

Rev Dr Keith Mascord is a Canadian-born Australian. He has been a teacher, a priest, an academic, a chaplain and a parole officer. For 15 years, he taught philosophy and pastoral ministry at the Anglican Seminary in Sydney. In 2007, he wrote an Open Letter calling for reform in the Anglican Diocese of Sydney, which received widespread support. Mascord is married to Judy. They have five sons and two grandsons. He is interested in philosophy and hermeneutics. He loves to body surf and play touch rugby, and to meet over coffee with family and friends.

Blog article

December 3, 2012 <http://arestlessfaith.com.au/blog/homosexuality-the-ot-and-today/>

Homosexuality, the OT and Today

I would like, in this and next week's sermon, to speak about the highly fraught subject of homosexuality. Necessarily, I will need to be selective and brief, because of the obvious time constraints, although I am somewhat helped by the fact that the Bible doesn't say that much about homosexuality, hardly anything at all, in fact. [1]

That makes my task a little easier, though the topic is huge. In this sermon, I want to look at the Jewish Scriptures (known to Christians as the Old Testament); and next week I will consider some verses from the New Testament.

I will concentrate today, almost exclusively, on two verses from the OT book of Leviticus, not a book that we read in church that often, but an important book for our purposes because it contains two seemingly unambiguous verses prohibiting sex between a man and another man.

The first is Leviticus 18:22:

'You shall not lie with a male as with a woman; it is an abomination', (NRSV)

The second is Leviticus 20:13:

'If a man lies with a male as with a woman, both of them have committed an abomination; they shall be put to death; their blood is upon them.'

Those are two pretty straightforward verses - as clear a prohibition of homosexual practice as anywhere in all the Scriptures, and, arguably, the basis for later prohibitions.

And just in case we haven't quite got the seriousness of this prohibition, Leviticus 20 treats this as a capital offence requiring the death penalty. Both verses describe this activity as 'an abomination,' which is a strong word of disapproval, the root meaning of which is 'to abhor' or 'to detest.'

What do we make of these verses? What should do with them in a world that is fast coming to accept homosexual practice as acceptable - to the point that Barack Obama can winningly come out in favour of same-sex marriage - a seemingly risky thing to do in a place like the US, but most pundits agree it contributed significantly to his re-election.

What do we do with these verses?

One approach is to say, 'Well too bad that society has gone a different way on this. It has always been the way. In fact, these prohibitions were articulated in a context where

homosexual practice was widely accepted - and God said NO.' We have no room to move on this.

It may be that at the end of these two sermons we come to that same conclusion. There is a lot going for this approach - and a lot at stake in going a different way.

These words purport to be the very words of God - spoken in the immediate aftermath of God's rescue of the people of Israel from Egypt. They are still within sight of Sinai - being given instructions about what sort of nation they will be - with God himself the sole legislator of what they will do & who they will be.

There is to be no sex between males. It is an abomination.

There doesn't seem to be much room to move on this one - which goes a long way to explaining the vehemence of opposition to any watering down of these verses, any attempt to side-step their implications. And this is not just a matter of sex for many Christians, including Archbishop Peter, who sees this as primarily an issue of authority; an important test-case for whether we believe and submit to the Bible as the supreme authority in matters of faith and life.

Do we have any room to move on this as Christians? Maybe!

Some have argued that these verses from Leviticus - although they seem so absolute on first reading - are set in a context of all sorts of laws we no longer adhere to as Christians. There are laws about not eating pork. We eat pork. There are laws about not mixing linen and wool in the garments we make. We mix all sorts of fabrics together. There are laws about not eating sea creatures that don't have fins or scales - prawns, for example. We eat prawns.

There are all sorts of ceremonial laws - food laws and purity laws - which we no longer observe, despite the fact that in Leviticus and elsewhere in the Old Testament these activities are considered 'an abomination'[2] - that word again!

And so it is not quite so simple as to say, 'God says it' or 'the Bible says it', therefore we must do it, or not do it.'

There are those who seek to get around these prohibitions by arguing that we Christians are no longer under law, but under grace - and therefore we don't have to take notice of any of these laws.

That's not such a good move. As we are about to see, included among these laws from Leviticus are laws against adultery, against incest, against child sacrifice and bestiality. I don't know too many people who think we should set these aside, or that these laws don't have continuing purchase; certainly the principles that underlie them do!

One of the disappointing things about this debate - occurring within society and church - is that people run too quickly to solutions that are possible, but in some cases far-fetched - and unhelpful. We all have to do the hard work - not just of listening to each other, but also to texts like these two from Leviticus.

