.”

²⁸ Exodus 2:21. “Moses consented to stay in the household and [Reuel] gave Moses his daughter Zipporah as a wife.”

²⁹ Deuteronomy 22:13.

³⁰ Genesis 23:13.

³¹ Lamm, Maurice, *The Jewish Way in Love and Marriage*, p. 149.

³² Deuteronomy 22:13.

³³ Hilchot Ishut, 1:1, Mishneh Torah.

Money became the normative practice of effecting *kiddushin*. *Kiddushin* was considered possible only between two Jews, and the Talmud invalidated intermarriage.³⁴

Kiddushin today is the first part of the wedding ceremony and includes the betrothal blessing and the giving of the ring to the bride in front of two witnesses.³⁵ The second part of the wedding ceremony, *nisuin*, consists of the *sheva brachot*—the seven wedding blessings. Until the twelfth century, up to a year separated these two ceremonies. After *kiddushin*, the wife is permitted sexually only to her husband, but the couple could not cohabit until after *nisuin* (when the other legal consequences of marriage, primarily those relating to financial arrangements come into effect) had been performed. Therefore, the betrothal blessing states that the marriage is only official by virtue of both *chupah* (another name for *nisuin*) and *kiddushin*.³⁶ The two blessings over wine—one in each part of the ceremony—are the remnants of a time when these ceremonies were distinct.

So what is *kiddushin* from a Reform perspective? First, *kiddushin* in a Reform ceremony is a reciprocal act. A CCAR *responsum* in 1996 notes this change in the Reform concept of *kiddushin*. “...the widespread custom among us for the bride to ‘sanctify’ the groom, just as he ‘sanctifies’ her, by offering him a ring and pronouncing the formula *harey attah mekudash li* [the bride says to the groom, ‘you are sanctified to me’] suggests that we have transformed marriage into an egalitarian, reciprocal reality which differs substantially from the structure of *kiddushin* in the halakhic tradition.”³⁷

Rabbi Herbert Bronstein defines Reform *kiddushin* as mutual sanctification, emphasizing the root, *kuf, dalet, shin*, which means to make holy or sanctify or to “set apart.” “As in the *Kiddush* of Shabbat we set apart a period of *time* as holy, in *Kiddushin* husband and wife set each other apart. Jewish tradition considered the married woman as *mekudeshet*—“made holy,” set aside and apart for her husband, consecrated and thus inviolate. In the view of Reform, this “setting aside” is mutual; both husband and wife are consecrated to each other. They create a sacred entity in the act of *Kiddushin*—consecration.”³⁸

The CCAR *responsum* expands upon this definition, adding that the marriage aids the couple in creating a home based on Jewish values: “We do not regard marriage as a

³⁴ BT Kiddushin 6b, 68b. The Torah prohibits the marriage of an Israelite to the Edomites and Egyptians (Deut. 23:8-9), Moabites and Ammonites (Deut. 23:4), and with the seven Canaanite nations—Hittites, Girgashites, Amorites, Canaanites, Perizzites, Hivites, and Jebusites (Deut 7:1 and Exodus 34:11). A notable exception is Ruth, the Moabite, who “converts” (there’s no formal conversion to Judaism at the time of Ruth, but her speech to Naomi becomes the paradigm of the righteous convert) and becomes the great grandmother of King David. When the Israelites entered Canaan, they intermarried with the local inhabitants and served other gods (Judges 3:6). At the end of the biblical period, the Book of Ezra clearly opposes mixed marriages (Ezra 9:12, 10:10ff). During the rabbinic period, mixed marriage is considered invalid.

³⁵ BT Kiddushin 65b-66a.

³⁶ Reform betrothal blessing, “Blessed are You, Adonai our God, sovereign, Who sanctifies us through *mitzvot* and consecrates this marriage. We praise you, Adonai our God, who sanctifies our people Israel through *chupah* and *kiddushin*.”

³⁷ CCAR Responsa, “On Homosexual Marriage,” 5756.8 (1996-1997) p. 9.

