

# The Formation of Same-sex Parenthood in Jewish Israeli Society

## Object

Kinship relationships define a newborn child's place in society and reproduce collective identities and social relations. But how static are conceptions of kinship in the age of reproductive technologies? What happens when same-sex couples claim access to family rights?

This research tackles the formation of same-sex parenthood in Jewish Israeli society and examines the obstacles same-sex couples overcome when becoming parents. It asks if and how same-sex parenthood challenges the structure of Jewish Israeli society and contributes to a better understanding on how societies negotiate normative reproduction and the social construction of human reproduction.

## Research questions

- Do contemporary Jewish Israeli conceptions of parenthood and family relationships facilitate the formation of same-sex parenthood?
- How do political struggles for the legal recognition of same-sex unions affect the formation of same-sex parenthood?
- How do same-sex couples' practices conflict with their (and others') religious and ethnic beliefs about what constitutes being a Jew?
- Does the emergence of same-sex parenthood undermine the compromise between Orthodox and non-Orthodox that constitutes Israel as a semi-theocratic state?

## Field Inquiries

This project rests on a global understanding of the dynamics of kinship. Inquiries thus account for:

- 1) Juridical and political developments of family rights of same-sex couples

Analysis of court decisions, parliament discussions, expert interview with lawyers, participant observation in lectures and discussions on same-sex parenthood.

- 2) Rabbinical kinship concepts and approaches to homosexuality

interviews with rabbis, analysis of rabbinic texts and rabbis' public statements on homosexuality and the reactions they provoked.

- 3) Paths to same-sex parenthood

Interviews and informal conversations with gays and lesbians and their parents as well as participant observation in family activities.



## Claiming family rights

In Israel, religious authorities control marriage and divorce. Yet family law does not constitute a homogeneous corpus, but derives from both religious and civil jurisprudence. While Orthodox rabbis successfully resist an all-embracing recognition of same-sex couples, gays and lesbians have gained a wide range of family rights through litigation in courts.

Lesbians have unrestricted access to subsidized fertility treatments. Many of them seek motherhood through anonymous sperm donation. The situation of gay men is more difficult: Their access to adoption is limited and they are banned from surrogacy in Israel. They bypass their exclusion through surrogacy arrangements abroad.

## Negotiating parenthood

Same-sex couples see in anonymous sperm donation and surrogacy ways to build their own families. In these families the children have two mothers or two fathers. Same-sex couples make great effort to constitute themselves as equal parents. Yet doubts and feelings of imbalance often remain.

Without access to marriage, same-sex couples have no guarantee for protection of their families. Same-sex couples thus protect their families through a variety of legal means. To find their way through the jungle of bureaucracy, they usually employ a lawyer to handle the legal situation. Nevertheless, it often depends on the clerk in charge if the process is smooth and short or complicated and nerve-racking.

## Transforming Judaism

Orthodox rabbis do not recognize gays' and lesbians' relationships and same-sex parenthood does not exist in their imagination. In their view, Judaism provides no place for same-sex couples and their children.

Same-sex couples, for their part, claim that their families are perfectly legitimate. They circumcise the boys, organize childbirth festivities and celebrate Jewish holidays. Keeping these religious traditions, same-sex couples make clear that they and their children belong to the Jewish Israeli collective like any other family. Thereby they contest not only Orthodox approaches to kinship, but Orthodox authority over Judaism itself.