

increasingly diverse and non-traditional sources.

- Agencies will have to be run in a business-like and professional manner, with a high level of accountability both to funders and consumers.
- The staff, who make our organizations successful, will be increasingly diverse, both professionally and in terms of ethnic and religious affiliation.
- Our consumers will be drawn from the general population, depending on the economic necessities of competing for contracts in those areas where the organization has expertise. This special expertise will include our cultural sensitivity toward Jews and our knowledge base regarding their special needs. They will have a direct stake in our agency's success through profit-sharing and incentive plans.
- Our Boards and governance structures will be increasingly representative of the constituencies we serve and will also be diverse—economically, religiously and racially.
- Our organizational structures will be increasingly complex, enabling us to strategically position ourselves in whatever markets we need to be in order to compete successfully for resources and market share.
- We will have a clear vision of the future and be proactive, rather than reactive, anticipating changes in funding trends and market needs. We will use this information to monitor trends and plan accordingly.

For each agency and community, the new paradigm may look a little different. Our challenge is to work together to define those

common elements that will enable us to face the future with confidence, secure in the knowledge that our organizations will thrive into the next century.

REFERENCES

- Herman, Barbara F., Nadler, Harry, Jaffee, Ira, & Moss, Lori. (1994, Summer). Developing a counseling network: A primer. *Journal of Jewish Communal Service*, 70(4), 243.
- Imber, Shirley Raphael. (1990, Summer). Serving non-Jews in the Jewish Family Agency. *Journal of Jewish Communal Service*, 66(4), 385.
- Kang, Chul Hee, & Cnaan, Ram A. (1995). New findings on large human service organization Boards of trustees. *Administration in Social Work*, 19(3), 17.
- Kanner, Ted. (1988, January). Under pressure: The changing role of the Jewish Family and Children's Agency. Presentation at the Western Regional Meeting of AJFCA, San Diego.
- Montreal Jewish Federation. (1992). What is Jewish about Jewish social service agencies? Unpublished manuscript.
- Nasatir, Steven B. (1994, Summer). New and integrated approaches to developing financial resources in the future. *Journal of Jewish Communal Service*, 70(4), 264.
- Rehabilitation Accreditation Commission (CARF; 1996). 1996 standards manual and interpretative guidelines for behavioral health. Author.
- Steinitz, Lucy, & Weidman, Arthur. (1993, Fall). A time of need and a vision of hope: Jewish continuity and the Jewish Family Service. *Journal of Jewish Communal Service*, 70(1), 10.

THE ETHICS OF GAY AND LESBIAN ADOPTIONS

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The dilemma facing a Jewish family service over placing a Jewish child for adoption by a gay or lesbian couple can be traced to the meaning of the best interests of the child. This concept evokes value conflicts for the social workers and the Board members that encompass the obligation not to discriminate and not to be judgmental, traditional and contemporary Jewish perspectives on the morality of the couple's lifestyle, and the agency's mission to strengthen the Jewish family. The ethical dilemmas proceed from these value conflicts.

There is a turbulent national debate over whether lesbians and gay men are capable of being parents and whether they create homosexual children. A study by British researchers furnishes both sides with statistical ammunition (*New York Times*, 1996).

In another development, New York State's highest court has granted unmarried couples—heterosexual and homosexual—the right to adopt children. The decision involved cases brought by a heterosexual couple and a lesbian couple. In both cases, one partner was the child's biological mother, and the two plaintiffs sought full legal recognition of the other partner's parental role. This decision bolsters the legal standing of the state's nontraditional families and grants the child of an unmarried couple a host of rights and benefits from both parents. The law, however, does not sanction adoption by third-party same-sex couples.

This article analyzes the proceedings of a seminar for the Board of Directors of the Jewish Family and Child Service of Toronto regarding adoption requests by Jewish gay and lesbian couples. Although the discussion focused on the values and ethical issues involved, the legal parameters needed to be clarified.

