

THE BIBLE UNVEILED:
A RESPONSE TO THE RELIGIOUS RIGHT'S WAR ON SAME-SEX MARRIAGE

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By

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ABSTRACT

Often hailed as the civil rights movement of the twenty-first century, the same-sex marriage debate has swept across America. The most outspoken opposition to same-sex marriage is the Religious Right, which employs Scripture to support its argument that homosexuals are inferior to heterosexuals, homosexuality is immoral and unnatural, and gay marriage should be illegal since it challenges God's design for humanity. Simply put, the Religious Right has launched a war against gay marriage, using the Bible for political gain, which not only threatens the rights of millions of Americans but also promulgates dishonest religious discourse.

The purpose of this thesis is to change the conversation by exposing the many gaping flaws in the Religious Right's argument. While proponents of gay marriage in the media often dismiss the Religious Right's claims based either on science or the notion that public policy ought to remain unfettered by religion, this thesis takes a different approach. In an attempt to promote informed religious discourse and balance the debate, this thesis does not deny the sanctity or authority of the Bible. Rather, it focuses on Scripture and critically reviews the Religious Right's primary arguments within a conservative framework to highlight its misuse of the Bible.

Each chapter analyzes the controversial verses within their biblical context, historical context, amidst overarching themes particular to Scripture, and according to a

wide swath of both liberal and conservative scholarship. In addition, this thesis delves into the original Hebrew and Greek text to determine how each passage was intended both literally and figuratively. Examining the Bible in this way will not only invalidate the Religious Right's claims but also construct an alternative perspective on homosexuality in the Bible, providing the tools necessary to create a space for gay rights within conservative communities.

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INTRODUCTION

However, since God speaks in Sacred Scripture through men in human fashion, the interpreter of Sacred Scripture, in order to see clearly what God wanted to communicate to us, should carefully investigate what meaning the sacred writers really intended, and what God wanted to manifest by means of their words.

—Pope Paul VI, *Dei Verbum* No. 12

Often hailed as the civil rights movement of the twenty-first century, the same-sex¹ marriage debate has swept across America. Those in favor of same-sex marriage argue that in a secular country, everyone should have the right to love and marry whomever they choose. Proponents² claim that times are changing, and the government has a duty to protect all its citizens, even those in the minority. On the other hand, the most vocal opposition to same-sex marriage is the Religious Right,³ which contends, “What homosexual activists are really seeking is not to expand ‘access’ to marriage, but to change its fundamental definition” (Sprigg 2004, 60). Wielding the Bible to underscore its view, this outspoken contingent believes marriage has and should always be between one man and one woman.

¹ Same-sex marriage is also referred to as “gay marriage” in this thesis.

² For the sake of this paper, proponents of gay marriage are sometimes called either “pro-gay” or “liberal.”

³ Opponents of gay marriage are also referred to in this paper as “conservative” or “anti-gay.” When “Christian” is employed in this thesis, it refers to a member of a conservative or fundamentalist Christian sect, unless otherwise specified.

The (Im)Moral Majority

Represented by groups like Focus on the Family,⁴ the Family Research Council,⁵ the National Organization for Marriage,⁶ and the Heritage Foundation,⁷ the Religious Right (for the sake of this paper) is broadly comprised of organizations and scholars who believe the Bible is the true word of God, and strive to influence American politics according to conservative Christian values.

The concept of the “Religious Right” was largely introduced to America in the early 1980s by Jerry Falwell when he founded the “Moral Majority” (Niose 2012, 4). Though Southern Baptist, Falwell united with conservative members of other faiths such as Protestants, Roman Catholics, and Jews to form a powerful coalition to effect legislative change (White 2006, 48). Falwell believed that “it isn’t necessary to be born

⁴ According to its website, Focus on the Family is a “global Christian ministry dedicated to helping families thrive” (About Focus on the Family). Focus on the Family aims to bolster marriages according to “God’s design,” and promote Biblical principles as the foundation for raising healthy children (Ibid).

⁵ The mission of the Family Research Council (FRC) is to “advance faith, family and freedom in public policy and the culture from a Christian worldview” (Family Research Council, Vision and Mission Statements). It seems to be primarily focused on opposing same-sex marriage, however, and incidentally was founded in 1983 to “champion marriage and family as the foundation of civilization, the seedbed of virtue” (Family Research Council, FAQs).

⁶ The National Organization for Marriage (NOM) is a nonprofit organization dedicated “to protect[ing] marriage and the faith communities that sustain it” (National Organization for Marriage, About Us). Often labeled a “hate group,” NOM aggressively promotes an anti-gay agenda (Rafter 2014).

⁷ The Heritage Foundation is a think tank that promotes conservative public policy. While not expressly a religious organization, Heritage lists “Family and Marriage” (read: heterosexual marriage) as one of its primary “Issues” stating, “Sound public policy places marriage and the family at the center, respecting and guarding the role of this permanent institution” (Heritage Foundation, Family and Marriage).

again to hate abortion, the drug traffic, pornography, child abuse, and immorality in all its ugly, life-destroying forms” (White 2006, 50). With that in mind, Falwell amassed a conservative army to “turn the nation around” (Ibid), by which he intended to make America into “a Christian nation once again” (White 2006, 51).

Part of Falwell’s genius was coining terms such as “pro-life” (in opposition to abortion) and “pro-family,” to reject same-sex marriage (White 2006, 50). By couching his viewpoint in positive rhetoric, Falwell painted a picture of innocent Americans victimized by a wayward government. More importantly, such language is nearly incontrovertible – who could possibly be anti-life or against family? Falwell’s work led to the election of Ronald Reagan as president and a cultural paradigm shift (Niose 2012, 4). Building on this movement, Pat Robertson created the Christian Coalition in the 1990s, which ultimately helped usher George W. Bush into the White House (White 2006, 67-69). Today, the Religious Right thrives through nonprofits, activist groups, churches, and political organizations such as the Tea Party.

Spotlight on Religious Discourse

It is important to understand that the Religious Right’s mission is to (re)instill America with Christian values. In other words, it is fundamentally opposed to the separation of church and state. While this is inherently problematic for countless reasons, the focus of this paper lies elsewhere. This thesis examines what the Religious Right claims are biblically-based Christian values, and determines that its message is misleading. In fact, the Religious Right willfully misuses and manipulates the Bible to subvert gay rights. The Religious Right employs religious doctrine to support its

argument that homosexuals⁸ are inferior to heterosexuals,⁹ homosexuality is immoral and unnatural, and gay marriage should be illegal since it challenges God’s design for humanity. Simply put, the Religious Right has launched a war against gay marriage, using the Bible for political gain, which not only threatens the civil rights of millions of Americans but also promulgates dishonest religious discourse.

The purpose of this thesis is to change the conversation by exposing the many gaping flaws in the Religious Right’s argument. While proponents of gay marriage in the media often dismiss the Religious Right’s claims based either on science or the notion that public policy ought to remain unfettered by religion, this thesis takes a different approach. In an attempt to promote informed religious dialogue and balance the debate, this thesis does not deny the sanctity or authority of the Bible. Rather, it focuses on Scripture and critically reviews the Religious Right’s primary arguments within a conservative framework to highlight its misuse of the Bible.

Chapters I and II will address the assertion that marriage must be between one man and one woman for the purpose of procreation, as ordained in the creation narratives in Genesis. These chapters will examine the origins of marriage, the historical context of Genesis, the ways in which marriage has evolved, and the merits and perceived detriments of gay parents. These chapters will rely on ancient and modern scholarship as

⁸ The terms “homosexual” and “gay” are used interchangeably throughout this thesis to reflect those individuals who engage in same-sex sexual activity. “Lesbian” is also employed in this regard but refers exclusively to females.

⁹ For the sake of this thesis, “heterosexual” and “straight” are used interchangeably to refer to those who engage in sexual relations with members of the opposite sex.

well as scientific studies to prove the Religious Right's claims are far-fetched and inaccurately represent not only science but also Scripture.

