

A FAITHFUL JOURNEY THROUGH THE BIBLE AND HOMOSEXUALITY?

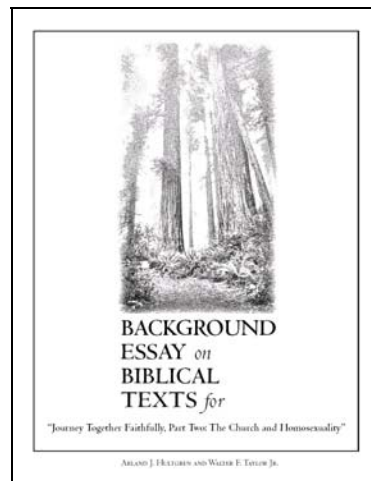
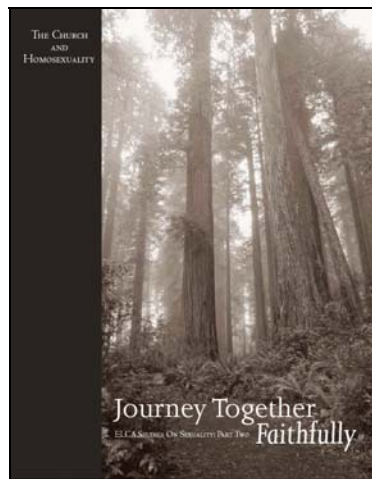
THE USE OF SCRIPTURE IN TWO 2003 ELCA DOCUMENTS:
*Journey Together Faithfully, Part Two: The Church and
Homosexuality* AND THE COMPANION *Background Essay on
Biblical Texts*

with **Responses** to the ELCA Task Force's "Reports and Recommendations"
and the ELCA Church Council's "Recommendations to the ELCA
Churchwide Assembly on Sexuality Studies"

by

Robert A. J. Gagnon, Ph.D.

Associate Professor of New Testament
Pittsburgh Theological Seminary, 616 N. Highland Ave., Pittsburgh, PA 15206-2596
gagnon@pts.edu, www.robgagnon.net



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FOREWORD

For a year-and-a-half it has been my desire to come out with a comprehensive assessment of the use of biblical texts in the two main works produced by or for the Task Force for ELCA Studies on Sexuality: (1) [*Journey Together Faithfully, Part Two: The Church and Homosexuality*](#) (hereafter *Journey Two*), written by members of the Task Force; and (2) [*Background Essay on Biblical Texts for "Journey Together Faithfully, Part Two"*](#) (hereafter *Background Essay*) written by Prof. Arland J. Hultgren and Prof. Walter F. Taylor Jr. The documents appeared on the web in August-September 2003, with paper copies, at least of *Journey Two*, distributed by Augsburg Fortress Publishers to all ELCA churches.

I made a brief initial start at a response shortly after these documents appeared and then, because of other pressing commitments and obligations, had to leave off further work until December 2004. Even now what is offered here is not completed. Yet it needs to be released, completed or not, because of the nearness of the 2005 ELCA Churchwide Assembly on Aug. 8-14, 2005, when the church will vote on the Task Force's recommendations. There is more than enough in the present form of my response to indicate widespread problems in these two documents as regards the exegesis and interpretation of biblical texts relevant to the issue of homosexual practice.

Obviously it would have been far better if I had been able to produce this critique shortly after the two documents came out, while ELCA churches were using them to guide their discussions and before the Task Force produced its "Report and Recommendations" on Jan. 13, 2005. To the many ELCA pastors who urged me to do a response and were eagerly awaiting its release, I sincerely apologize for not producing it at an earlier, more opportune date. It is my hope that the adage "better late than never" applies in these circumstances.

Readers will find here a thorough and *completed* critique of the exegesis and interpretation of the Old Testament witness on homosexual practice that one finds in these documents, as well as of Jesus' witness to the same. Their interpretation of Paul's witness is discussed in conjunction with use of the creation texts in the NT and occasionally at other points. As time permits and if God allows, I will continue to add material to the end of the response; first by filling in more of Paul's witness against homosexual practice and of the three main arguments for discounting the biblical witness against homosexual practice (i.e., the exploitation argument, the orientation argument, and the misogyny argument); second, by treating the use of analogies, the socio-scientific evidence, and other errors of *Journey Two*.

My hope and prayer is that this response will help many in the ELCA to see the overwhelming biblical witness regarding the necessity of sexual other-halves or counterparts, male and female, in any valid sexual union—a witness unfortunately obscured and at times misrepresented by these two documents.

All translations of biblical texts cited in this essay are my own. For full notes to these translations see the relevant pages in *The Bible and Homosexual Practice*.

Prof. Robert A. J. Gagnon, Ph.D.
Pittsburgh Theological Seminary
April 4, 2005

Postscript: My response to "Recommendations from the ELCA Church Council to the ELCA Churchwide Assembly on Sexuality Studies" (Apr. 11, 2005) was added on April 14, 2005.

THE DISASTER THAT IS THE TASK FORCE'S “REPORT AND RECOMMENDATIONS”

On Jan. 13, 2005, the Task Force for ELCA Studies on Sexuality issued its “[Report and Recommendations](#).” It proposed that the ELCA retain the current policy that pastors and rostered lay persons are expected to abstain from sexual relationships outside of marriage, including homosexual relationships. However, it also proposed that this policy not to be enforced: “As a pastoral response to the deep divisions among us, this church may choose to refrain from disciplining those who . . . call or approve partnered gay or lesbian candidates . . . and to refrain from disciplining those rostered people so approved and called” (p. 7).

Any who do not want the ELCA to reach a point where it celebrates homosexual behavior and/or irreparably damages its own credibility should view this proposal as a decisive defeat of their (i.e. the scriptural) position under the illusion of maintaining the status quo.

Thwarting a Landslide Verdict

In effect, the Task Force’s recommendations thwart the rightful outcome of ELCA churchwide deliberations. It is remarkable that, even after using study guides imbalanced in favor of discounting Scripture’s intense opposition to homosexual practice, **57%** of the respondents tabulated still voted for no change in the current policy or even for more rigorous enforcement of that policy. Only **22%** of tabulated respondents favored blessing homosexual unions and rostering actively homosexual persons, or at least a local option approach. And this percentage is almost certainly inflated by the fact that those who seek a radical change are arguably more motivated to submit a survey than those content with the status quo. Of the remaining 21% of tabulated respondents, 17.4% were undecided and 3.4% adopted other positions.

[Note: I speak of “tabulated respondents” because the Task Force analyzed only 14% of the 28,000 responses to *Journey Two*. Rev. Dr. Roy Harrisville III, Executive Director of Solid Rock Lutherans, cautions in his “[Critique of the Report and Recommendations](#)” (p. 5) that no generalizations about what the average ELCA member thinks can be made since respondents were self-selected (i.e., they took the initiative to respond to the survey). The Task Force did not undertake a random survey of a cross-section of ELCA membership. The caveat is well taken. Nevertheless, since the Task Force bases its own decisions in part on their analysis of these responses, and since too even the 22% support for change in the current policy is likely to be inflated (for the reason stated in the paragraph above), it is fair game to point out that even by the Task Force’s own standard of measurement there are no grounds for deviating from current standards.]

Can you imagine a U. S. presidential election where a candidate received over two-and-a-half times more votes than the next biggest vote-getter? This country has *never* had a presidential election with such a lopsided margin of victory. In the greatest landslides in U.S. presidential history, Lyndon Johnson defeated Barry Goldwater by a margin of 61% to 38.4% (1964), while Richard Nixon defeated George McGovern by a margin of 60.7% to 37.5% (1972)—in both cases a margin of victory that was less than 2-to-1. Here the margin against changing church policy on homosexuality is greater still. And yet the Task Force’s recommendation to remove mandatory enforcement will, if approved, effectively gut the current policy favored by the landslide majority and set in motion an inevitable overturning of that policy. This brings us to our next point.

Adopting Local Option and Radical Change Under the Guise of No New Policy

The Report claims: “our recommendations do not establish a new policy” (p. 11; also p. 10). Make no mistake about it: This is, *de facto*, a new policy inasmuch as *an unenforced policy is a policy no longer in force* (i.e. operative, in effect). Indeed, the majority Task Force recommendation is nothing more and nothing less than *a variant of a local-option policy*, in fact if not also in name. Remember, too, that local option so far as homosex-advocacy is concerned is just another name for *incremental coercion*.

The proposal, if accepted, would radically undermine *both* the ELCA's policy against homosexually active rostered leadership *and* the ELCA's overall authority on matters of doctrine and morality. Imagine parents telling their children, "We shall maintain an 8:30 PM bedtime but we shall not enforce it." For all intents and purposes there would be no set bedtime. Worse, the parents' overall authority would be undermined as children learned that there were no consequences to disregarding explicit parental wishes. Obviously if the parents are not willing to enforce certain rules, the rules can't mean much to the parents, and consequently will mean even less to the children. Better not to have any rules at all than to subject them to continual mockery. Or, as Roy Harrisville puts it, using a different analogy: "It is like having a speed limit but announcing that we will never ticket speeders" ("[Critique](#)," p. 2). Both the speed limit and the state's authority soon become a joke. "The practice of ignoring the policy must necessarily result in the change of that policy. If it does not, the ELCA would become the laughing-stock of the modern Church with a reputation for duplicity" (ibid.)

Surely everyone in the ELCA, including in the Task Force, must realize that this proposal, if approved, would serve as a halfway house or transitional stage that will lead irrevocably to the full embrace of ('committed') homosexual activity. Once a significant number of persons in public homosexual relationships are called and approved for ministry, there is no possibility of returning to enforcement of a ban on homosexual relations for rostered persons. Henceforth the only direction left for the church to move in is toward overturning completely the tattered vestiges of the old policy and, finally, coercing acceptance of homosexual relationships, starting at the upper echelons of ELCA power structures and working down gradually to lower levels.

If you support the blessing of homosexual unions and the rostering of homosexually active persons but at the same time are concerned about a major denominational split, you should view this proposal as a win-win situation for your concerns. It may well prevent a significant church split by offering a false sense of security to opponents of a pro-homosex agenda who naively believe that the old policy is still in place. Almost immediately some synods, congregations, candidacy committees, and bishops will violate the standards of the church—in "good conscience," of course. Inroads advancing the homosexual agenda will accelerate until dissenting voices are almost completely marginalized in most areas of the ELCA. So in time those who take the homosexual blessing/rostering stance may be able to have their cake and eat it too: *both* averting a major disaffection through steady but gradual shifts while giving lip service to "no changes" *and* ultimately triumphing in the cause to normalize homoerotic affections, perhaps in as short a time as 2-4 years but certainly no later than 5-10 years.

Those who do not want the ELCA to move toward such a result should recognize the proposal as a lose-lose situation: making the 'homosexualization' of the church an all but foregone conclusion, yet doing it in such a piecemeal manner and with such false assurances as to minimize the level of alarm. This will make a united and firm response on the part of the renewal movements difficult. Those who do not want homosexual blessing and rostering must recognize that the Task Force's majority proposal is a Trojan Horse that masquerades the coming decisive victory by supporters of homosexual blessing and rostering.

In short, a vote for the majority Task Force's proposal is a vote for homosexual blessing and rostering under a different name.

The Report's False Appeal to Conscience and Pastoral Concern

The Report argues that there ought to be room for people to violate the church's sexual standards on the grounds of "conscience" and that to create such room is "a matter of pastoral concern" (p. 11, 13). This is a false claim.

In the New Testament an appeal to conscience as a basis for deviating from common Christian practice is accepted only in *matters of indifference*, such as *abstaining* from eating in a non-temple setting *food* that may have been previously dedicated to idols (1 Cor 8, 10; compare Rom 14, which may be dealing with abstention from meat and wine for other, or additional, reasons). Since it is no sin to refrain from eating meat sacrificed to idols, no major ethical concerns are at stake in abstinence. Thus: "Food will not affect our standing before God: neither if we do not eat do we miss out, nor if we eat do we have more"; that is, abstinence does one no harm and partaking brings one no gain (1 Cor 8:8; note: some scholars think that

Paul is quoting critically a slogan of the Corinthian “strong” here but that is unlikely since the wording is oriented against the interests of the strong).

However, Paul does not take this same approach in a case of sexual immorality, specifically, an adult consensual (and presumably affirming) sexual union between a man and his stepmother (1 Cor 5:6). Here Paul makes quite clear that sex, unlike food, is never a matter of indifference; that sexually immoral behavior can put one at risk of being excluded from the kingdom of God (1 Cor 6:9-20). He chastises the church for taking pride in its tolerance and insists that it should have instead mourned over this life-threatening behavior (1 Cor 5:2). He even recommends that, *far from permitting violation of the church’s standards on the grounds of conscience*, the church should pass judgment on the offender’s action—for the offender’s sake as well as that of the community. They should temporarily remove him from the life of the community, as a wake-up call to him and until such time as he repents (1 Cor 5:3-13; compare 2 Cor 2:5-11; 7:8-13). Despite the misrepresentations of *Journey Two* and *Background Essay* it is clear that Paul regarded same-sex intercourse, like incest and adultery (1 Cor 6:9), as a sin, indeed a sin of an egregious sort (Rom 1:24-27) that may have an adverse bearing on one’s inheritance of the kingdom of God (1 Cor 6:9-10) and reception of eternal life (compare Rom 1:24 with Rom 6:19-21).

As regards conscience-appeals, *there is simply no legitimate comparison between allowing persons to abstain from morally indifferent acts on the one hand and supporting persons in the commission of acts deemed by Scripture to be a high moral offense on the other hand*. Paul would have recoiled at such an attempted comparison. It is an exegetical and hermeneutical travesty.

The fact that people who violate the church’s standards do not think that they are sinning is beside the point. *While Paul indicates that whatever a person regards as sin becomes sin for that person (Rom 14:14, 23), he does not adopt the reverse conclusion; namely, that whatever a person regards as right becomes right for that person*. On the contrary, Paul warns against the self-deception of persons who think that their behavior, especially sexual behavior, has no bearing on their inheritance of the kingdom of God. For example, he says to the Galatian believers:

The works of the flesh are obvious, which are: sexual immorality (*porneia*), sexual uncleanness (*akatharsia*), licentiousness (*aselgeia*) . . . , which I am warning you about, just as I warned you before, that those who practice such things will not inherit the kingdom of God. . . . Stop deceiving yourselves; God is not to be mocked, for whatever one sows that one will also reap. For the one who casts seed into one’s flesh will reap a harvest of destruction and decay from the flesh, but the one who casts seed into the Spirit will reap a harvest of eternal life from the Spirit. And let us not grow tired of doing what is right for in due time we will reap, *if* we do not relax our efforts. (Gal 5:19-21; 6:7-9)

And again to the Corinthians, in the context of how to deal with a practicing, self-affirming Christian participant in an incestuous adult union:

Or do you not realize that unrighteous people will not inherit God's kingdom? Stop deceiving yourselves. Neither the sexually immoral (the *pornoí*), nor idolaters, nor adulterers, nor soft men (*malakoi*, i.e., effeminate males who play the sexual role of females), nor men who lie with males (*arsenokoítai*) . . . will inherit the kingdom of God. And these things some of you used to be. But you washed yourselves off, you were made holy (sanctified), you were made righteous (justified) in the name of the Lord Jesus Christ and in the Spirit of our God. (1 Cor 6:9-11).

Later, in 2 Corinthians, Paul expresses deep concern that

I may have to mourn over many who have continued in their former sinning and did not repent of the sexual uncleanness (*akatharsia*), sexual immorality (*porneia*), and licentiousness (*aselgeia*) that they practiced. (12:21)

In other words, Paul may have mourn over the fact that some believers have put their lives in jeopardy of not inheriting God’s kingdom because they have convinced themselves that their sexual behavior is no offense to God. It is the same point that he makes about the self-affirming incestuous man in 1 Cor 5:2: the

Corinthian church should have “mourned” over the man’s endangerment, not condoned his actions or allowed him to live by his own conscience. “Are you not to judge those inside (the church)?,” an exasperated Paul asks (5:12). Remember that Paul defines homosexual practice as both “sexual immorality” (*porneia*, by inference in 1 Cor 6:9 and by common Hellenistic Jewish usage) and “sexual uncleanness” (*akatharsia*):

Therefore, God gave them over, in the desires of their hearts, to a sexual uncleanness (*akatharsia*) consisting of their bodies being dishonored among themselves. . . . to dishonorable passions, for even their females exchanged the natural use (i.e., of the male) for that which is contrary to nature; and likewise also the males, having left behind the natural use of the female, were inflamed with their yearning for one another, males with males committing indecency and in return receiving in themselves the payback which was necessitated by their straying. (Rom 1:24, 26-27)

Later in the same letter Paul urged Roman believers to reverse this trend:

For just as you presented your members as slaves to sexual uncleanness (*akatharsia*) and to [other types of] lawlessness for the sake of lawlessness, so now present your members as slaves to righteousness for the sake of holiness. For when you were slaves of sin, you were free with respect to [the demands of] righteousness. What fruit did you have at that time? Things of which you are now ashamed, because the end (or: outcome) of those things is death. But now, since you have been freed from sin and enslaved to God, you have your fruit for holiness, and the end (or: outcome) is eternal life. (Rom 6:19-22)

The message of Colossians and Ephesians is similar:

So put to death the members that belong to the earth: sexual immorality (*porneia*), sexual uncleanness (*akatharsia*), passion, evil desire . . . because of which things the wrath of God is coming [on the children of disobedience], in which things you also once walked, when you were living in them. But now put away all (such) things . . . , because you have stripped off the old humanity with its practices and clothed yourselves with the new, which is being renewed into knowledge according to the image of the one who created it. (Col 3:5-10)

[N]o longer walk as the Gentiles walk, . . . who . . . have given themselves up to licentiousness (*aselgeia*) for the doing of every sexual uncleanness (*akatharsia*). . . . Sexual immorality (*porneia*) and sexual uncleanness (*akatharsia*) of any kind . . . must not even be named among you, as is proper among saints. . . . Know this indeed, that every sexually immoral person (*pornos*) or sexually unclean person (*akathartos*) . . . has no inheritance in the kingdom of Christ and of God. Let no one deceive you with empty words, for because of these things the wrath of God is coming on the children of disobedience. (Eph 4:17-19; 5:3-6)

And so too the Pastoral Epistles:

The law is not laid down for the righteous, but for the lawless and disobedient, the ungodly and sinners, the unholy and profane, killers of fathers and killers of mothers, murderers, the sexually immoral (*pornoi*), males who take other males to bed (*arsenokoitai*), kidnappers (or: slave dealers), liars, perjurers, and whatever else is opposed to sound teaching that accords with the gospel. (1 Tim 1:9-11)

This returns us full circle back again to the first extant piece of moral exhortation in the Pauline corpus of letters:

For you know what commands we gave to you through the Lord Jesus. For this is the will of God: your holiness, that you abstain from sexual immorality (*porneia*) . . . [and not live] like the Gentiles who do not know God. . . . because the Lord is an avenger regarding all these things. . . . For God called us not to sexual uncleanness (*akatharsia*) but in holiness. Therefore the one who rejects [these commands] rejects not humans but the God who gives his Holy Spirit to us. (1 Thess 4:2-8)

There does not appear to be *any* justification from Scripture, certainly not from Paul, for the kind of application of Paul’s “conscience” texts put forward by the Task Force’s “Report and Recommendations.” Once more, it is an instance, pure and simple, of bad exegesis and bad hermeneutics.

And what of “pastoral care”? Was Paul concerned that the Corinthians who accepted the adult incestuous behavior might have their consciences violated if they could not support his relationship? Certainly not. Paul’s pastoral concern had to do with what eternal consequences might arise for the offender if the community contributed to his self-affirming attitude.

Furthermore, for the Report to equate willful disobedience of the church’s standards with “pastoral care” is misguided. As Robert Benne has aptly noted: “It places this local option under the rubric of a ‘pastoral approach,’ but it is impossible to view ordination as a private event” (“Response to the Sexuality Statement,” circular email, Jan. 13, 2005). The [“Statement of Pastoral and Theological Concern”](#) signed by Benne, Karl Donfried, Roy Harrisville, Carl Braaten, Gerhard Forde, Robert Jenson, James Nestingen, and others makes a similar point: “Neither Scripture nor the Confessions entrust the theological or ethical teaching of the church to pastoral ‘discretion.’”

On Failing to Make the Case from Scripture

Even the majority of the Task Force that put forward this disastrous proposal has to admit “that the biblical-theological case for wholesale change in this church’s current standards has not been made to the satisfaction of the majority of the participants in the study” (p. 10). This is an understatement of monumental proportions. Based on their own tabulation (however inexact), and even with the advocacy bent for change present in their study guides, they were able to convince only 22% of those who responded. That means that 78% of respondents were not convinced—nearly four out of every five set of responses. Clearly this is not just “the majority” but a massive supermajority. And the vast majority of these were completely unconvinced.

As we noted above, the real number is likely to be much higher. Why? I can think of at least four reasons for drawing this conclusion. (1) Those who were seeking change of the current policy would be more likely to recognize the Task Force as their main hope for change and thus more likely to be motivated to respond. (2) Those seeking change would, in the nature of things, be persons more inclined to engage in an activism of response. (3) Those who preferred no change or were undecided would more likely be persons disinclined by nature toward the kind of activism that required response. (4) Those who preferred no change would more likely be skeptical about the effectiveness of responding to the Task Force since a common perception is that the members of the Task Force had already been selected to achieve the desired result of change while giving the appearance of hearing all the voices. From the start the majority of persons put on the Task Force did not come with convictions that homosexual practice was always wrong, including most of the “big guns” academically and professionally. Particularly noteworthy is the fact that the only biblical scholar put on the Task Force had already written strongly in favor of homosexual blessing and rostering (Terence Fretheim).

Had the Task Force produced study guides that were more balanced and that unleashed the overwhelming array of arguments for demonstrating both Scripture’s unequivocal opposition to homosexual practice and the utter weakness of arguments to the contrary, the 78% figure would have been significantly higher. The Report assures readers that all the task force members “accept the Bible as the inspired Word of God and the authoritative source and norm of its proclamation, faith, and life” (p. 10). In the addendum to the Report, “Frequently Asked Questions About the Report and Recommendations,” readers are told:

People of differing convictions on these issues each in their own way rely on the Word of God as the basis for their views. Thus, there are sincere differences of interpretation among people in this church who share a common commitment to the authority of Scripture. (p. 2)

The above two observations are irrelevant. What people *claim* Scripture says or allows, as well as their level of *sincerity* in making such claims, has to be tested against the evidence of Scripture itself. People can be sincere in their beliefs about what Scripture supports or allows and be sincerely wrong. The church is under no obligation to validate such beliefs, particularly since almost any conceivable belief, no matter how wrongheaded, has adherents making sincere appeals to Scripture. The church could make very little determination about issues of doctrinal or moral import if it allowed leaders with a contrary conscience to teach whatever they sincerely believed and to violate whatever standards of behavior they sincerely

regarded as wrong. (Sadly, the church has already allowed much of this to happen, but this new proposal makes a bad situation significantly worse.)