THE LEGAL ISSUES

In Toronto, provincial law—the Child and Family Services Act R.S.O. 1990—permits one individual or two individuals who are "spouses" of one another to apply to adopt a child. The term "spouses," whether married

or unmarried, has been defined as persons of the opposite sex. This definition has precluded adoptions by couples of the same sex, though individuals, including gays and lesbians, could adopt. Recently, however, a judge found the definition of "spouses" unconstitutional for it denied the equality of rights protected in the law. Instead, he interpreted "spouses" to include members of the same sex.

All of the applicants are lesbian couples who have been living together in committed relationships for varying lengths of time. From the evidence I have before me, I have no hesitation in finding as a fact that in all respects these relationships might be termed "conjugal," in that they have all the characteristics of a relationship formalized by marriage (Nevins, 1995).

The criterion for adoption that homosexual couples are expected to meet is the same as those of heterosexual couples—to provide for the best interests of the child. The judge's interpretation has not yet become law in the provinces, so that adoption agencies are not mandated to abide by it.

The Metro Toronto Children's Aid Society passed a resolution in 1994 that same-sex couples should have the same right to adopt as heterosexual couples. The agency recognized that parental competence is not determined by sexual orientation and that gay men and lesbians are as capable of being good parents as anyone else.

By contrast, the Metro Catholic Children's Aid Society, to which only Catholics may

apply, distinguishes between sexual orientation and sexual practice. Discrimination based on sexual orientation is not allowed. A Catholic, whatever his or her sexual orientation, could apply to adopt as a sole parent. Sexual practice or lifestyle is the issue. The only sexual practice that is acceptable is within a marriage that is open to the procreation of children. Therefore, gay or lesbian Catholics are not permitted to adopt through this agency.

The Jewish Family and Child Service is the arm of the Jewish community for adoption, foster care, and other child and family services. The agency has not yet formulated its policy on gay and lesbian adoptions. The purpose of the seminar was to help the Board think through the value and ethical dimensions of the issue and to develop a policy consistent with the agency's mission in the Jewish community.

THE BOARD'S DILEMMA

If the family service agency were not under Jewish auspices, but was completely nonsectarian, an ethical dilemma may not exist. The agency would be guided by such social work values as being nonjudgmental, nondiscrimination, and self-determination. Social workers may not pass judgment on the lifestyles of their clients even though they differ from their own. Social workers may not discriminate in their services to clients who are different in religion, color, gender, and gender orientation. Guided by the self-determination of clients, social workers assist clients to decide what they want to do with their lives. The degree of self-determination of the birth parents and of the potential adoptive clients is an important area of inquiry in the adoption process.

Assuming that the potential adoptive couple is deemed to be fit to adopt, social workers who are guided by social work values should have no difficulty approving the request. Yet, there may be some hesitation because this is not a typical adoptive couple. The results of the research are inconclusive regarding the success of homosexual couples in raising children. Without the benefit of hard data, social

workers have to be guided by their clinical experiences, anticipation of consequences, and practice wisdom in determining the suitability of gay and lesbian couples as adoptive parents.

As a Jewish family service agency, the JFCS is driven by other values that derive from its auspices and mission. Even though most of its funding comes from nonsectarian sources, there is no doubt that the Jewish community serves as the major sanctioning body of JFCS. The Board, staff, special programs and services, and ambience of the agency are Jewish. The majority of the clients are Jewish, and the agency's mission is to strengthen the Jewish family and the Jewish community.

The JFCS consults with all segments of the Jewish religious and secular communities, each of which takes a different position in controversial policy debates. There is no clear mandate from any one group regarding a "Jewish" policy on homosexuality. The JFCS is therefore left to determine its own policy through Board and staff deliberation, ever mindful of the sentiments of its diverse constituents.

Several forces would contribute to a policy prohibiting the placement of children for adoption with gay and lesbian couples. Traditional Jewish values condemn same-sex relationships as they do not conduce to the perpetuation of the Jewish family (Prager, 1990). Many question the verbal or nonverbal message that homosexual parents convey to children regarding the legitimacy of homosexual relationships. While acknowledging that gays or lesbians desire to provide a loving home for their children, others question whether being brought up in such a family is in the children's best interests. Though some groups in the Jewish community may be more accepting of the homosexual lifestyle, some Board members may not be prepared to circumvent the weight of Jewish tradition for the sake of contemporary revisions. This value orientation would result in a denial of the same-sex couple's request.