Since *The Holy Bible* is the nexus of this debate, Chapters III-VII will focus on the biblical passages and verses most frequently cited in opposition to homosexuality and gay marriage. Chapters III-V will address the Old Testament,¹⁰ and Chapters VI and VII will examine the New Testament. Each chapter will analyze the controversial verses within their biblical context, historical context, amidst overarching themes particular to Scripture, and according to a wide swath of both liberal and conservative scholarship. Where not otherwise noted, interpretations and Hebrew translations are the work of this thesis author. It is important to recognize that the Bible does not reflect gay marriage as it exists in modern times. Thus, these chapters examine how the Bible treats marriage in general and what Scripture says about homosexuality, which can then be applied to the modern same-sex marriage debate.

A further note regarding Scripture. Focus on the Family argues, "When God is said to sanction what He plainly forbids, then a serious heresy is unfolding before us in bold fashion" (Focus on the Family Issue Analysts 2008b). Interpreting Scripture is a sensitive task not undertaken lightly. This thesis does not endeavor to force Scripture into one or the other side of an argument. Rather, in an effort to honor the text, it strives to pinpoint exactly what the Bible does condemn.

¹⁰ Because this thesis responds to a primarily Christian contingent, all texts from the Hebrew Bible are here referred to as the Old Testament, though this thesis will use commentary and translations from the Jewish Publication Society (JPS) where appropriate.

It is also critical to remember that historically Christians and Jews have tended to approach these texts differently. For instance, Judaism encourages a multiplicity of interpretations. The Talmud¹¹ has a rich tradition of recording both the majority and minority opinions on a subject though they may be diametrically opposed. This practice proves not only that nuance and debate were celebrated but also that by the time the Rabbis composed the Talmud, there was already discrepancy over the meaning of certain words and verses. Ambiguity in the Hebrew Bible makes it difficult to posit indisputable truths. The Talmud exemplifies that it is critical in these situations to explore every possible interpretation as each may contribute to the underlying message. In light of this, each chapter will also delve into the original Hebrew and Greek texts to determine exactly how each verse was originally intended both literally and figuratively.

In addition to ascertaining the literal “plain meaning” of each controversial verse, this thesis will examine context to uncover the original purpose of each passage. Perhaps a verse has not been mistranslated but rather misunderstood over time. A marvelous example is the sin of Onan. Many people believe God smote Onan for the sin of masturbation. Though a popular rendition of Genesis 38, this interpretation is misguided. Onan’s true transgression was not adhering to the tradition of levirate marriage (Gagnon 2001, 134; Geis 2009, 48), whereby a man must lie with his brother’s childless widow to produce an heir (Gen 38:8). The resulting child adopts the deceased man’s name but may inherit his biological father’s wealth (Geis 2009, 82). Onan lies with his brother’s widow

¹¹ Also called the “oral Torah,” the Talmud is a compilation of rabbinic commentary on the Torah (comprised of Genesis, Exodus, Leviticus, Numbers and Deuteronomy), which provides insight and clarification on different textual matters (Nissinen 1998, 97).

but spills his seed thus dishonoring his brother's legacy, and as a result is put to death by God (Gen 38:10).

While this cautionary tale relates *only* to fulfilling familial duty – not masturbation or non-procreative intercourse, today onanism is synonymous with masturbation. Levirate marriage is not only sanctioned by the Bible but also evidently significant enough to warrant divine punishment for disobedience. Despite its importance though, society has since boldly rejected levirate marriage and forgotten the true moral of the story.

During Vatican II, Pope Paul VI reminded humanity to “carefully investigate” Scripture in order to “see clearly what God wanted to communicate” (*Dei Verbum* No. 12; fully quoted in the epigraph above). Although the Religious Right is not necessarily beholden to the Catholic Church, the Pope's message underscores the purpose of this thesis. Perhaps the Bible adamantly opposes homosexuality, but perhaps, like the sin of Onan, much has been lost in translation and the passage of time. One could further argue that it is precisely because nuance and ambiguity exist in the text that different translations abound. In order to unearth the original intention of a given verse, it is important to recognize that there are sub-perfect translations and that meaning may be colored by modern bias.

Returning to homosexuality, there are approximately six passages in the Christian Bible that directly address homoerotic behavior and kindle the same-sex marriage debate. Assuming they are too important to disregard as society has rejected other bygone

commandments, this thesis proposes that the Religious Right should at least carefully review the purpose and thrust of these verses before casting stones.

Weighed against reliable scholarship and Scripture itself, a careful analysis of the Religious Right's arguments against homosexuality and gay marriage will quickly prove it has hijacked the Bible in order to undermine an important civil right. In response, this thesis provides a detailed examination of the relevant texts and constructs an alternative perspective on homosexuality in the Bible to promote informed religious discourse, balance the debate, and provide the tools necessary to create a space for gay rights within conservative communities.

CHAPTER I

ADAM AND EVE, OR ADAM AND STEVE: THE EVOLVING INSTITUTION OF MARRIAGE

The Religious Right ardently claims, “All Americans have the freedom to live as they choose, but no one has a right to redefine marriage for everyone else” (Anderson 2013a). Organizations supporting this doctrine encourage their members to “protect marriage as we’ve always known it – the union of a husband and wife” rather than pejoratively “ban” same-sex marriage (National Organization for Marriage, Same-Sex Marriage). They argue that instead of altering the definition of marriage, the government should amend specific policies, like the tax code, to account for homosexual partnerships (Heritage Foundation 2013, 6). Proponents of gay marriage, however, contend homosexual couples are not only denied hundreds of rights but also the special status that accompanies being married (Human Rights Campaign, Marriage). Civil unions and domestic partnerships do not garner the same respect as marriage in all states or other countries (Ibid). Taking a page from the 1960s civil rights movement, liberal activists allege homosexuals are being treated as “second-class” citizens and deserve equal rights. In order to fully appreciate this debate, it is crucial to understand how marriage is currently defined, where (and when) that definition originated, whether it has changed over time, and what the Bible truly says about marriage.

Defining Marriage

Today marriage is commonly defined as a contractual union between a man and a woman that “brings adults together into committed sexual and domestic relationships in order to regulate sexuality and provide for the needs of daily life” (Stanton and Maier

2004, 22). Because Scripture only references relationships between males and females,¹ one can argue that the text only sanctions heterosexual unions. In Matthew 19,² Jesus underscores this notion, remarking:

“Haven’t you read...that at the beginning the Creator ‘made them male and female,’ ...for this reason a man will leave his father and mother and be united to his wife, and the two will become one flesh’? So they are no longer two, but one flesh. Therefore what God has joined together, let no one separate.” (Mt 19:4-6 [NIV])

From this passage, the Religious Right infers matrimony is the union of one man and one woman, who form a “new natural family,” which leads to “the procreation of offspring” (Kostenberger).

There are a few flaws worth noting in this viewpoint. First, it presumes Adam and Eve’s union not only is but also exemplifies marriage. This perspective also relies on the assumption that because God fosters a relationship between the first man and woman, monogamy is ideal. In fact, however, biblical marriage was rarely between only two people.

It may surprise readers to learn that the Bible permits myriad versions of marriage, including: polygamy (Gen 4:19, Mt 25:1); levirate marriage³ (Gen 38:6-10, Deut 25:5-10, Mk 12:18-27); marriage between a man, a woman and her slave (e.g., Abraham with Sarah and Hagar (Gen 16:3), and Jacob with Rachel, Leah, Bilhah, and Zilpah (Gen 30:3-

¹ See Chapter III for an additional response to this claim.

² See also Mark 10:2-9.

³ Readers may be interested to learn that the true sin of Onan was not adhering to the tradition of levirate marriage, whereby a man must lie with his brother’s childless widow to produce an heir. See the Introduction for more information.

9)); marriage between a man, a woman and concubines (Gen 22:24); a soldier and a female prisoner of war (Deut 21:11-14); a male and female slave as arranged by the slave owner (Ex 21:1-6); and a male and his female rape victim (Deut 22:28-29). In addition, and perhaps most startling, Paul writes, “Do you not know that whoever is united to a prostitute becomes one body with her?” (1 Cor 6:16 [NRSV]). In other words, if a man solicits a prostitute, she becomes his wife. Although these forms of marriage have since been abandoned, and most of these sexual alliances are shunned in modern American society, they were commonplace in biblical times.