To be sure, the Report points to the material in *Background Essay* as evidence that people can have valid differences over “what the text meant originally” and “the precise way it speaks to the present-situation” (ibid.). However, as I shall show in this document, had *Background Essay* fairly and competently presented the full evidence for reading Scripture as holding firmly to an other-sex prerequisite and utterly opposed to homosexual activity of all sorts, it would have been evident how bad attempts are to try to make Scripture in any way open to homosexual unions. Even the Report has to now admit, in the light of research by myself and others not taken into account by *Journey Two* and *Background Essay*, that: “It is hard to maintain with certainty, even though the language of sexual orientation is recent, that the biblical writers who condemned certain same-sex acts knew nothing of people who were constitutively homosexual in orientation” (p. 23). And yet both *Journey Two* and *Background Essay* over and over repeat the mantra that the very concept of sexual orientation was unknown in the ancient world.

If “the biblical-theological case for wholesale change in this church’s current standards has not been made to the satisfaction of the majority of the participants in the study,” and it obviously hasn’t, then there are no grounds for gutting the current policy by eliminating mandatory enforcement and allowing unlimited flagrant violation of that policy.

THE DISASTER THAT IS THE ELCA CHURCH COUNCIL'S "RECOMMENDATIONS TO THE ELCA CHURCHWIDE ASSEMBLY ON SEXUALITY STUDIES"

On April 11, 2005 the ELCA Church Council released its "[Recommendations to the ELCA Churchwide Assembly on Sexuality Studies](#)." The Church Council essentially adopted the key recommendation of the Task Force "Report and Recommendations" in permitting, without discipline, candidates and rostered leaders to engage in serial, unrepentant homosexual practice, so long as the candidate or rostered leader is supported by his or her synodical bishop and Synod Council, is granted an "exception" by the Conference of Bishops, and "provides evidence of intent to live in a life-long, committed, and faithful same-sex relationship."

DOUBLESPEAK REDUX: CLAIMING TO UPHOLD STANDARDS WHILE DENYING a KEY ONE

One finds in the Council's "Recommendations" the same language of doublespeak that appears in the Task Force's "Recommendations." On the one hand, the Council in its recommendations claims to "affirm and uphold the standards for rostered leaders as set forth in *Vision and Expectations* (i.e. [Vision and Expectations: Ordained Ministers in the ELCA](#)). On the other hand, *under the misleading rubric of "exceptions," it neither affirms nor upholds a key standard of "Sexual Conduct" cited in Part III ("The Ordained Minister as Person and Example") of Vision and Expectations; namely, "Ordained ministers who are homosexual in their self-understanding are expected to abstain from homosexual relationships."*

Rather than uphold this standard, the "Recommendations" "create[s] a process . . . which may permit exceptions to the expectations regarding sexual conduct for gay and lesbian candidates and rostered leaders in life-long, committed, and faithful same-sex relationships who *otherwise* [!] are determined to be in compliance with *Vision and Expectations*" (p. 5; emphasis added). In singling out for "exceptions" the lone standard in *Vision and Expectations* that speaks to an other-sex prerequisite for sexual conduct, the Council's "Recommendations" send a clear signal to the church nationwide that this is the *only* standard in *Vision and Expectations* not worth preserving.

Forget "exceptions." The standard itself cannot be preserved under these "Recommendations," which essentially encourages local option. For any given synod the standard has absolutely no validity in cases where the synodical bishop and the Synod Council choose to disregard it. The only proviso is the concurrence of the Conference of Bishops. However, once the Conference of Bishops approves even one such request for an "exception" it cannot justifiably withhold any future "exceptions" for homosexual persons who claim to be in a committed relationship. Thereafter the Conference of Bishops becomes merely a rubber stamp for a precedent already set. Any other course of action would make the Conference of Bishops look arbitrary and ridiculous. The synodical bishop and the Synod Council, then, become the ultimate authority.

The Council's "Recommendations" also makes clear that once an "exception" is authorized for a candidate to enter the roster the decision for that candidate is irrevocable as regards the matter of 'committed' homosexual practice. "He or she shall not be subject to discipline by a subsequent bishop and/or council making a decision on the same set of facts" (p. 4). This is a perpetual foot-in-the-door for rostered persons who engage in homosexual behavior. No amount of unrepentant homosexual practice can ever again jeopardize that person's continuance in ordained ministry. To have an ever-growing body of ordained officers flaunting a lifetime exemption from church discipline for engaging in homoerotic relationships is to set a timer for the imminent self-destruction of the standard nationwide.

It is absurd, then, for the Church Council to characterize their recommendation as merely “a limited process for exceptions to the normative policies of this church regarding the rostering of gay and lesbian people in committed, same-sex relationships” (p. 3). This is not “a limited process for exceptions to the normative policies” but an effective gutting of the church’s normative policies—as the Council itself elsewhere intimates in its divorce analogy (below).

THE BIZARRE RATIONALE FOR WHY PERSONS WHO BELIEVE HOMOSEXUAL BEHAVIOR IS SIN SHOULD SUPPORT THIS PROPOSAL

Perhaps the oddest part of the entire “Recommendations”—comic if not for the tragic consequences—is the attempt by the Council to supply a “Rationale for Support of the Proposed Process” to persons who believe that ecclesiastical approval of homosexual behavior “is a betrayal of the authority of Scripture and an ignoring of the natural order” (“position one,” p. 3).

The “We Are All Sinners” Argument

Such persons are first told: “Every minister of the Church is a sinful being.” The use of such an argument to justify allowance of serial unrepentant sinful behavior of an egregious sort (from Scripture’s perspective) suggests a seismic misunderstanding of the argument in Paul’s letter to the Romans—the letter that makes the most sustained case for universal sin. Paul makes the case in 1:18-3:20 that all people are “under sin” (reiterated in 3:23) not in order to justify continuance in unrepentant sinful behavior (which *still* leads to death) but rather to establish the need for embracing Jesus Christ. Christ’s amends-making death and life-giving Spirit make possible a life that is no longer lived under the primary dominion of sin. “For sin shall not exercise lordship over you, for you are not under law but under grace” (6:14). To be “under grace” means, in part, to be empowered by the Spirit to live enslaved to God and no longer as “slaves to sexual uncleanness (*akatharsia*) and to (other acts of) lawlessness for the (doing of) lawlessness,” shameful practices that lead inevitably to death (non-‘eternal life’) (6:19-21). Paul’s final response to the question, “Shall we sin because we are not under the law but under grace” in 6:15 appears in 8:12-14:

So then, brothers, we are debtors not to the flesh, that is, to live in conformity to (the sinful impulse operating in) the flesh. For if you live in conformity to the flesh, you are going to die. But if by means of the Spirit you put to death the deeds of the body, you will live. For as many as are being led by the Spirit of God, these are the sons of God.

It is no accident that the term Paul uses in Rom 6:19, “sexual uncleanness” (*akatharsia*, 6:19), to describe what Christians *must* leave behind is the very same term that Paul employs in Rom 1:24-27 to describe all acts of female-female and male-male intercourse. Paul’s point here is that grace means no longer being “handed over” by God to the controlling influence of inherently self-dishonoring sexual impulses such as homoerotic desire.

Thus it is a complete distortion of Paul’s own teaching for the Council to use universal sin as a basis now for *permitting* homosexual practice among ordained officers—one that would have appalled Paul (no pun). If the manifestation of God’s wrath in the present time refers to God stepping back and allowing people to engage in such self-dishonoring behavior, then the grace of God can be nothing less than deliverance from such behavior. If only the Council had appropriated Martin Luther’s own understanding of Rom 6:14:

Hence we must note that the apostle’s mode of speaking appears unusual and strange to those who do not understand it because of its great peculiarity. For those people understand the expression “to be under the Law” as being the same as having a law according to which one must live. But the apostle understands the words ‘to be under the Law’ as equivalent to not fulfilling the Law, as being guilty of disobeying the Law, as being a debtor and a transgressor, in that the Law has the power of accusing and damning a person and lording it over him, but it does not have the power to enable him to satisfy the Law or overcome it. And thus as long as the Law rules, sin also has dominion and holds man captive. . . . Therefore he says in this passage that we can restrain the reign of sin because “we are not under the Law but under grace” (v. 14). All this means “that the body of sin might be destroyed” (v. 6) and the righteousness which has been begun may be brought to perfection. (*Lectures on Romans*, in *Luther’s Works* [vol. 25; ed. H. Oswald; trans. J. Preus; Saint Louis: Concordia, 1972], 316-17)

And, again, Martin Luther on Rom 6:19: “He who serves uncleanness, that is, dissipation and carnal uncleanness, is already becoming more and more unrighteous, for sin now rules over him, and he has lost faith and has become an unbeliever” (ibid., 321). Doubtless the members of the Council would respond that they are not promoting sexually unclean or immoral behavior. Yet by Paul’s standards they clearly are, for Paul makes clear by intertextual echo that his indictment of homosexual practice in Rom 1:24-27 is contrasted with God’s standard in Gen 1:26-28, namely, that a sexual union consist of “male and female” (see below).

While we are all sinners saved by grace we are also all “saints” or “holy ones” that God has redeemed or purchased for his exclusive use. Paul is emphatic on this point when he discusses the case of the incestuous man through the analogy of sex with prostitutes, not far from the point at which he declares that “men who lie with a male,” along with persons who engage in serial unrepentant incest and adultery, are among those who shall not enter the kingdom of God (1 Cor 6:9-10):

Flee sexual immorality (*porneia*). Every sin, whatever (sin) a person does, is outside the body. But the one who commits sexual immorality (*porneuo*) sins against his own body. Or do you not know that your body is a temple of the Holy Spirit in you, which you have from God, and you are not your own? For you were bought with a price. So glorify God in your body. (1 Cor 6:18-20)

As such we are called to a transformed life and, minimally, a life that does not affirm what Scripture declares categorically to be a major violation of God’s will. This is especially true of ordained leaders of the church, which is why the Council’s “Every minister of the Church is a sinful being” argument fails to convince. To accept the Council’s rationale here requires one to believe that homosexual activity, even in the context of committed unions, is a *not, from Scripture’s perspective, a major violation* of God’s standard for sexual ethics, comparable to, say, an adult committed union with a close blood relation or with two or more persons. Moreover, it requires one to believe, minimally, that *ongoing acts of sin* by ministers of the church *need not be repented of*. Or it requires one to believe that homosexual practice in the context of a committed relationship is no sin.

However one slices it, the Council is requiring persons who believe that homosexual activity is a sin against a major boundary in sexual ethics given by God at creation and in nature to stop believing that. But then the Council would no longer be persuading such persons merely to accept their recommendation for a major change in church policy. The Council would be doing something more: seeking to persuade such persons that their views are wrong and doing so in the absence of any effective scriptural basis.

The Divorce-and-Remarriage Argument

The Council then attempts to assure persons opposed to homosexual practice that ordaining persons actively engaged in self-affirming homosexual conduct is no different from ordaining persons who have been divorced.

The most instructive parallel for this moment may be clergy who are divorced and remarried, a condition specifically condemned in Scripture by Jesus. Without contradicting Scriptural teaching, this church examines such persons and their witness, and may endorse their call to ministry.

To be perfectly frank, this is a terrible analogy.

First, Scripture itself does not put homosexual unions and divorce on the same level of severity. Jesus’ statements on divorce-and-remarriage were designed to close remaining loopholes in the law of Moses, not to suggest that divorce-and-remarriage was a more serious infraction of divine norms than having sex with one’s mother, sister, or daughter; adultery; same-sex intercourse; and bestiality. There is a big difference between the dissolution of a natural union and entrance into an inherently unnatural union that violates God’s creation ethic.

To get a sense of how bad the analogy is, try using divorce-and-remarriage as an analogue for permitting adult consensual and committed incestuous unions, say, between a man and his mother. The evidence from Scripture, early Judaism, and early Christianity indicates that homosexual practice of any sort was regarded as the equivalent of, or even worse than, such a union.

Both Paul and Matthew provide for limited exceptions to the prohibition of divorce and remarriage in Jesus' teaching. However, neither they nor any other author of Scripture would have granted exceptions to a prohibition of homosexual practice. The kinds of extenuating circumstances that exist for divorce, which might mitigate an absolute prohibition, are not comparable to the kinds of extenuating circumstances alleged for homosexual practice. Some people can be divorced more or less against their will or may seek divorce only after the partner has in effect already dissolved the union through serial unrepentant acts of adultery or serious spousal abuse. These are very different circumstances from an active choice to enter a homosexual union, which Scripture regards as grossly incompatible with structural, embodied existence and which choice is not coerced or accompanied by a threat of violence.

Second, while remarriage may not be God's initial will there is no evidence that Jesus felt that remarried persons should dissolve their second (or third) marriage. The reason is obvious: The problem with divorce is that it dissolves a natural marital bond. To require dissolution of a second or third marriage, a union that is otherwise natural, would be to restart the cycle of dissolution that was the problem to begin with. Consequently, the church rightly does not counsel a second (or third) divorce but rather a renewed commitment to a lifelong union.

However, Scripture is not reluctant to command the dissolution of an inherently unnatural union. If the structural prerequisites for a valid sexual union have not been met in terms of sex, age, or degree of blood unrelatedness, then the sexual union is an illegitimate one. The primary problem with such unions is not the absence of longevity and commitment but rather the presence of longevity and commitment to a relationship that is not, and can never be, a valid sexual union.

That is why Paul has no difficulty commanding the Corinthians to exert disciplinary pressure on the incestuous man in 1 Corinthians 5 as a means to dissolving the incestuous union. Paul didn't want the relationship to be long-term; he wanted it to stop yesterday. Continuing in inherently sinful and unnatural behavior does not improve the moral quality of that behavior; it merely regularizes the sin. Homosexual behavior is not wrong in the first instance because it rarely ends up being lifelong (though it very rarely is lifelong). It is wrong because it involves an attempted union with someone who on a sexual dimension is a structural same rather than a sexual counterpart. Therefore, dissolution of the union does not exacerbate the problem with the union. It rather ends the problem.

Third, and most importantly, if the Council really wants to make the ordination of divorced-and-remarried persons a better analogy to the ordination of persons who have committed homosexual acts, it should make the comparison between the latter and persons who have been divorced and remarried 5, 10, 20, or 50 times or more, who think that this cycle of dissolution is a good thing, and who plan on continuing in that cycle for the rest of their lives, hopefully with the fewest negative side-effects. What the majority on the Council does not appear to realize is that any sin can be forgiven but all sin must be repented of. That is the point of contact between divorce and homosexual practice. The issue is whether the behavior is serial (repetitive) and unrepentant. A person who had been divorced and remarried seven or eight times and who planned on many more divorces and remarriages in the years to come would not be considered as a candidate for ministry by any mainline denomination. Such a person operates with an unrenewed and unreformed mind. Yet the Council now wants to recommend that a person who has not only engaged in multiple acts of homosexual intercourse in the past but *also* thinks such intercourse is a good, *and* is currently engaged in such acts, *and* plans to continue engaging in such acts in the long-term future should not be disqualified from ordained ministry.

The sin of divorce is the sin of dissolving a natural sexual union. The sin of homosexual practice is not in the first instance the sin of dissolving a sexual union, much less a natural one, but the sin of engaging in sex with a person of the same sex, an inherently unnatural union. The Christian who has divorced another has to commit anew to stop the cycle of divorce and remarriage. The person who engages in homosexual practice—or any other sexual union that the united witness of Scripture deems categorically to be grossly unnatural and against God's purposes in creation—must commit anew to stop the behavior that Scripture deems to be sinful, here specifically sex with persons of the same sex. That's the appropriate parallel. What the Council is in effect calling on the ELCA to do is to treat as of no account in matters of ordination ongoing, unrepentant, inherently unnatural, anti-Scriptural sexual activity. What the church instead ought to continue to say is that, just as the church works to end the cycle of divorce and remarriage, so too the church must work to end the cycle of homosexual behavior.

Members of the Council might respond: But the church *does* want to end the cycle of *promiscuous* homosexual activity. Such a response would be beside the point, inasmuch as the Council is trying to persuade persons who rightly know that Scripture is opposed to homosexual activity per se and not just when it is conducted ‘promiscuously.’ Ending only a cycle promiscuous homosexual behavior while keeping in place a cycle of ‘committed’ homosexual behavior does not end the cycle of sin from the vantage point of Scripture. Rather, it regularizes the sin and validates it. We wouldn’t contend that in attempting to end the cycle of promiscuous forms of incest or of polyamory (non-monogamous behavior) that we have adequately addressed what the New Testament finds wrong with such behavior. Neither should the Council make this pretense as regards homosexual practice.

So, in the end, the Council recommends through the divorce analogy that opponents of homosexual practice (1) consider homosexual activity as no worse than divorce and remarriage, against the teaching of Scripture; (2) ignore the fact that Scripture does not command the dissolution of second or third marriages already in place but does command the immediate dissolution of all homosexual activity; and (3) overlook the continuing serial and unrepentant character of homosexual activity among ordained persons when the church does not ignore a revolving door of serial and unrepentant divorcing and remarrying among ordained persons. In short, the Council wants people who believe that ecclesiastical approval of homosexual behavior “is a betrayal of the authority of Scripture and an ignoring of the natural order” (p. 3) to give up their view in order to accept the proposal.

As with the argument “Every minister of the Church is a sinful being,” the Council in applying a divorce-and-remarriage analogy wants those who regard homosexual practice as a sin to say, “I guess continuing and unrepentant homosexual behavior is not, after all, a major violation of sexual norms in Scripture’s perspective, but only a major violation if conducted promiscuously. It is no different from divorce-and-remarriage that occurs once or twice on the part of ordained persons who have no intent to continue to cycle of divorce-and-remarriage.” To say this would be to say a lie. This is why advocates of an other-sex sexual prerequisite could never accept the Council’s “rationale for support of the proposed process.” They might cry or laugh at such a rationale—the line between tragedy and comedy is sometimes very thin, for the sake of preserving one’s sanity—but they are not likely to accept it.

Finally, it should be noted that the Council not only wants the ELCA Churchwide Assembly to accept their recommendation of “exceptions.” It also wants people to accept the fact that this “compromise” is only provisional; that the ELCA must eventually, as with divorce and remarriage, adopt a denomination-wide policy that puts up no bar to ordaining persons who are currently in committed homosexual unions.

That point is implicit in the use of the divorce-and-remarriage analogy. And it is made explicit in the “Rationale for Support of the Proposed Process” given to that segment of the church that already supports homosexual unions: “Just as it took the Church and the world many years to understand other critical issues, such as the re-marriage of divorced people, this process provides the opportunity for continued discernment of where the Holy Spirit is leading this church” (p. 4). In other words, acceptance of the Council’s recommendation would put the ELCA on a journey of “understanding” and “discernment” that would eventually “lead” to marriage ceremonies for homosexual unions and a denomination-wide willingness to ordain homosexual persons in committed homosexual unions.

Do you catch what the ELCA Church Council is requiring of each group, those who think homosexual practice is inherently sinful and those who think that only promiscuous homosexual practice is sinful? The former group must change their view in some significant way while the latter group doesn’t need to change their view at all but merely to hold on and be patient because in due course they will see their view completely vindicated by the denomination.

So if one intends to vote for the Council’s recommendation one should recognize that this will be a vote for a denomination-wide full embrace of committed homosexual unions within the next 2-5 years. To fail to recognize this is to fool oneself or to be misled by others—or both.

OTHER FALSE STEPS IN THE CHURCH COUNCIL'S RECOMMENDATIONS

The Task Force Did Not Conduct a Poll or Survey?

In the introduction to the “Recommendations” one reads: “From the outset the task force attempted to make clear that the study process was indeed a study, not a poll or survey” (p. 1). This is a near verbatim quote from p. 17 of the Task Force’s “Report and Recommendations.” However, the statement is at best misleading. The reason that the Task Force and Council made it, at least in part, is apparent: the surveying done by the Task Force did not produce results favorable to the kind of recommendations being made by the Task Force and by the Council (see above).

Two facts here are indisputable.

(1) The Task Force did indeed conduct and solicit a survey, to be filled out after going through the study guides, and received over 28,000 responses. The Task Force apparently regarded the term “poll” as inadequate only because a poll does not convey information before asking questions and because a poll does not help those surveyed “understand each other better.” But the Task Force nevertheless felt that they had secured from the survey responses “a good cross section of the views held in the ELCA.” This comes across clearly on p. 3 in their “Frequently Asked Questions about the Report and Recommendations” which asks whether the “study process” produced a “reliable” measurement of the views held by ELCA membership:

7. How reliable was this study process? Wouldn't a poll have been better?

The 2001 ELCA Churchwide Assembly determined that we should study the matters before us and grow thereby in our ability to learn from one another to better understand the issues we confront. *The fact that we had over 28,000 responses—far greater than any previous study this church has done—provides a good cross section of the views held in the ELCA.* Moreover, better than 80% of the respondents said they understood each other better as a result. This is a value that a poll could not achieve.

Elsewhere, too, the Task Force stoutly defended the accuracy of their polling data:

Having 3,956 responses to analyze in this report allows us to say with 95% confidence that the percentages in the report are within $\pm 1.5\%$ of the percentage we would have gotten if we had analyzed all 28,000 forms. This exceeds the levels used by many national research organizations which use samples of 1,500 resulting in 95% confidence that they are within $\pm 3.0\%$.

If the accuracy of the survey results were of insignificant consideration for the Task Force’s conclusions, why even bother to make the point that the analysis of the survey results produced an accuracy that “exceeds the levels used by many national research organizations”? As I note in my critique of the Task Force’s recommendations above, one can question whether the Task Force received anything like a reliable measurement. But one cannot question whether the Task Force itself *believed* that it had achieved a reliable measurement, for they state explicitly that very point.

(2) The Task Force justified its proposal largely on the basis of the feedback received from these survey responses. On p. 10 of their “Report and Recommendations,” in “Part Two – Rationale for Task Force Recommendations,” we read the following:

The majority of the responses expressed **opposition** to the blessing of same-sex unions and to the ordaining, commissioning, or consecrating of people in such partnerships. However, a significant number of responses expressed **approval** of such practices. Others proposed **alternatives** that would permit those congregations or synods that wish to call partnered gay and lesbian candidates to do so without making it the policy of the whole church. Still others counseled **delay** in decision or gave **no opinion**. . . .

The task force members came to recognize that the biblical-theological case for wholesale change in this church’s current standards has not been made to the satisfaction of the majority of participants in the study. This judgment correlates with other data of

ELCA opinion on matters of sexuality from correspondence, e-mail, hearings, forums, and communication with bishops and other leaders. . . .

Therefore, our recommendations do not involve new policy or changes to existing policy.

While the responses to the study show a majority in favor of present practices and standards, there is, however, neither a consensus—a general agreement—nor any emerging consensus on these practices and standards. This observation takes us to the next point in our rationale: the concern for conscience.

