

2015 Corcoran Chair Conference
Protestant, Catholic, Jew ... Divorcing
March 22-23, 2015
Boston College

Fifty years ago, it was nearly impossible for Catholics to get annulments. In Orthodox Judaism, only husbands could grant divorces. In evangelical Protestantism, divorced men and women were treated as damaged goods. Today, in all three traditions, times are changing. But how much, and how fast?

Sunday, March 22
Corcoran Commons Heights Room, Chestnut Hill Campus

- 11 AM** **Welcome**
Prof. Mark Oppenheimer, 2014-2015 Corcoran Chair in Christian-Jewish Relations
- 11-12:30** **Session 1 (Jewish Panel)**
Prof. Susan Aranoff, AGUNAH International
Prof. Lois Dubin, Smith College
Rabbi Yona Reiss, Av Beth Din, Chicago Rabbinical Council; Rosh Yeshiva, RIETS
Rabbi Jeremy Stern, Organization for the Resolution of Agunot
Prof. Mark Oppenheimer (moderator)
- 12:30-2 PM** **Break and Lunch**
- 2-3:30 PM** **Session 2 (Catholic Panel)**
Prof. Lisa S. Cahill, Boston College
Rev. Mark O'Connell, Archdiocese of Boston
Prof. Melissa Wilde, University of Pennsylvania
Rev. Mark Massa (moderator)
- 3:30-4 PM** **Break and Refreshments**
- 4-5:30 PM** **Session 3 (Protestant Panel)**
Prof. Randall Balmer, Dartmouth College
Prof. David P. Gushee, Mercer University
Prof. Heather White, New College of Florida
Prof. Mark Oppenheimer (moderator)

Monday, March 23
Corcoran Commons Heights Room, Chestnut Hill Campus

- 9:00-12 PM** **Roundtable Discussion**
- 12 PM** **Lunch**

All food served during the conference is kosher, from Catering by Andrew in Brookline, MA.

Session 1 Speakers

Prof. Susan Aranoff

Prof. Susan Aranoff is a professor of economics at Kingsborough Community College of the City University of New York. For more than three decades she has advocated for justice for agunot, women chained to dead marriages because their husbands refuse to grant them a get, a Jewish divorce. Aranoff is one of the founders of Women of the Wall, whose goal is to establish women's rights to pray according to their custom, with a Torah and tallit in the women's section of the Kotel, the Western Wall. She has written numerous articles and spoken widely about women and halakhah and Jewish feminism. Her book about her three decades of agunah activism, written with the late Rivka Haut, will be published by McFarland Press in 2015.



Prof. Aranoff will present a brief outline of the halakhic (Jewish legal) roots of the agunah problem and describe some cases that illustrate the problems that agunot face seeking justice in batei din (rabbinic courts.). She will outline and evaluate attempts in the last three decades to solve the agunah agony, including prenuptial agreements, civil legislation, the Rackman Beit Din and Rabbi Simcha Krauss's recently founded International Beit Din.

Prof. Lois Dubin

Prof. Lois Dubin, professor of religion and Jewish studies at Smith College, considers the making of civil marriage and divorce a highly significant aspect of the Jewish encounter with modernity that affected both public life and private lives. Her lecture series “One Woman, Two Husbands, and Three Laws in Revolutionary Europe: Jewish Women and the Making of Civil Marriage and Divorce,” draws on her work in progress, *Rachele's Pursuits: Love, Law, and Liberty in Revolutionary Europe*. By examining the complex marital and legal struggles of an Italian Jewish woman in Habsburg and Napoleonic Trieste, Dubin takes a microhistorical, gendered, and quotidian approach to enlightenment and emancipation in modern



Jewish history as well as to modern state-building, secularization, and regulation of family life. The intersection of gender, law, religion, culture, morality, and public health fueled potent and fascinating conflicts—both in Rachele Morschene's day and ours. She is the author of the award-winning book *The Port Jews of Habsburg Trieste: Absolutist Politics and Enlightenment Culture*. She has published widely on Jewish commerce and culture, Jewish legal status, enlightenment and emancipation, Italian Jewish history, and contemporary feminist theology and ritual.

Prof. Dubin will talk about the critical late 18th-century moment—the entry of the modern state into the Jewish bedroom with new civil marriage and divorce law and regulation. As backdrop, she will provide a succinct history of the practice of Jewish religious divorce in medieval and early modern times, including some important differences between Jews in Islamic and Christian lands.

