

BOOK REVIEWS/COMPTES RENDUS/ REZENSIONEN

JUDAISM IN MOTION

The Making of Same-Sex Parenthood in Israel

Sybille Lustenberger. 2021. Cham: Palgrave Macmillan. 267pp.

In *Judaism in Motion*, Sybille Lustenberger examines the making of same-sex parenthood in Israel. The monograph builds on an anthropology of kinship, which recognizes the processual character of becoming a kin, and an anthropology of reproduction, which understands the deep socio-political character of human reproduction. On a theoretical level, it applies a transgenerational approach.

Discussing the particular context of Israel, Lustenberger notes that Jewish law shapes the possibilities for same-sex couples to become parents. Conversely, she also questions how and to what extent those bringing children up in same-sex relationships are simultaneously changing Judaism and the nation. Her monograph explores this puzzle and shows how new forms of Jewish continuity are being imagined and made in private homes, the parliament, courts, and even in Orthodox synagogues. This compelling ethnography thus relates the making of same-sex couples' kinship and families to contemporary political, religious, legal, and cultural dynamics in Israel.

The monograph follows a structure that discusses the formation of same-sex parenthood as an intrinsic part of the processes through which societies negotiate the norms that guarantee their reproduction, overcoming a rigid division between the religious and the secular to demonstrate how divergent principles and norms move between different societal contexts and institutions and are thereby transformed.

Following this interplay, *Judaism in Motion* builds on a rich body of ethnographic research data collected during Lustenberger's long-term stays in Israel (2010–2012 for her PhD, and 2016–2018 as a postdoctoral research fellow) as well as other places, including a two-month period following an Israeli gay couple to India for the birth of their surrogate child. Her PhD data material consists of interviews with same-sex couples from varying socioeconomic and family backgrounds, all but four of whom already had children. During her postdoctoral studies, she focused on the lives of lesbians and gay men from Orthodoxy homes with children, most of whom identify as religious, to ascertain if, and how much, they are impacting on Judaism. In addition, she carried out numerous conversations and interviews with Jewish scholars, rabbis, LGBT activists, local fertility specialists, and other involved actors. This material is supplemented by countless field research encounters, such as participation in a *brit milah* (ritual circumcision), Shabbat dinners, birthday parties, etc., as well as participant observation in everyday activities. Moreover, the author collected and analysed hundreds of political, legal, and judicial documents to gain a better understanding of the legal and bureaucratic framework in this context.

In Israel the rabbinate has significant influence on definitions of marriage and parenthood. National family law is largely shaped by Orthodox kinship principles, and the interconnectiveness between kinship, rabbinate, and state is also reflected in the fact that the only way Jews can get married is through the (Orthodox) rabbinate. Furthermore, great importance is attached to having children, and most of Lustenberger's interlocutors made it clear that they wanted more than one child, or that the rabbinate would find various ways to permit all reproductive technologies that would enable them to become parents. Lustenberger argues that norms and logics in Israel derive from two ontologies – analogism and naturalism (Descola 2013) – which are at times in tension with each other. While rabbinic kinship rules stem from a biblical ontology that is analogical, i.e. states that everything and everyone has a predetermined place, current ethnological research shows that the rabbinate knows how to weave in biogenetics and reproductive technologies through very concrete rules that are meant to maintain the order of creation (naturalism). However, as *Judaism in Motion* facets, when same-sex couples request access to and use reproductive technologies, new questions arise about both the definition of kinship and what kind of Jews their children are, and what this all means for the generational fabric that is the Jewish people. Important in this regard are also complementary roles that women and men have in maintaining this fabric, as it is mothers who pass on membership of the Jewish people to their children. This means that, depending on the constellation of a same-sex couple as well as their offsprings' genders, different affiliations of belonging to Judaism have to be negotiated.