That “the percentages of people or groups expressing one view or another was of great importance to the deliberations of the task force” (p. 20), and indeed the single biggest factor in the resulting recommendations, is self-evident from this statement on p. 10. Because “the majority of responses expressed opposition to the blessing of same-sex unions and to the ordaining . . . of people in such partnerships,” “the task force members came to recognize that the biblical-theological case for wholesale change in this church’s current standards has not been made to the satisfaction of the majority of the participants in the study. . . . *Therefore*, our recommendations do not involve new policy or changes to existing policy” (emphasis added). I have shown in my critique of the Task Force’s report that, contrary to this final point, the Task Force did indeed, for all intents and purpose, recommend “changes to the existing policy.” My observation here, though, is simply that the Task Force itself named the percentage of survey responses as the decisive factor in their deliberations. Similarly, the fact that “a significant number of responses expressed approval of such practices” led the Task Force to recommend optional enforcement of the ELCA’s standards against ordaining persons currently engaged in homosexual activity.

So if the Task Force *believes* that it accurately surveyed ELCA membership and that the responses to this survey were the single biggest factor in formulating the Task Force’s recommendations, what is the point of claiming, “From the outset the task force attempted to make clear that the study process was indeed a study, not a poll or survey”? It seems to me that this is just another instance of doublespeak, here with the intent of justifying the Council’s adoption of recommendations that, in effect, eviscerate the will of the overwhelming majority of respondents.

Confusing the Issue of Whether Homosexuality Is a Sin

The Council, echoing the Task Force’s report, states: “Homosexual orientation in itself is not something this church has condemned. The question of whether or not all acts of homosexual intimacy are sinful is the question being debated among us” (p. 1).

Clarity is much needed here. Obviously if the sinfulness of homosexual behavior is being debated, then the question of whether a homosexual desire is a sinful desire is also being debated. If a homosexual act is inherently sinful, then the desire for homosexual sex is an inherently sinful desire. Likewise, if adultery is inherently sinful, then a married person’s desire for sex with persons other than his or her spouse is also a sinful desire. If pedophilia is inherently sinful, then the desire to have sex with children is an inherently sinful desire.

At the same time it is equally clear that a person is not held morally culpable merely for experiencing a sinful desire. Only if an individual acquiesces to such desire by actively entertaining such thoughts (see Jesus’ interiorizing of the ethical demand in his adultery-of-the-heart saying, Matt 5:28) or, worse still, engaging in behavior consonant with that desire is a person held morally accountable.

So to say that “homosexual orientation in itself is not something this church has condemned” is at best misleading. The church has clearly implied that desires to have sex with persons of the same sex are sinful desires precisely because they are desires for actions that Scripture treats as egregious sin. And not only has *the church* clearly implied this, but, more, *Scripture* clearly states it, for Rom 1:24-27 clearly refers to the desire for same-sex intercourse as a self-“dishonoring” and “impure” “passion” or “desire.”

Mischaracterization of the Two Positions

On p. 3 the Council mischaracterizes the two main positions on the homosexuality issue as “Position One: Homosexuality as sin and brokenness” and “Position Two: Homosexuality as condition, not choice.”

First, framed in this way, I myself might have to say “yes” to both positions. It would depend how one would define “choice.” Most people, even among those who uphold the scriptural view that homosexual practice is sinful, recognize that most homosexual persons didn’t just wake up one morning and say, “Gee, I’ll think I’ll be homosexual.” However, the issue of choice is more complex than the Church Council lets on. Incremental and indirect choices in life do play into homosexual development for many persons, even if such persons do not realize that choice ‘A’ will increase the risk factor for developing condition ‘Z.’ Pure voluntarism and pure determinism are not the only options for assessing the origination of homoerotic desire. This is acknowledged even by the homosex-affirming author, Edward Stein in his book *The Mismeasure of Desire: The Science, Theory, and Ethics of Sexual Orientation* (Oxford University Press, 1999).

Second, to acknowledge that most homosexual persons (especially males) do not make a conscious decision to be attracted to persons of the same sex is not the same thing as establishing that macro- and microcultural factors—the degree of a culture’s resistance to homosexual practice and childhood socialization in relation to (especially same-sex) parents, siblings, and peers—play an insignificant role in the incidence of homosexuality. Most impulses are not like ethnicity and sex/gender. Macrocultural and microcultural influences affect all sorts of impulses and tastes, both their intensity and even at times their existence. But, generally speaking, no amount of cultural influences can affect the fact that one came into the world with a certain ethnicity or sex.

Third, an acknowledgement that homosexuality is a condition, not a choice, does not lead irresistibly to the conclusion that homosexual orientation and behavior are something other than sinful. ‘Pedosexuality’ (attraction to children) is for many a condition, not a choice, as is alcoholism and a host of other innate conditions that Scripture continues to regard as sinful. The experience of intense sexual desires for more than one person is a common human condition, especially among males. For St. Paul, sin was an innate impulse, passed on by an ancestor, running through the members of the human body, and never entirely within human control. Consequently, to argue that a given desire is innate is not a moral argument. There is no line from biologically related impulses to morality. Most innate impulses, most human “conditions,” are sinful. See any New Testament vice list to make this point clear (greed, lust, selfishness, arrogance, etc.). The Christian message is one of denying oneself, taking up one’s cross, dying to oneself, and new creation. What difference does it make that homosexuality for some is a “condition”? The realization may affect a pastoral response (i.e. to be more compassionate and sensitive toward persons afflicted with such desires) but it has absolutely no bearing on the moral valuation of homosexual practice.

Fourth, “choice” is multifaceted. Christians may not choose to feel this or that unwanted or sinful impulse. But in Christ we are not mere biological robots, slaves to our desires. For the Spirit of Christ enables us not to be mastered or overcome by such desires. We are not the sum total of our biological urges. We are what God has destined us to be in Christ, transformed into his image.

The False Stress on the Value of “Life-long, committed, and faithful same-sex relationships”

Repeatedly Church Council ‘assures’ readers that the ELCA is not seeking to promote promiscuous homosexual activity but is only allowing for “life-long, committed, and faithful same-sex relationships.” It is repeated so often that it becomes a virtual mantra. There are insuperable problems with this mantra.

First, those supporting committed homosexual unions have not made the case that Scripture was only opposed to *promiscuous* homosexual relations. Indeed, such a case cannot be made, as this critique of the Task Force’s study guides shows over and over again. The wording of the biblical prohibitions is absolute. The background for the prohibitions is the creation prescriptive norm of “male and female,” of “man and woman” rejoining the two constituent parts of a sexual whole. The ancient world, including early Judaism and Christianity, was already well aware of an ideology of committed homosexual unions. The reasons for

Scripture's rejection of homosexual practice, like those in early Judaism, early Christianity, and even among some Greco-Roman moralists, had little to do with the absence of a loving disposition and commitment on the part of homosexual relationships. The rejection of lesbian relations in Rom 1:26 also speaks against focusing on exploitation as the main indictment of homosexual practice, etc. To contend that Scripture's witness regarding homosexual practice and its witness regarding heterosexual practice was identical—that is, that non-exploitative relationships for both were equally validated—indicates an extraordinary depth of misunderstanding regarding the historical facts. In Scripture's view and in the view of millennia of church tradition, the problem with homosexual behavior is not in the first instance that it is fleeting, uncommitted, and non-monogamous. The problem is the erotic desire for what one already is and has as a sexual being: male for male, female for female. The problem is the same-sexness of erotic attraction, not whether or not it is lifelong. Indeed, the authors of Scripture don't want it to be lifelong—they want it to stop yesterday. The Church Council might as well argue that the problem with incest is restricted to an inability to form "life-long, committed, and faithful relationships."

Incidentally, it is interesting that the Council chooses the nomenclature "faithful" rather than "monogamous." For one can also speak of "faithful" sexual relationships involving three or more persons. For example, at the 2003 American Academy of Religion national meeting, the [Gay Men's Issues in Religion group](#) sponsored an advocacy session on "polyfidelity," fidelity in sexual relationships involving three or more persons. Should we not argue, to use the Council's logic, that as long as a 'threesome' is "life-long, committed, and faithful" the church should not consider such unions to be an obstacle to ordained ministry? If the Council does not want to make that argument, then the Council must admit that there is such a thing as a "structural prerequisite" for sexual activity that transcends issues such as the affective (loving) quality of the sexual bond and the longevity of the relationship. And if that is so, then the Council should understand why an other-sex prerequisite is just such a structural requirement, one that takes precedence over considerations of longevity, commitment, and fidelity. These latter considerations come into play only after the prerequisites for a valid sexual union have been met, including and especially the foundational prerequisite of an other-sex bond.

Secondly, the Council cannot here "have its cake and eat it too." It can't both promote the tacit acceptance of homosexual unions and expect that such a promotion will have a positive, or even merely negligibly negative, effect on monogamy and indissolubility of sexual bonds generally.

To begin with, talk of a person's "intent" to be in a "life-long" relationship with a person of the same sex is statistically delusional. Studies to date indicate that the number of homosexual relationships that are both "life-long" and monogamous are virtually non-existent—certainly less than 3% and probably *considerably* less than 3% (see *The Bible and Homosexual Practice*, 452-60 and the quote about male homosexual relationships from J. Michael Bailey below). To be sure, heterosexual unions are far from perfect and the church also needs to do a better job in teaching sexual purity to the whole church—something that I have repeatedly advocated whenever I speak on the subject of homosexuality. Nevertheless, even today 60-65% of heterosexual marriages do not end in divorce (earlier estimates of only 50% turned out to be based on an erroneous use of statistics [Dan Hurley, "Divorce Rate: It's Not as High as You Think," *New York Times*, Apr. 19, 2005]). Moreover, according to the National Health and Social Life Survey (1992), 75% of all men and 85% of all women have never had an extramarital affair. There is no comparison between the average number of sex partners experienced by homosexual males lifetime and the average number experienced by heterosexual males lifetime. The reason for the disparity is that male homosexual unions lack the domesticating influence of women on aggressive and polymorphous male sexuality. Female homosexual unions, for their part, dissolve at twice the rate that even male homosexual unions break up, apparently because of women on average place higher demands on, and have higher expectations for, sexually intimate relationships. When neither partner moderates demands and expectations the relationship is put under greater stress, with a greater likelihood of dissolution.

That homosexual unions do not fare as well as heterosexual relationships, even in homosex-affirming areas of the world, is not surprising. Other-sex pairing, for all its defects, has proved remarkably durable through the millennia, precisely because it moderates the extremes in the sexual other and fills in the gaps by bringing together true complementary sexual counterparts. Same-sex erotic unions, by contrast, bring together sexual sames which, in turn, makes it less likely that sexual extremes will be moderated and gaps filled.

So while the Council talks about considering a candidate's "intent" to be in a lifelong sexual relationship with one other person, the *facts* are that the relationship will almost certainly not be lifelong and "faithful"

(if by “faithful” one means monogamous), or (for that matter) even of ‘long-term’ duration (say, of 10 or 20 years or longer) and faithful. How long will the ELCA go on with the fiction that the homosexual union being blessed or being considered in candidacy matters has a real prospect of being a “lifelong” union before it owns up the truth of what will actually happen in over 9 out of 10 circumstances? And, of course, in the very rare cases where a homosexual union turns out to be both lifelong and monogamous, the longevity and monogamy still don’t rectify the prime problem with homosexual practice—namely, its homosexual or same-sex sexual character (“homo-” from Greek *homoios* meaning “like” or “same”).

Moreover, the entire principle of monogamy, namely that a relationship should be limited to two and only two persons, is logically predicated on the binary character of human sexuality; namely, the fact that there exists two sexes, male and female. This is certainly Jesus’ view in making a case for marital indissolubility partly through an argument about marital monogamy, which in turn was predicated on Gen 1:27 (“male and female God made them”) and Gen 2:24 (“For this reason a man shall . . . become joined to his woman and the two shall become one flesh”) (Mark 10:5-9). When Jesus adds that the “two become one flesh,” it is clear that he means by “two,” the pairing of the two sexual counterparts, male and female, man and woman. When the church insists that sexual differentiation is no longer an essential consideration for mate selection, the church cuts itself off from moorings to Jesus’ monogamy principle. Once the ‘twoness’ of the sexes is discarded as a foundational requirement for sexual merger, there is no possibility of *logically* recovering the significance of the number two, i.e., only two persons in a sexual union. If someone claims that you can only truly love, or love fully, one other person at one time, another can easily respond that parents love each of their children fully and that the Trinity itself is a model for full mutual love and knowledge. So the Church Council may *say* that its recommendation will only strengthen the principle of monogamous, lifelong sexual unions. But it would do so only in ignorance of the fact that it has taken the rug right out from under a monogamy principle.

Given these realities it is not surprising that Marvin Ellison, an ordained Presbyterian minister, homosexual man, and professor of ethics at Bangor Theological Seminary has written a book entitled *Same-Sex Marriage* (Pilgrim Press, 2004) in which he suggests a similar point. At the end of his book, Ellison recognizes that the obliteration of the significance of sexual differentiation for mate selection mandates “a lively debate” on whether a narrowly “bipolar” definition of marriage should be broadened to incorporate “multiple partners.” “How exactly does the number of partners affect the moral quality of a relationship?” he asks. At least Ellison is logical: You can’t destroy the foundation on which monogamy is based, namely the bipolarity of the sexes, and expect for long to withstand the case for “polyfidelity.” If the members of the Council who voted for these recommendations do not realize this point, it is only because, like bad chess players, they haven’t thought enough moves ahead.

Other Problems: “Welcoming” and “Blessing,” Unity and Purity, Scripture and Authority

There are at least three other problems with the Church Council’s “Recommendations.”

1. **Recommendation 2**, which resolves the continuance of previous statements by the Conference of Bishops and Churchwide Assembly resolutions, reconfirms previous problematic decisions; namely, “that this church welcome gay and lesbian persons into its life . . . and trust pastors and congregations to discern ways to provide faithful pastoral care to same-sex couples” (p. 2).

The problematic dimension of these statements could be readily discerned if one substituted for “gay and lesbian persons” “persons engaged in incestuous unions,” “persons with a polyamorist disposition,” and “persons with a pedosexual (pedophilic) disposition.” The church welcomes all people to the hearing of the gospel and its accompanying call for a transformed life. It should not, however, imply that it is not going to refrain from calling persons to repentance. Nor should it grant a *carte blanche* and permanent exemption from all church discipline to those who repeatedly and publicly defy basic church standards for human ethical behavior.

Likewise, the statement “trust pastors and congregations to discern ways to provide faithful pastoral care to same-sex couples” is at best naïve and at worse duplicitous with respect to the church’s official stance against homosexual practice. For surely given the current climate many pastors and congregations *cannot* be trusted to “provide faithful pastoral care to same-sex couples,” inasmuch as many pastors and congregations do not believe that homosexual practice is sinful. What the latter mean by “faithful pastoral care” is going to look very different from a “faithful pastoral care” that presumes that serial and unrepentant homosexual practice puts persons at risk—according to Paul—of not inheriting the kingdom of

God (1 Cor 6:9-10). This is not to say that homosexual persons as individuals are not to be shown love. Rather, it is to say that the form of this love would not include any explicit or implicit endorsement of a homosexual relationship. It would include gentle and firm exhortation to dissolve such a relationship.

Part of the disingenuous quality of both the Task Force “Report and Recommendations” and the Church Council’s “Recommendations” is that they weakly try to assure readers that marriage remains the domain of one man and one woman. The Task Force “Report and Recommendations” states: “Such an exercise of pastoral care [i.e., in blessing a homosexual union and, by extension, not disciplining a minister actively in such a union] should be understood as a matter quite distinct from and in no way equivalent to marriage. Indeed, this church holds that ‘Marriage is a lifelong covenant of faithfulness between a man and a woman.’ (*Message on Sexuality: Some Common Convictions*, 1996)” (p. 6). (Incidentally, try telling someone that you can bless a pedophilic union or an incestuous union or a polyamorous union without implying endorsement of pedophilia or incest or polyamory. No one in his right mind is going to buy that kind of an argument. And yet the Task Force expects its readers to buy the claim that blessing a homosexual union does not convey ecclesiastical endorsement of the sexual activity that constitutes the union. More doublespeak.) And later: “Thus, we affirm the biblical teaching of God’s gift of marriage as ‘a lifelong covenant of faithfulness between a man and a woman.’” (*A Message on Sexuality: Some Common Convictions*, 1996)” (p. 12). The Church Council’s “Recommendations” states as a “whereas” of Recommendation 2: “this church holds that ‘marriage is a lifelong covenant of faithfulness between a man and a woman’ (*Message on Sexuality: Some Common Convictions* (1996), page 3)” (p. 2).

And yet at the same time the Council’s “Recommendations” states: “It shall be the expectation that any candidate or rostered minister who is in a same-sex relationship shall be subject to the same level of commitment and fidelity that this church expects of heterosexual pastors in marriage” (p. 4). Obviously, if the expectations placed on homosexual pastors in a same-sex sexual relationship are identical to the expectations placed on heterosexual pastors in marriage—minus, of course, the key requirement that it be an other-sex union!—then a same-sex sexual relationship is being treated as the functional equivalent of a marriage.

Vision and Expectations requires single ordained ministers to “live a chaste life” (i.e., one that does not entail having sexual intercourse) and married ordained ministers to “live in fidelity to their spouses.” According to the Church Council recommendations, these standards will still be in place—*except* for unmarried homosexual ordained ministers who engage in sexual activity with same-sex partners. Obviously the latter arrangement is being made the functional equivalent of a marriage. Ministers are not being exempted from the standards for sexual conduct set out in *Vision and Expectations* as regards unmarried committed heterosexual unions but only for committed homosexual unions. And yet readers are being told that these recommendations continue to affirm the restriction of marriage to one man and one woman?

It is an insult to people’s intelligence to say that homosexual relationships are not being moved along a trajectory of functional equivalence to marriage, which, in the end, must lead to the bestowal of the name itself.

2. As regards **Recommendation 1**, where the Church Council enjoins members of the ELCA to “concentrate on finding ways to live together faithfully in the midst of disagreements,” the Church Council is quite happy to quote Ephesians 4:2-3 that believers are to make “every effort to maintain the unity of the Spirit in the bond of peace.” However, it is not inclined to contextualize this statement within Ephesians 4-5 as a whole. Had the Council really been interested in being faithful to the message of Ephesians, it might have quoted one of the following verses alongside the quotation of Eph 4:2-3:

[N]o longer walk as the Gentiles walk, . . . who . . . have given themselves up to *licentiousness* (*aselgeia*) for the greedy doing of every *sexual impurity* (*akatharsia*). But you did not so learn Christ, if in fact you listened to him and were taught in him, in accordance with the fact that there is truth in Jesus. [You were taught] to put off yourselves as regards the former conduct of the old human that is being corrupted by desires that deceive, and to renew yourselves by the spirit of your mind and to clothe yourselves with the new human that was created after the likeness of God in true righteousness and holiness. . . .

Sexual immorality (*porneia*) and *sexual impurity* (*akatharsia*) of any kind . . . must not even be named among you, as is proper among saints. . . . Know this indeed, that every *sexually immoral person* (*pornos*) or *sexually impure person* (*akathartos*) . . . has no inheritance in the kingdom of Christ and of God. Let no one deceive you with empty words, for because of these things the wrath

of God is coming on the children of disobedience. So do not become associates of theirs. For you were once darkness, but now light in the Lord. Walk as children of light. . . . determining what is acceptable to the Lord. And do not be partnering with the unfruitful works of darkness but rather even be exposing/refuting them. For it is shameful even to speak of the things that are done in secret by them. (Eph 4:17-24; 5:3-12)

Bear in mind that Paul explicitly refers to same-sex intercourse as “sexual impurity” (*akatharsia*) in Rom 1:24-27—the very same term used in the text cited above—and also placed same-sex intercourse, as did other Jews, into the rubrics of *porneia* and *aselgeia*. (Note: the three terms *porneia*, *akatharsia*, and *aselgeia* are essentially synonyms for Paul, each of which directs attention to sexually inappropriate behavior from a slightly different angle.)

In fact, if the leadership of the ELCA had heeded the text of Ephesians to begin with, it never would have organized a Task Force that could lead to approving talk about homosexual practice, since part of the message of Ephesians is that it is “shameful even to speak (approvingly) of the things” that Scripture regards as immoral sexual practice. The Council would have also noted that, according to the author of Ephesians, at least, persons engaging in homosexual practice put themselves at risk of not inheriting the kingdom of God and that pastoral care should therefore take account of this important fact. And, finally, the Council should have noted that in Scripture’s understanding unity is not a mere sociological principle. Unity is primarily a theological and christological concept. There is no unity worth saving that is not centered on the lordship of Jesus Christ. A denomination that begins accepting a form of behavior that would have appalled Jesus and the united apostolic witness is already stepping away from the church’s true unity into sectarian divisiveness.

The Council contends that in the ELCA “there exists a widely shared yearning that sexuality issues not overshadow or weaken the essential mission of this church to proclaim the gospel of Jesus Christ and serve the world” (p. 3). The assertion is nonsensical. The gospel includes a call to moral transformation into the image of Christ, including in the area of sexual ethics. Imagine the Corinthians saying to Paul in the case of the incestuous man (1 Cor 5): “Paul, we need to get beyond this sexuality issue so that we can focus on the true mission of the church in proclaiming the gospel.” See the absurdity? What Paul’s response would have been to such an assertion is not hard to figure out given his remarks throughout 1 Cor 5-6, to say nothing of elsewhere in Paul’s letters. Paul would have said something like:

You pride yourselves in your ability to overlook, tolerate, or even accept such behavior. You should have mourned instead because those who engage in such behavior risk being excluded from God’s kingdom eternally. Is it not your job to be judging those inside the church, for the sake of the God who redeemed you, for the sake of the church God redeemed, and for the sake of the offenders whom God still wants to redeem? Sex is not like food. What a person does sexually can, if sinful, corrupt the whole body, both that of the corporate church and that of the individual. God purchased you out of sin, not into it. So glorify God in your bodies by living under the commands of God for human sexual behavior.

Sure, the rank-and-file in all the mainline denominations want the church to stop pushing the homosexual agenda and get on with the job of proclaiming the gospel and serving. They are tired of having this agenda crammed down their throats for two or three decades. But by and large they do not want denominational leadership to buy “peace” at the cost of obliterating foundational positions in biblical sexual ethics.

3. As regards **commitment to Scripture** the Council claims that both those who are opposed to ecclesiastical incentives for homosexual practice and those who affirm such incentives are motivated by “a commitment to the authority of Scripture” (p. 2); that “within this church we continue to share a profound commitment to the authority of Scripture as the norm for faith and life” (p. 5); and that what differences exist over the matter of homosexuality are merely differences in “interpretations of Scripture” (p. 5).

Of course, the Council can *claim* that its recommendations reflect an ongoing commitment to Scripture’s supreme authority. Undoubtedly, too, some people really believe this; they simply will themselves to believe it. And anyone can *claim* that a pro-homosex reading of Scripture is as valid as a anti-homosex, pro-complementarity reading. But in the absence of having made a convincing case from Scripture itself, such claims are utterly meaningless and, indeed, offensive.

Scripture's case against same-sex intercourse is, if anything, stronger than its case against incest or for nearly any other sexual offense. To argue that Scripture simply doesn't address the instance of a loving and committed union between a man and his mother, for example, would be rightly recognized for what it is: a ridiculous claim. And to claim that such a position on incest could be motivated by a "profound commitment to the authority of Scripture," or that it was simply another valid "interpretation of Scripture," or that ecclesiastical approval of such a position would have no harmful impact on Scripture's status as a "norm for faith and life" in the church—all these claims would be rightly recognized as preposterous. It's no different as regards similar claims about Scripture's position on same-sex intercourse.

