

# **Politics & Mysticism in the Weekly Torah Portion**

## ***Parshat (Portion) Vayera***

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This week...

\* ***Homosexuality in Biblical Law***

\* ***Gay Marriage, Heterosexual Marriage, Who Gives Government the Right to Decide?***

\* ***Why there should be No Government Recognized Marriages at all,***

***and thus No Government Involvement in Divorce Procedures either!***

\* ***The Right to be Different and Private.***

**Shalom & welcome all.**

**This week's Torah portion is called Vayera (Genesis 18:1-22:24).**

This week's Torah portion includes the infamous story of the cities of Sodom and Gommorah and their destruction.

The story of Sodom and Gomorrah brings up the present controversial topic of homosexuality. Groups calling for "Gay" rights proliferate throughout the western world. One of the many causes pushed by this agenda is their claim to the right to be married as same-sex partners. This one topic clearly shows the significant chasm that exists between the secular and religious worlds.

The Biblical position on these matters should be clear to anyone who reads. However, even the printed word, and its clear and apparent meanings, often become confused when subject to attack and intentional misinterpretation. I wish to set the record straight here as to what exactly is the Biblical/Torah position on homosexuality and the "Gay" rights issues.

First, the Bible makes it very clear that the practice of homosexual acts by two males is a violation of Biblical law. Leviticus 18:22 clearly states, "*You shall not lie with a male as with a woman; it is an abomination.*" Leviticus 20:13 clearly states, "*If a man lies with a male as with a woman, both of them have committed an abomination; they shall be put to death, their blood is upon them.*" Such behavior is prohibited and is even considered an abomination in the eyes of God.

Now, with this being said, there are many other abominable practices referred to throughout Scripture. Yet what makes this one stand out is that it is one of the very few Biblical abominations that is punishable by death (akin to idolatry and adultery). Let the religious and secular scholars debate whether or not the Scriptures, Moses, and/or God are homophobic. All we can do is document what is written. Let others debate what it means. In the end, we see that the Scriptural position clearly states that homosexuality is a violation of God's prohibition and is thus punishable under Biblical Law.

Now, for the record, punishment for violations of Biblical Law is subject to demanding and strict thresholds. For a male to publicly proclaim himself Gay is not a crime under Biblical

Law. For a male to publicly kiss another, to touch him, or to express intimacy in ways which might offend the sensibilities of heterosexuals is not a crime under Biblical Law. The Biblical Law prohibiting homosexuality is specifically defined as anal penetration of one male, by the male organ of another. This, and this alone, is what the Bible prohibits.

In order for those violating this prohibition to be subject to the Biblical death penalty the following conditions must apply. First, the two offending parties must know that their behavior is a violation of the Law, and they must know the penalty of such a violation. They must be warned prior to the performance of their behavior, that such behavior is in violation of the Law. Then, their behavior must be observed by two witnesses, who can be defined as acceptable to testify before the Grand Sanhedrin Court. The witnesses must be able to truthfully testify that they warned the parties involved about the prohibition of their expected behavior, that they warned them about the consequences, and then witnessed their performance of the prohibited behavior. Only then can the witnesses themselves go before the Grand Sanhedrin of 71 in the Temple in Jerusalem to report the behavior, have the participants, served and brought before the Court. Only after proper witness to all the conditions above, can the Grand Sanhedrin, and the Grand Sanhedrin alone, pass judgment, based upon the fulfillment of all the criteria mentioned here.

If any of the conditions of the Law are not fulfilled, then the Law cannot be applied. While the behavior is still a violation of Biblical Law, it cannot be subject to any form of Biblical punishment. Since the destruction of the Temple in 70 c.e., there is no Sanhedrin in Jerusalem authorized to try capital cases. As such, the conditions of the Law cannot today, and for almost the past 2000 years, be fulfilled. Therefore, the Biblical prohibition still stands, but any talk of any form of punishment is clearly just as much a violation of Biblical Law, as would be the forbidden behavior itself.

Today, there is much social confusion regarding just how natural or unnatural homosexuality really is. One cannot debate the point that the human anal orifice was not biologically designed for human penile penetration. The act itself is unnatural, as defined by human anatomy, and nature itself. Yet, since when does natural law ever stop the will of man from following what is his heart's desire? Therefore, the fundamental definitions of nature and natural law itself are attacked, and subject to reinterpretation and reconstruction. Needless to say, this is a dangerous course to follow. Confusing the natural with the unnatural does not end with focus on a single thing, the confusion spreads until it overtakes all of one's thinking, leading to the most devastating outcomes.

Homosexual behavior is specifically defined, and as such, prohibited by the Bible. Now, let us turn to Genesis 19:1-11, and discuss the incident in Sodom with regards to the angels visiting Lot and the attempt by members of the city to gang rape them. Indeed, it is from this story that the term Sodomy was taken to apply to homosexual behavior. This story in Genesis tells us that a group of criminals encircled Lot's house and demanded that he send out his guests to be homosexually raped. Now, does anyone dare suggest that this is not a disgusting, depraved criminal and evil act?