Approval of the request is supported by the

weight of social work values as reinforced by the societal trend of increasing acceptance of the homosexual lifestyle as non-pathological and homosexual marriages as legitimate. The agency's social work mission is expressed in its goals of individual, family, and community development and in its practice, principles, and techniques. Most of the professional staff have masters of social work degrees and are oriented toward the values and ethics of the profession.

Social work values would not permit denial of the adoption request simply because of the couple's sexual orientation. If the relationship is a loving one, with mutual respect, maturity, financial stability, and provision of a home life conducive to raising children, social workers may even support the adoption enthusiastically, especially if the alternatives are detrimental to the best interests of the child.

The dilemma surfaces for the Board of Directors, lay leaders who represent businesses and professions other than social work. The Board members subscribe to the agency's social work values, but their primary role is to represent the interests of the Jewish community. As residents of the community, they are attuned to nuances of approval and disapproval of agency policies.

The Board has quietly approved the establishment of a support group, under agency auspices, for gay and lesbian youth who are struggling with their homosexuality. The group was originally sponsored by the local university, but it was then taken over by JFCS. Advertising was low key, and no vehement objections were raised by any factions in the community. The rationale was that Jewish young people needed an outlet to deal with their homosexuality, and the JFCS was the most appropriate institution to meet that need.

Apparently, the Board had fewer qualms about providing a support group for gay and lesbian youth than authorizing adoptions by same-sex couples. Adoption is a permanent decision that requires more deliberation and evokes greater anguish because it threatens traditional Jewish family norms, even as it could provide a child and adults with an

opportunity to establish a loving and secure family; hence the value conflict and ethical dilemma.

The Board members' personal beliefs about homosexuality affect their deliberations on the dilemma as well. Homosexuality threatens the security of a traditional family structure and touches deep-seated feelings of sexual identity and Jewish identity. Board members may express their feelings of being threatened, as well as their anguish for the same-sex couples who want to raise a child that they cannot conceive in order to establish a family.

In its deliberations, the Board focused exclusively on the child's well-being. As one Board member said, "The issue from the Jewish point of view is: Is the child well served by being put into a family where the parents are in a gay/lesbian relationship? It's never about the parent. The issue is always the child, not the parent."

From the Jewish point of view, however, the focus is on both the parents and the child. Traditional Judaism considers homosexuality immoral, so that the basis for establishing this family is morally suspect. In addition, it is impossible to predict the future psychological and social well-being of the child. The best interests of the child are clouded by the morality of the parents; hence the Board's hesitation in supporting the adoption policy.

THE STAFF'S DILEMMA

Although the Board, in attempting to resolve the dilemma, may focus on community sentiments, personal values, and concern for the child's best interests, the staff's resolution veers more toward social work values in which the needs of the client take precedence. Both the Board and the staff are committed to the Jewish purpose of the agency—to strengthen the Jewish family and community. Yet, the staff, comprising mainly social workers, is also committed to the implementation of social work values. Two of social work's most important values are not to discriminate nor to pass judgment (Delegate Assembly, 1996).

Social workers are cautioned not to be drawn into the discriminatory and judgmental

mode when encountering gays and lesbians in practice. Tempted as they might be to indulge their personal feelings, they must struggle to overcome personal and societal influences and view homosexuals as people who deserve respect (Dulaney & Kelly, 1982).

Some social workers may find it difficult to overcome personal feelings, especially those stemming from religious sources (Levy, 1976), as they discharge their professional function. Jewish religious law condemns homosexuality as an abomination (Leviticus 20:13). Those who follow *Halachah* in their daily lives may find it difficult as Jewish social workers to accept individuals whose behavior is judged to be immoral by the Torah. They must work especially hard at preventing their personal values from affecting their professional function.