Additionally, there were requirements for marriage in the Bible as well as types of marriage that are now spurned. For example, a woman had to be a virgin to be eligible to wed (Deut 22:14), men purchased their brides (Gen 34:12), and marriages were typically arranged (Gen 24:4). The Bible forbids interfaith and interracial marriages (Ez 9:12). And, while in the Old Testament divorce was permitted on certain grounds (Deut 24:1), the New Testament categorically rejects it (Mk 10:9). Today American society largely rejects polygamy, embraces interfaith and interracial couples, and permits no-fault divorce. The nature of marriage has changed since biblical times – and changed even during Jesus’ time.

Critics opposed to gay marriage may retort that this argument still supports the notion that the Bible only sanctions heterosexual coupling. While this may be true, it may also be that the Bible only describes relationships between men and women (with a few exceptions⁴), because male and female relations were the norm at the time. Just as an

⁴ See Chapter III.

author composing a Christian Bible today would not feature polygamy, the Bible does not illustrate same-sex relationships. One should not assume on this basis, however, that homosexual relationships should thus be condemned.

Based on descriptions of healthy relationships (i.e., not sexual behavior alone) in the Bible, one can fairly argue that had it been written today the Bible would endorse those same-sex relationships that are committed, loving, and rewarding. The New Testament contends marriage should be upheld by the community and honored (Heb 13:4). Paul envisions egalitarian relationships, in which husbands love their wives as themselves and vice versa (Eph 5:28). In addition, while the New Testament primarily presents monogamous unions, it does not omit polygamy (Mt 25:1).

The National Organization for Marriage (NOM) contends that “marriage isn’t just any kind of love; it’s the special love of a husband and wife for each other and for their children” (Same-Sex Marriage). While NOM may feel qualified to quantify love, Paul does not. Love is described beautifully in First Corinthians as “patient” and “kind,” “it does not rejoice in wrongdoing, but rejoices in the truth. It bears all things, believes all things, hopes all things, endures all things” (1 Cor 13:4-7 [NIV]). Paul teaches his followers that “faith, hope, and love abide, these three; and the greatest of these is love” (1 Cor 13:13 [NRSV]). Paul does not specify whether love is only valid between two people or between heterosexuals, but rather that love is above all else and believers should “pursue” it (1 Cor 14:1 [NRSV]).

Furthermore, NOM’s assertion embeds children in the definition of marital love yet neither Jesus nor Paul “mention procreation *or* physical sexual difference in their

teaching about marriage” (Sullivan 2004, 79; emphasis added). It is important to note that Jesus and Paul emphasize “the quality of the relationship, and in particular that it should be a covenant of total sexual fidelity and indissoluble union” (Ibid).

Jesus and Paul’s teachings on healthy relationships are not in opposition with same-sex unions. To omit these verses from the definition of marriage is to neglect what the New Testament actually does say about marriage versus what can be inferred about it. What the Bible does overtly oppose are adultery, fornication (intercourse before marriage) (Heb 13:4), and abusive relationships (Mal 2:16). In a stark departure from the Old Testament, the New Testament also condemns divorce.

Jesus’ Commentary on Divorce and Remarriage

Jesus makes his statement in Matthew 19:4-6 in response to the Pharisees’ question, “Is it lawful for a man to divorce his wife for any and every reason?” (Mt 19:3 [NIV]). The Pharisees pose this question based on Deuteronomy 24, which permits “no-fault” divorce, and in his response, Jesus appeals to the lifelong unions purportedly promoted in Genesis 2 (Waetjen 1996, 106). In other words, in this passage, Jesus is not *defining* marriage but rather is rejecting divorce in a specific context. To read these verses as Jesus proclaiming anything about the nature of gender in marriage or a commentary on sexuality, is to either miss or abuse the message of this passage.

Also, it is important to note that Jesus’ ruling deviates from the Old Testament’s laws regarding marriage and divorce. Jesus converts “marriage [to] an either/or proposition,” which was extremely controversial (Graff 1999, 170). Indeed, Jesus’ disciples are so dismayed by his ruling on divorce that they challenge, “If such is the case

of a man with his wife, it is better not to marry” (Mt 19:10 [NRSV]). In other words, men in Jesus’ time would rather remain single than wed if they are not permitted divorce and remarriage. Yet, according to Jesus in the Book of Matthew, marriage is a lifelong commitment (Mt 19:6) that can only be dissolved if a woman commits adultery (Mt 19:9).⁵

Further, in Mark 10, Jesus addresses the same question but provides a more stringent answer, ultimately prohibiting “both divorce and remarriage outright” (Martin 2006, 131). While the New Testament tends towards leniency in response to observing Old Testament laws, in this case, Jesus does the opposite. Some may argue on this basis that modern scholars should reject same-sex marriage and follow the strictest version of the text, according to Jesus’ example. Although Jesus does enforce a more rigid interpretation of the law, his approach is quite liberal. “Jesus interprets the clear by appeal to the obscure,” meaning he reshapes the plain meaning of Genesis in order to bolster his viewpoint regarding divorce (Martin 2006, 133). This approach underscores the method undertaken in this thesis and other scholarly works that examine the underlying meaning and relevance of Scripture on different matters in modern times. Interestingly, by the time the Book of Matthew⁶ was written, early Christians had already renounced Jesus’ teaching, preferring a more forgiving judgment. Thus, in Matthew 19,

⁵ This also indicates that women were not allowed to initiate divorce.

⁶ The Book of Mark, written in approximately 70 CE, is considered the earliest of the four Gospels (Martin 2006, 131).

Jesus is portrayed as providing an exception for divorce⁷ in the case of adultery. And ultimately, by condemning divorce and/or remarriage, Jesus himself redefines the nature of marriage.

For those who are hesitant to challenge Scripture and are not convinced that Jesus himself did so, remember Jesus' response to *kashrut* (Jewish dietary laws). Although dietary laws are now a moot point in Christian communities, in Jesus' time observance was a contentious issue, much as same-sex marriage is today. Dietary laws were staunchly defended and observed in the Old Testament. Jesus, however, brazenly absolves his followers: “Don't you see that nothing that enters a person from the outside can defile them? For it doesn't go into their heart but into their stomach, and then out of the body?” (In saying this, Jesus declared all foods clean)” (Mk 7:18-19 [NIV]). Despite Jesus' resolute stance, his disciples remain hesitant to shed their beliefs. In Acts, a voice tells Peter, “What God has made clean, you must not call profane,” (Acts 10:15 [NIV]) and though it tells him to “kill and eat” (Acts 10:13 [NIV]) and though he is very hungry, Peter responds, “By no means, Lord; for I have never eaten anything that is profane or unclean” (Acts 10:14 [NIV]). The voice must reassure Peter three times before he understands. This vignette exemplifies the notion that no matter how strict or fundamentally true a law or verse may appear in the Bible, its meaning and/or authority can and does shift with time.

⁷ Some scholars interpret this as an exception for remarriage, and maintain that Jesus rejects divorce in every case (Martin 2006, 135).

The Intrinsic Nature of Homosexuality

Furthermore, by ultimately accepting the voice's command in his heart, Peter is able to welcome his Gentile visitors later in the story, arguably paving the way for the acceptance of Gentiles into the larger Christian community (Acts 10:28-29). One could contend that just as Peter embraces the Gentiles, modernity should accept homosexuals. Critics argue, though, that this is an improper analogy primarily because homosexuality is a "mutable subjective desire that is not directly heritable," while being a Gentile is "immutable" and "heritable" (Via and Gagnon 2003, 43). If homosexuality is mutable or akin to a disease, Christians have a duty to heal their damaged brothers and sisters.

Ex-gay ministries across the country uphold this belief and maintain Christian goodwill by helping gays overcome their sinful state (Myers and Scanzoni 2005, 75). For thirty-seven years, Exodus International proclaimed, "Change is possible" and led 135 ministries toward this goal with the Bible at their helm (Myers and Scanzoni 2005, 74). In June 2013, however, the Exodus International Board of Directors voted unanimously to close the organization's doors, and apologized for inappropriately bullying gays on God's behalf. President Alan Chambers subsequently issued an apology to the gay community:

I am sorry we promoted sexual orientation change efforts and reparative theories about sexual orientation . . . I am sorry that I, knowing some of you so well, failed to share publicly that the gay and lesbian people I know were every bit as capable of being amazing parents as the straight people that I know . . . I am sorry that I have communicated that you and your families are less than me and mine.