I do not know of any Gay-rights organization or individual, however radical, that would ever publicly call for, or condone violent gang rape, be it homosexual or heterosexual. Such a crime is an act of depravity and violence, and, in my opinion, has nothing to do with sex. Such an act of gang rape is nothing other than a vile, depraved desecration of another

human being. Such an act is the worst form of destructive human behavior. Who can extend to it any kind of tolerance or sympathy? What happened in Sodom was not a crime of homosexuality, rather it was a crime of complete human depravity. As such, it indeed deserved the wrath of God and the destruction of Sodom.

The city of Sodom was not destroyed because some in it were Gay. Sodom and Gomorrah were destroyed because the people in them were depraved and animal-like, showing total disregard for their fellow human beings. Scripture does not record anyone in Sodom standing up to this wicked, animal-like gang, and this indicates a silent tolerance towards such intolerable behavior.

When the wicked run rampant, and everyone else remains silent and passive, then the silent and passive are considered equally guilty. This is why the cities of Sodom and Gomorrah were destroyed. We cannot and must not confuse issues, to conclude that the destruction was a punishment for homosexual behavior.

Homosexual behavior is forbidden by Biblical Law and is unnatural in the most simplest way. Yet, homosexual behavior abounds. It is nothing new, it has been around in human history, I believe, for as long as we have human historical records. By most accounts, it was either frowned upon, or outright banned. The Bible is not alone in casting this as forbidden. Yet, it did thrive, even in the most religious circles, even amongst the Kabbalists themselves. One can look to the writings of the Ari'zal and Rabbi Hayim Vital, to see in the books of Kabbalistic tikkunim (rectifications for sins) how many formulas there are for homosexuality. There would be no need for a great number of different rectification formulas for such a sin, if the sin itself was not an immediate issue for the rabbis who had to address it.

Now, let us address the issue of Gay marriage. But first, we must ask some fundamental questions about the rule and role of the law.

Since when has government been given the right, or taken the authority, to recognize and register marriages and divorces? This is the source of so many social and economic problems! Throughout history, cross culturally, marriage has been a matter between two (or more) individuals that was decided by them, and them alone, with rituals and/or ceremonies associated with the norms of the individual cultures. Marriage was, is, and always should be an individual decision. There is no place for government involvement in this, and other personal matters.

Religious organizations have rites of passage for all their members. Marriage ceremonies are part of these, and every religion has their own individual rites, ceremonies, customs and traditions. Within the context of religion, one is considered lawfully married only if and when one has married within the context of their chosen religion's standards.

For example, Torah Judaism requires that a marriage ceremony require the signing of a very specific marriage contract (ketubah), and that the entire ceremony be witnessed by two bonafide witnesses acceptable in accordance with Torah Law. Anything amiss, and Torah Judaism does not recognize the union of such a couple as a legitimate and bonafide marriage. Therefore, in accordance to the rules of Torah Judaism, the many, many marriages performed within the confines of the Reform and Conservative interpretations of Judaism are not bonafide, and may not be recognized as valid within certain contexts.

If and when a divorce is ever pursued, a divorce procedure, in accordance to its rituals, rules and regulations is only followed for those who have been married in accordance to the rules, rituals and regulations. If there was no bonafide marriage, then there is no need for a bonafide divorce. Issues in the separation of the couple are the responsibility of the parties involved, to work out for themselves, with or without voluntary arbitration from outside.

As for those without any religious affiliation, a marriage is a simple public proclamation, and voluntary celebration. A couple that claims themselves married, and lives together as married, is recognized as a common law married couple, whether or not religious or secular authorities decide to recognize the union.

Now, where does government come into all this? Nowhere! Government has no place to be involved here. Yet, government has stuck its intruding big nose into this most personal of individual choices and sacraments. Getting a government issued marriage license is a relatively easy thing. Getting married by a government official (Justice of the Peace) is equally easy. Yet, if a break-up were to later occur, we all know the pain, torment and suffering faced by a divorcing couple in government controlled civil divorce courts. We all know the pain and suffering of innocent children, and vindictive adults, all caused by the involvement and messy, imposed intervention of a government court, that should have no business being involved in the first place.

If a couple, united in marriage by choice, chooses to end their union, then they have the absolute moral obligation to work out the details of their separation by themselves! It is not government's job to be involved, or to dictate a settlement, thus often ruining the lives of so many people. People, when left to their own devices can make their own best choices. And, if sometimes they need help, then they can turn to those closest to them, who intervene only upon invitation, and who work with sincerity, to help their loved ones work out a proper and peaceful compromise. This way, the end leads to peace, not continued war.