Levy contends that personal values need not be denied, but may be used in the service of the client. "Representing personal values as an alternative is different from insisting upon them as a preference, simply because they are a preference for the practitioner" (Levy, 1976, p. 119). "Representing personal values as an alternative" is operationalized in the form of questions, i.e., "Have you thought of...?", or "Did you consider...?" The social worker does not insist that the client try another approach (the social worker's), but opens other options for the client to consider.

A good example of the distinction between representing values as an alternative and as a preference occurs when the social worker considers raising the issue of the *get*, a religious divorce, with a Jewish divorcing couple. It is unethical for the social worker to *insist* that the couple obtain a *get* simply because it is a preference for the social worker. However, the social worker is on ethical grounds when raising issues regarding the impact of divorce with and without the *get* on the parents' remarriage, the children's future, and the Jewish community.

Similarly, in the case of gay and lesbian adoptions, it is ethical for the social worker to ask the couple to consider the implications of the adoption for the Jewish identity of the child and for the family's acceptance by the

Jewish community. If these questions are not raised, the social worker has been remiss in his or her professional and ethical responsibilities. As Levy (1976) insists, although consequences do not determine whether behavior is ethical, they need to be addressed.

The social workers' dilemma may be attributed not only to a personal versus professional conflict but also to dual loyalties. Social workers subscribe to the Code of Ethics, which contains the essential values of the profession. At the same time, they identify with JFCS's mission as a Jewish agency that seeks to strengthen Jewish family life. This dual identity confounds social workers and creates a formidable ethical dilemma regarding gay and lesbian adoptions.

THE ETHICAL DILEMMA

An ethical dilemma is a choice between two actions that are based on conflicting values (Linzer, 1996). In an ethical dilemma, the individual ought to do X and ought to do Y, but is precluded by circumstances from doing both. The values behind alternatives X and Y are weighty, and neither is dominant. It is impossible to act on both values, yet each is considered right and good.

In order to resolve the dilemma and justify the decision, one may use a model that encompasses rules, principles, and theory (Table 1). Rules are specific and principles are general guidelines to action. Theory supports principles and rules (Beauchamp and Childress, 1994).

SOCIAL WORK VALUES

Social work values support eligible gay and lesbian couples becoming adoptive parents and raising families. This judgment is justified by the rule that mature adults are entitled to raise families and by the principles of utility, autonomy, and beneficence. The principle of utility supports adoption because it will produce the greater good for the greater number of people. The principle of autonomy justifies the couple's request to adopt. The principle of beneficence requires the agency

Table 1. Model for Ethical Decision Making in the Adoption of Jewish Children by Gay and Lesbian Couples

Values	Rules	Principles	Theory
Social Work Dignity, worth, nondiscrimination, nonjudgment, respect for client, starting where client is at, goal of self-actualization	Children should grow up in families; mature adults should be permitted to adopt children	Utility Autonomy Beneficence	Utilitarian Providing home and family for children; enabling adults to be parents Deontological Respect right of self-determination; provide service to all Jewish clients; <i>prima facie</i> duty of justice
Judaism <i>Traditional: Orthodox</i> Dignity, created in the image of God, behavior is immoral, capacity for <i>teshuvah</i> —change	Jewish children should not be raised by parents whose behavior is immoral.	Utility Nonmaleficence	Utilitarian Children may become homosexual Deontological Morally wrong according to Torah and rabbinic traditions
<i>Contemporary: Reform and Reconstructionist</i> Dignity, created in the image of God, acceptance, outreach, inclusiveness, love for fellow Jews.	Jewish children should be raised in loving Jewish families, even if their parents live alternate lifestyles	Utility Autonomy Beneficence Justice	Utilitarian Better to be raised in family than in institution or foster home Deontological Respect autonomy of couple
<i>Contemporary: Conservative</i> Homosexual "marriage" and family not sanctioned by Jewish law	Jewish children should not be raised by non-normative parents	Utility Nonmaleficence	Utilitarian Children may become homosexual Deontological Morally wrong according to Torah and rabbinic traditions

to provide services to gay and lesbian couples, one of which is adoption.