. . . I cannot apologize for my beliefs about marriage. But I do not have any desire to fight you on your beliefs or the rights that you seek. My beliefs about these things will never again interfere with God's command to love my neighbor as I love myself. (Chambers 2013)

In the twenty-first century, it is increasingly apparent that homosexuality is immutable.

The American Psychological Association dispelled the myth that homosexuality is a disease in 1975 (American Psychological Association 2008). In 2012, the Pan American Health Organization issued a press release stating:

Services that purport to ‘cure’ people with non-heterosexual sexual orientation lack medical justification and represent a serious threat to the health and well-being of affected people. . . . Since homosexuality is not a disorder or a disease, it does not require a cure. (Pan American Health Organization 2012)

In response, some claim to “love the sinner but hate the sin.” To truly embody the Levitical doctrine of “love thy neighbor,” though, one must put aside judgment and honor others despite their differences (Lev 19:18 [KJV]).

Although it may feel wrong at first to embrace change, as it did for Peter, the Bible teaches that it is sometimes necessary to do so. What ultimately united the diverging factions during Christianity’s formative years was the overarching message of deep understanding and inclusivity. Paul declares, “There is no longer Jew or Greek, there is no longer slave or free, there is no longer male and female; for all of you are one in Christ Jesus” (Gal 3:28 [NIV]). According to Paul, “sex of the individual is unimportant,” ethnicity is unimportant, what is important is unity of community in Christ (Eickhoff 1966, 40). This is not to say that all sin should be embraced or that sin does not exist, but rather that classifying homosexuality as a sin is a misnomer. It is time to acknowledge this error and amend public understanding accordingly.

Creation's Influence on Marriage

Returning to the debate at hand, it is important to recognize that Jesus' citation of Genesis in Matthew 19 and Mark 10 is actually exegesis. Jesus combines two versions of creation: Genesis 1:27-28, in which God creates male and female simultaneously, and Genesis 2:24, in which God forms a female from the male's side. Note that God blesses and offers instruction only to God's creation in Genesis 1, whereas the second creation story leads to strife and discord, and ultimately exile from Eden.

If God's blessing indicates divine endorsement of the first creation story, it undermines much of the Religious Right's claim. The story proceeds as follows:

God created man in His image, in the image of God He created him; male and female He created them. God blessed them and God said to them, "Be fertile and increase; fill the earth and master it; and rule the fish of the sea, and the birds of the sky, and all the living things that creep on earth." (Gen 1:27-28 [JPS])

In this version of creation, men and women are created simultaneously. They are not created for each other nor are they instructed to bond in pairs. There is no indication that monogamy is preferred let alone required. There is also no mention of how long relationships (if even required) are supposed to endure – whether they be long enough simply to procreate or for eternity. In fact, in Genesis 1, all that is required of humans is reproduction and equal responsibility over the land and animal kingdom. Based on this chapter alone, a homosexual man could fertilize a woman, spend the rest of his life with men and be blessed by God so long as he works side by side women and men to till the earth.

Opponents of same-sex marriage claim that same-sex unions violate the complementary nature of marriage established by God in creation. Because God creates

male and female in God's image and then mandates procreation, God evidently considers male and female "'perfect fits' from the standpoint of divine design and blessing," whereas same-sex unions are not (Gagnon 2001, 62). While this is a valid argument, it is flawed in several ways. First, this viewpoint implies that to be fully engaged in being human, one must marry a member of the opposite sex (Rogers 2006, 88), which not only reduces humanity to sex-driven beings but also excludes "all persons who are single . . . from any place in the cooperative union of cohumanity" presented in the first creation story (Scanzoni and Mollenkott 1978, 130). Second, God requires more from humanity than just "parts that fit" (Johnson 2012, 126). God orders humans to not only "fill the earth" but also to "subdue it" (Gen 1:28 [NIV]). Finally, the creation of dual sexes may not be intrinsically correlated with marital pairs, and gender complementarity may not necessitate relationships of any kind beyond copulation.

Scholars debating the legitimacy of same-sex marriage often assume that the creation myths exist to explain sexuality, but perhaps this was not their original purpose. One historian proposes these texts demonstrate how humanity is "like and unlike God" (Rogers 2006, 85). Another author contends the creation narratives were written to answer such questions as: "What are the differences between human beings and animals? Why aren't human beings immortal? Why is it so difficult to farm the land? And why do women labor in childbirth?" (Knust 2011, 53). These questions accord with those answered by the creation narratives of neighboring societies such as Mesopotamia and Babylon (Ibid). Shedding the yolk of modernity, readers may recall that in ancient times society's two primary concerns were "farming and fertility," to which Genesis directly

responds (Knust 2011, 54). Perhaps Genesis addresses sexuality but it may also underscore “the comprehensiveness and communal character of all humanity being created in God’s image,” regardless of a person’s marital status or sexuality (Johnson 2012, 122).

The second creation story is equally complex and difficult to explain decisively. In this version, God “form[s] man from the dust of the ground and breathe[s] into his nostrils the breath of life” (Gen 2:7 [NIV]). God notices that “it is not good for the man to be alone” (Gen 2:18 [NIV]), and forms all living creatures before determining that none is a “suitable helper” (Gen 2:20 [NIV]). Finally, God creates a woman from the man’s side (Gen 2:21-22). As Jesus explains in the Gospels, Adam then pronounces:

“This is now bone of my bones and flesh of my flesh; she shall be called ‘woman,’ for she was taken out of man.” That is why a man leaves his father and mother and is united to his wife, and they become one flesh. Adam and his wife were both naked, and they felt no shame. (Gen 2:23-25 [NIV])

The union in this story is not blessed by God, given equal dominion over the earth, nor encouraged to procreate. In fact, the final line celebrates unabashed nudity. Man and woman are united as one flesh but not necessarily to produce offspring nor for any specified length of time. While it may seem obvious that “becom[ing] one flesh” indicates lifelong monogamy, it could just as easily be promoting impassioned intercourse between two individuals. Male and female could come together to copulate and then each join with other males and females. This stance is supported by the fact that procreation and familial bonding are only mentioned in this story as *punishment* for disobeying God (Gen 3:16).

Those opposed to same-sex marriage disagree, citing Genesis 2 as proof that “natural marriage” is monogamous and heterosexual, and is “the foundation of human community” (Dearman 1996, 53). Because woman is formed from man, becoming one flesh “complete[s] the symbolic circle of their one-flesh origins” (Dearman 1996, 55). This viewpoint hinges on the notion that because a woman is the suitable helpmate for Adam, all men therefore require a woman to complete them and vice versa.

One could argue in response that it is not clear whether God creates unique male and female beings in this version, or whether God creates a single “dual-sex earth creature” that God then divides to produce two fully-fledged beings, especially in light of Genesis 1 (Knust 2011, 56). Although the genesis of Adam and Eve is popularly accepted today, in antiquity their conception was understood differently. First, while the New Revised Standard Version, the New International Version, and the King James Version all state that God formed woman from one of man’s “ribs,” in reality scholars do not know what this Hebrew word means (Gen 2:21). The word translated as “rib” is צלע (*tzela*), and only references part of a human body in Genesis 2, whereas elsewhere it “denotes the side of an object” (Gagnon 2001, 60n44). With that in mind, ancient sources interpreted creation differently. Rabbi Samuel bar Nahman writes in *Genesis Rabbah* that when God “created Adam, He created him double-faced, then He split him and made him of two backs, one back on this side and one back on the other side” (Gen. Rab. 8:1). Rather than form woman from the man’s rib, God simply liberates the already fully formed female from the *side* (*tzela*) of the fully formed male so that they may face each

other. This theory coincides with the ambiguously plural male-female entity fashioned in Genesis 1, and bolsters the egalitarian relationship established therein.