Rabbi Yona Reiss

Rabbi Yona Reiss is the av beth din (chief rabbinical judge) of the Chicago Rabbinical Council and a rosh yeshiva (member of Talmudic law faculty) at the Rabbi Isaac Elchanan Theological Seminary at Yeshiva University (RIETS). He previously served as the Max and Marion Grill Dean of RIETS. Rabbi Reiss is a summa cum laude graduate of Yeshiva College and went on to receive his law degree from Yale Law School, where he was a senior editor of the *Yale Law Journal*. He received *semikhah* (rabbinic ordination) from RIETS, where he also earned the distinction of advanced *Yadin Yadin* (Jewish jurisprudence) ordination. Prior to serving as the dean of RIETS, Rabbi Reiss served as an associate at the law firm of Cleary, Gottlieb, Steen & Hamilton in New York, then as the director of the Beth Din of America.



Rabbi Reiss will address how, according to Jewish law, a marriage between a Jewish man and a Jewish wife can only be terminated through either the death of a spouse or the delivery of a get (Jewish bill of divorce) from the husband to the wife. It is also clear that when a marriage is irrevocably broken, that neither the husband nor the wife should withhold the delivery or receipt of the get. Nonetheless, there are cases in which a spouse is prevented from re-marrying due to the other spouse's refusal to cooperate with the get process. Generally speaking, this problem relates most frequently to the husband's refusal to give his wife a get. Utilizing mechanisms of Jewish law and societal pressure, rabbinic authorities have labored to prevent the agunah problem. Different solutions have included coercion, which is rarely sanctioned according to Jewish law, legislative measures, voidance of certain marriages based on technical defects in the creation of the marriage and pre-nuptial agreements. There have been other proposed solutions that were not considered valid according to the major Jewish law authorities, and therefore it is important that any solutions or devices be employed judiciously. It is critical for rabbinic and other communal leaders to promulgate and publicize effective methods to prevent agunah problems, and to inculcate an ethical sense that the withholding of a get for purposes of leverage, negotiation or spite, constitutes intolerable and unacceptable behavior. In addition, rabbinical courts can play a constructive role in helping couples navigate divorce situations, in terms of helping them resolve both the get as well as other issues pertaining to the divorce.

Rabbi Jeremy Stern

Rabbi Jeremy Stern serves as the executive director of the Organization for the Resolution of Agunot (ORA), an international nonprofit organization which advocates against the abuse of the get process. Rabbi Stern received a B.A., a master's in Jewish education, and rabbinic ordination from Yeshiva University, and a master's in public administration specializing in nonprofit administration from Baruch College. With ORA, Rabbi Stern has been instrumental in resolving over 150 contentious Jewish divorce cases and in leading community-wide initiatives to assist women who are victims of get refusal. Rabbi Stern lectures frequently on issues of domestic abuse, the interplay between the Jewish and American legal systems, and the role of the Jewish community in preventing and counteracting get refusal.



His presentation will profile cases of Jewish divorce refusal and explore the motivations of men who choose to chain their wives to dead Jewish marriages. Rabbi Stern will discuss the experiences of women who are denied a Jewish divorce and the tactics his organization employs to resolve these types of cases.

Session 2 Speakers

Prof. Lisa Sowle Cahill

Prof. Lisa Sowle Cahill is the J. Donald Monan, S.J. Professor of Theology at Boston College. Prof. Cahill, who earned a doctorate in Christian theology from the University of Chicago, is a nationally noted ethicist. She is past president of both the Catholic Theological Society of America and the Society of Christian Ethics. Her books include *Global Justice, Christology and Christian Ethics; Family: A Christian Social Perspective;* and *Sex, Gender, and Christian Ethics*, among many others. Cahill has been honored with the John Courtney Murray Award from the CTSA, the Ignatian Award from Santa Clara University, the Yves Congar Award for Theological Excellence, and has received nearly a dozen honorary degrees.



Prof. Cahill will speak on the Catholic Church's teaching that sacramental marriage is an indissoluble union between one man and one woman. However, the Catholic tradition on marriage and divorce is more varied than many people think. Currently, Pope Francis is encouraging Catholics to think of "irregular" marriage situations in terms of "mercy," and is suggesting that divorced and remarried couples be allowed to receive the eucharist (communion). This offers an occasion to think about whether Catholic teaching on divorce might change; and how to combine a welcoming pastoral approach to divorced Catholics with a pastoral approach to marriage that encourages fidelity, stability, and responsibility for children.

Rev. Mark O'Connell

Rev. Mark O'Connell was ordained in 1990 as a priest of the Archdiocese of Boston. He is a graduate of Boston College, Saint John Seminary in Brighton, and the Pontifical University of the Holy Cross in Rome. He holds a doctoral degree in canon law. He currently works in the archdiocese as the judicial vicar and at Saint John Seminary as an adjunct faculty member.

