

Turning joy into mourning: a d'var torah for Acharei Mot-Kedoshim

by Rabbi Jill Jacobs

It is always difficult to read *parshat Acharei Mot*, the section of the Torah most famous for the verse, "Do not lie with a male as one lies with a woman; it is an abhorrence," (Leviticus 18:22) which has traditionally been understood as a prohibition on male homosexuality. It is even more complicated than usual to read this verse in a year in which the Conservative Movement (with which I am affiliated) has again delayed a vote on reversing the ban on ordaining gay rabbis, and in which the Orthodox Union has signed on to an effort to promote a constitutional amendment defining marriage as between a man and a woman. (On a positive note, the Religion Action Center of the Reform Movement has prioritized equal marriage as one of their top issues).

Much has been said about potential reinterpretations of the offending verse. Some argue that this verse refers only to a particular cultic practice, or only forbids men married to women from having extramarital affairs with other men. (a la Greek practice, as detailed in Plato's *Symposium* and elsewhere). Others accept a ban on anal sex between men, but refuse to extend this ban to a general prohibition against same sex relationships.

While I support this project of reinterpretation, I will not rehash these discussions. I do, however, encourage you to check out the sources and divrei torah available at the website of Keshet, the student group at the Jewish Theological Seminary that has led the efforts to educate the Conservative Movement (and lots of other people as well) about gay and lesbian issues in halakha and in the Jewish community.

Rather, I want to share with you a painful series of midrashim that appear at the beginning of the section on *Acharei Mot* in *Vayikra Rabbah*, the primary collection of narrative midrashim on the book of Leviticus.

As you may remember, two weeks ago, we read of the mysterious deaths of Nadav and Avihu, two of Aaron's sons. Parshat *Acharei Mot* (the first of the two parshiyot that we read this week) begins by reminding us of this tragedy, saying "Adonai spoke to Moses after the deaths of the two sons of Aaron" (Leviticus 16:1). With this introduction, the Torah acknowledges the emotional impact of the premature deaths of Nadav and Avihu: for Aaron and Moses, the pain of losing their sons and nephews, respectively, will cast a shadow over everything that happens from this point forward.

Responding to Moses' and Aaron's pain, the midrash declares true happiness to be an impossibility. By way of proof, the text reminds us of the story of Abraham and Sarah, who conceived a child late in life only to have God demand that Abraham sacrifice this son, Isaac. According to a midrash retold here, Sarah dies from the shock of learning that her husband has almost sacrificed their only child.

The midrash goes on to tell a series of stories about unfulfilled marriages. Among these:

- God prepares between ten and thirteen chupot (marriage canopies) for Adam in the Garden of Eden. (apparently in preparation for the marriage between God and Adam. . . yes, the midrash can sometimes get racy). When Adam chooses to marry Eve, God (the jilted lover) kicks Adam out of the garden (the word used in the Bible is the same as the word for “divorce”) saying “you are dust and you shall return to dust.”
- A father prepares a wedding party for his son. During this party, the son is bitten by a snake and dies. The father tells his guests, “We are not going to recite the blessing for newlyweds, but rather the mourners’ blessing.” The parallel is to Moses and Aaron awaiting the marriages of Nadav and Avihu, but instead presiding over their funerals.
- A king promises his daughter in marriage only to find a serious flaw in the fiancé. The parallel is to God finding some flaw in Nadav and Avihu and choosing to kill them before they assume religious authority.

Given the general rabbinic emphasis on the importance of marriage, as well as the centrality of the metaphor that likens God and the Jewish people to lovers, it is not surprising that the midrash defines happiness as marriage. It is similarly unsurprising that the midrash describes mourning through reference to unfulfilled marriage.

These midrashim do not help us to reinterpret Leviticus 18, but do provide a lens through which to read this verse. We might, in fact, create a new midrash that considers this verse as one more manifestation of the pain of unfulfilled marriages. Like the premature death of Nadav and Avihu, this verse has prevented potential marriages and has brought significant pain into the world.

In many Jewish communities, it has become traditional, during the public Torah readings on Shabbat, to read Leviticus 18:22 in the mournful *trop* (tune) used for the book of *Eicha* (Lamentations). Like the midrashim about unfulfilled marriages, this custom acknowledges the pain inherent in this biblical text. While opponents of same sex marriage read the verse unquestioningly, those who favor marriage equality read the verse in such a way as to note the suffering that this verse has caused.

But acknowledging pain, while important, does not ultimately change anything. It is significant, then, to note the abrupt change in theme as we move into the second half of this week’s two parshiyot. While *Acharei Mot* ends with a list of prohibited sexual relationships, including the one in question, *Parshat Kedoshim* begins with a set of laws that govern interpersonal relationships. Among these are prohibitions against hatred, fraud, indifference to the poor, and vengeance. These cautions against treating others improperly demand that we both recognize the pain (or potential pain) of others, and then act to prevent this suffering. Similarly, we might read the juxtaposition of *Acharei Mot* and *Kedoshim* (very often read on the same Shabbat) as a program for addressing the question of same-sex marriage: it is important first to acknowledge the pain caused by traditional bans on same-sex marriage, and second to work to ensure that this suffering does not continue.

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