Plato describes a similar phenomenon in his *Symposium*. Describing the origins of love, Plato writes that the original earthling was spherically-shaped with four hands and legs and two faces; two people connected back-to-back (Plato *Symposium* 189e-190a). Some of the original creatures were male/female, while others were male/male and female/female. Zeus then severed the creatures into two separate beings (Plato *Symposium* 190d). Those males that were separated from females search for their female counterparts, while the other males (or females) quite literally seek their male (or female) soul-mates (Plato *Symposium* 191c-192a). Thus it appears scholars in ancient times had an understanding of creation that embraced sexual diversity.

In addition, it is important to note that God creates a helpmate for Adam because God determines that it is wrong for man to be alone. This point bears repeating. God forms a partner for man, *solely* because God does not want God's human creation to be lonely. One could argue that above all else, God values companionship. After each step of creation, God remarks that his creation is "good," yet after forming Adam, "God realizes there is something within the world . . . that is insufficient . . . loneliness is the first problem of creation" (Michaelson 2011, 6). God appears to be "constantly thinking of creation 'as it ought to be'" and adjusting the universe accordingly (Johnson 2012, 124).

Some assert that God's choice of a female for the lonely male emphasizes that "the relationship between man and woman is a result of divine blessing, and the

relationship affirms what is humanly ‘according to kind’ and capable of reproduction” (Dearman 1996, 54). While many translations describe the woman as Adam’s “wife”⁸ and Adam as the woman’s “husband,”⁹ which may illustrate an early institutionalized version of marriage, the Hebrew text itself suggests otherwise. In Hebrew, Adam is consistently called either “אָדָם” (*adam*, “earth-creature”)¹⁰ (Knust 2011, 50) or “אִישׁ” (*ish*, “man” (Gen 2:23 [JPS])), and the woman “אִשָּׁה” (*isha*, “woman” (Gen 2:23 [JPS])). It is possible these words have multiple meanings but as words exist specifically to connote husbands and wives (Dearman 1996, 55), it is more likely that the Hebrew has been “reimagined” in translation to suit an ulterior purpose.

Further, God does not take pity on his lonely earthling and declare, “This man needs a wife!” Rather, God witnesses the need for “עֶזֶר כְּנֶגְדּוֹ” (*ezer kenegdo*; Gen 2:20 [JPS]) an “appropriate partner” or “suitable helper” (Johnson 2012, 124). One would think that if the purpose of Genesis were to institutionalize heterosexual marriage, God would immediately provide a heterosexual human partner for man and consecrate the relationship in some way. Instead, however, God first tests the suitability of each living creature before forming a mate from the man’s side (Gen 2:20). Thus, one cannot argue with certainty that God’s design for all humanity is heterosexual unions, or marriage for that matter, but rather that each earth-creature should have its uniquely suitable helpmate.

⁸ See Gen 2:24 [NIV] [NRSV] [KJV]

⁹ See Gen 3:6 [NIV] [NRSV] [KJV]

¹⁰ Incidentally, this translation also supports the notion of an early dual-sexed creature, since “the terms *male* and *female* are not used . . . [but] are presupposed” based on the story’s conclusion of the male and female’s reunion as one flesh (Dearman 1996, 55).

Finally, the fact that there are two creation stories and a multiplicity of interpretations indicates there was disunity even within the earliest¹¹ text. While one can assume from the ensuing references in the Bible that heterosexual relationships are condoned, it is debatable which creation story –if either– is God’s singular plan for all humanity for eternity (Waetjen 1996, 104-105). Moreover, reading Eden as the foundation for marriage defies how some early Christians interpreted the story. If Plato and Rabbi Samuel bar Nahman were correct, one can argue God’s initial design for humanity deemed “sexual abstinence . . . preferable to sexual activity” (Knust 2011, 52). This perspective accords with the New Testament’s emphasis on celibacy¹² and challenges the view that heterosexual marriage is necessary to fulfill God’s vision for humankind.

All Roads Lead to Polygamy

In addition to male-female complementarity, opponents of same-sex marriage consider monogamy a fundamental component of marriage based on the creation stories in Genesis. As demonstrated above, however, monogamy is not inherent in creation nor was it practiced by the biblical patriarchs. In fact, it is not until the New Testament that monogamy is encouraged,¹³ thereby displacing the myriad forms of marriage described earlier.

¹¹ Although this may not be the earliest text historically, creation is the first story contextually.

¹² See Chapter II for a more detailed explanation.

¹³ Note that Paul encourages monogamous marriage in order to minimize “sexual immorality” (1 Cor 7:2 [NRSV]), and not purely on the merits of male-female bonding.

Today, the Religious Right fears same-sex marriage is a slippery slope to polygamy (Sprigg 2012a). Not only is this fear unfounded but also the merits of same-sex marriage ought not be based on whether it will create a precedent for alternate types of marriage. In the same way that heterosexual couples are not banned from wedding because their unions might lead to polygamy or incest, homosexual relationships should not be measured by other forms of marriage. Furthermore, polygamy epitomizes “biblical marriage.”

In ancient times, survival of the nation was critical. The early patriarchs’ covenants with God centered on the promise of having progeny as “numerous as the stars” (Gen 22:17 [NRSV]). One could argue same-sex unions are not highlighted in the Bible because homosexual couples cannot reproduce and strengthen the herd (Dearman 1996, 56). Polygamy, on the other hand, served a higher purpose. A man with multiple wives can produce more offspring and bolster his position in the community. At the same time, society protected females by allowing men to acquire multiple wives – thereby providing shelter and safety for the women (Ibid).

In the twenty-first century, this system is antiquated. Women have more rights and independence, and can care for themselves if need be. Although the ideal is for a polygamous husband to treat each of his wives equally, this does not always occur and “tend[s] *not* to produce strong, confident women” (Stanton and Maier 2004, 28). In fact, it seems lesbian relationships produce one of the healthiest environments for women, since they tend to be more egalitarian (Mundy 2013, 63).

Moreover, proponents of polygamy allege having more wives distributes the burden of satisfying the husband's sexual needs, relieves women during pregnancy, and distributes the workload more evenly (Horowitz 2002, 253). While this may (or may not) be true, no amount of wives will satisfy a homosexual man, nor will a lesbian provide the love and devotion a heterosexual husband should feel from his spouse. Forcing homosexuals into heterosexual marriages "would deny to the gay or lesbian person the intimate companion that he or she needs and desires; . . . it would also frustrate the reasonable expectations of the unwitting heterosexual spouse" (Johnson 2012, 124). Simply put, the heterosexual spouse of a homosexual individual is deprived of the complete relationship he/she deserves and vice versa because they are not suitable "helpmates."

The fear that same-sex marriage might lead to group marriage, which will leave society with "socially meaningless, legal ties that bind very little of social value" has yet to be substantiated (Stanton and Maier 2004, 28). In the nineteen countries that recognize same-sex marriage, none permits polygamy nor does it appear to be seeping into those societies as a result. On the other hand, forty-nine countries sanction polygamy but outlaw same-sex marriage. Neither polyamory (group marriage) nor polyandry (one woman with multiple husbands) are legally recognized in any country. This coupled with the multitude of world religions that permit and promote polygyny¹⁴ indicates heterosexual males (not homosexuals) are who desire and promote polygamy.

¹⁴ Many religions allow the union of one man with many wives, but not one woman with many husbands (Snyder 2006, 94).

Critics of polygamy and same-sex marriage contend monogamy “socialize[s] male sexual energy and masculinity and protect[s] women from becoming sexual and domestic-service objects” (Stanton and Maier 2004, 28). This statement is offensive to both men and women; not only does it underestimate men’s integrity and innate strength of character but also devalues women’s resilience and role in society. If heterosexual monogamous marriage is the dike preventing men from becoming feral and treating women as doormats, society is lost with or without the influence of same-sex marriage. There are pros and cons for allowing polygamy both socially and biblically. Polygamy is an interesting debate in itself but the case in point is same-sex marriage.