Rev. O'Connell will speak to the specific issue of Holy Communion to divorced and remarried Catholics. He will explain why a Catholic in this situation cannot take Holy Communion, the advance that was made with the 1982 document *Familiaris consortio*, and then look at the issue as it is being faced in the synods of Pope Francis.



Prof. Melissa J. Wilde

Prof. Melissa J. Wilde is an associate professor of sociology at the University of Pennsylvania. Her research focuses on religious change, including the cultural and organizational factors behind Vatican II; the demographic factors that explain why American Protestantism has gone from being majority mainline to majority conservative; the cultural and competition-related factors that led to the Catholic Church’s increase in marital annulments; and currently, how race and class intersected with American religious groups to explain early stances on birth control and ultimately their positions on sex and gender today.



Prof. Wilde will address how, since the Second Vatican Council (1965), Catholic marital annulments have risen dramatically, especially in the United States. A comparison of American and international rates demonstrates that annulment rates have risen only in countries where the Church competes with other religious institutions. However, the American rate is still double that of other countries with similar religious economies, even after divorce rates are taken into account. The American Catholic Church was alone in officially excommunicating divorced Catholics who remarried. She will argue that the organization, and mobilization of divorced American Catholics motivated the American Church to make annulments more accessible here than in other countries.

Session 3 Speakers

Prof. Randall Balmer

Prof. Randall Balmer is chair of the religion department and director of the Society of Fellows at Dartmouth College. An Episcopal priest, he is the author of more than a dozen books, including *Mine Eyes Have Seen the Glory: A Journey into the Evangelical Subculture in America*, now in its fifth edition, and, most recently, *Redeemer: The Life of Jimmy Carter*.



Prof. Balmer will speak about changing attitudes about divorce on the part of evangelicals over the last half of the 20th century. Whereas divorce was once considered taboo among evangelicals, it is now countenanced (albeit lamented). The shift took place roughly coincident with evangelicals’ surrendering their identity as a counterculture around 1980.

Prof. David P. Gushee

Prof. David P. Gushee is Distinguished University Professor of Christian Ethics and director of the Center for Theology and Public Life at Mercer University. Widely regarded as one of the leading moral voices in American Christianity, he is the author or editor of 20 books and hundreds of articles in his field, including *Righteous Gentiles of the Holocaust*, *Kingdom Ethics*, *The Sacredness of Human Life*, and, most recently, *Changing Our Mind*. Prof. Gushee has always accompanied his scholarly production with church work (First Baptist Church, Decatur), activism (human rights, creation care, LGBT acceptance), opinion writing (*Washington Post*, *Huffington Post*, *Baptist News Global*), board service



(Public Religion Research, Sojourners), and domestic and global media consultation.

Prof. Gushee will speak about evangelicals and divorce, in particular the diverse responses evangelicals deployed while the divorce rate was rising, ranging from exclusion from community to therapeutic responses to biblical reinterpretations to baffled silence. He thinks it makes for a great case study in how a community committed to the high authority of an unchanging canon still finds diverse ways to adapt to changing culture.

Prof. Heather White

Prof. Heather White is a research scholar and adjunct assistant professor of religion at the New College of Florida. She is a specialist in American religious history, with a focus on gender and sexuality. Her first book, *Reforming Sodom: Protestants and the Rise of Gay Rights*, is forthcoming (in fall 2015) from UNC Press. It investigates a religious history of homosexuality politics from the early 20th century to the rise of the Christian Right, and it illuminates the ways that liberal Protestant ideas and practices influenced both pro-gay and anti-gay sides of what is often perceived as a secular versus religious debate. She is also a co-editor (with Bethany Moreton and Gill Frank) of a forthcoming anthology, *Devotions and Desires: Religion and Sexuality in the Twentieth Century United States*. She has served for the past five years as a core faculty with the Religion and Sexuality Summer Institute, a weeklong program for graduate students held at Vanderbilt Divinity School, and she is also currently on the advisory board of the LGBT Religious Archive Network.



Prof. White will speak on therapeutic culture, the sexual binary, and the heterosexuality of Protestant divorce. She will address evangelical and mainline Protestants' changing teachings and practices around divorce in connection to their broader engagement with sexual science and therapeutic culture. She focuses on the relationship between teachings about divorce and teachings about same-sex sexuality to show the ways that Protestants' embrace of therapeutic sexuality—and particularly the oppositions of a sexual binary—contributed to new ideals and practices for heterosexual intimacy that encompassed divorce and remarriage.