Of course, if we were to do things the right way, the damn lawyers would get left out, and all their so many profitable billing hours would be rightfully taken away. Lawyers have their rightful and good places, true, but they should never be in the position to cause harm to other human beings. Not for naught do many people hate lawyers, with many seeking to do them violence. While I cannot condone such a course of action, I can nevertheless understand why so many might be driven, with so much anger, to do so.

So, what role should government play in recognizing marriages? In my opinion, none! There should therefore be no state recognition or registration of marriages at all, not heterosexual, homosexual, or whatever other kind some day may be concocted. Nor, should there be any more divorce courts.

I go so far as to say that, in accordance to Torah Law, one should never subject oneself to register their marriages with any government body, or succumb to pursuing a so-called marriage license. Once one is registered in a marriage, then one is required, if necessary, to go through government recognized divorce. Divorce proceedings in a secular court clearly contradict Torah Law, and often motivate the participants to act out yet further violations of Torah Law. One subject to Torah Law is prohibited to voluntarily place oneself under any contrary jurisdiction. The Talmudic dictate that "the law of the land is the law" (dina d'malkhut dina), only applies to those laws that do not contradict Torah Law.

Therefore, in order to avoid being subject to divorce courts, one is prohibited by Torah Law to be married under the regulations established by secular law. Torah Law marriages must be performed within the context of Torah ritual, religion and practice. Torah Law does not recognize secular law to have authority in this jurisdiction, and in this most relevant place of contradiction, I wish to encourage all interested and vested parties to avoid the secular authorities, and to stay true to one's religion.

I believe that this rationale and message is also applicable to all other walks of life, religious and otherwise, and that all peoples should declare their own marriages by common law, and leave government out of it entirely. And if the government makes any noise or threats, ignore them! In this matter, they have no rights and no power! People make their own choices for their individual lives. Government must not be allowed to dictate!

I do not believe in what is called Gay marriage. Torah Law has no precedent for this. According to Torah Law, marriage is a sacred covenant. Such a covenant cannot be entered into by two parties that, by Torah Law, are prohibited to be coupled. Government involvement may try to smear religion and religious beliefs, but government only makes matters worse, and never better.

Now, let us address the issue of love. Two people of the same sex often love one another deeply. There is nothing wrong or prohibited in this. Two people of the same sex may choose to live together as life partners, enjoying each others company to their dying days. There is nothing wrong with this either. Torah Law only prohibits anal penetration of one man by another, and that is it. What two people do in the privacy of their bedroom is none of our business. If they act in violation of the Law of God, then it will be God, AND NOT US, who will judge them as God, AND NOT US, sees fit.

I believe, as nature and Torah dictate, that homosexuality is both unnatural and immoral. So be it, these are my beliefs. I do not believe government should be involved attempting to force others to accept that which is unacceptable to them. We have no right to stop one another from being, and acting, in ways which cause no other no harm.

If one is to be Gay, that is his business, and not mine! If however, the Gay individual wishes to make a public stance about their behavior, then he must know that his behavior will be found objectionable in the eyes of many. Why should he care, is his question, not mine. For a Gay man to feel the need to publicize his private life, is a choice I feel is unnecessary and unwise.

The Gay man knows that there are those who are not now, or ever, going to accept his sexual behavior. What does the Gay man expect to accomplish by publicly pushing an agenda that a solid number will never be willing to tolerate? I suggest that the Gay man get on with his life and to let others do the same. In my opinion, this so-called issue of Gay rights should not be an issue at all. We all have the right to like and dislike, to approve and disapprove of whatever it is that we wish. Our collective moral obligation is to not prevent others from pursuing their rights to life, liberty and pursuit of happiness, regardless of how one may do this, as long as such pursuits do not infringe on the liberty and rights of others.

We all have the right be who we are, even those who choose to violate God's Law. As long as their violations remain between them and God, and harm no other, then their

behavior is not in the public domain, and not subject to public opinion. Every individual has the right to be who they are.

So when we keep our big mouths shut and keep our prejudices to ourselves, we allow the great rule to be followed: live and let live. Today, no one but God can judge God's Laws, and for the longest time, God has been silent in these matters. If this is the decision of Heaven, then we had better get on with the right way.

As different as we all are, we can live together, work together and build together. We can build on a foundation of righteousness of action, of helping one another, supporting one another, and most importantly, respecting one another.

We live by our religious, rules and regulations, and others live by theirs. So be it! While we are all not the same, we never have been, and we never will be. But we can still work together, in spite of our differences, to bring about a greater common good.

In this way, acting with mutual respect and honor, we can avoid the disgusting behavior of ancient Sodom, and by doing so, also avoid any such fate for ourselves.

Let's put religion and religious differences aside and work together to bring about change. And this conclude my weekly Torah portion lesson in politics and mysticism.

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