Deontological theory can be invoked in support of the decision to adopt because the *prima facie* duty of justice demands equity in the distribution of adoption opportunities for all. Utilitarian theory supports a decision that conduces to the greater good by providing children with a home and by opening up more opportunities for same-sex adults to raise them.

JEWISH VALUES

Jewish values regarding gay and lesbian adoptions are not monolithic; there is a serious clash between traditional and contemporary perspectives and within contemporary perspectives. Traditional Jewish values forbid homosexual acts and consider them anathema to the Jewish people (Lamm, 1974). Biblically only gay unions are prohibited due to the spilling of the seed (Genesis 38:9), but the

rabbinic tradition also prohibited lesbian unions because they too do not lead to procreation.

Orthodox Jews, who are represented by the traditional position in Table 1, believe that the Torah differentiates between the sin and the sinner. The Torah's objection is to the homosexual act, not to the person. "There is no such thing as a homosexual per se, but only a person who commits a particular sin and, like people who commit other sins, can and may, with work and effort, do *teshuvah* (Angel et al., 1992/93, p. 39). The authors contend that gays and lesbians can change their ways and become heterosexual if they tried hard enough. The evidence, however, is mixed in support of this claim.

Orthodox Jews are in conflict over the acceptance of homosexuals into the community. They maintain that it is wrong to have an unreasonable fear of homosexuals, but their behavior is not to be condoned either. It is one thing to condemn the act, but it takes a leap to accept homosexuals as normative Jews in the community. "Homophobia is wrong, but so is the embrace of homosexuality as an equal alternative lifestyle" (Freundel, 1993, p. 45). Can Orthodox Jews impugn homosexuality and still accept the person? Can parents love a homosexual child, congregants respect a gay rabbi, or Jewish school principals hire homosexuals as teachers? If Orthodox Jews cannot answer these questions affirmatively, they have not yet emotionally accepted homosexuals as authentic members of the Jewish community. If they can, they are able to differentiate between the act and the person and love and respect homosexuals as they would any other Jew.

The contemporary Jewish values section of Table 1 is divided into two parts: those of (1) Reform and Reconstructionist Jews and (2) Conservative Jews. Reform and Reconstructionist Jews welcome gays and lesbians into the rabbinate and into synagogues, perform commitment ceremonies for couples, and support same-sex adoptions. This decision is based on the rule that children should be raised in loving families, irrespective of the

sexual orientation of their parents. It is justified by the principles of client autonomy and justice in making adoption available to all mature applicants.

Utilitarian theory supports the adoptions because of the principle of utility. It is better for children to be raised in a loving family than in a dysfunctional one or in a foster home. Deontological theory also supports the adoption based on the principles of autonomy, beneficence, and the *prima facie* duty of justice.

In response to the Jewish traditional approach, Matt (1978) states this rationale for a different stance toward homosexuality:

We must not only consult biblical sources and subsequent halachic decisions, but must do two other things as well: 1) determine, as far as we are able, the rationale and presuppositions of the traditional stand; and 2) inquire whether there are now any changed circumstances or new data in the light of which the Torah's stand today—though based on the same divine and enduring concerns and purposes—might possibly involve changed formulations or different emphasis (p. 14).

The biblical stance was not rejected summarily, but was studied to ascertain its rationale and reconcile it with modern interpretations. Ultimately, the decision to include homosexuals in Jewish religious life was based on the desire of Reform and Reconstructionist Judaism to be inclusive rather than exclusive.

The Conservative movement's policy toward homosexuality is in flux. Committed to an ideology of tradition and change, Conservative Judaism has struggled with the need to maintain the traditional emphasis on the family while not rejecting Jews who do not fit into this framework. In 1992, the Committee on Law and Standards of the Rabbinical Assembly adopted several policies regarding gays and lesbians. They are welcome in the synagogue, but commitment ceremonies are forbidden. They are not permitted to enroll in cantorial and rabbinical schools. Assigning teacher positions in the religious schools and

giving eligibility for honors in the synagogue are at the discretion of the individual rabbi. Though some rabbis have favored greater liberalization of these policies, the decisions of the Committee of Laws and Standards form the extant policy of the Conservative movement.