So let's now have a go at doing that ... listening a little more closely to these texts.[3]

First of all, what do the verses themselves mean? Or, more specifically, what are they likely to have meant when first written down and included in this book of Leviticus? Leviticus 18:22

says, 'You shall not lie with a male as with a woman; it is an abomination', (NRSV). More literally still, the verse reads 'And with (or at) a male you shall not lie the lyings of a woman: it is abhorrent.'

The choice of Hebrew words suggests something that is done to a person or at a person; not so much 'with' as 'at' - something you might do to someone. There is no hint of this being an expression of love or intimacy or mutuality.

This is an action - essentially penetrative sex. The word 'to lie with' has the same connotation as it has for us. It means having sex - and sex in the ancient world was generally understood as intercourse.

The writer could have written 'a male shouldn't lie with a male - full stop'; but he added 'with the lyings of a woman'[4] probably to make it crystal clear that what is on view here is a male having sex with a male in the same manner as he would have sex with a woman; though with an obvious anatomical variation involved.

Leviticus 20 verse 13 specifies penalties, not just for the active partner in such behaviour, but the passive or receptive partner as well.[5] Both are to be put to death.

Why so? Well the context provides a number of clues.

Chapter 18 begins with a note of promise and exhortations to obedience and to the exclusive worship of Yahweh - and ends with a threat of curse and exile should the people make themselves impure by engaging in practices such as male to male intercourse.

In the middle of the chapter is a list of prohibited actions all of which are described as abhorrent or as an abomination at the end of the chapter. Those prohibited actions are:

- having sex with one's next of kin (verses 7-18);
- having sex with one's wife when she is menstruating (verse 19);
- having sex with one's neighbour's wife (verse 20);
- having sex with a male (Verse 22);
- having sex with an animal (verse 23).

Chapter 20 also contains a list of prohibited actions. They are not all about sex, but we will restrict ourselves to those. The list is a little longer and more detailed. Prohibited actions include:

- a man having sex with his neighbour's wife (verse 10);
- a man having sex with his father's wife (verse 11);
- a man having sex with his daughter-in-law (verse 12);
- a man having sex with a man (verse 13);
- a man having sex with a mother and her daughter (verse 14);
- a man having sex with an animal (verse 15);
- a woman having sex with an animal (verse 16).

There are a few things to notice from these lists. You might notice that almost all the prohibitions are addressed to men - reflecting the patriarchal nature of the society into which these instructions were given. These are addressed mostly to those understood to be the likely initiators - the ones with the overwhelming power and responsibility in relationships of these sorts.

You may have noticed that women are not prohibited from having sex with each other. Maybe that is significant; maybe not. Possibly those actions weren't considered to be sex.

One thing you won't have missed is that most of these actions, if not all, we would disapprove of - in most cases quite strongly - and rightly so!

The offences mentioned here appear to increase in seriousness - in both lists - with almost all of them requiring the death penalty.

It kind of raises the question, doesn't it, if we want to be obedient to the spirit and letter of these words - whether we should be advocating for the death penalty in such cases. Even if we can't do that in a society like ours, is that what we think is appropriate and right - given these words?

Some people would think so. In some parts of the world it still happens that people are executed for being homosexual.[6] Do we agree with such penalties? It is a serious question - and it nicely raises the question facing us this morning, 'What do we make of these verses?

How do we understand and apply them in a 21st century world?

Why did the writers of Leviticus - those who drew these instructions together into a complete manuscript of instructions, which now lies at the centre of the Torah - why did they include sex between men in their list of sexual offences requiring the death penalty?

What was their rationale? Why did they think it wrong?

One suggestion - which I think has a lot going for it - is it deviated (like all the other offences) from the Biblical ideal of sex found in Genesis 1 & 2, sex between a man and his wife.

That certainly makes some sense of these passages, but it is limited by the fact that the Bible does acknowledge the existence of exceptions to this idealized picture - that are not considered abhorrent or deserving of death; having more than one wife, for example, and, in some cases, for those who could afford it, a concubine. There was also the highly encouraged custom of Levirate marriage, as in the story of Ruth & Boaz, where sex with a next of kin was acceptable, in fact necessary, to carry on the husband's line.

The Bible itself allows for exceptions to these rules. They are not absolute, at least in all cases, or necessarily. Having said that, it is clear enough that Leviticus does rule out sex between a man & another man. The only forms of acceptable sex are between a man and a woman (or women). Why is that?