The purpose of the rest of this critique is to show that the ELCA study guides on sexuality convey a misrepresentation of the scriptural witness on homosexual practice. They do so by suggesting that positions for and against homosexual practice have at least equal validity or, worse, that the evidence from Scripture suggests no opposition to committed homosexual unions.

INTRODUCTION TO THE USE OF SCRIPTURE IN *JOURNEY TWO AND BACKGROUND ESSAY*

The best thing that I can say about the two ELCA Sexuality Task Force study guides on the church and homosexuality is this: If everything that I knew about the church, the Bible, and homosexual practice were contained in these two documents, I would be an advocate for the church's acceptance of committed homosexual unions.

But obviously I am not an advocate of such.

That sums up how inadequately these study guides represent the overwhelming biblical and hermeneutical case against homosexual practice. Persons looking for an even-handed and competent presentation of the biblical witness will have to look elsewhere. While one can find arguments against homosexual practice in these two documents, on the whole such arguments are not well presented and generally are challenged by longer—and usually unchallenged—arguments in favor of homosexual behavior that are eminently challengeable. These documents are by no means balanced.

The concept of “faithfulness” has been often invoked repeatedly by Director of the Task Force, Prof. James M. Childs Jr., and by members of the Task Force. It is invoked in the title of the book *Faithful Conversation* edited by Childs and stressed in its introduction and authors' forum (Fortress, 2003; for a critique go to <http://www.robgagnon.net/RevFaithfulConv.htm> or here for [pdf](#)). Obviously it appears also in the title of the two main study guides put out by the Task Force, *Journey Together Faithfully*, parts 1 and 2. However, those employing the concept have largely restricted it to mean that people are trying their best or are sincere in their efforts even as they affirm the authority of Scripture. Such a restriction is wrong.

I am not questioning anyone's ‘faithfulness’ defined as doing what one thinks is best for the church rather than what one thinks is best for one's own personal advancement. I make no assumptions—one way or the other—though I am inclined to believe the best. Yet some may perhaps note that any Christian mainline denomination worth its salt, especially one with roots back to Luther, will have a profound awareness of the sin's ongoing effect even on self-professed believers. They may view the constant, insistent refrain that “we are being faithful” as an instance of “protesting too much, methinks” (*Hamlet* III, ii, 239). Then, too, some may seek an explanation for the terrible imbalance of the study guides, given that the material that could have provided the necessary balance was readily available to the authors. After all, they will wonder, why did the authors of these study guides time and again ignore or misstate numerous arguments that would have been devastating for a pro-homosex reading entertained or even espoused by the study guides?

At any rate, the issue of people's motivations or their claims to being faithful to Scripture is secondary. The reason is that a “good faith effort” is *not* what Scripture primarily means by the concept by faithfulness. Faithfulness has to do with faithfulness to God's revealed will and word—in fact and not merely in intent, much less in claim. Accurate teaching and preaching of Scripture is an essential component of this. An “elder” or “overseer,” for example, must “hold firmly to the faithful word, in accordance with the teaching (i.e. as taught), in order that he may be able both to exhort by means of the sound teaching and to refute those who contradict (that word)” (Titus 1:9).

The proof is in the pudding. Intent and claims aside, do these study guides give readers a good sense of the relative merits and demerits of the arguments for and against the claim that Scripture does not indict homosexual practice per se? Judged by this understanding of faithfulness, **neither *Journey Two* nor *Background Essay*, taken as a whole, provides a faithful witness to what Scripture says about homosexual practice.** This is a strong statement but it is also, sadly, a correct statement. What follows is the proof.

A STRONG FORMATTING AND LENGTH BIAS AGAINST THE “TRADITIONAL” VIEW

BIAS IN *JOURNEY TWO*

One of the most egregious biases of *Journey Two* is the format itself, where it tends to allot *twice* as much space to rejecting the “traditional” (read scriptural) view than to affirming it, and to do so by placing the “revisionist” (read Scripture-negating) view in the *rebuttal position*, that is, immediately after the traditional case, without any additional rebuttal of the revisionist case.

For example, in the section “Session Two” (pp. 12-17) where Scripture is discussed in nine discrete units consisting of repeated “Interpretations,” “Implications,” and a “Conclusion”), nearly twice as much space is devoted to the revisionist position (87 lines) as opposed to the traditional position (48 lines). Only four out of nine times does the traditional position get equal coverage to the revisionist position. It *never* gets more attention than the revisionist position, despite the fact that the arguments for the traditional reading actually far outweigh the arguments for the revisionist reading. Five out of nine times the revisionist position gets 2-5 times the space relegated to the traditional position.

Moreover, in terms of order, seven out of nine times the revisionist view is put in the rebuttal position; namely, it usually follows the traditional view, rebutting it, without any counter-rebuttal of the revisionist view. And in one of the only two times that the traditional view is put in the rebuttal position, it is outweighed by three times more space given over to the revisionist view.

The greatest imbalance occurs in the weighing of the Old Testament witness—not surprising in view of the fact that the only biblical scholar on the Task Force, Prof. Terence Fretheim of Luther Seminary, is an Old Testament scholar who is also an advocate for committed homosexual unions. Many of the themes of *Journey Two*’s discussion of the Old Testament witness can be seen already in Fretheim’s “[The Old Testament and Homosexuality](#),” in *The Lutheran*, May 2001.

This format bias continues in other parts of *Journey Two*, beyond Session Two. For instance, when Romans 1:24-27 is addressed in the light of “scientific research and tradition” in Session Five (pp. 29-30), only 13 lines are given over to an anti-”homosex” stance, whereas nearly twice that amount (24 lines) is devoted to the pro-homosex stance, and that in the second or rebuttal position with no rebuttal of the revisionist stance.

BIAS IN *BACKGROUND ESSAY*

The bias persists in the *Background Essay*, though not as heavily, where the weight of the presentation consistently falls against the traditional view. Arland Hultgren, professor of New Testament at Luther Seminary, is an advocate in favor of the church’s acceptance of “committed” homosexual practice (see his earlier “[Being Faithful to the Scriptures: Romans 1:26-27 as a Case in Point](#),” *Word and World* 14 [1994] 315-25) and Walter Taylor, professor of New Testament at Trinity Lutheran Seminary, is supposed to be an advocate against such acceptance. One would think that this should provide balance.

Consistently, though, both the amount of attention and the “last word” on given texts tends toward diminishing or eradicating the biblical witness against homosexual practice. It is unclear to me whether Taylor simply gave up the arguments to Hultgren out of conflict avoidance or lacked the information to defend the overwhelming biblical witness against homosexual practice.

In an earlier article in *The Lutheran* entitled “[The New Testament and Homosexuality](#)” (May 2001, also on the web) Taylor began by acknowledging: “At an intuitive level, part of me wants to say, ‘What’s the big deal! Let’s just take people where they are, lift the restrictions on ordination, and get on with things.’ . . . So you are dealing today with someone who is very sympathetic to arguments for acceptance.” Such a beginning raises questions about whether Taylor was the best person to give a rigorous defense of the biblical witness against homosexual behavior. Indeed, in the *Lutheran* article Taylor at various points gives much of the store away to the pro-homosex position, including an erroneous limitation of the terms *malakoi* (the “soft men”) and *arsenokoitai* (“men who lie with a male”) in 1 Cor 6:9 and 1 Tim 1:10 to male homosexual prostitutes and their clients. “Thus while it is possible that the passage [in 1 Cor 6:9, like that in 1 Tim 1:10] refers to male same-sex sexual relationships in general, there is a certain probability that it refers to the relationship between a prostitute and a customer.”

DISTORTION OF THE CREATION TEXTS AND THEIR REUSE BY JESUS AND PAUL

IGNORING OR SAYING THE OPPOSITE OF THE CREATION TEXTS

Background Essay gives virtually no attention to the relevance of the creation texts in Genesis 1-2, even though (because?) (1) these texts make a very strong implicit case against homosexual practice, (2) Jesus holds up Genesis 1:27 and 2:24 as prescriptive norms for the church, and (3) Paul clearly echoes the same two texts in his two most significant treatments of homosexual practice.

However, *Journey Two* does *Background Essay* one better (worse?) by transforming Genesis 1:27 and 2:21-24 into texts that *support* a fundamental shift away from the very content that these texts espouse (pp. 12-13). Here *over five times the space* given to the traditional position (5 lines) is devoted to the revisionist position (27 lines). Moreover, the traditional position is distorted to say that the creation accounts merely “take for granted” or “assume” “that sexual relationships will be between a man and a woman” rather than assert God’s design and intent that sexual pairing require two sexual counterparts, male and female. Here the prints of Terence Fretheim’s article, “[The Old Testament and Homosexuality](#),” are all over the presentation. Readers are assured/told that

two points . . . may be agreed to by people holding different views on homosexuality: 1. *God’s creation is not presented as a finished product, but leaves room for further creative developments.* . . . God has not created a static and mechanistic world. . . . God has created a world with a certain openness. . . . God’s created order is not fixed in stone: it is still in the process of becoming. 2. *God involves created beings in the ongoing process of creation.* . . . The decisions of the man, against the animals and then for the woman, have shaped the future of the creation in a decisive way. . . .

Not surprisingly, the two points that *Journey Two* develops, on which all people can allegedly agree, are two points that support a deviation from the prescriptive norm of male-female unions in the creation accounts: an alleged openness of creation to change and a human right to effect that change. These are also the very two points developed by Fretheim himself, the only biblical scholar on the Task Force, in his earlier article promoting the church’s acceptance of homosexual unions.

This allegedly objective “Interpretation” is then followed up by a section called “Implications,” which gives only five lines to the traditional stance and, in rebuttal position, nearly twice as much space (9 lines) to the revisionist cause. The imbalance in this discussion of the creation texts is so palpable and so self-serving in swallowing hook-line-and-sinker Fretheim’s own work that one wonders whether it even caused a blush among its author(s).

THE FAILURE TO TAKE ACCOUNT OF JESUS’ USE OF THE CREATION TEXTS

Most ironic and tragic here is that the very two things that readers are told all can agree on actually espouse a position on creation and sexual ethics that is the antithesis of Jesus’ own reading.

When one looks at Jesus’ interpretation of Genesis 1:27 (“male and female God made them”) and 2:24 (“for this reason a man . . . shall become joined to his woman and the two shall become one flesh”) in Mark 10:5-9, it is self-evident that Jesus understood these texts to be normative and prescriptive for defining matters of human sexual ethics, not merely descriptive as *Journey Two* contends.

Furthermore, rather than emphasize from these texts “the ongoing process of creation, the openness of creation to change,” as Fretheim and *Journey Two* do, *Jesus placed the emphasis squarely on a binding standard in creation that critiques all post-creation compromises*. Clearly, Jesus viewed Genesis 1:27 and 2:24 as having precedence over any subsequent watering down of the Creator’s will. Note the progression of Jesus’ remarks in Mark 10:5-9: not toward greater sexual looseness but toward greater demand, prioritizing sexual purity over all other considerations, including emotional self-fulfillment and happiness.

While Jesus focused on the relevance of Genesis 1:27 and 2:24 for the indissolubility of marriage, he clearly presupposed the male-female prerequisite as the basis for his argument. Only “male and female,” “a man” and a “woman,” are structurally capable of becoming “one flesh” through sexual merger. Jesus’ back-to-back citation of Gen 1:27 and 2:24 makes clear what the “For this reason” beginning 2:24 alluded to in Jesus’ thinking: “*For this reason, namely, because ‘God made them male and female’ (Gen 1:27), a man shall become joined to a woman and the two shall become one flesh*” (Gen 2:24). The only prerequisite explicit to both texts is the male-female, man-woman dimension of human sexual pairing.

In fact, the very “twoness becoming one” argument that Jesus picks up on in Mark 10:8 is predicated on the binary character of human sexuality. Jesus understood that Genesis 2:21-24 portrays man and woman as each other’s sexual counterparts, the two parts split from an originally integrated sexual whole. He recognized that “remerger” requires the constituent parts split from that whole. Jesus’ principle of monogamy, whether monogamy at one time or serially, derived from the notion that a man and woman are both *necessary and sufficient* for recreating the original sexual whole, so far as the number of partners is concerned. Structurally speaking, no third partner is needed or welcome.

When the significance of male-female differentiation is dispensed with, so too is the basis for insisting on only two persons in a sexual union, since the number two derives from the existence of two distinct and complementary sexes. Genesis 2:21-24 clearly portrays woman as man’s other half.

In this connection it should be noted that there is strong evidence that the Hebrew word rendered “rib” in most translations is best translated “side.” This is the meaning that it has in all 39-40 other occurrences in the Hebrew Bible. Some early Jewish interpretations of Genesis 2:21-24 pick up on this sense, including, for example, Philo of Alexandria (*On Creation* 152; *Allegorical Interpretation* 2.19-21) and *Genesis Rabbah* 8:1.

For Jesus, marriage was ordained by the Creator as a lifelong union of one man and one woman into a sexual whole. Both the Scriptures that Jesus cited with approval and the audience that Jesus addressed—indeed, the whole of early Judaism—accepted the male-female prerequisite. Jesus clearly agreed and drew the implications of this further than did early Judaism generally. The time of pandering to human hardness of heart was over, even as Jesus aggressively reached out to reorient the lost who were violating God’s demand. Jesus’ utterances on sex moved in the direction of *inhibiting* and *constraining* human options in light of higher structural standards set for human sexuality at creation—not only as regards the male-female prerequisite but also as regards monogamy and permanence.

So one wonders why whoever on the Task Force was responsible for this section didn’t say instead: At least we can all agree on Jesus’ understanding of the creation accounts as giving us a binding standard that critiques post-creation compromises? The answer is fairly obvious: Such a reading, while faithful to the witness of Jesus, would have undermined an attempt to secure scriptural approval for a pro-homosex position.

MISREADINGS OF GENESIS 1 AND 2

The Failure to Acknowledge Creation Constraints on Human Freedom

Terence Fretheim and *Journey Two* make much of human freedom to participate with God in the creation process. Fretheim points to the human’s role in naming the animals and in “sending God back to the drawing board” to find some other solution to the problem of being alone. In the end Fretheim and *Journey Two* go too far in stressing human freedom and creation unpredictability.

In Gen 2:18-25 human decision-making is circumscribed by structural limitations. From the narrator’s perspective, God did not present the animals to the human as possible sexual partners, nor would a decision on the human’s part to have intercourse with the animals have forced God’s acceptance.

God’s next action of creating woman from man puts significant constraints on all subsequent sexual freedom for humans. When God splits or differentiates the undifferentiated human into two sexes, from that moment on the only way for humans to restore the sexual unity is to bring together the two sexes in a sexual relationship. Same-sex erotic pairing can never, by definition, merge two into a sexual whole. Indeed, it wrongfully attempts to merge what God has never divided.

This ends up in sexual narcissism and/or sexual self-deception. By sexual narcissism I mean a conscious desire for what is or has as a sexual being, male for male, female for female. By sexual self-deception I mean the false perception that by merging sexually with another of the same sex one can complete one's own gender or sex, becoming more male, if male, or more female, if female.

In God's eyes, humans may have the freedom to opt out of a sexual relationship; but they do not have the freedom to choose a sexual arrangement at structural odds with the solution worked out by God.

The notion that singleness or childlessness among married couples is a comparable case of deviation from creation norms (*Journey Two*, 13) falls flat over the simple fact that Scripture as a whole, Jesus included, does not treat singleness or childlessness as intrinsically sinful. There is a huge difference between not entering into an alternate natural state (marriage or procreation in marriage) and choosing to enter into an inherently unnatural union (same-sex intercourse, sex with one's parents, siblings, or children, bestiality).

Other Misreadings of the Creation Accounts

There are many other areas where Fretheim and *Journey Two* misread the creation accounts. In this they share some of the same misunderstandings as Mark Allan Powell, professor of New Testament at Trinity Lutheran Seminary, expressed in Powell's article "The Bible and Homosexuality," written for the imbalanced volume *Faithful Conversations: Christian Perspectives on Homosexuality*, edited by James M. Childs, Jr. (Fortress Press, 2003), 19-40. For a more extensive critique of Powell's interpretation of the creation texts see my article "Does the Bible Regard Same-Sex Intercourse as Intrinsically Sinful?" in *Christian Sexuality: Normative and Pastoral Principles* (ed. R. Saltzman; Kirk House, 2003), 106-55, especially pp. 111-26.

- As mentioned above, what is in view in these texts is *not merely the "normal state of affairs" but rather a structural prerequisite*. It is absurd to contend that, in the context of ancient Israel, the authors of Genesis 1 and Genesis 2 (the "Priestly Writer[s]" and the "Yahwist") would have viewed the male-female dynamic of sexual unions as merely the normal state of affairs, with male-male or female-female sexual unions as an unusual but basically acceptable relational configuration.
- The creation accounts also have in view *not merely a generic intimate companion or life-partner but a sexual complement*. The male-female dimension of these stories is not incidental. What is removed from the *adam* or "earthling," "human," is an essential female element. The missing sexual element in the earthling is not resupplied by sexual intimacy with another male. Sexual intercourse was intended only for sexual counterparts, sexual other halves, not for sexual sames.
- The creation accounts depict *not a right of all humans to have sexual intimacy in the manner that satisfies their sexual urges but rather a conditional opportunity that must meet certain structural prerequisites*. A "homosexual orientation," which is already a sign of disordered sexuality, does not alter the structural prerequisite for a sexual complement. Certain structural requirements transcend any right to sexual intimacy, even if rejection of such a right denies sexual intimacy for some. Sex or gender is one structural prerequisite; age, numbers of partners, and the term of commitment are others—irrespective of whether the participants are "oriented" toward other-sex partners, sex with an adult, monogamy, and 'long-term' commitments. While it is "not good" for humans to be alone—in other words, a form of deprivation in this life—it is no sin. Scripture is clear that same-sex intercourse is an egregious sin against God's intended design for creation.

Nor is sexual intimacy God's only provision in the world for "aloneness." The non-sexual fellowship of the family of God, not yet available in Genesis 2-3, became another option for satisfying the need for companionship. No person is required to live alone. All people are required, however, to conform their sexual desires and relationships to the standards operative for the covenant set down in Scripture.

Of course, the authors of *Journey Two* might plead that they are not necessarily advocating for homosexual unions but are simply presenting the pro- and con-arguments. But that would be a bit disingenuous since the revisionist arguments that are advanced do critique the traditional position but are not themselves critiqued by the traditional position. Moreover, the revisionist side is given nearly four times (!) the space to make its case (36 lines to 10 lines). And the main points of alleged agreement that *Journey Two* claims all can rally around are solely points that favor a pro-homosex reading. Jesus' own reading of the creation

texts is left completely out of the picture; indeed, its antithesis is promoted. The whole presentation reeks of bias.

IGNORING THE INTERTEXTUAL ECHOES TO CREATION IN ROM 1:24-27 AND 1 COR 6:9

Romans 1:24-27

In neither *Journey Two* nor *Background Essay* is there any mention of the fact that Paul's chief indictment of idolatry and homosexual practice in Romans 1:23-27 contains a clear echo or allusion to Genesis 1:26-27. Romans 1:18-27 depicts idolatry and same-sex intercourse as two prime examples of humans suppressing the truth about God evident in creation/nature.

In 1:23-27 Paul talks first about humans exchanging the Creator for worship of idols made "in the likeness of the image of a perishable human and of birds and animals and reptiles" (1:23); then about "females [who] exchanged the natural use" and "males leaving behind the natural use of the female" to have intercourse with other "males" (1:26-27). This obviously echoes Genesis 1:26-27: "Let us make a human according to our image and . . . likeness; and let them rule over the . . . birds . . . cattle . . . and . . . reptiles. And God created the human in his image, . . . male and female he created them."

There are here not only eight points of correspondence between Gen 1:26-27 and Rom 1:23, 26-27 but also a threefold sequential agreement: (1) God's likeness and image in humans; (2) dominion over the animal kingdom (*birds, animals, reptiles*); and (3) male-female differentiation. Even the arrangement of the elements in the two sets of text coincides:

<u>Gen 1:26-27</u>	<u>Rom 1:23, 26-27</u>
A. God's likeness and image in humans	
(1) human (<i>anthropos</i>)	likeness (<i>homoioma</i>) (3)
(2) image (<i>eikon</i>)	image (<i>eikon</i>) (2)
(3) likeness (<i>homoiosis</i>)	human (<i>anthropos</i>) (1)
B. Dominion over the animal kingdom	
(4) birds (<i>peteina</i>)	birds (<i>peteina</i>) (4)
(5) cattle (<i>ktene</i>)	quadrupeds (<i>tetrapoda</i>) (5)
(6) reptiles (<i>herpeta</i>)	reptiles (<i>herpeta</i>) (6)
C. Male-female differentiation	
(7) male (<i>arsen</i>)	females (<i>theleiai</i>) (8)
(8) female (<i>thelus</i>)	males (<i>arsenes</i>) (7)

Differences between the two sets of texts can be easily accounted for.

Why the inversion of the order of human-likeness in Gen 1:26, "God said, 'Let us make a human in our image according to our likeness'" to likeness-human in Rom 1:23, "they exchanged the glory of the imperishable God for the likeness of an image of a perishable human"? The reason is that Paul is making a second intertextual echo in Rom 1:23 by also alluding to Ps 106:20: "they (i.e. the Israelites in the golden calf episode) exchanged their (or: his) glory for the likeness of a calf eating grass." Although the focus of Paul's charge in Rom 1:18-32 is on Gentile culpability for suppressing the truth about God, the indictment of Israel in Rom 2:1-3:9 is already anticipated. This second intertextual echo to Ps 106:20 does not discount the first to Gen 1:26-27; it simply adds to the richness of Paul's argument.

Another difference between the two sets of texts is the inversion of "male-female" in Gen 1:27 to "females-males" in Rom 1:26-27. What accounts for this difference? When Paul refers to female-female intercourse in Rom 1:26 he begins with the words "Even their females . . ." While many in the Greco-Roman world extolled the virtues of male-male sexual intimacy, no male in the ancient world sang the praises of lesbian intercourse. Paul thus begins with the easiest indictment of homoerotic relations first, an indictment that nearly all would concede (female-female intercourse) and then proceeds to the more disputed case in the ancient world (male-male intercourse). Given the tight controls on female sexuality in antiquity and the obviously greater inclination to pluriform sexuality exhibited by males, lesbian

intercourse was also the more surprising of the two developments (note: even today female homosexuality occurs at a rate only half that of male homosexuality). An analogue would be a culture that had as many women incarcerated as men: this would be a surprising development and a further sign of the culture's depravity.

What is the point of the echo in Rom 1:23-27 to Gen 1:26-27? Idolatry and same-sex intercourse constitute a frontal assault on the work of the Creator in nature. Those who suppressed the truth about God transparent in creation were more likely to suppress the truth about the complementarity of the sexes transparent in nature, choosing instead to gratify contrary innate impulses (*Bible and Homosexual Practice*, 361-80; *Two Views*, 77-78; and especially "[Review Essay 2](#)," 182-87, 206-13, 242-46).

