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## Rabbi Vows 'Civil Disobedience'

*CBST's Kleinbaum could face arrest for same-sex ceremony; 80 clergy sign on to pledge.*

**James D. Besser - Washington Correspondent**

An effort to enlist rabbis and other clergy to engage in civil disobedience on behalf of gay couples seeking marriage is picking up steam.

But this week's developments also revealed the risks clergy face when they defy government regulations. On Monday, Ulster County District Attorney Donald A. Williams filed charges against two Unitarian Universalist ministers who performed 13 same-sex marriages.

If convicted, the ministers — and Jason West, the mayor of New Paltz who was charged recently with the same offense — could be slapped with fines of up to \$500 and a one-year jail sentence.

Those were the first such charges in the nation, and prompted leaders of the nation's biggest gay and lesbian synagogue to urge other clergy members — including rabbis — to engage in similar acts of defiance.

Rabbi Sharon Kleinbaum, spiritual leader of Manhattan's Congregation Beth Simchat Torah, is following her own advice — she will perform a same-sex marriage in Fort Washington in the next two weeks.

She said she will alert local authorities about her planned act of defiance. "It's only an act of civil disobedience if the authorities continue to say it's illegal," she said. "We're going to dispute whether or not it's illegal. But I'm not going to stop even if they go to the next step."

The goal, Rabbi Kleinbaum said, is to "highlight the bigotry and discrimination against same-sex couples."

She said that on Thursday, two gay couples, not associated with CBST, are expected to try to obtain a marriage license at New York's City Hall — and that even if they fail, they will have a marriage ceremony.

Rabbi Kleinbaum said that more than 80 clergy members have signed her group's pledge to perform same-sex marriages "even if legislators and city clerks in this state interpret the law to deny marriage licenses to same-sex couples."

That could put the ministers, rabbis and priests in legal jeopardy, she said.

Many rabbis who signed the pledge are from "non-gay congregations," said Rabbi Ayalet Cohen, Beth Simchat Torah's assistant rabbi.

Several other Jewish leaders criticized the decision by New York authorities to charge the minister and the mayor. Rabbi David Saperstein, director of the Religious Action Center of Reform Judaism, said that while the ministers may have committed a "technical violation of state law, the charges were brought



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under a law that is almost never enforced. This selective enforcement is both morally problematic and legally questionable.”

The charges, he said, also represent an improper intrusion of government into religious affairs. And the arrests for a “form of civil disobedience” point to the fact that “these laws need to change,” he said.

Also this week, the Reconstructionist Rabbinical Association unanimously passed a resolution endorsing “civil marriage for same-sex couples.”

In a statement, the rabbinical group condemned “current discrimination that prevents gay men and lesbians from receiving all of the benefits of civil marriage,” including health care coverage, survivor benefits and child custody rights.

“Since 1993, Reconstructionist movement policy has supported rabbis who work with and officiate at weddings for same-sex couples,” the statement said.

But Orthodox groups opposed to gay marriage are also speaking up. Agudath Israel of America, addressing efforts by the Massachusetts state legislature to ban gay marriage, said in a statement that “some supporters of same-sex marriage claim to speak in the name of Judaism. They do not. They speak, in fact, against it.”

Countering charges that the ban on homosexual marriage violates the religious freedom of those seeking to marry, the Orthodox group said that “we hereby state, clearly and without qualification, that the Torah forbids homosexual acts, and sanctions only the union of a man and a woman in matrimony.” n

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