³⁸ Bronstein, R. Herbert in R. Simeon J. Maslin, ed., *Gates of Mitzvah* (New York: CCAR, 1979), p. 124.

kinyan, an act by which the woman is “acquired” by her husband and passes into his legal domain...When we stand under the *chupah*, we celebrate a joining together of two individuals in a relationship of equality and of love, one that promises emotional as well as sexual fulfillment, one which allows them to build a home that is an expression of Jewish values. This, in its essence, is what we mean when we call our marriages by the name *kiddushin*...In addition, we would claim that the reciprocal act of ‘sanctification’ [as opposed to the one-sided act in a traditional Jewish wedding], which takes place under a Reform Jewish *chupah* indicates the *strengthening* rather than the abandonment of the concept of *kiddushin*.”³⁹

Theologian Rachel Adler rejects the notion of *kiddushin* for contemporary liberal weddings because it is tied into the notion of *kinyan*—acquisition—which commodifies the partners, even if it is mutual (rings are exchanged and each partner says the words, *harey at(ah)*...). She suggests the term *b’rit ahuvim*—covenant of lovers—and she adapts the traditional Jewish wedding ceremony so that its rituals will symbolize the creation of a mutual partnership.⁴⁰

Rabbi Knobel suggests the term *kiddush brit ahava* to better reflect the concept of an egalitarian relationship rooted in partnership without rejecting the notion of *kiddushin*. He argues that the term *kiddushin* conveys a sanctified Jewish wedding and that Reform Jews shouldn’t relinquish this concept to weddings in which only a man recites the formula *harey at* (you are sanctified...).⁴¹

I agree with Rabbi Knobel. The term *kiddushin* has powerful resonance because it is the traditional term for a Jewish wedding. It is, therefore, logical that Reform Jews have kept this term but updated it to reflect the centrality of gender equality for the Reform Movement.

The question remains as to whether intermarriage can be considered *kiddushin*. As opposed to egalitarianism, intermarriage is not a Reform Movement principle. Although I think it is important for me to begin to officiate at some intermarriages based on the reality of the contemporary American Jewish community in which we live and the value of working with couples to create Jewish homes at a formative time in their life together, I still believe that marriage between Jews must retain a uniquely sanctified status for our community. Therefore, I conclude that intermarriage should be considered a form of Jewish marriage, but not *kiddushin*.

Rachel Adler offers a compelling definition of Jewish weddings that incorporates and makes more explicit the aforementioned definitions, opening up the possibility that mixed couples can have Jewish weddings. She writes, “A Jewish wedding is not a private arrangement, but a commitment to establish a *bayit b’Yisra’el*, a household among the

³⁹ CCAR Responsa, “On Homosexual Marriage,” pp. 9-10.

⁴⁰ Adler, Rachel, “*Brit Ahuvim: A Marriage Between Subjects*,” in *Engendering Judaism: An Inclusive Theology and Ethics*, 1998.

⁴¹ Knobel, R. Peter, “*Kiddushin: An Equal Opportunity Covenant, Not Only for Heterosexuals*.” p. 13.

people Israel, to contribute to its continuity and well-being and to engage in its task of *tikkun olam*, repairing the world.”⁴²

Although I conclude that intermarriage cannot be considered *kiddushin* in either its traditional or Reform formulations, *kiddushin* is only one part of the Jewish wedding. The wedding also consists of *nisuin* or *chupah*. The *chupah* is a symbol of the ideal Jewish home—open on all sides—which is exemplified by the tent of our ancestors, Abraham and Sarah, who were known for their hospitality. As I say to couples under the *chupah*, the ideal Jewish home is a place for giving and receiving love. The Jewish home should be a source of physical and spiritual sustenance for those who live there, and a place where values of how to live in the world are taught and practiced. A Jewish home needs the support of a Jewish community to help sustain it. By standing under the *chupah*, a couple makes a statement that they are prepared to create a Jewish home and to be part of the Jewish community. If a mixed couple is ready to make these commitments, I am ready to stand under the *chupah* with them.

Defining the Intermarriage Ceremony

The intermarriage ceremonies that I perform will contain many of the traditional Jewish wedding elements — blessings over wine, the seven wedding blessings, the breaking of the glass, and the *chupah*—but with some modifications. The first part of the ceremony—which is known, as discussed earlier, as *kiddushin*—will be adapted to accommodate the non-Jewish partner. Most notably, the formula for the exchange of rings will be changed. In an egalitarian Reform Jewish wedding (the only kind I perform), rings are exchanged under the *chupah* (wedding canopy), with each member of the couple reciting the words, “You are sanctified to me... according to the laws of Moses and Israel.” Many rabbis have argued that this oath cannot be recited by one who is not Jewish. I agree with this assessment and feel that the language here can be modified to capture the spirit of the couple’s sacred commitment in an appropriate manner. At this point, I am not proposing any other modifications to other parts of the ceremony, but this will inevitably be an evolving process as I work with couples and gain experience officiating at intermarriages.