Paul's reading gives strong evidence that Jesus too would have recognized the implications of the creation accounts for rejecting homosexual practice per se, particularly since Paul's view of sexual offenses, singleness, and divorce closely match Jesus' own documented views. But, strangely, both *Journey Two* and *Background Essay* are silent on this point, even though they had access to my written work where the point had already been made.

1 Corinthians 6:9

Just as Gen 1:26-27 lies in the background of Paul's remarks in Rom 1:23-27, so too Paul cites Gen 2:24 ("... the two shall become one flesh") in close proximity to his indictment of men who lie with males in 1 Corinthians 6:9 (see 6:16). *Journey Two* does not note this but *Background Essay* (pp. 15-16) does. However, the authors of *Background Essay* attempt to circumvent the clear implications of this reference. They argue that Paul "does not make use of the Genesis text as a basis for claiming the same gender sexual activity is contrary to divine intent for all men and women" but rather to make a point about sexual intercourse creating an "indissoluble union."

Now it is true that in context Paul cites Gen 2:24 to substantiate his point that "the man who joins himself to the prostitute is one body" with her (6:16a). In other words, he cites Gen 2:24 to show that sexual intercourse per se, not just intercourse in the context of a marital commitment, has a bonding effect on the participants. A Christian engaged in unholy sexual intercourse thus brings the indwelling Christ into the act.

However, it is absurd to contend, as *Background Essay* suggests (p. 16), that Paul, a first-century Jew, merely "might have" seen a connection, but not necessarily so, between his indictment of "men who lie with males" in 1 Cor 6:9 and the unquoted but echoed first half of Gen 2:24 ("a man . . . shall become joined to his woman") whose second half is explicitly cited in 1 Cor 6:16. It is as absurd as suggesting that Paul merely "might have" discerned a link between Gen 2:24 and his reference to "adulterers" in 1 Cor 6:9, immediately preceding his reference to "soft men" and "men who lie with males." It is doubly absurd in view of Paul's obvious intertextual echo to Gen 1:26-27 in Rom 1:23-27, which clearly establishes that Paul understood the creation accounts to have negative implications for all homoerotic practice. And it is triply absurd in view of all the other evidence, including evidence from early Judaism and some Greco-Roman texts as well as the broader context of 1 Corinthians 5-7, that Paul's mention of "soft men" and "men who lie with males" in the vice list of 1 Cor 6:9-10 was intended to indict male-male intercourse per se (see below).

Conclusion

The conclusion of all this is that, when Paul took seriously the implications of Gen 1:27 and 2:24 for ruling out all homoerotic practice, he was simply following the lead of Jesus in recognizing the value of these texts for establishing prescriptive norms for human sexual ethics. That neither of the ELCA study guides clearly recognizes this point speaks volumes for their mishandling of the creation accounts and Scripture generally.

WHERE'S JESUS? THE ABSENCE OF JESUS' WITNESS IN THESE STUDY GUIDES

Our analysis above illustrates another basic problem besides the mishandling of the creation texts. There is no attempt in either guide to cite or assess indications of a negative stance on Jesus' part toward homosexual practice. The evidence is enough to warrant an entire chapter on the subject—which is precisely what I gave in *The Bible and Homosexual Practice* (ch. 3, pgs. 185-228). But the authors of these two study guides ignore the evidence.

THE SILENCE OF JESUS?

The fact that we have no surviving statement of Jesus where Jesus explicitly said, “Men, do not lie with males; women, do not lie with females,” does not invalidate the enterprise of assessing Jesus' view on same-sex intercourse. Jesus also never said a word about man-mother incest or bestiality but few would contend that Jesus' “silence” on such matters indicated his lack of concern. Indeed, in 1 Corinthians 5 Paul could recommend action against incest “in the name of the Lord Jesus,” despite the absence of a specific saying of Jesus on the subject.

It would have been absurd for Jesus to go around first-century Palestine telling fellow Jews to stop having sex with members of the same sex. Quite simply, no one was doing it, at least not publicly. As regards sexual matters, Jesus focused on areas of dispute and did not belabor biblical core values in sexual ethics that (1) he agreed with and (2) no one in early Judaism publicly disagreed with or violated in practice.

WHAT WE LEARN ABOUT JESUS' VIEWS IN MARK 10:5-9

As we noted above, Jesus' remarks in Mark 10:5-9 make several crucial points that bear on the issue of same-sex intercourse.

First, using a back-to-creation model (or, as the Germans say, *Endzeit = Urzeit*), Jesus established the creation texts, specifically Gen 1:27 and 2:24, as the supreme authority for defining acceptable sexual ethics. For Jesus they were not merely descriptive texts explaining the way things happen to be. They were prescriptive texts, carrying implicit commands for the way things ought to be.

Second, Jesus used these creation texts to close remaining permissive loopholes given in the Mosaic law, not to expand the possibilities for sexual self-expression. The idea of creation ever in flux, continually being recast in its fundamental contours toward greater human sexual freedom and opportunity, is utterly foreign to the message of Mark 10:5-9.

Third, Jesus not only utilized texts that stressed the binary dimension of sexual unions, “male and female” and “a man” and “his woman,” he also predicated his views on the monogamous and indissoluble character of marriage on this division of the sexes into two. Jesus' insistence on two, and only two, becoming one, admitting of no additional parties, obviously stemmed from his back-to-back reading of Gen 1:27 and 2:24: Precisely for this reason, namely, that God made us “male and female,” necessary and sufficient sexual complements, a man shall become joined to a woman and the two form what is in God's eyes an indissoluble sexual union. Unless the significance of this duality or twoness in sexual differentiation is recognized, any fixation on the number two for sexual unions becomes arbitrary.

OTHER EVIDENCE THAT POINTS TO JESUS' OPPOSITION TO HOMOSEXUAL PRACTICE

There is an array of other evidence that points to Jesus' acceptance of his Bible's strong opposition to homosexual practice.

Jesus' Retention of the Law of Moses

Jesus' Scripture clearly forbade homosexual practice (see the discussion of Old Testament texts below). Everyone in early Judaism recognized this; there are no dissenting voices anywhere in the surviving literature. Jesus did not advocate that the law of Moses be abrogated (Matt 5:17-18 par. Luke 16:17). He did not even abolish minute rules about tithing herbs (Matt 23:23 par. Luke 11:42), to say nothing of sexual laws about which Jesus apparently cared a great deal (below).

Jesus was a much less vigorous critic of the law of Moses than was Paul—a disciple who *did* regard the law of Moses as being abrogated in the aftermath of Jesus' death and resurrection, though not the "law of Christ." And we know what Paul's view of same-sex intercourse was. What is the likelihood, then, that Jesus' view of the matter differed from Paul, particularly given Paul's faithful application of the same two texts, Gen 1:27 and 2:24, that Jesus lifted up as normative to the issue of homosexual practice?

Jesus' Intensification of the Law's Demand in Sexual Ethics

We also know that Jesus at a couple of points (adultery of the heart, divorce) actually intensified the demand on sexual ethics, even as he reached out aggressively in love to those most violating that demand and at greatest risk of not entering the kingdom of God (Mark 10:2-12 par. Matt 19:3-12; Matt 5: 27-28; Matt 5:31-32 par. Luke 16:18). Jesus believed that what one did sexually could get one thrown into hell; that one should "cut off" an eye or hand if it threatened one's downfall because it was better to go into heaven maimed than to go into hell full-bodied (Matthew 5:29-30).

John the Baptist's Strong Stance on Sexual Ethics

Jesus' stress on sexual ethics is not surprising given the fate of the man who baptized him: John the Baptist. John was arrested and put to death for his criticism of Herod Antipas for violating Levitical incest laws (18:13, 16; 20:21) in marrying the ex-wife of his half brother Herod Philip, a woman who also happened to be the daughter of another half brother (Aristobulus).

The Univocal Stance Against Same-Sex Intercourse in Early Judaism

We have no record of anyone in the Judaism of Jesus' day expressing anything less than the strongest possible opposition to any and all homosexual practice (see ch. 2 of *Bible and Homosexual Practice*, "The Witness of Early Judaism"). In fact, same-sex intercourse is often cited among Jews of the period as a prime indication of Gentile sexual depravity. Given Jesus' record for intensifying, rather than softening, sex-ethic demands, the idea of Jesus holding some sort of secret acceptance of homosexual practice is highly implausible.

The Univocal Stance Against Same-Sex Intercourse in the Early Church

If Jesus had wanted his disciples to have a different view of homosexual practice than that which prevailed everywhere in early Judaism, he would have had to tell them so. As it was, extant texts indicate that the earliest church was united in its opposition to homosexual practice.

For example, the "Apostolic Decree" in Acts 15 welcomes Gentiles while prohibiting the "sexual immorality" (*porneia*) that typifies Gentile life. The Decree has clear links both to the sex laws in Leviticus 18 (particularly incest, adultery, male-male intercourse, and bestiality; other elements of the decree are formulated from the laws binding even on resident aliens in Leviticus 17) and to the "Noahide" laws developing in early Judaism (scriptural commands binding on Gentiles, among which the prohibitions of male-male intercourse and incest figured prominently).

The Saying about the Self-Defiling Character of Desires for "Acts of Sexual Immorality"

In the interpretation given to the saying about what defiles a person (Mark 7:15), three of the dozen evil desires named are sexual (7:21-22): *porneiai* ("sexual immoralities"), *moicheiai* ("adulteries"), and *aselgeia* ("sexual licentiousness," that is, lack of sexual self-restraint with respect to the prohibitions of God). Contrary to most translations, the first term is not limited to "fornication" but refers generally to any of various "acts of sexual immorality." In early Judaism and Christianity same-sex intercourse, incest, and adultery factored prominently in lists of *porneiai*, suggesting its inclusion here as well.

The Seventh Commandment against Adultery as a Rubric for Prohibiting Homosexual Practice

Jesus obviously accepted the Decalogue's seventh commandment against adultery (Exod 20:14; Deut 5:18; see Mark 10:17-22), which in context presupposed a man-woman marriage (compare the fifth

commandment, “honor your father and your mother,” and the tenth commandment, “you shall not covet . . . your neighbor’s wife”). Moreover, the commandment against adultery was treated by many Jews of the period as an overarching rubric for the major sex laws of the Old Testament, including those against incest, man-male intercourse, and bestiality (for example, Philo, *Special Laws*, 3).

Jesus’ Interpretation of Sodom in the Context of Early Judaism

Jesus acknowledged Sodom’s role in Scripture as the prime example of abuse of visitors (Matthew 10:14-15; Luke 10:10-12), which in the context of other early Jewish texts indicated a special revulsion for the attempt at treating males sexually as females (see, for example, Philo, *Abraham* 133-41 and *Questions on Genesis* 4.37; Josephus, *Antiquities* 1.194-95, 200-201 and *Jewish War* 4.483-85; 5.566; *Testament of Naphtali* 3:3-4; 2 *Enoch* 10:4; 34:1-2; within Scripture, Ezek 16:50; Jude 7; and 2 Pet 2:6-10 also point in this direction [see below]).

Jesus’ Saying about Not Giving What Is Holy to the “Dogs”

Jesus warned against giving “what is holy to the dogs” (Matt 7:6), a likely echo to Deut 23:17-18 which forbids the wages of a “dog” or *qadesh* from being used to pay a vow to the “house of Yahweh” (for “dog” as a synonym for “abominable ones” compare Rev 22:15 with Rev 21:8). The *qadesh* (literally, the self-styled “holy man” or “sacred one”) is comparable to a recognizable figure in the ancient Near East who goes by different names: a cultic “man-woman” who feminized his appearance and served as the receptive partner in male-male intercourse (*Bible and Homosexual Practice*, 48-49, 100-110).

In effect, Jesus was saying: If the temple is too holy to receive the fees of a *qadesh*, then the message of the kingdom of God, which was holier still, should not be entrusted to those who mock holiness through the continuance of abominable practices.

And all these points have to be taken in conjunction with what we learn about Jesus’ use of Gen 1:27 and 2:24 in Mark 10:5-9. In short, the notion that Jesus was neutral toward homosexual unions, much less favorably disposed, is historically preposterous. Yet none of these points is so much as discussed in *Journey Two* or *Background Essay*.

TORTUOUS ATTEMPTS TO TURN JESUS INTO AN ADVOCATE FOR HOMOSEXUAL UNIONS

To be sure, some try to make a case for Jesus’ affirmation of homosexual persons, against all the evidence.

Aggressive Outreach to the Lost Inseparable from an Intensified Ethical Demand

Some appeal to Jesus’ aggressive outreach to the lost of Israel as an argument for Jesus’ support of committed homosexual unions. It doesn’t work. Yes, Jesus reached out to sinners—persons who had egregiously, and repeatedly, violated the law of Moses. Yet, no, he did not do so to perpetuate their sin.

A perfect case in point is Jesus’ response to “tax collectors,” the biggest economic exploiters among first-century Palestinian Jews. Jesus combined a compassionate outreach to such figures (Mark 2:15-17; Matt. 11:19 par. Luke 7:34; Luke 7:37-39; 15:1-10; 18:13; 19:7), while railing against materialism and callous disregard for the poor. The same program applied to sexual sinners: a heightened sexual ethic coupled with a compassionate mission to violaters (Matt. 21:31-32; Luke 7:36-50; 15:30; John 4:16-18; 7:53-8:11).

The parables of the lost sheep and lost son in Luke 15 make the point well: an aggressive outreach and embrace of the lost is necessary to reclaim them for the kingdom of God and to avert divine judgment. The formerly lost son is thrown a party—not because he is going to go out and spend the other half of his father’s money on prostitutes and wasteful living but because he humbly and gratefully returns to his father’s house (a metaphor of repentance and restoration).

Similarly, when Jesus protected the woman caught in adultery from the penalty of stoning (John 8:3-11), he was not communicating that adultery was a minor offense. Rather, in stimulating the woman’s repentance through an act of kindness, Jesus was trying to prevent a worse fate from befalling her on the day of judgment. His parting comment, “Go, and from now on no longer be sinning” (v. 11) should be compared with John 5:14: “no longer be sinning, in order that something worse might not befall you.” Simply put, dead people don’t repent. And failure to repent can lead to cataclysmic destruction at the coming of God’s kingdom (Luke 10:13-15 par. Matt 10:15; 11:22-24; Luke 11:29-32 par. Matt 12:39-41;

Luke 5:32; 13:3-5; 15:7, 10; Mark 1:15; 6:12). Jesus' warnings about coming judgment for those who do not do what he says, or who do not do the will and commands of God, are too numerous to discount (see ["Wink Rejoinder," 6-12](#)).

Sabbath and Sex Not Comparable

Some contend that Jesus' attitude toward Sabbath law supplies a precedent for rejecting core biblical prerequisites for sexual activity.

However, Jesus did not abrogate Sabbath law. He interpreted the command to rest in a manner consistent with an appeal to mercy. While loosening a bit the Pharisaic interpretation of the Sabbath command, not the commandment itself, he tightened the Decalogue commandment against adultery, drawing its implications for the thought life and for divorce and remarriage. Which is likely to constitute the closer analogue to Jesus' views on homosexual practice: Jesus' response to a matter of calendar or Jesus' response to another issue of sexual ethics? Clearly, the latter.

This is confirmed by the stance of Christ's apostle to the Gentiles, St. Paul. Paul went further on the question of Sabbath law than Jesus did. He apparently did not regard it as binding on the Gentile followers of Jesus—the only commandment of the Decalogue that he considered nonessential (compare Rom 13:9 with 14:5-6). Yet not even he concluded that Old Testament sexual prohibitions such as those against male-male intercourse, incest, adultery, fornication, sex with prostitutes, and bestiality might also be nonessential. On the contrary, he followed Jesus in intensifying God's standards for sexual ethics (see, for example, 1 Thess 4:2-8; 1 Cor 5-7; 2 Cor 12:21; Gal 5:19-21; Romans 1:24-27; 6:19-22; 13:13; cf. Col 3:5-10; Eph 4:17-19; 5:3-6; 1 Tim 1:10). Rather than dispense with the prohibition of male-male intercourse, he drew out its implications for prohibiting explicitly female-female intercourse as well (Rom 1:26).

Thus there is no basis within the New Testament for treating Sabbath law and basic Old Testament prerequisites for sexual relationships as comparable.

Food and Sex Not Comparable

A similar analogy is often attempted between Jesus' position on food and Jesus' stance on sex. Jesus said: "There is nothing outside of the person, entering into him, that is able to make him common (i.e. to defile him, to make him unclean), but the things that come out of the person are the things that make the person common" (Mark 7:15).

Despite Mark's parenthetical comment, "(thereby) rendering all foods clean" (7:19), it is not likely that Jesus in his ministry dispensed with all food laws. The earliest church continued to observe food laws and Jesus elsewhere acknowledged that even the tithing of herbs should not be neglected (Matt 23:23 par. Luke 11:42). The omission of Mark's parenthetical comment in the Matthean parallel (Matt 15:17) indicates that the First Evangelist too thought that Mark had overreached.

It is better to view Jesus' saying as an instance of hyperbole. Jesus' point is that any defilement coming from eating unclean foods pales in comparison to the defilement arising from heeding immoral desires of the heart. If Jesus did not abrogate even food laws, what is the likelihood that he considered an other-sex prerequisite for sexual unions, an essential requirement in the Scripture and history of Israel and the early church, to be obsolete? The answer is obvious.

And yet some (like Dan Via) insist that the saying and its interpretation in Mark 7:18-23 show that positive dispositions of the heart, like a loving affect, always take precedence over rules.

Such an interpretation, however, runs completely against the grain of Jesus' larger teaching, including the programmatic statement about closing loopholes in the law of Moses in Matt 5:17-48. Interiorizing the ethical demand is not to be equated with doing away with rules. In his saying about adultery of the heart, for example, Jesus does not do away with the seventh commandment but rather extends it into our thought lives.

Jesus in Mark 7:14-23 contends that the attempt to gratify desires of the heart that are opposed to God's moral commands affects the body holistically, not merely superficially like the consumption of food. A case in point: a desire to have sex with one's mother or other close blood relation, if entertained in one's heart, is deeply defiling irrespective of whether one's intention is loving and has as its goal a committed union.

St. Paul makes this very point in 1 Cor 6:12-20, which is still part of the discussion of the incestuous man in 1 Cor 5. Paul here contends that *porneia*, sexual immorality—in context, this expressly includes

incest (5:1), adultery (6:9; ch. 7), male-male intercourse (6:9), sex with prostitutes (6:13-18), and fornication (ch. 7)—is a quintessential sin “against (or: into) the body,” unlike violation of food laws.

In effect, both Jesus and Paul argued that sex and food are not analogous categories. This is the precise opposite of what many proponents of committed homosexual unions argue when they claim that Jesus’ or Paul’s critique of food laws provides a hermeneutical warrant for dismissing Scripture’s witness against homosexual practice.

The Eunuch Saying Lends No Support for Homosexual Behavior

Some who want desperately to find sayings of Jesus that can be used to support homosexual behavior have appealed to Jesus’ remarks in Matthew 19:12 regarding “eunuchs who have been born so from the womb of the mother” (including homosexual persons?) and “eunuchs who make themselves eunuchs because of the kingdom of heaven.”

However, the saying itself and its context make clear that the only option entertained by Jesus for sexual activity is sexual intercourse in the context of an indissoluble union of one man and one woman. The basis for the comparison between those who are born eunuchs and those who voluntarily make themselves eunuchs for the sake of doing God’s work is that both alike in first-century Palestine abstain from all sexual activity, shunning as they do the one valid context within which sexual activity can occur: marriage to a person of the other sex. One can only conclude that the saying gives absolutely no support for engaging in homoerotic behavior.

The Centurion Story Does Not Validate Sex between a Man and His Male Slave

Some even go so far as to claim that Jesus’ healing of the centurion’s “boy” or “slave” in Matthew 8:5-13 and Luke 7:1-10 may indicate Jesus’ approval of homosexual behavior. They allege that the centurion and the slave may have been lovers and note that Jesus said not a condemnatory word about the relationship. The argument is without merit.

(a) If the centurion and his slave were engaged in a homosexual relationship, then it was likely to have been of a particularly coercive and exploitative sort. Using the logic of a pro-homosex interpretation, we would have to suppose, then, that Jesus was in favor of coercing slaves to have sex with their masters and to feminize their appearance (up to and possibly including castration), inasmuch as Jesus did not speak explicitly against it.

(b) Luke speaks of Jewish elders in Capernaum (Galilee) interceding on the centurion’s behalf. Should we suppose that these elders too were okay with homosexual unions of this or any type, when all the evidence from Jewish texts of the Second Temple period and beyond indicates unequivocal and absolute opposition to all homosexual practice?

(c) Certainly neither Matthew nor Luke read the story to support homosexual unions. Matthew’s Gospel reflects a strong concern for obeying the law of Moses, indeed of closing any remaining loopholes in Mosaic law. Luke portrays the centurion as a “God-fearer” (“he loves our nation and he himself built the synagogue for us”), which makes it highly unlikely that the centurion engaged in homosexual activity. As noted above, abstinence from homosexual activity and other illicit sexual unions was a minimal expectation of the “Noahide laws” that were developing for Gentiles in early Judaism.

(d) Not all masters were having sex with their male slaves so Jesus could hardly have assumed homoerotic activity on the part of the centurion.

(e) I have argued in my own work on this story that the earliest recoverable version, lying behind the Matthew-Luke agreements (Q) and the variant version in John 4:46-54, involves an official at Capernaum, in the employ of Herod Antipas, whose “boy,” i.e. “son,” was on the verge of death (only Luke reads “slave”). Certainly the official was not having sex with his son.

An Other-Sex Prerequisite as Affirmation, Not Violation, of Jesus’ Love Command

Finally, some charge that not to accept committed homosexual unions violates Jesus’ (and the Bible’s) central message of love. It is hard to see how this is so unless one simply equates love with the desire for sexually intimate relationships.

Clearly, such an absolute equation is misguided. Jesus interpreted Leviticus 19:18, “love your neighbor as yourself,” as broadly as possible so that “neighbor” meant “anyone with whom you might come into contact, whose help you might want to solicit in an hour of dire need, including an enemy” (compare the story of the “Good Samaritan” in Luke 10:25-37). Yet Jesus construed the Genesis creation stories as

narrowing the number of sex-partners lifetime to one. So his command to love embraced everyone while his sexual ethic narrowed to one other of the other sex. Jesus' sexual ethic, then, cannot be collapsed into his love ethic. Maintaining structural prerequisites to sexual intercourse does not violate Jesus' emphasis on love.

Furthermore, the broader context for the love-your-neighbor command in Lev 19:18b is Lev 19:17-18a, where love of neighbor means, on the one hand, not taking revenge on, hating, or holding a grudge against one's neighbor *and*, on the other hand, *reproving one's neighbor* if s/he does wrong, lest one incur guilt for failing to warn the offender. Jesus obviously accepted such an understanding of the second greatest commandment. Jesus maintained *both* "if your brother sins, rebuke him" *and* "if he repents, forgive him," even "if he sins seven times a day" (Luke 17:3-4; cf. Matt. 18:15, 21-22). This command to rebuke is not a contradiction of Jesus' warning against judging others (Matt. 7:1-5 par. Luke 6:37, 41-42) since the latter has in view judgment that is done without a loving intent to restore, without an acknowledgement of one's own failings, and over matters of relative insignificance.