Lustenberger demonstrates these different negotiations as she focuses on lesbian couples in chapter 2 and gay couples on their way to parenthood in chapter 3. In these chapters, she examines the theme of becoming a parent with reference to reproductive technologies. It is striking how Lustenberger succeeds here – and in the entire work – in explaining current dilemmas and frictions in Israeli society by depicting specific circumstances and disparate viewpoints. This includes the author's observation that sperm donation may be highly problematic from a halakhic perspective (i.e. the body of Jewish religious laws), for which rabbis attempt to find kosher solutions. Lustenberger argues convincingly that, despite existing restrictions, rabbis themselves have paved the way for understanding parenthood as a universal right that does not depend on marital status or sexual orientation, because of the enormous value they place on procreation and a discourse on the longing and suffering of childless women. Although this does not mean that same-sex partnerships and parenthood are considered morally correct in the Orthodox context, it does mean that, in practice, lesbian couples (as well as single women) have the option of artificial insemination through sperm donation, which is largely paid for by the mandatory Israeli basic health insurance. Lustenberger places this opportunity in the context of an understanding that motherhood is a national mission which is superior to the importance of marriage.

With regard to parenthood among gay couples, the author sketches a different picture. At the time of Lustenberger's research, surrogacy was prohibited for gay couples in Israel, but it was possible to carry a child to term via a surrogate mother in, for example, India, and subsequently establish a legal relationship between father and child via a DNA procedure informed by rabbinic kinship principles. Lustenberger thus identifies transnational surrogacy as a way for both gay couples and the state itself to circumvent national law and conso-

lidate the power of the rabbinate via bureaucratic procedures to define what constitutes a Jewish family.

The question of recognition is addressed in depth in the fourth chapter, for example in the case of second-parent adoption proceedings. Here Lustenberger takes a close look at legal discourses and jurisprudence in connection with religious components, and argues that ambiguities and inconsistencies are not a failure of the legal system, but are necessary to maintain a fragile balance between civil and Jewish law.

This leads to chapter 5, on belonging and the making of Jewish children in the context of same-sex parents. One way in which belonging can be created for boys is through circumcision (*brit milah*) on their 8th day of life. Lustenberger describes her participation in one such occasion and addresses the various feelings and considerations that preoccupy those involved. She does not attempt to standardize same-sex parents' negotiation processes, but presents a multi-faceted picture that also addresses possible disagreements within the couple (e.g. whether circumcision should take place). The chapter illustrates the continuing importance of religious rituals in forming Jewish children and reproducing Jewish collective identity. In doing so, Lustenberger demonstrates the flexibility but also the limitations that exist for including children of same-sex couples in communities and extended families.

A final chapter, fittingly titled "Transformations from Within", offers in-depth explorations of lesbian and gay stories of religious affiliation, including the context of extended families. Through these the author demonstrates that same-sex parenting can only be recognized as another way to build Orthodox continuity if it is acknowledged within Orthodox Judaism. At the same time, however, Lustenberger argues that such recognition also entails the everyday religious encounters that same-sex couples and their children have in the community, such as attending religious school or sharing the birth of a child born to same-sex parents.

Drawing on her rich ethnographic material, the author sketches a picture that resists the temptation to romanticize. In addition to describing heart-warming scenes like a child shouting the wedding of his two fathers from the roof of his Orthodox public school, she also names all the unfulfilled desires, hopes, and disappointments that same-sex parents experience in their Jewishness and their families of origin.

Judaism in Motion impressively demonstrates that being Jewish can be understood as deeply relational. The book does absolute justice to its holistic claim and paints a comprehensive and multi-faceted picture of same-sex parenthood in the context of producing Jewish continuity and change. Because of its broad scope, it will appeal to a wide audience, ranging from academic and religious experts to laypersons, as well as those personally affected by the topic. As a monograph about reproduction and kinship, *Judaism in Motion* makes a crucial contribution to understanding reproductive negotiation processes that are both temporal in scope, well beyond the generations of the same-sex couple and their children, and spatially impactful well beyond the same-sex nuclear family in a context of a Judaism in motion.

Reference

Descola, Philippe. 2013. *Beyond Nature and Culture*. Translated by Janet Lloyd. Chicago: University of Chicago Press.

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