I have come across two understandings that make sense to me - two complementary ways to understand why same-gender sex was considered abhorrent.[7]

The first of these two understandings is that such behaviour is a threat to the very order of creation in that it confounds the gender divide.

In Genesis 1, God is described as bringing order out of disorder. He separates day from night; land from sea; sea animals from land animals and from animals that fly above the earth. God as Creator separates things that need to stay separate. Parents mustn't mix sexually with children (in what we describe as incest); humans shouldn't mix sexually with animals (bestiality). Women and men are made to mix sexually - with each other - not with someone of

their own gender. There is a complementary unity - with the female created for the man who is her master - she his property in the world of that day.

The gender divide (according to this way of thinking) is woven into the very fabric of nature as God has devised it; and so any confusion of this order is a violation of God's creative intentions. Because male to male sexual relations involve at least one party in assuming the receptive role of a woman, it confuses these categories; a male is forced to act like a woman - and this is perverse.

A **second** rationale (related to the first) is that when categories are blurred, when things that are separated are joined, creation begins to disintegrate; order descends into disorder, and the threat of chaos becomes real. There is a way of life and there is a way of death - and to confuse categories is to go the way of death, individually, socially and creationally.[8]

At the end of Leviticus 18 is a graphic description of the Promised Land vomiting out its original occupants because of their abominable practices which becomes a warning to the Israelites not to follow suit and engage in category-bending and therefore defiling behaviour.

Sex between men, according to this way of understanding, doesn't just bend categories, it is an essentially violent and destructive act. In the world of these instructions, being penetrated by another male was the height of disgrace; an act often designed to humiliate.

It is not accidental that in the only story in the whole of the Bible that describes same-gender sex (or, at least, threatened same-gender sex) - the story of Sodom - violent and deliberately humiliating sex is on view. Here is the story of a society that has become degenerate - sexually and in every way. It is not a pretty picture. But it does illustrate the attitude of the Biblical writers to same-gender sex.

Does all this help us? I think it does. Does it help to negotiate a way forward for us in our time and space? I think it does - or it does for me - **in two ways:**

Firstly, I think we can acknowledge that there are things about this way of thinking that we would want to go along with - that make good sense.

There are things we do as humans that diminish us and humiliate others. There are boundaries that need to be put in place to protect us and others. There is behaviour that dehumanizes and degrades - including paedophilia, bestiality and rape - and societies that give themselves to such behaviour do disintegrate and become ugly. These passages from Leviticus remind us of this sad possibility.

But there is a **second** way in which this understanding of the passages helps us, and that is that tells us that *in some ways* we have moved on to new and better understandings of what is good and acceptable human behaviour.

We have left behind (or keep trying to leave behind) the highly stratified way of organising society implicit (and sometimes explicit) in these and surrounding instructions - with men in charge at the top; with women (and children and slaves[9]) underneath - with next to no rights and next to no power.

We have become more aware of the potential for abuse of power when the power differential is so heavily weighted in favour of men - as it was in all ancient civilisations, including Israel, where, as we have noted, women were considered the property of men.

We no longer think it such a shocking thing for a man to be like a woman in one way or another - in fact we celebrate such unusual sensitivity. We have become rightly critical of attitudes and institutions that assume (or enshrine) the inferiority of women; or that there is such a thing as 'a woman's place.'

We have, in other words, dispensed with patriarchy - and, at least most of us, were cheering when the Prime Minister recently put her opposite number to the sword on the issue of misogyny.

We have also become more comfortable with difference - because, in actual fact, the world is filled with difference. We are not all the same. Men are not all the same. Women are not all the same.

The sex & gender divide is much more porous and fuzzy than maybe we once thought - with as many as 1.9% of people born with bodily characteristics that are male and female - people referred to as Intersex, some of whom are also lesbian or gay or bi-sexual or transgender - with all sorts of variations along what is more a continuum than a binary arrangement. Under the impact of evolutionary theory we have come to see that human nature, including sexuality, is not so much fixed as dynamic, varied and variable.[10]

What do we make of all this? What impact does this have on our reading of the two verses from Leviticus?

In short, we need (I think) to be open to the possibility that understandings can and do change, and sometimes they change for the better. The Levitical writers[11] believed, I am sure, that they were representing the will of God for their people and for that time, so much so that they had these instructions come from the very mouth of God.