The concern that condoning homosexuality will promote a non-monogamous lifestyle stems from the notion that men are sex-crazed beings. Because men are obsessed with sex, and homosexual men lack the balancing restraint of a female partner, gay couples supposedly have more sex and are less monogamous (Mundy 2013, 68). This fear is misplaced. While gay men statistically tend to have more partners, lesbians do not. In fact, lesbians are more committed to monogamy than heterosexual women (Ibid). Moreover, not all gay men are flamboyantly sexual and not all straight men are perfectly monogamous. In addition, polyamorous men are not necessarily clamoring for polygamous (or monogamous) marriage, nor are they encouraging heterosexual couples or men to become swingers. Finally, if a lascivious homosexual male did solicit a heterosexual man or couple, it would be the responsibility of the heterosexual person to reject the man’s advances and remain true to his heterosexual, monogamous self. After all, as the popular saying goes: it takes two to tango.

The Benefits of Same-Sex Marriage

Advocates for gay marriage avow heterosexual couples may actually benefit from its legalization. “Same-sex marriage gives us another image of what marriage can be,” whether more egalitarian or more open (Mundy 2013, 65). Some find this threatening because it may cause couples to reevaluate their relationships and many people do not like change. But perhaps this change will have positive effects. An egalitarian model reflects that which God envisions in Genesis 1 and is supported by both Paul and Jesus. Returning to this ideal may be beneficial for relationships that are still unbalanced despite being comprised of both a male and a female. Some have also argued that same-sex marriage would be “stabilizing” for gay men, as it encourages responsibility, safe sex, and less promiscuity (Sullivan 2004, 179). In other words, by opening the closet door wide, legalizing same-sex marriage may extinguish many of the Religious Right’s fears.

Focus on the Family does not acknowledge the positive effects same-sex marriage may have on gay and heterosexual couples alike and instead insists on the opposite: “the standard of lifelong, traditional marriage as the foundation of family life in our nation is under attack” (Focus on the Family Issue Analysts 2008a). Because many homosexuals were at one point married to a member of the opposite sex, they are harming heterosexual unions by contributing to the rise in divorce rates (Sprigg 2003). On the other hand, same-sex marriage advocates contend that if homosexuality were accepted in society, homosexuals would not be coerced into heterosexual unions and hence those relationships would not result in divorce. There is no doubt that marriage “faces unprecedented challenges today, including divorce, cohabitation, out-of-wedlock births

and fatherlessness” (Focus on the Family Issue Analysts 2008a), but to blame this damage exclusively on homosexuals is misguided, which even conservative spokesmen acknowledge to some extent (Sprigg 2004, 67). Moreover, doing so contradicts the Christian adage, “He that is without sin among you, let him first cast a stone at [the sinner]” (Jn 8:7 [KJV]).

The problems facing marriage today were instigated and propelled by heterosexual unions. This is easily proven by the fact that same-sex marriage was not legal in the U.S. until 2003, and only then in Massachusetts. The National Organization for Marriage contends, “High rates of divorce are one more reason we should be strengthening marriage, not conducting radical social experiments on it” (Same-Sex Marriage). Peter Sprigg¹⁵ explains that marriage is “about bringing men and women together in permanent, exclusive domestic and sexual relationships” (Sprigg 2004, 22). Same-sex marriage, however, does not conflict with this “traditional” view of marriage apart from being comprised of the same sex. The truth is, marriage needs a radical stimulant for it to survive, let alone flourish in the coming decades, and legalizing gay marriage may be the boost it requires. Countries that have embraced same-sex marriage have actually experienced an uptick in heterosexual marriage rates and a decline in divorce (Mundy 2013, 64). At the very least, this proves gay marriage does not harm heterosexual marriage, and at best it is saving the withering institution.

Despite statistics to the contrary, the Religious Right asserts sanctioning gay marriage would be a formal endorsement of “romantic companionship,” which would

¹⁵ Senior Fellow for Policy Studies at the Family Research Council, Peter Sprigg is an outspoken advocate against gay unions.

“undermine [marriage] norms” (Anderson 2013a). What the Religious Right fails to address is the fact that gay couples are not seeking a “wedlease” (Anderson 2013b), they are earnestly fighting for the right to marry with all that wedlock entails (Johnson 2012, 128). Homosexuals did not invent no-fault divorce. Any sin of cohabitation among same-sex couples could be deterred if gay marriage were permitted and encouraged. Out-of-wedlock births are inapplicable to gay unions since homosexual couples cannot reproduce, as the conservative movement emphasizes. Lesbians may be guilty of contributing to “fatherlessness,” however, this term is insidiously misleading in this context, and will be further explored in Chapter II.

In January 2014, actress Lily Tomlin wed her partner of 42 years (Sieczkowski 2014), meanwhile in August 2013, reality star Kim Kardashian divorced her husband of 72 days, Kris Humphries (Wilder 2013). The booming Las Vegas wedding industry and ease of obtaining a marriage license online undermines the longevity and sanctity of marriage and underscores heterosexuals’ –not homosexuals’– role in its demise. While there are exceptions to every rule, gay couples seeking to wed are not engaging in sham marriages, they are honoring the institution. Further, whether the marriage is arranged, spontaneous, thoughtful, procreative, convenient or otherwise, heterosexual couples are allowed to wed regardless. Marriage has been deemed “such an important social institution that even convicted felons ought not to be deprived of the freedom to marry”

(Ellison 2004, 15). There is no litmus test¹⁶ for marriage in America, and if one were instituted for one class of people, it must extend to all.

Interracial Marriage: A Case Study

The Religious Right's mission is to prevent any "redefinition" of marriage, yet less than fifty years ago marriage was amended in America to allow interracial unions. Opponents of same-sex marriage are quick to respond that interracial marriage "does not change the definition of marriage, which requires one man and one woman" (Sprigg 2003). There are at least two drawbacks to this viewpoint. First, it sterilizes the institution of marriage and reduces it to a sex-based accord. By this logic, any unions ought to be permissible so long as they are comprised of opposite sex individuals; like race or religion, age and familial relation should not prevent the union of any man and woman.

More importantly, the Religious Right's declaration that interracial marriage is more acceptable than same-sex marriage because it adheres to proper gender roles, suggests a collective "convenient amnesia." In the 1800s, Christian churches debated Scripture's teaching on the morality of slavery so stridently that it ultimately caused major divisions. In 1844, the Methodist Church split into two distinct branches and remained divided until 1939 (Gaustad and Schmidt 2002, 192-193). By the 1960s, the Church largely changed its tune. Representatives of the Catholic Church in America stated they opposed "the attitudes and cruel behavior of American society, which penalizes and ostracizes those persons who exercise their fundamental human right to

¹⁶ This refers to prerequisites like a desire to bear children, not to age or familial status.

free choice of a marital partner by entering into interracial marriages” (*New York Times* 1963).

In 1967, the Supreme Court’s ruling in *Loving v. Virginia* fundamentally redefined the public definition of marriage in the United States. While the Religious Right today claims interracial marriages were less controversial because they honored the tradition of one man and one woman, this grossly “misrepresents just how fundamental the difference in races was thought to be” (Strasser 1997, 67). At the time, interracial couples were excluded from the right to marry because they “violated God’s law” (Strasser 1997, 67). Despite the Bible’s overt opposition to these relationships, the Church now blesses interracial unions.

Interestingly, the same rhetoric employed in the 1960s regarding interracial marriage is used today on both sides of the gay marriage debate. In 1883, the Supreme Court defended an Alabama law opposed to interracial relations on the basis that “there was no racial discrimination, because the penalty went against both white and Negro participants” equally (Lewis 1964). Today, conservative groups claim that “‘the fundamental right to marry’ . . . is one that belongs to every *individual*, not to every *couple or group*” (Sprigg 2012a; emphasis original). In other words, every individual has the right to marry, but it must be to someone of the opposite sex (Sprigg 2004, 60). *TIME* magazine published an article entitled, “The Supreme Court: Marriage by Choice,” in which it quoted the goal of an organization as being the “freedom to join in marriage with the person of one’s choice.” Though nearly indistinguishable from articles written in 2013 about pro-gay rights organizations, this one was scribed in 1964 and references the

National Association for the Advancement of Colored People (NAACP¹⁷). Finally, just as same-sex marriage opponents claim homosexuality is not “inborn” (Sprigg 2004, 42), those against interracial marriage found evidence that “deep-seated psychological sicknesses of various sorts underlie the ‘vast majority’ of marriages between white persons and Negroes” (Osmundsen 1965).