It is unloving to celebrate the developmental shortcomings in being erotically attracted to what already is or has as a sexual being: male for maleness, female for femaleness. An attempt at completing the sexual self through merger with a sexual same is a manifestation of sexual narcissism or sexual self-deception. It is buying into a lie about one's sexual identity.

It is also unloving to provide cultural incentives for a form of behavior that will lead to disproportionately high rates of negative side-effects for the participants and probably increase the incidence of homosexuality in the population. Statistical evidence to date, from many quarters, indicates that the overwhelming majority of homosexual relationships, certainly over 90% and probably over 95%, will be short-term (less than 10 years), characterized by non-monogamous behavior, and/or prone to sexually transmitted disease and other negative health effects.

There is also no evidence that approval of homosexual practice will reduce the incidence of depression and suicide since problems with mental illness persist in high rates among homosexual persons even in urban areas and countries generally supportive of homosexual relationships. For example, in the Netherlands—arguably the most supportive country in the world toward homosexual relationships—homosexual men are still three times more likely to have experienced depression in the previous year than are heterosexual men.

True love, the kind of love promoted by Jesus, retains and sometimes even intensifies core values in sexual ethics in Scripture—of which the two-sex requirement is foundational—while reaching out in compassion to those most inclined to violate that standard. Anything else is a truncated gospel.

MISREPRESENTING THE SODOM STORY AND IGNORING AN INTERCONNECTED OLD TESTAMENT WITNESS

BIAS AND IMBALANCE IN PRESENTATION

In the treatment of the Sodom text in Genesis 19:4-11 and the Gibeah text in Judges 19:22-25 *Journey Two* (p. 14) gives over twice as much space to the revisionist view as it does to the traditional view (12 lines to 5 lines) and again puts the revisionist view in the superior rebuttal position. The traditional view is countered but there is no countering of any of the arguments put forward on the revisionist side. Indeed, *not a single literary or historical argument defending the traditional view is brought forward.*

Matters are even worse as regards the presentation in *Background Essay* (pp. 3-5). A long quotation from Walter Brueggemann's commentary on Genesis is given, rejecting the relevance of the Sodom text (p. 4). References to Sodom in Ezekiel 16:49-50 and Jude 7 are dismissed as having nothing to do with an indictment of male-male intercourse per se or even with same-sex rape.

Hultgren and Taylor conclude by referring to my interpretation of the story's relevance, only to dismiss that as well. The stories of Sodom and Gibeah

are often set aside as irrelevant in discussions about homosexuality—at least in the case of consensual homosexual activities. An exception is in the work of an interpreter who says that there is no essential difference between consenting homosexual intercourse and coerced homosexual intercourse, except that in the first case both participants degrade themselves, while in the second case one of the parties is forced into self-degradation [here a footnote refers readers to Gagnon, *The Bible and Homosexual Practice*, 78]. But that point of view overlooks the purpose of gang rape of males by males. Its purpose . . . is to disgrace and humiliate the victim. It is not a matter of expressing homosexual attraction (much less an “orientation”).

This concludes the discussion by Hultgren and Taylor. Here they quite clearly come down on a unified position: The stories of Sodom and Gibeah have absolutely no relevance for contemporary church discussion of committed homosexual unions.

MISSING THE OBVIOUS

Criticism of Homosexual Rape, Like Criticism of Incestuous Rape, Is Not Just a Criticism of Rape

The attempt by Hultgren and Taylor to rebut my position misses a very obvious point. An act can be indicted as wrong and heinous *irrespective of* loving intent and sexual orientation or attraction. An act of sexual intercourse can be regarded as *structurally* incompatible, and inherently so. A noble purpose on the part of a perpetrator and the granting of consent by the recipient do not necessarily justify a given act. Moreover, the heinousness of rape is obviously compounded when the rape takes place in the context of violating other strong prerequisites for sexual activity.

By the reasoning of Hultgren and Taylor, a story told about a man raping his father could *only* have in view the heinousness of rape, not *also* the heinousness of engaging in incest of the severest sort. (Indeed, the story of Ham's act against his father Noah in Genesis 9:20-27 is just such a story, though Hultgren and Taylor appear oblivious even to the fact that such an interpretation exists.) However, such an assumption is illogical. Is not the evil of rape compounded when it involves a close blood relation such as a parent or sibling or when it involves a child?

Obviously the compounding of wrongs heightens the offense to cultural sensibilities. Rape of anyone is evil but these sorts of rape are doubly evil because they transgress additional sexual boundaries. That is precisely the point made in the stories of Sodom and Gibeah, as also the story of Ham. These are “kitchen sink” narratives in which the offenders multiply their offenses, justifying the severest manifestation of divine judgment.

The Relevance of the Story of Ham's Rape of His Father Noah

For the sake of the discussion let us presume for the moment that Genesis 9:20-27 tells the story of Ham's rape of his father. This is certainly a plausible, indeed probable, interpretation of the story.

Key proponents and opponents of homosexual practice have acknowledged the correctness of this interpretation; for example, Martti Nissinen (whom Hultgren and Taylor cite favorably for their interpretation of the Sodom and Gibeah narratives immediately after they dismiss my observation) and Athalya Brenner among the former and myself, Donald Wold, and Thomas Schmidt among the latter (for this interpretation see also, among others, Christoph Levin and Seth Daniel Kunin).

Two giants of Old Testament scholarship from earlier generations also regarded the story as a rape account: Hermann Gunkel and Gerhard von Rad (compare also Nahum Sarna).

Even the Babylonian Talmud (*Sanhedrin* 70a) records a debate about the meaning of "had done to him" in Genesis 9:24, where one of the two interpretations is that Ham had homosexual relations with his father.

There is plenty of reason for concluding that the story is about Ham's rape of his father.

(1) The other main interpretation, that Ham's offense was voyeurism, does not do justice to the statement that Noah "came to know what his youngest son had *done* to him" (9:24). The story of Ham's act implies that Ham brought Noah's clothes outside the tent as proof of what he "had done" to him—penetrating his father, thereby emasculating him and establishing himself as the new leader of the clan.

(2) The same motif of homosexual rape appears in the Egyptian myth of Horus and Seth.

(3) Nor does the interpretation of voyeurism explain adequately the severity of the curse. Why would a horrendous curse be placed on Ham's descendants merely for Ham seeing his father's naked state?

(4) Nor does this voyeur-interpretation explain the placement of the curse on Ham's 'seed,' Canaan. A subtext of the story appears to be that Ham's misuse of his 'seed' (= sperm) led to judgment of his 'seed' (= descendants).

(5) The voyeur-interpretation also ignores the fact that the expression "see the nakedness of" is used elsewhere as a euphemism for sexual intercourse (Lev 20:17; similarly, "uncover the nakedness of" throughout Lev 18 and 20).

Finally, (6) it ignores the ideational link (i.e., a similarity of ideas) between Gen 9:20-27 and Leviticus 18. The purpose of both sets of texts is to explain why God has disinherited the Canaanites from the land. Leviticus 18, which lists various sexual sins, nowhere mentions voyeurism as a grave offense. But it does highlight two types of "abominations" or detestable sexual acts, among others; specifically, incest and male-male intercourse.

When all of these arguments are put together a very strong case can be made for asserting that the Yahwist tells two stories of male-male rape: not only the story of Sodom (which, incidentally, the Yahwist points out is located in the region of the Canaanites, Gen 10:19) but also the story of Ham (the father of Canaan, eponymous ancestor of the Canaanites). And yet Hultgren and Taylor (and, for that matter, *Journey Two*) do not mention the story, despite the fact that both Nissinen and I give significant attention to it (8 pages in my work alone).

But whether or not Hultgren and Taylor would admit in the face of strong arguments that Gen 9:20-27 is a story about rape (Fretheim in his commentary on Genesis for *The New Interpreter's Bible* rejects it out of hand [p. 404]), one can still operate on the assumption that the story is about rape, for the purposes of illustration. If the story were about rape, would Hultgren and Taylor make the same point about incest for the Ham story that they make about male-male intercourse for the Sodom story? To wit:

The story of Ham's rape of his father Noah is often set aside in discussions about incest—at least in the case of consensual incestuous activities. An exception is the work of an interpreter who says that there is no essential difference between consenting incestuous intercourse and coerced incestuous intercourse, except that in the first case both participants degrade themselves, while in the second case one of the parties is forced into self-degradation. But that point of view overlooks the purpose of rape, which is to disgrace and humiliate the victim. It is not a matter of expressing attraction for one's father (much less an "orientation").

Such an interpretation regarding coercive sex with one's father would be comic or tragic or both. And yet Hultgren and Taylor commit precisely such a *faux pas* in criticizing my argument. Even though there are only a few Old Testament texts that prohibit sex with one's mother or stepmother (Lev 18:7-8; 20:11; Deut 27:20, 23) and *none* that expressly prohibit sex with one's father or stepfather (other than by inference in

Lev 18:7-8 and 20:11, as well as in the prohibition of male-male intercourse in Lev 18:22; 20:13), it is obvious that a story like Ham's rape of his father has in view not merely coercive sex but, more, coercive *incestuous* sex with a parent, and, further, coercive incestuous sex with a *same-sex* parent.

And if Hultgren and Taylor continued to insist that the story does not operate on the implicit assumption of a cultural proscription of man-father incest, to say nothing of male-male intercourse, and that those who think otherwise “overlook the purpose of rape which is to disgrace and humiliate the victim,” then the only proper response would be to dismiss their insistence as unreasonable.

SODOM: CONTEXTUAL EVIDENCE FOR AN INDICTMENT OF MALE-MALE INTERCOURSE

How does one know that the story of Sodom had in view not only inhospitable rape of visitors but also the dishonoring of the masculine stamp by treating men sexually as though they were sexual counterparts to men, that is, as women who are sexually penetrated in intercourse? There are many reasons—a series of five concentric circles, if you will, of literary- and historical-context considerations which, incidentally, also demonstrate a strong interconnected witness against homosexual practice in the Old Testament. Let us enumerate them.

The Evidence of Other Texts from the Same Author

Are there other texts from the same author—critical historians refer to the author as the Yahwist (J)—that tell us something about what the Yahwist might have thought of male-male intercourse per se? Indeed, there are. We have already pointed to two: the creation story in Gen 2:18-24 and the story of Ham's act in Gen 9:20-27.

The creation story in Gen 2:18-24 clearly depicts sexual intercourse as the “re-merger” of the split-off female element with the male element, that is, as the rejoining of the two sexual halves. Adam longs for what he now is not, not for what he now is as a sexual being. Obviously the Yahwist did not regard the male-female dynamic as incidental or nonessential.

The story of Ham also makes clear, as we have seen, that the narrator's indictment of the Sodomites' actions was not limited to the coercive dimension but extended also to the dimension of incest, whether coercive or not. That being so, it probably also extended to the male-male dimension, especially given the fact the added fact that the Old Testament evidence for a widespread rejection of man-male intercourse is as strong as that for a rejection of man-parent sex.

The ideational nexus between the indictment of Canaanites in Genesis 9:20-27 and the indictment of the Canaanites in Leviticus 18 is self-evident. And all would agree that Leviticus 18 is not limiting its proscription of various forms of incest and of male-male intercourse to coercive acts. Indeed, the phrase “their blood be upon them” in the parallel texts in Leviticus 20 indicates consent on the part of both parties (a point maintained, incidentally by Ezekiel in ch. 18, a chapter that shows strong connections to the Holiness Code or something like it).

So what likelihood is there in positing that the Yahwist had in view only coercive acts of male-male intercourse? Little or none.

The Evidence of Other Ancient Near Eastern Texts

Other ancient Near East texts indicate that men who engaged in *consensual* receptive intercourse with other males were generally held in low repute (see *Bible and Homosexual Practice*, 44-56). For example, *Middle Assyrian Law A* §19 stipulates that a man who falsely starts a rumor that another man has voluntarily allowed himself to be penetrated shall be subject to 50 blows with rods, one-month's forced labor, and castration. Would Hultgren, Taylor, and the *Journey Two* author(s) have us suppose that the Yahwist, an ancient Jew, was on the whole more favorably disposed toward homosexual practice than the currents that prevailed in the ancient Near East generally?

The Evidence from the Deuteronomistic History: the Levite at Gibeah (Judges 19) and the Qedeshim

As both *Journey Two* and *Background Essay* acknowledge, the Deuteronomistic History (the label given to the literary work stretching from Joshua to 2 Kings) contains a parallel story to the story of Sodom; namely, the Levite at Gibeah (Judges 19:22-25). Hultgren and Taylor dismiss the story as having “even less bearing on contemporary discussions of homosexuality” than the story of Sodom, contending that the story stresses the sexual violence done to a woman (p. 5). But Hultgren and Taylor miss the point that the crowd rapes

the woman only after they cannot get their hands on the Levite man. Moreover, as we have seen above, neither intent nor orientation necessarily precludes a narrator's structural indictment of male-male intercourse. There can be little doubt that the male-male dimension of the threatened sexual activity factored prominently in the Deuteronomistic Historian's indictment of the residents of Gibeah in Judges 19:22-25, given his apparent revulsion elsewhere in the History for the *consensual* homoerotic associations of the *qedeshim*—literally, “consecrated ones,” cult figures who sometimes served as the passive receptive partners in male-male intercourse (cited in Deuteronomy 23:17-18; 1 Kings 14:21-24; 15:12-14; 22:46; 2 Kings 23:7; cf. Job 36:13-14).

Even Phyllis Bird, a prominent Old Testament scholar who wants the church to endorse committed homosexual unions and has written significant articles on the *qedeshim* and on homosexuality in the Old Testament, has acknowledged that what the Deuteronomistic Historian found most offensive about the *qedeshim* was “their repugnant associations with male homosexual activity” (“The End of the Male Cult Prostitute,” *Congress Volume Cambridge 1995* [Leiden: Brill, 1997], 75). This is apparent from the description of the *qedeshim* in Deut 23:18 as a “dog,” an epithet that parallel Mesopotamian texts apply to male “men-women” precisely because they allowed themselves to be penetrated by other males (Gagnon, *The Bible and Homosexual Practice*, 48-49, 100-110; Nissinen, *Homoeroticism*, 28-34).

If the Deuteronomistic Historian was repulsed by the idea of men willingly consenting to be penetrated by other men (here too the term “abomination” [*to'evah*] is employed), then it is apparent that the same narrator of the story of Gibeah in Judges 19 would have found the attempt of the men of Gibeah to have sex with a man repulsive per se, and not just because it was coerced. Given the strong literary agreements between the story of Sodom and the story of Gibeah, evidence for how the Deuteronomistic Historian would have interpreted any act of male-male intercourse, consensual or coerced, provides strong evidence for how the Yahwist would have viewed the same; namely, as inherently or structurally offensive.

The Evidence from Other Ancient Israelite Texts

Other texts in ancient Israel speak to the opposition toward male-male intercourse per se, and not only the prohibitions in Leviticus 18:22 and 20:13. Every biblical narrative, law, proverb, exhortation, metaphor, and poetry having anything to do with sexual relations presupposes a male-female prerequisite—and the David-Jonathan narratives are no exception (see *The Bible and Homosexual Practice*, 146-54).

Throughout the Hebrew Bible we find implicit and explicit regulations of other-sex sexuality, discerning good from bad forms. We find no such parceling out of good and bad forms of homosexual practice precisely because *all* homosexual practice is presumed to be wrong. There is no need to separate the good from the bad because all homosexual acts are bad alike.

The History of the Interpretation of the Sodom Story

The history of the interpretation of the Sodom story also underscores the homoerotic dimensions of the narrative. Here we shall focus on Ezekiel 16:49-50 and Jude 7. Despite the fact that I give over ten pages of discussion to these two texts (*The Bible and Homosexual Practice*, 79-90), the authors of *Journey Two* and *Background Essay* appear to be unaware of *any* arguments that support an anti-“homosex” interpretation.

Ezekiel 16:49-50

Both *Journey Two* and *Background Essay* intimate that Ezekiel restricted “the sin” of Sodom in Ezek 16:49-50 to social injustice: Sodom “did not take hold of the hand of (i.e. help) the poor and the needy. And they grew haughty and committed an abomination before me.” Yet the evidence points to the fact that Ezekiel regarded the male-male dimension of the threatened sexual activity at Sodom as a pivotal element in God's indictment of the city.

- *Ezekiel's link with the Holiness Code.* All major scholars of Ezekiel agree that Ezekiel knew, and shared strong agreement with, the Holiness Code (Leviticus 17-24) or a precursor document. Only in Ezekiel, for example, do we find the kind of severe indictment of sex with a menstruant that appears in Leviticus 18:19 and 20:18. What is the likelihood that Ezekiel would have dismissed the absolute indictment of male-male intercourse in Leviticus 18:22 and 20:13? It is not likely at all, particularly given the fact that Leviticus 20 groups the prohibition of male-male intercourse with other first-order offenses (adultery, bestiality, and sex with a mother- and daughter-in-law) that merit the community's capital sentence (20:10-16) but the groups the prohibition of sex with a

- menstruant with only second-order offenses that receive God's judgment in lieu of community sanctions (20:17-21).
- *Evidence from Ezek 18:10-13 that "commits an abomination" is not a restatement of "not helping the poor."* The authors of *Journey Two* and *Background Essay* read "committed an abomination" as a restatement of the previous line "did not take hold of the hand (i.e. did not help) the poor and the needy." However, such an interpretation is precluded by the vice list in Ezekiel 18:10-13 where the phrase "oppresses the poor and needy" is distinguished from the phrase "commits an abomination" (18:12) four vices later. The latter phrase, in turn, is followed by an additional specific vice, indicating that it is merely one specific vice among many. The whole discussion ends with the summary statement, "He committed all these abominations; he shall certainly be put to death. His blood shall be on himself" (18:13). In other words, there is a specific offense within the vice list, which Ezekiel mentions only by the metonymy "abomination" (*to 'evah*), singular; and there is a summary at the end of the list referring to all the previous vices as "abominations" (*to 'evoth*). This singular-plural interchange of "abomination" in a vice list and its summary is precisely what one finds in Lev 18: a singular use of "abomination" (*to 'evah*) with reference to male-male intercourse in 18:22, in the midst of a vice list, followed by a plural use of "abominations" (*to 'evoth*) in a summary statement referring to all the previous offenses (18:26-27, 29-30).
 - *Five arguments that "committed an abomination" in Ezek 16:50 refers to male-male intercourse.* Since Ezekiel 18:10-13 appears to preclude an identification of "committed an abomination" with not aiding the poor and needy, what offense might Ezekiel have had in mind when he spoke in 16:50 of the Sodomites committing an abomination? The answer is fairly obvious: He had man-male intercourse in view, given (a) his use of, and theological continuity with, the Holiness Code or a precursor text; (b) the parallel interchange of *to 'evah* and *to 'evoth* in Lev 18 and Ezek 18:10-13; (c) the fact that the Sodom narrative in Gen 19:4-11 clearly involves a case of threatened men-male intercourse; and (d) the fact that "commits an abomination" in Ezekiel 16:50 and Leviticus 20:13 are nearly an exact match (*'asu to 'evah*). To these considerations we can add one more: (e) The two other occurrences of the singular use of "abomination" in Ezekiel, 22:11 and 33:26, also have to do with sexual offenses, thus confirming that "abomination" in Ezekiel 16:50 and 18:12 refers to a sexual sin. Ezekiel 22:11 alludes to the specific vice of adultery, while 33:26 probably alludes to male-male intercourse, sex with a menstruant, or incest (note: the medieval Jewish commentator Rashi interpreted "abomination" in Ezek 33:26 as a reference to sodomy).
 - *Why an oblique reference or metonym?* The metonymic reference to male-male intercourse in Ezekiel 16:50 and 18:12—referring to an immoral act by the oblique designation "abomination"—can be likened to the Yahwist's story of Ham's act against his father Noah, in which the euphemism "see the nakedness of" is used rather than more explicit terminology. The act was regarded as so offensive, and/or so well known as an abomination *par excellence*, that explicit reference to it might be avoided.

Given these arguments—all of which the authors of *Journey Two* and *Background Essay* had access to in my work, with greater documentation, but apparently chose to ignore—the case for arguing that Ezekiel in 16:50 interpreted the story of Sodom, in part, in the light of the absolute Levitical prohibitions of male-male intercourse appears very strong. One might also compare the conclusion of Moshe Greenberg who is his Anchor Bible commentary on Ezekiel intimates that the abomination in 16:50 was homosexual anal intercourse (*Ezekiel 1-20* [Doubleday, 1983], 289).

Now if Ezekiel interpreted the Sodom narrative in the light of the Levitical prohibitions, and if too the Levitical prohibitions indict male-male intercourse *per se*, then it is self-evident that Ezekiel found the sin of Sodom, among other things, to be not just an attempted act of coercive sex but an attempted act of male-male intercourse *per se*.

Accordingly the two earliest commentators on the Sodom story that provide sufficient context, the Deuteronomistic Historian and Ezekiel, both concur that the homosexual aspect of the event in Genesis 19:4-11 was an important factor in illustrating the depravity of the men of the city and in justifying God's cataclysmic destruction.

Jude 7

Jude 7 also does not favor the reading of the Sodom story given by *Journey Two* and *Background Essay*, though one would never know it from reading the latter. *Background Essay* argues (p. 4), and *Journey Two* intimates (p. 14), that when Jude 7 says of the men of Sodom that they “committed sexual immorality and went after other flesh,” it refers only “to the lust of the men of Sodom after the angelic visitors to the house of Lot, which is branded as a case of sexual immorality” (*Background Essay*, 4). This interpretation is clearly wrong, for at least five reasons.

