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The Wondering Jew Judaism and Gender Identity

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Dana International usually favors heavy makeup, plunging necklines, and heels. She lacks the physical prerequisites for laying t'fillin, studying kabbalah, and reading Torah in an Orthodox synagogue. Nevertheless, in 1998, a Jerusalem beit din – rabbinical court – ruled that the Israeli pop star could be counted in a traditional minyan, a privilege that's normally reserved for males alone.

Why is that? Dana International is an MtF – male to female – transsexual, and as one of the rabbis in the beit din was quoted as saying, in Jewish law, “one who is born male remains so his entire life.” Even though Dana International identifies as a woman – even though she underwent surgery in 1993 to physically become one – religious Judaism still classifies her as male.

The same year her female identity was dismissed by the Jerusalem court, Dana International represented Israel in the Eurovision song contest. Though there was some controversy over whether a transgender artist should sing on behalf of the holy land, International won the prize with her song “Viva to the Diva.” As her celebrity grows, Dana International is moving transgender issues into the public eye – even if traditional Judaism still rejects her identity of choice.

“Trans” is a broad term applied to people who do not fit into traditional gender categories. It includes transgender people, who generally behave and identify as the opposite sex from the one into which they were born. Also within this spectrum are transsexuals (people who undergo surgery and hormone therapy to switch genders) and intersexuals (people born with both male and female sexual characteristics). All of these groups have been marginalized within the Jewish community and in Jewish thought.

But change is on the horizon. Hebrew Union College recently ordained Reuben Zellman, an FtM and the first transgender rabbinical student. Zellman sees himself as carrying on a long tradition. “Two thousand years ago,” he explained in a recent sermon, “our forbears were asking the questions that we are just beginning to ask today.” Zellman wasn't saying that everything was hunky-dory for the transsexuals of yore – just that from early on, Jewish thinkers were grappling with the question of what constitutes gender.

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In fact, the Torah's creation story is, well, the genesis of gender discussion for Jews. Genesis 1.27 says, "And God created man in His image, in the image of God He created him; male and female He created them." Some rabbis say that this shift from singular to plural means the first human being began, literally, as both male and female. This Biblical tidbit is reaffirming for some transgender Jews, allowing them to identify with a gender-ambiguous ancestor and even a gender-ambiguous God. But the verse provides limited encouragement: shortly afterwards, that one ancestor becomes two – a man and a woman – and, gender-bending or no, the verse has, in practice, had no significant influence on halacha.

Adam and Eve's conveniently defined identities still didn't stop Jews questioning gender. During the Babylonian period, rabbis identified several sexual categories besides male and female: androgynos, a person with male and female sexual characteristics; tumtum, a person with no sexual characteristics; aytonit, a woman who does not reach sexual maturity by age 20; and saris, a man in the same situation. Some believe these gender categories prove that the rabbis recognized transgender Jews as members of the community. To others, these categories are incomplete – and worse, they recognize only physical characteristics and not behavioral ones.

Regardless, as Dana International's case shows, halacha does not recognize the identity of transgender individuals. According to Professor David Bleich's 1977 book *Contemporary Halakhic Problems*, Jews are forbidden from undergoing surgery to alter their sex. Why? So we can be fruitful and multiply, of course: men are forbidden from undergoing voluntary castration, women from sterilization.

Until recently, transgender Jews have been marginalized within mainstream Judaism. They've even been on the sidelines of the Jewish LGBT movement, while a growing number of gay and lesbian Jews are being ordained as reform, reconstructionist, and renewal rabbis, and even a handful of conservative and orthodox rabbis are openly gay. Make no mistake — Jewish law still nixes homosexuality – but an increase in queer Jewish leadership has helped put queer issues on the agenda of many Jewish communities. Transgender Jews have not yet made similar gains. "In most ways," Zellman says, "transgender people are now where lesbian, gay, and bisexual people were thirty years ago, maybe even fifty years ago."

Both queer and transgender Jews face potential ostracism from their communities. Both face halachic limitations on their sexual identities. Transgender Jews, however, have even more halachic hurdles to clear. Many mitzvot — like wrapping t'fillin and

participating in a minyan – are gender-specific. And only transgender Jews must justify which side of the mechitzah – the partition that divides men’s from women’s sections in the synagogue – they stand on. Even in less observant congregations, “gender norms” can put transgender Jews into difficult situations: should an FtM transsexual be invited to the annual Hadassah luncheon? These dilemmas might seem insignificant, but they are very real to Jews seeking religious community.

Both social convention and halacha may be out of step with the biological identities of transsexuals. Gavriel Levi Ansara – founder of an organization called Tiferet, which provides resources to observant LGBT Jews – says that medical studies have “determined that transsexual identification is biologically based.” These studies, Gavriel says, confirm that every fetus undergoes multiple stages of hormonal influx or “hardwiring.” As a result, some peoples’ “neurological sex” – their identity – does not correspond with their “genital sex” – their body.

How to reconcile ancient law, modern science, and personal identity? Many Jews argue that it’s possible to be observant without following every aspect of halacha. On this basis, some Reform, Reconstructionist, Renewal, and, to a lesser extent, Conservative communities welcome transgender congregants. Some synagogues’ mission statements encourage people of all gender identities to join. Others are adapting Jewish rituals such as mikveh immersions with and for transgender congregants.

Much remains to be done. But with Zellman and International leading the way, change can’t be far behind.

Resources on transgender issues in Judaism:
Queer Jews anthology, eds David Shneer and Caryn Aviv
Queer Theory and the Jewish Question, eds Daniel Boyarin, Daniel Itzkovitz, and Ann Pellegrini
Lilith Magazine, Spring 2002
The Trans-Jews List-Serve: trans-jews-owner@groups.queernet.org

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