In fifty years, times have changed substantially. At first illegal, interracial marriage was “modern living” by the 1970s (*TIME* 1968), and in 2014, racism is commonly accepted as deplorable. Regardless what an individual’s Bible says, Americans cannot own slaves and business owners must serve interracial couples without reservation. In contemporary American society with an African-American President, this is the status quo. Racist opinions, whether Scripture-based or otherwise, are labeled hate speech and are rarely protected by the First Amendment. Perhaps in fifty years the same will be true of homophobia.

First Amendment Guarantees

In the meantime, however, the Religious Right invokes the First Amendment to protect its condemnation of same-sex marriage. Critics of same-sex marriage fear that legalizing it will force religious individuals to betray their beliefs or “marginalize those who affirm marriage as the union of a man and a woman” (Anderson 2013a). After all, the First Amendment does not promise freedom from religion, but rather freedom *of* religion. The Family Research Council (FRC) explains that the Amendment “exclude[s] any law ‘prohibiting the free exercise’ of religion,” which directly contradicts the

¹⁷ Incidentally, in 2013, the NAACP formally endorsed same-sex marriage (Jealous 2013).

“freedom from” perspective (Grudem 2013, 3). Underscoring its message, FRC highlights numerous instances of employees being fired for expressing homophobic comments and argues that legalizing same-sex marriage will lead to “denying people basic rights to freedom of speech and of religion” (Dailey 2006, 3).

While this is an accurate assessment in part, it is disingenuous. The First Amendment protects establishments of religion and the “free exercise thereof,” meaning it will not endorse one faith over another and it will not impede religious practice (Gaustad and Schmidt 2002, 127). What the Religious Right fails to acknowledge is that free exercise of religion is not *carte blanche*.

Consider the following scenarios: (1) a man’s religion encourages polygamy, so he strives to marry multiple women; (2) another man’s religion teaches that women are inferior so he refuses to work for a female manager; (3) a person sees a son disobeying his mother, so the person throws stones at the son in accordance with Deuteronomy 21:18-21; (4) an employer requires his employee to convert to the religion of the company’s CEO. Each of these examples would entail disciplinary action, whether by an employer or the government, regardless of the perpetrator’s religious beliefs except for the fourth, in which the employer is in violation of the First Amendment (Marcosson 2009, 144). In the same vein, homophobic slurs may not be protected simply because the speaker is expressing his/her religious beliefs. In effect, the Religious Right is claiming a *right* to discrimination (Marcosson 2009, 136).

The Other Twenty-Six

It is critical to remember that in America all citizens are supposed to have equal protection under the law and a chance to pursue happiness, which includes freedom from religious dogma (should they choose) (Cahill 2004, 14). While opponents of same-sex marriage may argue that it is a God-made right, marriage morphed into a civil institution in the U.S. when it became a vessel for 1,138 unique rights (Campolo 2009, 130). Some argue that because marriage is public it invites government interference to monitor the sanctity of the institution (Sprigg 2004, 22). The other side contends that the public status of marriage mandates government interference to protect those who are excluded and denied hundreds of fundamental rights. Whether or not an individual chooses to partake in the institution, it is the responsibility of the government to offer the same opportunity to all its citizens (Strasser 1997, 72).

By defining marriage as “natural” or “an institution created by God” (Sprigg 2004, 112), the Religious Right itself redefines marriage. Opponents of gay marriage contend, “*People of faith have every right to bring religiously informed convictions to bear on the making of public policy*” (Sprigg 2004, 110; emphasis original). This belief is underscored in a pamphlet published by FRC: “when Christian influence brings about good laws that do good for society, we should expect that some people will realize how good God’s moral standards are and they will glorify God as a result” (Grudem 2013, 6). In essence this brochure promotes proselytization through political influence and comes at the expense of American citizens’ rights.

Although the Religious Right has every right under the First Amendment to free speech and the free exercise of religion, should it also have the right to muscle the Nation into Christianity? To fully honor the Constitution, a bill that is theologically-based must “establish that . . . [there are] compelling state interests” that justify denying rights to a certain group such as same-sex couples (Strasser 1997, 5). There are after all, twenty-seven amendments that protect American citizens’ rights, not just one. As a ban on same-sex marriage would not fulfill this criteria, perhaps a more appropriate route would be to devise a bill that separates religious and civil marriage, placing all 1,138 rights in civil marriage and allowing religious sects the “free exercise” to perform marriage ceremonies as appropriate.

The Religious Right rejects this approach on the basis that because “marriage predates government” and is the “fundamental building block of all human civilization,” it should not be redefined to include same-sex unions (Anderson 2013a). While this chapter has firmly challenged that perspective, opponents of same-sex marriage argue further that “while respecting everyone’s liberty, government rightly recognizes, protects, and promotes marriage as the ideal institution for childbearing and childrearing” (Ibid). This adds another layer to the same-sex marriage debate, as two men or two women cannot reproduce naturally together. Because gay couples “cannot give society the key benefits of marriage—natural procreation and mother-father households for children—there is no reason for society to give homosexual couples” the rights and benefits afforded by marriage (Sprigg 2012a). Chapter II will address this contentious issue.

CHAPTER II

BE FRUITFUL AND MULTIPLY: PROCREATION AND GAY PARENTING

As discussed in the last chapter, the definition of marriage has evolved over time, and with each redefinition is a renewed concern about how the change will affect children or impede procreation. In 1883 for instance, the Missouri Supreme Court barred interracial marriage on the basis that such unions would produce sterile offspring:

If the issue of a black man and a white woman, and a white man and a black woman, intermarry, they cannot possibly have any progeny, and such a fact sufficiently justifies those laws which forbid the intermarriage of blacks and whites. (*State v. Jackson* 1883, 179)

The court pronounced its decision under the guise that in a “Christian nation,” marriage can be regulated in specific ways. Times have changed substantially since the 1800s, including the way the U.S. approaches the separation of church and state, yet many of the same excuses are employed today in the debate over same-sex marriage.

According to the Religious Right, marriage has two primary components. First, as explored in the previous chapter, it is comprised of one man and one woman. Second, the fundamental purpose of marriage is “to bring together men and women for reproduction of the human race” (Sprigg 2012a). “These two purposes, the unitive and the procreative, are equal and inseparable” (Sullivan 2004, 52). Because only heterosexual intercourse produces offspring, this is “God’s clue, given in nature” that “the only acceptable form of sexual intercourse is between a man and a woman” (Gagnon 2001, 164). Homosexual couples cannot procreate naturally so they should not be permitted to wed (Sprigg 2003).

The Birds and the Bees 2.0

In ancient times, procreation was only possible with the “penetration of a woman’s vagina,” which was proof enough of “God’s exclusive design in nature for

heterosexual intercourse” (Gagnon 2001, 169). Today, science is more advanced. Fertility clinics abound to assist infertile couples with reproduction. In some cases, methods are employed to enhance fertilization through penetration, but in others women are impregnated through in vitro fertilization (without penetration). While penetration is of course the most “natural” way to produce offspring, it is no longer the only means.

It is important to remember that artificial insemination was created for heterosexual couples – not homosexuals. Surrogacy exists for infertile heterosexual couples, and examples of this form of pregnancy exist even in the Bible. When Abram and Sarai¹ realize they cannot conceive, Sarai tells Abram to lie with her slave, Hagar, saying, “It may be that I shall obtain children by her” (Gen 16:2 [NRSV]). Society has already embraced the notion that there are infertile and sexually incompatible married couples who require reproductive assistance. Proponents of gay marriage emphasize this point and propose either excluding all infertile couples, including elderly heterosexuals, from matrimony, or permitting all couples to marry, fertility aside.

Opponents of gay marriage disagree. Because all heterosexual couples “are capable of giving any child they create (or adopt) a mother and a father” (National Organization for Marriage, Same-Sex Marriage), and because an “infertile [heterosexual] couple may get a surprise and conceive” (Sprigg 2003), drawing the line between fundamentally fertile and “intrinsically infertile” unions is “simple logic” (Sprigg 2004, 61). Moreover, instituting a fertility requirement among heterosexuals would demand a public evaluation of each couple’s fertility, which would be a “significant invasion of the couple’s privacy” (Sprigg 2004, 61).

