



Jewish Community Center of Paramus
Congregation Beth Tikvah
304 E. Midland Avenue ~ Paramus NJ 07652 ~ 201.262.7691

A Shabbat Message from Rabbi Arthur Weiner

Friday November 22, 2024 ~ Parsha: Chaya Sarah

Dear JCCP/CBT family,

It's A Complicated Issue: So What's Your Gut Reaction?

As a general rule, I like to write about things that I know something about. But this Shabbat, I want to share some thoughts and ideas on a subject that I really don't know much about. It's an important issue that has received a great deal of attention in recent years. It has become an issue in our schools, in our public spaces, in our nation's culture wars, and even became an issue in the campaign that was likely more significant than many people realized.

The issue is the rights of transgender people. So many people have so thoughts about this, and they feel compelled, entitled, and competent to render opinions on this subject. I don't. And it's not for lack of care or concern for the rights and dignity of the transgender community, or individuals who are struggling with their self-definition and gender identity. I believe strongly that there are complex, scientific, social, cultural and yes religious dimensions to this question. That's why I do not talk about it often. I have not mastered this controversial subject. I have consulted both mental health professionals and physicians within our synagogue community and the range of answers I receive to what I consider basic questions is literally all over the place. I am still learning, and I have a long way to go. So, I'm not overly impressed by those who render opinions on this issue without having done the hard work.

Earlier this week, Representative Nancy Mace, a Republican representing South Carolina, introduced legislation to bar transgender women (let's make sure we all understand the term: a transgender woman is a person who was born a biological man and now asserts a female identity. This may or may not include drugs, hormone therapy, or surgery in pursuit of this identity change.) from using female bathrooms

on Capitol Hill. Though the legislation as currently written does not identify any particular individual, Congresswoman Mace herself has publicly acknowledged that this effort is aimed at Delaware Representative-elect Sarah McBride, who will be the first openly transgender member of congress. As you might imagine, Representative Mace's position has considerable support from Republicans, while the Democrats have been critical.

What's your gut reaction?

Before one accuses Mace of bigotry, ignorance or bullying, as Representative Eric Sorenson of Illinois has suggested, we need to dig a little deeper. Mace has been very public about her own experience of sexual abuse at the age of 16, and this is a motivating factor in her legislation. Given her background, I believe that her legislation ought not be dismissed as [transphobia](#), which is certainly rampant in our country. At the same time, what of Sarah McBride's rights and dignity? Where do we draw the line?

You are likely familiar with the controversial issue of transgender women participating in women's sports on the high school and collegiate level. Currently, there is a lawsuit involving the San Jose State [University](#) women's volleyball team regarding one of their star players, who is a transgender woman. The lawsuit is over the presence of this transgender woman, and whether she places other women on the team at a competitive disadvantage as well as increased risk for injury. Stories like [this](#) have been making the news for several years now. How do we address this issue in a way that respects the rights and dignity of all women? I am not sure that the claim that "trans women are women" is the answer. [Gaslighting](#) those who ask serious questions won't convince anyone either.

This is an issue right now in New Jersey. Did you know that NJ state policy [5756](#), which prevents school districts and their personnel from informing parents if their children assert a non-biological identity, is being challenged by four different school districts and will likely be heard by the state supreme court. This challenge pits parent's rights organizations against advocates for state mandated privacy rights of school age LGBTQ students, but in effect, serves as another battlefield over this difficult issue.

I don't decide policy for Capitol Hill, the NCAA, or the NJ Department of Education. But I am responsible for the religious policy of the JCCP/CBT. So let me tell you a

story about how I and we handled a similar issue when I first had to address it about 13 years ago. As some will recall, we ran two different services every Shabbat and holiday morning for many years. One of the services was *Egalitarian*, that is to say, men and women participated equally. The other was *Traditional*, meaning that only men participated in the leading of the service and received aliyot to the Torah. At a Bar Mitzvah in the traditional service, a transgender man (again let's all get on the same page: this person was born a woman and was now asserting a male identity) was scheduled to receive an Aliyah. Complicating this question, was the fact that this person, though dressed in what we would all agree is men's clothing, looked to many of the members of the congregation in synagogue that day like a woman. Members of our congregation asked me a simple question. Should this person receive an Aliyah in a service where only men would normally receive such an honor? It was an excellent and reasonable question. These people were not bigots, and they were not stupid. In the *egalitarian* service, it would not have been an issue. But in the *traditional* service, it certainly was. They were not asking a political question or seeking to turn this Bar Mitzvah into another front in our nation's culture wars. They simply wanted to know, for the purpose of Jewish law, what the correct procedure was. They were right to ask. What do you think I said to them? How do you think I answered?

I explained to them that for the purpose of Jewish law, that individual was understood to be a man, and thus, he received the Aliyah. I was able to answer that question because even though this was not as common in our country when this particular issue first arose in our congregation, great Rabbi's and thinkers had thought about this issue and issued their ruling. I was grateful for their guidance, and my awareness of it when unexpectedly faced with it.

Given all the passion, ignorance, and political ramifications of this issue, I'm not confident that anyone is willing to listen to serious thinkers anymore. And that's too bad, because the rights of the transgender community and the needs of transgender individuals is an important and complicated matter. It will not be settled by those who scream the loudest, or by legislation that fails to address the complexity of the issues.

Shabbat Shalom,

Rabbi Arthur D. Weiner