Although the Conservative movement joins with Reform and Reconstructionists in supporting the worth and dignity of homosexuals, the dominant value for them is the Torah's aversion to homosexuality. The rule that children should not be brought up in non-normative homes is justified by the principles of utility—children may become homosexual—and non-maleficence, doing no harm. Both principles can be supported by utilitarian theory, which seeks to prevent harm, and by deontological theory that upholds the morality of Torah law without the need for an explanation.

Despite traditional Judaism's aversion to homosexuality, we need to listen to a gay Jewish man committed to Jewish life and community who offers a cogent plea for understanding.

Another value which may not feel right for all Jewish men is marriage, family and togetherness. What if a person doesn't want to marry or have a family? What if the kid is gay? Where do these children fit in? *How can yearnings of the self integrate with expectations of the group? Jews must evaluate the ways values and traditions both help and hinder strivings of the individual in his or her search for meaning* (italics added; Kafes, 1994).

"How can yearnings of the self integrate with the expectations of the group?" The question is searing. Is there any room in the Jewish community for individuals who are different in this way? Is it at all possible for the community to accept gays and lesbians for who they are—people struggling to gain acceptance as human beings free of stigma and prejudice? Clearly, only some segments of the religious Jewish community are prepared to integrate "yearnings of the self with the expectations of

the group." Others have placed the expectations of the group over the yearnings of the self, thus disenfranchising a significant subgroup of Jewish men and women desirous of affiliation.

JOINING THE ETHICAL DILEMMA

The ethical dilemma can now be joined. Agency practice is based on social work values that esteem gays and lesbians' worth and dignity and promote their acceptance into the community. These values forbid discrimination and judgment of their behavior and sanction their adoption of Jewish children.

Its practice is also based on contemporary Jewish values that are in conflict regarding the morality of gays and lesbians adopting Jewish children. The conflict is based on the Jewish community's split in its preferred conceptions of homosexuals and in its preferred outcomes for them (Levy, 1973). A preferred conception is a category of values that refers to how we want to view people and how we value them for what they are. A preferred outcome is the goal we want them to achieve. Many Jews across denominational lines view homosexuals as immoral, without distinguishing between persons and actions. As their actions are deemed to be immoral, so are they; therefore, the Jewish community should not entrust its children to them. Many other Jews across denominational lines view homosexuals as human beings with dignity, created in the image of God, who happen to have a different sexual orientation. This group differentiates between persons and actions, and though the actions may or may not be deemed immoral, the persons are not. Consequently, adoption by moral people may be sanctioned.

RESOLUTION

In a two-case scenario, if two couples apply and one is gay and the other straight, and both are equally suitable to adopt, and only one child is available, social work values are not of much assistance. No objective social work value is present to resolve the impasse. Jewish values, however, may be applied to resolve the

impasse because the homosexual couple may be deemed less worthy due to its alternate lifestyle. The agency can invoke its Jewish value orientation to help it decide to whom to give the baby for adoption.

In a single case scenario, where only a gay or lesbian couple applies, the dilemma is more difficult. If the state does not dictate adoption policy, the agency needs to determine its own. What is the agency to do? The Board expresses its desire to vouchsafe the best interests of the child, which cannot be done without considering the child's needs and the needs of the Jewish community and the larger society. Will the child be better off in a gay or lesbian family than in foster care or in a dysfunctional family, and will that enhance the Jewish community and the society?

The question of best interests is utilitarian. Whether it is right according to Torah morality is a deontological question. Both questions are legitimate and formidable. Each can be answered in the positive or negative, depending upon where one stands on the spectrum of Jewish life.

No decision has yet been made. Whichever way the Board decides, it will leave moral traces on the decision not taken.

CONCLUSIONS

What began as a case study of gay and lesbian adoptions at one JFS agency evolved into a general discussion that is applicable to other JFS agencies as well. The ethical dilemma persists even if states have not yet formulated a legal mandate permitting adoption by same-sex couples. Though the Jewish family agency is under no compulsion to accede to a couple's request, it still faces value and ethical conflicts between its social work orientation and its Jewish mission.