- *How can you lust after what you don't recognize?* A major problem for the they-were-lusting-after-angels theory is this: Neither Genesis 19 nor subsequent early Jewish and Christian interpretations of the story presume that the men of Sodom knew that the male visitors were angels. Indeed, both strands of evidence suggest or assert that the angels disguised themselves as humans and that the men of Sodom were unaware of their identity. Clearly, then, they were not “lusting after angels.” Incidentally, it is precisely at this point that the parallel with the actions of the rebellious angels of Genesis 6:1-4 (known as the “Watchers” in later early Jewish tradition), cited in Jude 6 and picked up by the remark “in a manner similar to these” in Jude 7, breaks down. Both Genesis 6:1-4 and the subsequent history of interpretation presuppose intent on the part of rebellious angels to subvert the divide between divine and human. Genesis 19, however, presumes the ignorance of the Sodomites. The latter had no intent to subvert the divine-human divide. Rather, the men of Sodom “committed sexual immorality and (in the process of doing so) went after ‘other flesh.’” Rather than honoring their guests, the men of Sodom dishonored them, both by attempting coercive sex and by treating their guests’ embodied masculinity as though it were embodied femininity. Here one may compare Josephus’s first-century (A.D.) account in *Jewish Antiquities* 1.200-201, which combines the themes of inhospitality and dishonoring passions for same-sex intercourse. As it happened, the Sodomites’ outrageous act of sexual immorality was made more grievous by the fact that the visitors turned out to be angels.
- “By committing sexual immorality they went after other flesh,” *not* “they committed sexual immorality by going after other flesh.” The authors of *Journey Two* and *Background Essay* apparently interpret the phrase “committed sexual immorality and went after other flesh” as a hendiadys, so that it means “(the Sodomites) committed sexual immorality *by going after* other (i.e. angelic) flesh.” (*Hendiadys* literally means “one by two.” It occurs when two words or phrases are connected by “and” or some other conjunction in order to express a single idea, in which one of the words is in a dependent relation to the other.) However, it is just as possible that the first word in a hendiadys expresses the subordinate idea (see examples in Blass, Debrunner, Funk, *A Greek Grammar of the New Testament*, section 442 [16], p. 228a). In that event the phrase could mean something like “*by (or: in the act of) committing sexual immorality* (the Sodomites) went after other flesh.” It is also possible that the coordination of the two phrases in Jude 7 is not a hendiadys but instead refers to two distinct acts. Either way it supports the reading that I have given here, a reading that coheres with other first-century Jewish interpretations (in addition to Josephus, see also Philo, *On Abraham* 135-36).
- *Evidence from Jude’s application does not suggest that they lusted after angels.* After recounting the stories of the Watchers (v. 6) and of Sodom and Gomorrah (v. 7), the author makes an application to false believers in his own day: “Yet, *similarly*, these dreamers also defile (the/their?) flesh, reject authority, and slander glorious beings” (v. 8). As with the adverbial phrase “in a manner similar to these” (*ton homoion tropon toutois*) in v. 7, the adverb “similarly” (*homoios*) suggests a certain degree of correspondence but nothing like precise identity. In the view of Jude, the false believers’ lust for immoral sexual behavior had put them on a collision course with the angelic guardians of this world order, which subsequently led them to revile angels, not to lust after them. In a similar way, the immoral sexual desire of the Sodomites, in this case for male-male intercourse, led them to pursue sex with angels unknowingly.
- *2 Peter confirms the reading given here of Jude 7.* This interpretation of Jude 7 that I espouse fits best with 2 Peter’s own read of Jude 7-8, referring as it does to the “sexual licentiousness (*aselgeia*) of conduct of the lawless” at Sodom (2:7) and to those who follow in their footsteps as “going after (i.e., following, indulging) (the/their) flesh in (or: with its) defiling desire (or: lust)” (2:10). The “defiling desire” of the Sodomites can only refer to their desire to “know” or have sex with Lot’s male visitors, whom they did not recognize as angels.

- *A parallel in the Testament of Naphtali confirms our reading.* According to *T. Naph.* 3:3-4, the descendants of Naphtali shall not be like the Gentiles who changed “the order” of nature by devoting themselves to idols; instead, they shall recognize in the heavens, earth, and sea “the Lord who made all these things, in order that [they] may not become like Sodom, which exchanged the order of its nature.” Strikingly similar motifs to Romans 1:19-27 make it likely that either Paul formulated Rom 1:19-27 with this tradition in mind or *T. Naph.* 3:3-4 is a Christian interpolation into the *Testaments of the Twelve Patriarchs* formulated in the light of Rom 1:19-27. I think the former is more likely, but either supposition increases the probability that the clause about Sodom exchanging “the order of its nature” refers to same-sex intercourse (Paul’s interpretation in Rom 1:24-27; for intertextual echoes in Rom 1:24-27 to the Sodom story see now also: Phillip Esler, “The Sodom Tradition in Romans 1:18-32,” *Biblical Theology Bulletin* 34 [2004]: 4-16). This is important because, like Jude 7, the actions of the men of Sodom are compared with the actions of the angels in Gen 6:4, who “similarly (*homoios*, cf. Jude 8) exchanged the order of their nature” by copulating with human females (3:5). Again, the “similarly” suggests similarity but not identity. How far does the similarity go? Both the Sodomites and the angels acted against “the order of their nature,” engaging in, or attempting to engage in, structurally incompatible forms of sexual intercourse. Both acts involved, or threatened to involve, human-angel copulation. Yet the very concept of “exchange” implies volition, an intentional action—as with the exchange of nature’s order for idols—and that is precisely the point where the analogy between the Sodomites and the angels breaks down. This volitional element comes across clearly in Rom 1:18-27, which correlates the concept of exchange with a conscious suppression of truth in creation/nature. Consequently, one should probably understand *T. Naph.* 3:3-5 in a way that confirms our interpretation of Jude 6-8: the Sodomites deliberately exchanged the order of their nature as males by attempting intercourse with other males. In the process they got more than they bargained for, unknowingly attempting sex with “other flesh,” angels. The primary exchange is opposite-sex intercourse for same-sex intercourse but the undertone is unintended sex with angels. The latter component solidifies a connection with the rebellious angels—a connection already intimated by the fact that both, in different ways, consciously exchanged the natural for the unnatural. Compare also the observations of J. A. Loader on *T. Naph.* 3:4: “In this context the changing of its order by Sodom can only refer to the homosexual aspirations of the Sodomites mentioned in Genesis 19:5” (*A Tale of Two Cities: Sodom and Gomorrah in the Old Testament, Early Jewish and Early Christian Traditions* [CBET 1; Kampen: Kok, 1990], 82).

For further analysis of Jude 7 see my response to Prof. William Countryman’s review of my first book, pp. 9-13 (for pdf version: <http://www.robagnon.net/Reviews/homoCountrymanResp.pdf>; for html version: <http://www.robagnon.net/RevCountryman.htm>). This discussion adds to my discussion in *The Bible and Homosexual Practice*, 87-88 (which already should have given the authors of *Background Essay* and *Journey Two* enough information to question their interpretation of Jude 7).

Implications for Jesus’ Interpretation of the Sodom Story

The evidence cited above for an anti-homosex interpretation of Jude 7 indicates the correctness of our interpretation of Jesus’ reference to Sodom (Matthew 10:14-15; Luke 10:10-12). Jesus regarded Sodom as a paradigmatic story about abuse of visitors, not only because of the attempted rape but also because of an attempt at treating males sexually as though they were females. If someone were to contend that the latter was not part of Jesus’ interpretation, the retort would be easy: the closest stories in time and milieu to Jesus presume an indictment of male-male intercourse per se, as did the Old Testament Scripture that Jesus honored. Consequently the assertions by Hultgren and Taylor (and the *Journey Two* author[s]) that Jesus’ saying carried no implicit indictment of homosexual practice must be judged as not only unsubstantiated but also contradicted by the evidence that we do have.

CONCLUSION REGARDING SODOM AND AN INTERCONNECTED OT WITNESS

Contrary to the claims of *Background Essay* and *Journey Two*, the story of Sodom does include an indictment of male-male intercourse per se, as do later interpretations of that story in both Testaments of Scripture and in early Judaism. In making the case for this, we have also shown that there is a strong

interconnected witness in the Old Testament against homosexual practice that goes far beyond a few isolated texts. No one reading *Background Essay* and *Journey Two* would ever get this impression. On the contrary, they would be compelled to conclude, falsely, that there was very little, if anything, in the Old Testament that spoke against homosexual practice.

MISINTERPRETING THE PROHIBITIONS OF MALE HOMOSEXUAL PRACTICE IN LEV 18:22 AND 20:13

Although not as imbalanced as their interpretations of other texts, *Journey Two* and *Background Essay* tilt their presentations of the Levitical prohibitions of male-male intercourse in Lev 18:22 and 20:13 in favor of the revisionist position.

THE PRESENTATION IN *JOURNEY TWO*

The Usual Bias in Format and Length

Journey Two discusses these texts in three cycles or segments, each followed by one or more questions (pp. 14-15). Although the first segment gives the traditional and revisionist positions roughly equal attention (8 lines to 7, respectively), it puts the revisionist position in the second or rebuttal position, without refutation. The second segment does take the unusual step of allowing the traditionalist position the rebuttal position but it does so only after allotting three times as much space to the revisionist position (roughly 9 lines to 3 lines). The third and final segment gives equal space to both positions (3 lines each) but once again gives the last word to the revisionist position: “For other interpreters, setting the law [on homosexual relations] aside would nurture responsible sexuality and faithful relationships in the homosexual community, thus contributing to the sexual stability of our society and to its health.”

Fretheim’s and *Journey Two*’s “Good Order” Argument

Not surprisingly, the “Good Order” argument used in *Journey Two*’s discussion of Lev 18:22 and 20:13 bears the imprint of Fretheim’s article on “[The Old Testament and Homosexuality](#)” in *The Lutheran*. If a commandment does not manifest “a basic concern for the life, health, and good order of the community” and “shelter the community from disease, instability, violence, and premature death,” then the commandment can be discarded (*Journey Two*, 15; nearly verbatim quotes from Fretheim’s earlier article).

There is little thought here for structural prerequisites or “creational compatibilities” in sexual unions (sex, number, age, and consanguinity of partners) and, too, for the inability of society generally to establish universal measurable harm for virtually *any* type of consensual sexual relationship. Why can’t some consensual adult incestuous unions contribute to life? And why couldn’t it be argued, despite the monogamy principle incumbent on women in the OT and Jesus’ implicit closing of the polygyny loophole for men in the NT, that it is better to encourage committed polyamorous (multiple-partner) unions among persons not ‘wired’ for monogamy than to have promiscuity as the only alternative? It is not possible to prove that *every* incestuous union, much less *every* sexual union of three or more persons, *always* produces scientifically measurable harm to all participants in all conceivable circumstances.

Journey Two acknowledges that the prohibition of incest “adversely affect[s] good order in the life of the community” and, as such, “cannot be set aside.” Yet it does not tell us *why* it affects society’s “good order.” Presumably, the writer(s) would respond with something like: incest prohibitions keep children from being molested by other family members and relatives. But in that event the issue would be pedophilia, not incest. Why can’t a man marry his mother if his father dies, especially after his mother’s menopause when conception is not a concern? Why can’t two adult siblings marry each other, especially if birth-control precautions are taken?

Apart from some notion of structural prerequisites and the recognition of the problems in attempting to merge sexually with another who is structurally (here along close blood lines) too much of a ‘same’ there is no argument against incest per se. Society must be able to say: Even if some such unions manifest love and long-term stability, they can still be rejected as structurally incompatible relationships.

The same must be said of homoerotic unions, which are predicated on erotic attraction to the distinctive features of one’s own sex—too much ‘sameness’ on the level of gender or sex. Scripture generally and Jesus specifically have a right to establish such structural prerequisites consistent with God’s creation purposes, irrespective of whether ‘harm’ can be documented for each and every case.

There is also *no* evidence to support the conclusion that ecclesiastical and civil endorsement of homosexual unions significantly increases the stability and monogamy of such unions or strengthens the institution of marriage generally.

First, countries that have granted civil-union status or even marriage to male-male and female-female couples have thus far seen only 1-5% of the estimated eligible homosexual population take up contractual obligations.

Second, the granting of such status has not strengthened the institution of marriage in these countries but instead has devalued the institution in the eyes of many heterosexuals, doubling the annual increase in out-of-wedlock births that had existed prior to such a grant.

Third, legal status does not alter the fact that the absence of a gender complement in the sexual pairing of same-sex persons neither moderates the extremes of a given sex nor fills in the gaps of that sex. Even J. Michael Bailey, chair of the psychology department at Northwestern University and someone who both has conducted numerous studies on homosexuality and is thoroughly supportive of homosexual unions, acknowledges:

Because of fundamental differences between men and women, the social organization of gay men's sexuality will always look quite different from that of heterosexual men's. Regardless of marital laws and policies, there will always be fewer gay men who are romantically attached. Gay men will always have many more sex partners than straight people do. Those who are attached will be less sexually monogamous. And although some gay male relationships will be for life, these will be many fewer than among heterosexual couples. (The Man Who Would Be Queen: The Science of Gender-Bending and Transsexualism [Washington, D.C.: Joseph Henry Press, 2003], 101; online: <http://books.nap.edu/books/0309084180/html/>; emphases added).

The gamble or wager by those advocating cultural endorsement of homosexual unions is that institutionalizing homosexual unions will significantly change homosexual unions to conform to heterosexual norms rather than weaken the principles of monogamy and permanence generally. However, this gamble is based on little more than wishful thinking.

When unions are continually sanctioned that, almost invariably, will be either short-term or non-monogamous, or both, the effect on the institution of marriage can only be one of cheapening. In addition, eradicating the significance of sexual bipolarity for mate selection, on which the principle of “twosomes” is based, can hardly strengthen the impulse toward monogamy. And even when homosexual unions are done as well as they can be done, they still regularize the developmental shortcomings of being stimulated by, and seeking to merge with, what one already is as a sexual being: male for male, and female for female.

This ‘disordered’ quality to homosexual unions—attempted merger with a discomplementary sexual same as opposed to re-merger with a complementary sexual other—goes unmentioned in *Journey Two*'s and Fretheim's ‘good order’ argument, as do the all the other problems mentioned above.

Consensual Relationships Not in View?

While *Journey Two* presents revisionist arguments to critique the traditional (i.e. scriptural) position, it rarely gives any critique of revisionist claims, even the most inane.

For example, the claim is cited: “Consensual homosexual relationships do not appear to be in view, [some interpreters] argue.” No rebuttal is given, even though it is obvious that consensual relationships *are* in view, given that: (1) both parties to the act are penalized (Lev 20:13); (2) the penalties for all the other offenses (including incest and adultery, cf. Deut 22:23-27) presume willing participants; (3) even the Middle Assyrian Laws punish only the rapist in a coerced act of male-male intercourse; and (4) the phrase “their blood be upon them” (Lev 20:11-13, 16) suggests a measure of consent for the parties involved. As we have seen, Ezekiel himself alluded to the prohibitions of male-male intercourse in the Holiness Code (or a precursor document) and he did so in a context that stressed that each person would be culpable only for the sin that he deliberately commits: “He has done all these abominations; he shall surely die; his blood be upon himself” (18:10-14).

A Prohibition Limited to Heterosexuals?

Another argument by revisionists mentioned without critique by *Journey Two* is: “All other sexuality laws in Leviticus 18 deal with behaviors on the part of heterosexuals. Is that not also the case in 18:22?” The response to this is, or should be, obvious to the writer(s) of this section of *Journey Two*.

First, none of the sex acts forbidden in Lev 18 depend for their validity on the assumption that participants are lacking in deeply ingrained impulses to disobey the prohibitions. Since when did any prohibition of Scripture hinge on the assumption that believers first lose all innate desires to violate the prohibition in question? Indeed, the greatest Christian triumph comes not when all contrary desires are removed but rather when obedience persists in the face of strong desires to the contrary. That, in a nutshell, is cruciform existence: losing one's life, taking up one's cross, denying oneself, and following Christ.

Second, modern scientific study recognizes that *all* behavior, good and bad, is the product, at some level, of biological causation factors. Even non-theologians know that there is no intrinsic link between biological causation and morality. A recent article on the genetics of sexual orientation, written by two "essentialist," pro-homosex scientists, Brian Mustanski and J. Michael Bailey, concedes:

Despite common assertions to the contrary, evidence for biological causation does not have clear moral, legal, or policy consequences. . . . No clear conclusions about the morality of a behavior can be made from the mere fact of biological causation, because all behavior is biologically caused. ("A therapist's guide to the genetics of human sexual orientation," *Sexual and Relationship Therapy* 18:4 [Nov. 2003], 432)

There are such things, for example, as an exclusive 'pedosexual' (i.e. pedophilic) orientation and an exclusive 'polysexual' (i.e. polyamorous) orientation. Given these realities it would be absurd to argue that the existence of deeply engrained and intense sexual impulses validates the behaviors stimulated by such impulses. This is true even when, as in the case of 'threesomes', the partners are consenting adults committed to each other.

Third, the fact that there may be some indirect congenital or biological influence on homosexuality does not reduce persons with such desires to moral robots. A person may not have asked to feel a given way, but that person is responsible for what he or she does with such feelings. Christian faith does not operate on a model of biological determinism. It operates on the model of a new creation in Christ, in which sinful, biologically related urges are, and are to be, put to death. Christ, not any biological predisposition, remains Lord.

Fourth, the impulse to have intercourse with persons of the same sex is incompatible with embodied existence as created and designed by God. The fact that some persons experience desires to engage in structurally incompatible sexual mergers does not alter the fact that the mergers are structurally incompatible. Some desires are at odds with the way that God has made us. This is certainly true of homoerotic passions since "male and female he made them" (Gen 1:27). Maleness and femaleness each exist in structural complementarity and open-endedness to the other sex, not to itself. Obviously a male has his sexual complement in a female, and a female in a male.

When, for instance, a man desires to mate with another male, he still brings to the table, so to speak, his essential maleness, even if he manifests certain gender-nonconforming traits. Like a child desiring to fit together two similarly shaped puzzle pieces, he attempts to merge with another whose sexual essence is similar to his own. Rather than recognize that, on the level of sexual merger, his maleness is complete from the standpoint of essential maleness but incomplete as regards the existence of essential femaleness, he falsely acts as though his maleness is incomplete from the standpoint of essential maleness but complete as regards essential femaleness. He deludes himself into thinking that another male, instead of a female, is his sexual other-half or complement. Yet only essential femaleness brings to interlocking completion male sexuality. A male and a female are each only one half of a holistic sexual duality, a point well illustrated by the physical and physiological complementarity of male-female intercourse.

Again, one may cite the analogy of prohibiting polyamorous unions. The fact that two and only two persons can, at a given moment in time, have potentially procreative intercourse illustrates well the point that a sexual union is structurally complete when it comprises two and only two persons. Third parties are neither needed nor to be desired. A sexual union of two persons is a naturally self-contained unit. However, it is not just any two persons who bring together such a unit. A male and a female are required.

Consequently, there is no nature argument against polysexuality that is not, at the same time, a nature argument against homosexuality. To assert that 'polyfidelity' is precluded by the fact that humans can only fully love one person at one time is false. Any parent who has more than one child knows that it is possible to love fully more than one child at the same time. An interdiction of polyfidelity can only be grounded adequately on the binary character of sexual differentiation.

A Valid Comparison with Menstrual Law?

Journey Two twice cites the law prohibiting intercourse with a woman during her menstrual period (Lev 18:19; 20:18) as a possibly comparable instance for dismissing a Levitical sex law, along with “laws regarding agriculture and clothing, e.g., Leviticus 19:19.”

In a rare instance of fairness in its handling of OT texts, *Journey Two* actually provides a (single) counterargument to a revisionist position: “However, interpreters agree that most sexuality laws continue to be applicable to Christians, including those regarding incest, adultery, and bestiality” (p. 15). This is a good start but it should have been followed up with other points. As regards the law prohibiting intercourse with a menstruating woman:

(1) Even the framers of the Holiness Code regarded such intercourse as a second-order severe offense, one not requiring immediate civil action (20:18).

(2) Elsewhere in Leviticus, outside the Holiness Code, the only ‘penalty’ mentioned for sex with a menstruating woman is that the man is put in a state of ritual uncleanness for seven days (15:24). In fact, of all the sexual transgressions cited in Lev 18 and 20, sex with a menstruating woman is the only one that overlaps with permitted ritual impurities in the Priestly Source (P). Also speaking to the issue of ritual purity is the fact that the main issue is the interaction of fluids (menstrual blood and semen) and not the legitimacy of the sexual union per se (as with adultery, same-sex intercourse, incest, and bestiality).

(3) Other than in Ezek 18:6; 22:10, we hear not a word elsewhere in the Old Testament about the problem of sex with a menstruating woman.

(4) There is no clear carry-over of this proscription into the New Testament canon. The closest one comes is the Apostolic Decree where abstention from blood is at least distinguished from abstention from *porneia* (Acts 15:20, 29; 21:25).

Points (1) through (4) above suggest that this particular proscription is not a canonical core value, particularly as regards the movement from old covenant to new. The next two points speak to additional problems with carrying over this proscription into a contemporary context.

(5) Sex with a menstruating woman does not carry quite the same “unnatural” quality of having sex with one’s parents, someone of the same sex, or an animal. It happens inadvertently, in the course of normal sexual activity. Finally, (6) the social-scientific case for avoiding incest, bestiality, adultery, and same-sex intercourse is a world away from the evidence for abstention from sex during menstruation. For further discussion of these points, see [Gagnon, “Are There Universally Valid Sex Precepts?” 100-103](#).

An Analogy with Mixing Cloth?

As regards any alleged analogy between the Levitical prohibition of male-male intercourse and the Levitical prohibition against cloth mixtures:

(1) There is no comparison between the two so far as severity of the offense is concerned. The penalty for wearing a garment made of two different fabrics was probably just the destruction of the fabric (see Deut 22:9-11). Homosexual practice, however, was grouped in Lev 20 with such severe offenses as adultery, the worst forms of incest, and bestiality.

(2) Whereas the prohibition of male homosexual practice was absolute, no exceptions, the prohibition of cloth mixtures was not. Mixtures of linen and wool were enjoined for some Tabernacle cloths, parts of the priestly wardrobe, and the tassel of the laity. The reason for the prohibitions appears to be that mixtures symbolized penetration into the divine realm (so Jacob Milgrom). This does not mean, however, that all mixing has a sacral quality, for not even priests are permitted to engage in bestiality; nor that all mixing is forbidden, for *heterosexual* intercourse requires a greater degree of mixing than *homosexual* intercourse.

(3) The prohibition of cloth mixtures in Lev 19:19 and some other prohibitions in the chapter (notably the laws in 19:27-28), are not taken up in the New Testament. Their temporal limitations are self-evident, possessing as they do a largely symbolic character. Incest, adultery, same-sex intercourse, and bestiality perhaps have a negative symbolic value. Yet their wrongness is hardly exhausted by viewing them as symbols.

Other Arguments in *Journey Two*

Journey Two also mentions the fact that “capital punishment for homosexual behavior (20:13) no longer appl[ies]” and that even some New Testament laws, “e.g., remarriage of divorced people, Mark 10:11-12,” are now regarded as obsolete.

On capital punishment: There is also a capital sentence pronounced in Lev 20 for adultery, sex with one's mother (-in-law) and daughter (in-law), and bestiality. Yet no one in the church argues with a straight face that this makes the prohibition of such conduct totally irrelevant. Israel operated in a theocracy. The Christian church does not, yet it takes cues regarding the seriousness of certain behavior from the penalties applied in the Mosaic law. As we noted above, the story of Jesus' dealings with the woman caught in adultery (John 7:53-8:11) shows Jesus doing away with the capital sentence because such punishment forecloses the possibility of repentance. And the latter is necessary because there is a fate "worse" than capital punishment at stake here: exclusion from God's kingdom.

As for today's *allowance of divorce and remarriage*, it is not accurate to speak of the obsolescence of Jesus' pronouncement. Certainly as regards ordained clergy, the church continues to take a dim view of candidates for ordination who have been divorced and remarried more than once, much less candidates who declare divorce-and-remarriage to be a good thing that one intends to repeat over and over again in the course of life. What sense does it make, then, to propose, by alleged analogy, the ordination of persons who are currently engaged in homosexual activity, who declare such activity to be a good thing, and who plan on continuing such activity throughout the course of life? Where is the repentance? Where is the reformed mind?