⁴² *Engendering Judaism*, p. 170.

A Process for Jewish and Mixed Couples Alike

The 1983 decision of the CCAR known as “patrilineal descent” established that the children of Jewish fathers could be considered Jewish.⁴³ The decision established within the Reform Movement the principle of unilineal descent: one is considered Jewish if the individual has been raised as a Jew and if either parent is Jewish. This decision made it - both easier and harder to be considered a Jew within the Reform community. On the one hand, one didn’t have to have a Jewish mother to be considered a Jew. On the other hand, the decision stipulated the need to be raised as a Jew to be considered Jewish. According to *halachah*—Jewish law—one need only have a Jewish mother to be considered Jewish; one’s upbringing is not a factor in determining one’s identity.

The decision to officiate at intermarriages IF a couple agrees to create a Jewish home carries with it similar implications. If mixed couples are required to make a commitment to creating a Jewish home, the same expectation should apply to Jewish couples. The implication is that I may not be the right officiant at some weddings between two Jews.

From my years of pre-marital counseling, I have concluded that all marriages are “intermarriages” in the sense that each member of a couple comes from a different home and that the understanding of “Jewish home” is shaped by the home in which each individual grew up. That is why it is so important for Jewish couples to articulate and clarify before marriage the traditions and practices they want to have in their home. I usually initiate this conversation after several meetings with a couple because my assumption has been that they want a Jewish home and that our task in counseling is to define what that means. In the future, before I agree to officiate at *any* wedding, I will discuss with the couple whether they are prepared to make a commitment to having a Jewish home and to define what this means. If a commitment to creating a Jewish home is the expectation for intermarried couples, it must be the expectation for all couples who step under the *chupah*.

I have been asked how I will determine at which weddings to officiate. This decision will be a mutual one made by the couple and me. During our first meeting, we will discuss the commitments the couple must make in order for me to officiate and whether these commitments are compatible with their vision and values. If not, I will help the

⁴³ From the Report of the Committee on Patrilineal Descent adopted by the CCAR on March 15, 1983: “The Central Conference of American Rabbis declares that the child of one Jewish parent is under the presumption of Jewish descent. This presumption of the Jewish status of the offspring of any mixed marriage is to be established through appropriate and timely public and formal acts of identification with the Jewish faith and people. The performance of these mitzvot serves to commit those who participate in them, both parent and child, to Jewish life.”

Depending on circumstances, mitzvot leading toward a positive and exclusive Jewish identity will include entry into the covenant, acquisition of a Hebrew name, Torah study, Bar/Bat Mitzvah, and Kabbalat Torah (Confirmation). For those beyond childhood claiming Jewish identity, other public acts or declarations may be added or substituted after consultation with their rabbi.”

couple envision the kind of ceremony that will best suit them and to determine who might be best suited to officiate. Moreover, even if I cannot officiate, I will offer to continue the couple's pre-marital counseling so that I can help them prepare, spiritually and practically, to enter into a healthy and sacred marital relationship. I regard this continuing role as both a responsibility and an opportunity to continue to engage with members of our community and the partners to whom they have committed themselves.

Conclusion: Embracing Change to Promote Continuity

Over the past few years, the issue of rabbinic officiation at mixed marriages has been a controversial issue at Beth Emet, as it has been at most other Reform congregations. I have heard the anguish and pain of parents whose children intermarried and were denied the presence of their rabbi. I have heard the frustration and feelings of rejection that couples have felt because a rabbi would not officiate at their wedding. I have also heard from members of the congregation who believe that a rabbi should never officiate at intermarriages. Jews by choice within our community have also expressed to me concern that rabbinic officiation at intermarriages will devalue the commitment they made to becoming Jewish. Although I have tried to take the path of *tiferet*—beauty, the balance between *hesed*—unbounded openness and love—and *gevurah*—restriction and boundary—I don't expect that my decisions will satisfy everyone.

Our community is diverse and has sustained itself and thrived on that diversity through the respect and love we have for one another and the Jewish tradition and the value we place on engaging one another in a constructive, informed and thoughtful manner, *l'shem shamayim*—for the sake of discerning God's will. As our community changes and the circumstances in which we find ourselves change, our tradition should be our guide, helping us grow in the ways of God. At the same time, our tradition should grow with us. Judaism does not ask us to be set in our ways, but always evolving. Thus, Jewish tradition and the changing needs of the community should always be in dialogue. May God help us find in Jewish tradition the wisdom to guide and inspire us in ever-changing circumstances.