

## Letter from the Author

February 17, 2026

To the members of the CJLS –

After the listening session regarding the Joint Inter-marriage Working Group Report in January – for which I thank the RA leadership – I finally took it upon myself to read the full report over the following Shabbat.

As someone with a personal stake in one of the items in the report, I feel I must respond, clearly and publicly to my colleagues and to the CJLS in particular. On page 10, the Working Group calls on the CJLS to “Clarify whether other paradigms of marriage besides *kiddushin* that the CJLS has already developed and approved might apply in the case of the union of a Jew with someone who is of another background.” My concern is that this could be a more or less direct reference to the teshuvah which I wrote, “With Righteousness and With Justice, With Goodness and With Mercy: Options for Egalitarian Marriage Within Halakhah” and which was adopted by the CJLS in April of 2020

(<https://www.rabbinicalassembly.org/sites/default/files/2022-05/labovitz-egalitarian-marriage1.pdf>).

Let me state unequivocally that my intent and *p’sak* in this teshuvah pertains only and solely to a couple in which both partners are Jewish. This is embodied in the *she’elah* itself and throughout.

From the *she’elah* (with emphasis added):

“...might there be a way for a male-female *Jewish couple* to create a halakhically binding relationship by a means other than *kiddushin*? Relatedly, is it possible to have a ceremony that could make a binding marriage between any two *Jewish* persons, regardless of the gender identification of either one?

If a male-female *Jewish couple* marries in a *Jewishly-oriented* ceremony other than *kiddushin* – what is the halakhic status of their relationship?” (p. 1)

On p. 45, I note that in their teshuvah on same-sex marriages/marriage ceremonies, our colleagues Rabbis “Dorff, Nevins and Reisner additionally make clear that the other Standards of Rabbinic Practice [regarding intermarriage and the determination of Jewish identity under halakhah]...apply to same-sex marriages just as they do to *kiddushin*...” I then explicitly applied these standards to my own work as well: “So too in the case of differing sex couples married by a halakhic means other than *kiddushin*: in order for a Conservative/Masorti rabbi to officiate (or participate) in any way, *both partners must be Jewish according to the halakhic criteria as established by the CJLS.*” This point is reiterated in the last point of the *p’sak* (part b) on p. 47.

My teshuvah does not allow for these ceremonies to be used as a means of making a binding relationship between a Jewish person and a non-Jewish person, and any attempt to read or reinterpret it otherwise would be a deep (and frankly, quite hurtful) misstatement of my intent as the author. Of course, it is not at all impossible for a *posek/et* to draw and/or build on the work of another in ways that first might not have intended and might even have opposed (see the bottom of p. 20 and p. 21 of my teshuvah for a potential example in my own work). The key point in my mind however, is that the second *posek/et* (or the CJLS) should not simply reimagine – or actively misstate – the meaning of the first’s work, but rather make their own independent argument. If someone wants to use my work in this way, I only ask that they be honest about what I did and did not sanction, and take their own responsibility for whatever conclusion they reach, rather than attempting to twist my work and my words to that end. It is entirely within the rights and powers of the CJLS to commission or consider a *new* teshuvah creating ceremonies for marriages of Jewish and non-Jewish partners, and to adopt it. I only reiterate that *my* work should not be the basis on which this ought to be done, if it is to be done.

Thank you –

Gail