THE NEED TO SPELL OUT REASONS FOR ENDURING RELEVANCE

There are at least seven reasons why the prohibition of male (and implicitly female) homosexual practice in Lev 18:22 and 20:13 has to be taken seriously today.

1. As we have seen, it is *part of a broader, interconnected Old Testament witness*. This is not an isolated law. There is no case anywhere in the Old Testament for accepting homosexual relations, of any sort; nor, apart from some isolated instances of disobedience in Israel, is there any case for positing something other than revulsion for homosexual relations in ancient Israel.
2. The prohibition is *grouped with other relevant sex proscriptions* (incest, adultery, bestiality) that we still abide by today.
3. It is *treated as a first-tier sexual offense* both in Lev 20:10-16 and, by implication, elsewhere in the Old Testament (the creation stories, Ham's offense, Sodom's and Gibeah's offense, the offense of the *qedeshim*). Engaging in male-male intercourse is not treated as a matter of minor import in the Old Testament but rather as a severe infraction of God's will for human sexual relations.
4. Also speaking to the seriousness of the prohibition is *the absolute character of the prohibition*: like the prohibitions of various forms of incest, there are no exceptions for allegedly non-exploitative forms.
5. The prohibition *bears the marks of a moral purity issue*, not merely a ritual purity matter. Unlike ritual impurity matters (e.g., corpse impurity, genital discharges, scale disease), moral impurity matters such as the prohibitions of incest, adultery, male-male intercourse, and bestiality (a) are not contagious through physical contact, (b) are not rectified by ritual bathing, and (c) treat only intentional acts. See, further, Jonathan Klawans, *Impurity and Sin in Ancient Judaism* (Oxford University Press, 2000), 22-34, 41-42.
6. *The reason for the proscription of male-male intercourse—making another male a man's sexual counterpart, putting a male in the category of a woman so far as sexual intercourse is concerned—leads us back to a foundational creation/nature model*. Like the prohibition of bestiality, the prohibition of male-male intercourse speaks to the issue of mixing and confusing creation boundaries—though not in a wooden or unreflective way since the former (human-animal) involves an inappropriate merger between extreme 'unlikes' and the latter (male-male) an inappropriate merger between extreme 'likes.'
7. *The prohibition is clearly picked up in the New Testament*. The term *arsenokoitai* ("men who lie with a male") in 1 Cor 6:9 is formulated from the Septuagint (Greek OT) translation of Lev 18:22 and 20:13, which refers to not 'lying' (*koite*) with a 'male' (*arsen*) (note: the same point can be made for Rabbinic term *mishkav zakur*, "lying with a male"). Paul's critique of homosexual relations in Rom 1:24-27 also echoes Lev 18 and 20 by using two terms that appear in Septuagint translation of these chapters: *akatharsia* ("uncleanness, impurity" in Rom 1:24 and Lev 18:19; 20:21, 25) and *aschemosune* ("indecent exposure" in Rom 1:27 and twenty-four times

in Lev 18:6-19; 20:11, 17-21. Like Paul's discussion of incest in 1 Cor 5, it is absurd to argue that Paul's indictment of homosexual relations did not have the Levitical prohibitions at least partly in view.

Had all seven of these arguments been put forward in the discussion of the Levitical prohibitions of male-male intercourse, the case for their ongoing relevance would have been sealed. As it was, whoever on the Task Force had a hand in this section cited only points 2 and (partially) point 6, even though all seven points can be deduced from my discussion of the Levitical prohibitions in *The Bible and Homosexual Practice*, 111-46.

ARGUMENTS PUT FORWARD BY *BACKGROUND ESSAY*

Offering Readers an Unchallenged Misogyny Argument and Orientation Argument

Background Essay lists six approaches to the Levitical prohibitions. Hultgren & Taylor rightly criticize the first three approaches on their list, all of which aim to circumvent the biblical witness: (1) "The laws deal with cultic prostitution and are therefore not relevant"; (2) "The laws deal with the critical issue of procreation in the life of ancient Israel, but that issue is no longer a factor" (see my qualification of this point in *The Bible and Homosexual Practice*, 132-34); and (3) "The laws deal with Israel's purity concerns and are therefore not relevant" (pp. 6-7). They also give a mild, perhaps half-hearted, critique to a sixth approach: "The laws deal with 'abnormal' sexual behavior in the eyes of the ancient Israelites, but that does not settle the matter subsequently" (pp. 8-9).

In each instance, their arguments against the approach in question could have been strengthened significantly. However, since *Background Essay* does not show clear support for these approaches, and I do not support them, there is no point in me adding to what I have already said above or elsewhere (cf. *The Bible and Homosexual Practice*, 113-22, 129-34; and *Homosexuality and the Bible*, 63-68, with [online notes](#) 38-58).

The remaining two approaches proposed by Hultgren & Taylor (4 and 5) both acknowledge that "the laws deal with Israel's understanding of creation" (pp. 7-8). However the fourth approach states that this understanding makes the laws "relevant" while the fifth approach states, "that understanding [of creation] need not be normative today." Which approach of the two does *Background Essay* adopt? Given the trend everywhere else in the essay it is not surprising that the latter of the two approaches gets virtually no criticism.

As regards the former (i.e. the fourth) approach—"The laws deal with Israel's understanding of creation and are therefore relevant"—for which they cite my work, *Background Essay* adds a "counter" espoused by Martti Nissinen and Bernadette Brooten; namely, that "the issue is one of gender roles" and a desire to preserve "male dominance over women" (p. 8). In other words, Israel's understanding of creation here is so imbued with misogynistic (women-hating) tendencies that it cannot be relied upon today. Hultgren & Taylor offer not a single rebuttal to this "counter." It simply stands as the last word on the fourth approach.

When Hultgren & Taylor present the fifth approach—"Although the laws deal with Israel's understanding of creation, that understanding need not be normative today"—that the understanding of creation in these laws "need not be normative today," they offer no "counter" whatsoever:

According to this view, the complementarity of male and female that is assumed in the laws of Leviticus, based primarily on human anatomy . . . does not do justice to what is known about human sexuality in modern times. The concepts of sexual orientation, heterosexuality, and homosexuality were unknown to biblical writers. In current understanding, however, it is widely recognized that a person's genitalia are only part of one's sexual make-up; therefore the "anatomical complementarity" that seems so obvious is not the primary clue to any one person's sexual orientation, even if it is for most persons. One's self-understanding as a sexual being is more a matter of the mind than it is of physiological appearances. Accordingly, to absolutize Israel's understanding of creation in matters of human sexuality and to refuse to consider newer understandings of human sexuality (such as the concept of sexual orientation) is to deny the God-given powers of reason, observation, and experience. As Luke Timothy Johnson has phrased it: "For many persons the acceptance of their homosexuality is an acceptance of creation as it applies to them." Since the refusal to consider newer

understandings is not done in other areas of human inquiry and understanding, the argument goes, it should not be done here either.

Can this way of thinking be accepted? *If so*, other issues arise. . . . (emphasis added; p. 8)

There follows some questions about what the implications of such an approach might be for biblical authority and how one might discern what is still normative in Scripture today. But there is no “counter” to this approach as a whole. Readers encounter only a conceding “if so” response to the question “Can this way of thinking be accepted?” So while Hultgren & Taylor (here chiefly Hultgren) do not explicitly say, “We prefer this approach to the approach that says the understanding of creation in these laws gives them continuing relevance,” the way in which they discuss the two approaches strongly conveys such an impression to readers.

The truth is that both the unchallenged “counter” to accepting the laws against male-male intercourse and the unchallenged affirmation of the irrelevance of such laws are convoluted.

Against the Misogyny Argument

It is at best reductionistic to surmise misogyny (women-hating) as the sole or even main reason for the Levitical prohibition of a man “lying with a male as lying with a woman.” There are at least six reasons why the misogyny argument misrepresents the witness of the Levitical prohibitions of male-male intercourse.

First, asserting that concerns for maintaining male dominance constitute the main reason for the categorical rejection of homoerotic behavior by the Levitical Holiness Code is *like arguing that its main complaint with incest and bestiality has to do with status issues*. It completely ignores concerns for structural congruence and compatibility, avoiding too much likeness (having sex with “the flesh of one’s flesh,” 18:6) and unlikeness (human-animal sexual contact, expressly labeled as an appalling “mixture”).

For example, as regards the incest laws, Lev 18:10 forbids a man to have sexual relations with his granddaughters. Why? The text tells us simply: “for they are (i.e. their nakedness is) your nakedness,” that is, they are structural sames to yourself. If the sex laws in Leviticus 18 and 20 were merely concerned about maintaining status differentiations, then we would expect the text to say that the *pater familias* (the father or head of the extended family) had a right to such intercourse, since in having sex with them he would be exhibiting his dominance.

With respect to the prohibition of bestiality, if the only issue were establishing higher status, we might expect the laws to permit males at least to penetrate animals since penetration is a sign of dominance over the one penetrated.

Second, I argued above that it is improper to use *the prohibition of wearing clothes made of different materials* as a justification for disregarding the prohibition of male-male intercourse—and the same could be said about *the prohibitions of breeding across species or sowing with two different kinds of seed* (19:19). Even so, these prohibitions surely *speak more for concerns regarding structural compatibility than for concerns regarding dominance and status*. Something similar can be said about the laws against having intercourse with a menstruating woman (18:19; 20:18): they have to do with not mixing a medium and symbol of life (semen) with a medium and symbol of death (menstrual blood) and with respecting the time that nature had given for a woman’s body to be replenished before a new procreative cycle. There is no motif of dominance here.

Third, *if ancient Israel’s laws against male-male intercourse had been directly and primarily motivated by a disgust for women as inferior beings, then ancient Israel would have had the most misogynistic culture in the ancient Near East*, since it exhibited the greatest opposition to male-male intercourse. But the absurdity of this corollary suggests that the motivation for the prohibitions in Lev 18:22 and 20:13 was something other or more than misogyny.

Elsewhere in the Old Testament one meets women who play significant roles in Israel’s salvation history; for example, Miriam, Tamar, Rahab, the prophetess and “judge” Deborah, Jael, Ruth, the prophetess Huldah, and Esther. Occasionally an inequitable old law is revised to provide greater parity between men and women, as with the law governing the release of slaves (cf. Exodus 21:2-11 with

Deuteronomy 15:12-18). Feminine metaphors are occasionally applied to Yahweh in his dealings with Israel (e.g., Num 11:12; Deut 32:11, 18; Ps 22:9-10; Isa 42:14; 49:14-15; 66:13).

Given these women-affirming messages, albeit within a broad patriarchal context, it would appear to be a gross misrepresentation of the witness of Scripture to argue that ancient Israel's passionate opposition to homosexual practice derived essentially from an unparalleled drive to keep women down.

Fourth, *of particular import is Genesis 1-3*. As already noted, the creation story in Genesis 2:4b-3:24 enconces male-female differentiation in pre-Fall structures as the one most essential ingredient for (re)integrating sexual halves into a sexual whole (2:18-24), while *relegating a husband's rule over his wife to the Fall* (3:16). The implication here is that gender differentiation cannot be collapsed into gender stratification. The former is prior (in creation, before the Fall) and thus has priority. In other words, sexual differentiation and its implications for sexual pairing antedate the effects of human sin; a husband's authority over his wife does not.

Likewise, Genesis 1:26-28 stresses male-female compatibility, not male dominance. Male and female combined express God's image and both are called on to manage God's creation. The issue here as regards the creation of humans "male and female" is, like everywhere else in Genesis 1, more about creation "according to kind" than about dominance (vv. 11-12, 21, 24-25).

Fifth, had the prime concern motivating Lev 18:22 and 20:13 been the desire to preserve male dominance over women, *we would expect the legislators of the Holiness Code to have made subversion of male hierarchy punishable by death, not just the "symptom" of homosexual intercourse*.

Sixth, developments in the ancient Near East and in ancient Greece and Rome show various ways in which intense misogyny and strong support for male homosexual practice could readily coexist. Indeed, *in the ancient world greater rights for women tended to go hand in hand with greater opposition to male homosexual practice*, since arguments for the superiority of male-male love over male-female love were largely based on an ideology of female inferiority.

Why does *Background Essay* not mention a single one of the arguments given above for rebutting the misogyny theory of Nissinen and Brooten, when the case against it is so strong? This is just one more instance of why ELCA churches cannot rely upon *Background Essay* for a fair or competent presentation of the evidence. It is precisely because of the strong case against the misogyny argument as an interpretive lens for the Levitical prohibitions that I drew the following conclusion in *The Bible and Homosexual Practice*:

At issue was not so much status differentiation as sexual differentiation. Males were created by God, anatomically and otherwise, for pairing with an "other," not a "like," of the same species. The thinking of the legislators of the Holiness Code was apparently not "Men should not take on the role of women in sexual intercourse because women are inferior beings" but rather "Men should not take on the role of women in sexual intercourse because God created distinct sexes, designed them for sexual pairing, and did so for a reason." While status inversion and gender inversion are related concepts, they are not identical. The latter, if not the former, is the main concern behind the Levitical laws. (p. 142)

Against the Orientation Argument

Hultgren & Taylor present, without rebuttal, the approach that says that new knowledge about sexual orientation allows us to disregard Israel's understanding of structural complementarity of males and females. I have already dealt with some of the flaws of this argument in the subsection above entitled "Limited to heterosexuals?" Here I recap some of those points and add others, forming five counterarguments—none of which are noted in *Background Essay*.

First, as we shall see when we comment more fully on Paul's view of homosexual practice, *it is simply not true that no one in the ancient world had any notion of an exclusive attraction to persons of the same sex or of congenital influences on such attraction*. That Hultgren & Taylor could make such a statement when work done by myself, Bernadette Brooten, and William Schoedel (the last two supportive of committed homosexual unions) had already shown that such notions did exist raises serious questions about the care with which *Background Essay* was produced.

To be sure, ideas regarding something akin to a sexual orientation appear for the most part in works of the Greek and Roman periods rather than prior in the ancient Near East when the Levitical Holiness Code would have taken shape. Nevertheless, if such notions made little difference to Paul's perspective on homosexual practice—an individual for whom grace was central—then the very same notions could hardly have made a difference for the writers of Leviticus 18 and 20.

Moreover, we do know that *Mesopotamian sources* regarded figures comparable to the *qedeshim* in the Old Testament (i.e. male cult functionaries who could serve as feminized passive partners in male-male intercourse) as persons *both* who had been transformed into “men-women” by the goddess Inanna or Ishtar *and* whose actions were held in great disdain (*The Bible and Homosexual Practice*, 49). While not a ‘scientific’ view, it nonetheless *demonstrates the obvious point that people in the ancient Near East could regard as wrong or repugnant even behavior that arose from impulses over which the perpetrator of the behavior had little or no choice in feeling.*

Second, *Background Essay* misrepresents my views and distorts the issue at hand when it cites my work as focusing merely on an argument of “anatomical complementarity” (viz., the complementary shape of the sex organs male-to-female) and then contrasts this approach with an allegedly more holistic approach that takes into account the mind (p. 8).

When I talk about the main motivation behind the laws against male-male intercourse I do so under the rubric of “gender discomplementarity” and specifically state: “Gender complementarity between male and female is expressed not only in basic sexual anatomy but also in a more holistic sense, as suggested by the Yahwist’s depiction of woman’s creation out of man’s ‘rib’” (which, incidentally, I would now read more broadly as “side”; *The Bible and Homosexual Practice*, 135-39).

When one understands that the anatomical discomplementarity of male-male intercourse is conceived as merely part of, and emblematic of, a broader discomplementarity of sex or gender, then it becomes much more difficult to dismiss the point as treating only superficial matters. Background Essay says, under the guise of representing one approach (without challenge): “In current understanding, however, it is widely recognized that a person’s genitalia are only part of one’s sexual make-up” (ibid.). To this I would respond: So too in the ancient world.

Third, *Background Essay* adds: “One’s self-understanding as a sexual being is more a matter of the mind than it is of physiological appearances” (ibid.). To this I would respond: *One’s “self-understanding” does not change the reality of the structural features of embodied existence*—including chromosomal structures, the dominant male character of male brains and the dominant female character of female brains, and the significantly higher levels of testosterone in males than in females.

We know today, for example, that even highly effeminate male homosexuals still tend to act like males as regards sexual stimulation patterns: more visually stimulated, more genitally focused, less given to monogamous patterns of behavior, and more inclined toward risky sexual practices than are females generally. This helps to explain why male homosexual practice is characterized by a much higher rate of numbers of sex partners lifetime than not only heterosexual practice but also female homosexual practice.

If a human thinks that s/he is a duck, that doesn’t make her or his embodied existence that of a duck. *And if a man thinks that his sexual counterpart is another male, or a female another female, that does not make it so.* An ‘orientation’ toward a problem behavior—here being sexually aroused by the distinctiveness of one’s own sex and thinking that a person of one’s own sex can complete oneself sexually—doesn’t make the behavior less problematic but only more intractable.

Fourth, *to attribute a sexual impulse to God’s creative activity simply because it may be linked to a predisposition and may be judged difficult to resist is to commit a logical and theological fallacy of monumental proportions.*

Most intractable sexual urges, like most innate impulses generally, are sinful—even many whose congenital character is beyond dispute. It is manifestly absurd to give equal, let alone greater, heuristic weight for discerning God’s will in creation and nature to the existence of innate impulses and mental self-images than to obviously complementary embodied structures of maleness and femaleness.

Imagine someone making the following observation: “For many persons the acceptance of their pedosexuality (i.e. pedophilia) is an acceptance of creation as it applies to them. The concept of a pedosexual orientation was unknown to biblical writers. We should be open to newer understandings,

including some recent APA studies that acknowledge that some adult-child sex appears to produce no long-term measurable harm.”

Or, now that we are aware that some people (in fact, most men) are hardwired for polysexuality (i.e. an inclination to have sex with more than one person) and find monogamy difficult, should we now repeal Jesus’ closing of the polygyny loophole that Moses had permitted men? And if we find that preposterous then why is the church seeking to make optional an other-sex prerequisite on which the ‘twoness’ of sexual unions is based?

Fifth, had Hultgren & Taylor read the whole of *The Bible and Homosexual Practice* they would have seen that *there was no refusal “to consider newer understandings of human sexuality” and no ignoring of scientific evidence.* On the contrary, such evidence was carefully assessed and at a much greater depth than the authors of *Journey Two* and *Background Essay* display.

Rather, in the light of Scripture, a study of the ancient world, and modern scientific evidence, the following four points can be made. (1) Sexual ‘orientation’ is not like ethnicity or sex (i.e., it is not 100% inheritable and culturally immutable and, of course, it leads to patterns of behavior that show increased risk of harm). (2) The concept of exclusive attraction for members of the same sex originating in a combination of congenital influences and early socialization was already known in the ancient world at some level. (3) The Bible’s witness against homosexual practice is predicated on a more holistic and secure understanding of embodied sexuality than modern pro-homosex fascination with the direction of one’s sexual desire at a given stage in a person’s life. Thus (4) *knowledge of a ‘homosexual orientation’ would neither have constituted radically new information for the authors of Scripture nor would it have made a difference to their overall indictment of persons aroused by what they already have and are as sexual beings.*

Can Christians Use Leviticus 18:22 and 20:13 in Formulating Ethics?

In “Other arguments in *Journey Two*” we saw how Christian disuse of capital sentences for sex offenses did not signify the ethical irrelevance of Levitical laws against incest, adultery, and bestiality. Hultgren & Taylor do not raise this point when they close their discussion on the Levitical laws by asking: “Can Christians use passages from Leviticus in developing ethical positions today?” (p. 9). However, they do rightly note that Christians cannot simply dismiss Levitical laws as having no relevance even as guidelines for Christian conduct.

Unfortunately, Hultgren & Taylor cite only one criterion for discerning whether the laws against male-male intercourse have continuing relevance for Christian morality: reuse in the New Testament (compare the seven criteria that I cite above under “The Need to Spell Out Reasons for Enduring Relevance”). To make matters worse, their last word on the matter reflects the negative stance on the Levitical witness that appears elsewhere in their discussion: While some interpreters see such reuse in the New Testament, “other interpreters have concluded that while the New Testament prohibits certain kinds of same-gender sexual behavior, it is silent on others” (p. 9).

Certainly some interpreters have argued this. But the grounds for doing so are insubstantial.

First, as we have noted (see point 7 under “Reasons for Enduring Relevance”) *both Rom 1:24-27 and 1 Cor 6:9 clearly echo the Levitical prohibitions, indicating that the New Testament authors adopt the absolute stance of those prohibitions.* Indeed, all the extant evidence from the early Judaism indicates that Jews universally both understood and appropriated the Levitical prohibitions in the same absolute light (see, for example, Josephus, Philo, and rabbinic texts; *The Bible and Homosexual Practice*, ch. 2 on the witness of early Judaism).

That the early Christian community did so as well is confirmed by the requirement that Gentiles abstain from “sexual immorality” (*porneia*), found in the “Apostolic Decree” of Acts 15 (see above under “Where’s Jesus”). This requirement clearly harks back to the sex laws in Lev 18 (other elements of the Decree can be traced to Lev 17) and undoubtedly included at the forefront, as with developing Noahide laws in early Judaism, a prohibition of male-male intercourse.

Second, we have also shown above (“Ignoring the Intertextual echoes to the Creation Texts”) that *Rom 1:23-27 and 1 Cor 6:9 contain clear intertextual echoes to Gen 1:26-27 and 2:24 respectively.* If homosexual practice is being contrasted unfavorably with God’s design for male-female pairing at creation then obviously there isn’t any form of male-male or female-female intercourse that would have been acceptable for Paul. We noted that *Background Essay* fails even to discuss the contention of intertextual

echoes to Gen 1:26-27 in Rom 1:23-27, found in *The Bible and Homosexual Practice*, 289-92. And we showed how the attempt in *Background Essay* to dismiss the link between “men who lie with a male” in 1 Cor 6:9 and the citation of Gen 2:24b in 1 Cor 6:16 fails on at least three counts.

Third, we shall also see other arguments for the fact that Paul was not limiting his indictment of homosexual practice, including:

- The absolute wording of Rom 1:24-27
- The mention of mutual gratification in Rom 1:27
- The parallelism between the creation argument in 1:19-23 and the nature argument in 1:24-27, which combined allude to the revelatory value of the material structures of creation
- The mention of lesbian sex in Rom 1:26, sexual activity that was not normally conducted in the context of prostitution, cultic activity, or adult-adolescent relationships
- The fact that the conception of non-exploitative homosexual unions was well known in the Greco-Roman world and yet still made little difference to critics of such unions.

The notion that Paul would have found loving and committed adult homosexual unions to be acceptable is as absurd as contending that Paul would have approved of the case of man-stepmother incest in 1 Cor 5 if it had been a committed relationship.

MORE TO COME, if time permits, ON:

- Romans 1:24-27
- 1 Corinthians 6:9; 1 Timothy 1:10
- More critique of the three main arguments for discounting the biblical witness against homosexual practice: the exploitation argument, the orientation argument, and the misogyny argument
- The use of analogies
- The socio-scientific evidence
- Other errors of *Journey Two*