But understandings do change, even within & throughout the Bible. Jesus felt able to discard the purity laws of the Old Testament - opening up for us the delight of eating prawns and pork. He critiqued contemporary expressions of patriarchy - setting in train a process that would see it so modified that it would become irrelevant - which I believe it now is.

Living as we do in a non-stratified world opens the way for a re-thinking of the unstoppable love and affection that develops between all people; where being somewhat like a woman and something like a man does not represent a violation of the natural order, but simply another of its fascinating variations - filled with potential for intimacy, love and commitment - for the enrichment of society, not its dissolution or destruction.

SO, it may be that there is a way forward on this matter of homosexuality after all! Maybe so! I hope so!! For more on this exciting, perhaps scary journey [read the follow-up sermon where] we look at what the New Testament has to say on this issue.

[1] Just seven verses appear to speak directly to the topic: the first two in Genesis 19; the story of Sodom and its literary echo in Judges 19; the third and fourth in Leviticus 18:22 and 20:13; the fifth in Romans 1:26-27; the sixth & seventh in I Corinthians 6:9 and 1 Timothy 1:10. Clearly, there is much else said of relevance, but these 7 passages comment directly on the topic, or appear, at first sight, to.

[2] See, for example, Lev 11:7-8; Isaiah 66:17; Deut 14:1-29; Deut 22:11; Lev 11:10-19 (which includes, a long list of birds that are unclean - the eating of which is an abomination). For other examples of behaviour described using the Hebrew word translated 'abomination': Examples of abhorrent practices in Leviticus - using the Hebrew word translated 'abomination': Lev 7:18: eating the flesh of a peace offering on the third day; Lev 11:41: Every swarming thing; Lev 11:42: Whatever goes on its belly, and whatever goes on all fours, or whatever has many feet.

[3] In attempting to listen carefully and respectfully to these texts, I have been helped by Kathy Smith's chapter, 'The Culpability of Sexual Offence: Understanding Leviticus 18:22 and 20:13 in Context', in Michael Bird and Gordon Preece (eds), *Sexegesis: An Evangelical Response to Five Uneasy Pieces on Homosexuality*, (Sydney: Anglican Press Australia, 2012). In preparing these sermons, the interchange between contributors to this book and contributors to *Five Uneasy Pieces: Essays on Scripture and Sexuality*, (Adelaide: AFT Theology, 2011) has been instructive and helpful.

[4] The phrase 'the lying of a male' (*miskav zakhar*) is found in the Book of Numbers. Women who know the lyings of a man are experienced in intercourse. The lyings of a woman is likely to mean what a man experiences in intercourse with a woman, that is the engulfment of the penis, Rabbi Steven Greenberg, *Wrestling with God & Men*, Wisconsin: Wisconsin Press, 2004, 80.

[5] Greenberg notes that the NT takes its language directly from Greek sexual typologies in referring to *arsenokoitai* - who enjoyed penetrating their sexual partners, and *malakoi* who enjoyed being penetrated.

[6] In Uganda, at this very moment, its Parliament is about to pass a law that may carry the death penalty for homosexuality. I received an e-mail during the week asking me to sign a petition against this proposal.

[7] Two people I have been especially helped by are a Jewish Rabbi Steven Greenberg (cited above) and Philip Peter Jenson, *Graded Holiness* (JSOTSup 106; Sheffield: JSOT Press, 1992); cited in Debarah L. Ellens; *Women in the Sex Texts of Leviticus and Deuteronomy: A Comparative Conceptual Analysis*, New York: T&T Clark, 2008.

[8] Note that the prohibition against sex with one's menstruating wife appears to have its rationale in the desire to ceremonially avoid the symbols of death - including blood.

[9] Leviticus contains law pertaining to slaves suggesting their relative lack of worth, for example, Leviticus 19:20, where the man who has sex with a betrothed slave girl is simply fined - because she is not a free woman. There is a similar example in Exodus where a slave owner is punished if he beats a slave to death, but not punished if the slave recovers after a few days.

[10] Cultures have existed and still exist that acknowledge this diversity - and even celebrate. A Sydney Morning Herald article dated August 2012, noted the existence of ancient burial grounds demarcating plots for 'third', possibly even 'fourth' and

'fifth' sexes. It also notes documentation of more than 100 Native American tribes of their acceptance of ['two-spirit' people](#) - classed as neither male nor female.

[11] Biblical scholars mostly agree that the final editors, if not composers of Leviticus were writing during or immediately after the Judaic exile in the 6th or 5th centuries BCE reflecting the realities of that time.