Homosexual adoption seems to be less controversial than homosexual marriage. In many states and Canada, a single gay or lesbian person is eligible to adopt. It may only be a matter of time before gay and lesbian couples are also granted permission to adopt. Before that occurs, and in anticipation of that event, JFS agencies ought to brace themselves

for the ethical dilemmas that will inevitably arise. Decisions will need to be made individually, case by case, with the primary consideration the best interests of the child.

There are multiple scenarios that affect the weight of the opposing values, rules, and principles and, consequently, the decision supported by the theory. Such is the case in ethical deliberation; as new information arises and the scenario changes, the ethical decision is affected. The case presented in this article was "clean"—the adoptive couple and the child were Jewish, and the agency had no conflict around the identity of the applicants or the child.

But what happens if the child is Jewish and the couple is not? What if only one of the partners is Jewish? What if the child's father is Jewish and the mother is not, or the reverse? These variations can provoke serious debate on how to understand the best interests of the child, since a central component of the agency's mission is to strengthen Jewish identity.

There are complex scenarios that do not pertain to religious identity. For example, a gay or lesbian couple arranges with a birth mother to adopt her child when it is born. They approach the JFS agency to do a home study. In this case, the agency merely performs a particular function as it would for any heterosexual couple who applies for adoption. If it finds the couple eligible, does it recommend the adoption? On what basis would the agency deny it? On moral grounds? How can the agency assume a moralistic stance when it was only assigned to conduct a home study? The determination of eligibility must be based on professional standards. If the morality of the adoptive couple's lifestyle clouds the agency's judgment and it declares them ineligible, the decision is unethical.

In addition to the controversy over applying traditional Jewish law to homosexuality, the Jewish community appears to be moving toward inclusiveness, rather than exclusiveness. Witness the greater acceptance of intermarriage in recent years. The Jewish community seems to be less ready to condemn any of its members for their lifestyle. It is more

concerned with promoting a deeper sense of identity and belonging to the community. JFS agencies should incorporate these considerations in their deliberations over adoption. Decision making should be based on a rational process of an open exchange of ideas and feelings. Whichever way the agency decides, if it is based on an ethical model of decision making, the decision is ethical.

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REFERENCES

- Angel, M., Goldberg, H., & Stolper, P. (1992-93, Winter). Homosexuality and the Orthodox Jewish Community. *Jewish Action*, 34-39.
- Beauchamp, T., & Childress, J. (1994). *Principles of biomedical ethics*. 4th ed. New York: Oxford.
- Delegate Assembly. (1996, May). *NASW News*, 16-17.
- Dulaney, D. D., & Kelly, J. (1982). Improving services to gay and lesbian clients. *Social Work*, 178-183.
- Freundel, B. (1993, June). Homosexuality and halachic Judaism: Two views. *Moment*, 18(2), 40-45.
- Kafes, R. (1994, October). About searching for meaning. *Arizona Jewish Post*.
- Lamm, N. (1974). Judaism and the modern attitude to homosexuality. *Encyclopedia Judaica Yearbook*, pp. 194-205.
- Levy, C. S. (1973). The value base of social work. *Journal of Education for Social Work*, 9(4), 34-42.
- Levy, C. S. (1976). Personal vs. professional values: The practitioner's dilemma. *Clinical Social Work Journal*, 4(2), 110-120.
- Linzer, N. (1996). *Ethical dilemmas in Jewish Communal Service*. Hoboken, NJ: KTAV.
- Matt, H. J. (1978). Sin, crime, sickness or alternate life-style: A Jewish approach to homosexuality. *Judaism*, 27, 13-24.
- Nevins, J. P. (1995, May 9). *Reasons for judgment*. Toronto: Ontario Court.
- Nish, D. (1995, May). Homosexuality. Presentation at the Wurzweiler School of Social Work, Yeshiva University, New York.
- Prager, D. (1990, April/June). Judaism, homosexuality, and civilization. *Ultimate Issues*, 6(2), 2-24.
- Rabbinical Assembly. (1992, March 25). *Papers on issues regarding homosexuality*. New York: The Committee on Jewish Law and Standards.