¹ Abraham and Sarah prior to being renamed in Genesis 17.

There are two primary flaws with this stance. First, most would agree that family planning has become a deeply personal and private matter whether single or married, gay or straight. While the Religious Right may consider procreation the fundamental purpose of marriage, reproduction is not a marital requirement of all religions. Fertility as a standard for marriage would have to apply to all unions and could severely limit many couples' ability to wed.

Furthermore, while virginity was emphasized, fertility has never been a prerequisite for marriage historically. The nuclear family was not established until the 1940s (Graff 1999, 98), and in ancient times, children were produced more for economic reasons (i.e., more helping hands) than for love or deeper companionship, etc. (Graff 1999, 112). Many of the women in the Old Testament entered marriage barren and prayed God would open their wombs (Gen 20:18; Gen 29:31; Gen 30:22). In other words, women engaged in intercourse regardless of their ability to reproduce, and not only did God know this but was sometimes responsible for their infertility. Despite the Religious Right's contention that the primary purpose of "natural" marriage is procreation, the Bible itself indicates otherwise. Indeed it appears it is God's prerogative whether and at what age, couples will conceive in the Old Testament (Gen 18:13-14).

Opponents of gay marriage highlight God's first commandment in Genesis, "be fruitful, and multiply"² (Gen 1:28 [KJV]), as reason enough that homosexual marriage "violates natural law" (Sprigg 2004, 60). As discussed in Chapter I, while God does instruct all creation to "fill the earth," God does not specify in what context procreation must occur (Gen 1:28 [NRSV]). With modern science, homosexual couples can now

² This is not the first of the traditional "ten commandments," but according to the Bible this was God's first instruction to mankind.

fulfill God's mandate and thus should not be excluded from marriage on the basis of Genesis 1. In addition, the creation story that follows and introduces Adam and Eve, (and is most often cited as the foundation for the Religious Right's argument), only advocates procreation as punishment for disobeying God. God curses woman with desire for her husband and pain in childbirth (Gen 3:16). This story is not a ringing endorsement of procreation.

Finally, there is no evidence that in the New Testament, Jesus or Paul envisioned procreation as the purpose of marriage. Rather, emphasis is placed on "quality of the relationship" (Sullivan 2004, 79), longevity (Mt 19:6-9), and as a deterrent for sex out of wedlock (1 Cor 7:2). Paul instructs the Corinthians to marry in order to satisfy their lust in a wholesome manner, not to reproduce (1 Cor 7:9). In fact, Paul would prefer if everyone were celibate as he was (1 Cor 7:7-8). Jesus also supports chastity by example and instruction (Mt 19:12). Paul and Jesus' endorsement of celibacy and sex for passion's sake, directly contradicts the Religious Right's assertion that "reproduction of the human race is one of the central purposes of marriage" according to God (Sprigg 2004, 114). Additionally, based on Jesus and Paul's teachings alone, there is no reason not to extend marriage rights to homosexuals.

In the same way that the Religious Right contends all Americans have the same rights to marriage "but subject to exactly the same terms, which include compliance with the fundamental definition of marriage as the union of male and female," one could argue that all adults have the same ability to procreate (Sprigg 2004, 60). In other words, every fertile adult has equal potential to reproduce – he/she just must mate with a fertile person of the opposite sex. Applying the same logic as the equal-access-to-marriage argument,

since every adult has the potential to procreate, fertility should not hinder an adult's right to wed. Further, just as the Religious Right contends an infertile heterosexual couple may receive a lucky surprise, who is to say a homosexual couple cannot as well? While no doubt a further stretch of the imagination, it would not be the first time in history that a woman was impregnated by the grace of God (Mt 1:20).

Gay Parenting Myths Debunked

The second drawback to the perspective that fertility should determine one's right to marry, lies in the contention that only a man and woman can provide the proper environment for childrearing. The Religious Right asserts that an adopted child of homosexuals is "deliberately denied what he or she needs most—the love of both a father and a mother who are committed to one another in marriage" (Sprigg 2004, 62).

Myth: Homosexual Men are Pedophiles

The Religious Right contends homosexuals are terrible parents, who foster unhealthy and abusive conditions in which to raise children. In his book, *Outrage*, Sprigg outlines myriad reasons why homosexuals should not be permitted to wed or adopt children (Sprigg 2004). Citing a study published in 1989 by Kurt Freund, Robin Watson and Douglas Rienzo, Sprigg contends, "Homosexual men are proportionally far more likely to engage in child sexual abuse than are heterosexual men" (Sprigg 2004, 99). This claim is grossly misleading and happens to be entirely false.

First, the quote Sprigg attributes to Freund et al., actually stems from a 1985 study by Paul Cameron. Cameron's research has since been dismissed as "methodologically suspect," has "rarely been cited by subsequent scientific studies published in peer-

reviewed journals” (Patterson 2005), and Cameron has since been “expelled from APA³ for willfully misrepresenting research” (Michaelson 2011, 117). In fact Freund et al. themselves dispute Cameron’s findings, concluding Cameron’s results lack explanation so “research needs to continue in this direction” (Freund, Watson, and Rienzo 1989, 115). Ultimately, Freund et al. determine “these studies show that only rarely are sex offenders against male children diagnosed as androphiles” (Freund, Watson, and Rienzo 1989, 116).

Second, apart from Cameron (who is no longer considered reputable), most studies indicate that in reality pedophiles are primarily heterosexual. The majority of abusers in one study were “a heterosexual partner of a close relative” (Jenny, Roesler, and Poyer 1994, 41). This study also found that only “0 to 3.1%” of affected children identified homosexual adults as perpetrators of abuse, which aligns proportionally with the “prevalence of homosexuality in the general community” (Ibid). Finally, other research has discovered that “the adult heterosexual male constitutes a greater risk to the underage child than does the adult homosexual male” (Groth 1978, 175). These are just a few findings from myriad studies that overwhelmingly contradict the notion advanced by the Religious Right that homosexuals are somehow inherently pedophiles.

It is critical to distinguish between sexual orientation and pedophilia. Though it may seem counterintuitive, it is possible for a man to desire a young male erotically and

³ American Psychological Association

not be homosexual. Quoting research by M. R. Stevenson, Sean Cahill⁴ explains

Gay men desire consensual sexual relations with other adult men. Pedophiles are usually adult men who are sexually attracted to pre-pubescent children. They are rarely sexually attracted to other adults. (Cahill 2004, 35)

In other words, pedophiles are not necessarily attracted to a person based on his/her sex but rather his/her age. This is wildly different from an adult desiring another same-sex adult in the same way an adult might desire another opposite-sex adult. By perpetuating the myth that homosexuals are sex offenders, spokesmen like Sprigg, not only violate the ninth commandment (Ex 20:16) but also harm the same children they aim to protect by ignoring the true evildoers.

Myth: Two Moms = “Fatherless” Household

The claim that same-sex marriage entails the “*deliberate* creation of *permanently* motherless or fatherless households for children” (Sprigg 2004, 98), is a similar misrepresentation of facts, and disservice to same-sex individuals and their children. The Religious Right frequently conflates statistics about same-sex households with those on single-parent households. Ryan Anderson⁵ wrote, “If one of the biggest social problems we face right now in the United States is absentee dads, how will we insist that fathers are essential when the law redefines marriage to make fathers optional?” (Anderson 2014). Anderson even quotes “our own president, Barack Obama” to bolster his claim: “children who grow up without a father are five times more likely to live in poverty and commit crime . . . [and] are more likely to have behavioral problems. And the foundations of our

⁴ Former Policy Director for the National Gay and Lesbian Task Force, Sean Cahill, PhD, is currently Director of Health Policy Research at the Fenway Institute.

⁵ William E. Simon Fellow at The Heritage Foundation, and author of numerous articles and a recent book on the topic, Ryan T. Anderson is a vocal opponent of same-sex marriage.

community are weaker because of it” (Anderson 2013a). This line of thinking is dangerously misinformed and does not accurately reflect studies on gay parenting.

There are numerous drawbacks to this position. First and foremost, it is worth noting that when he delivered the speech cited above, Obama was an Illinois State Senator, not the President of the United States, as Anderson avows. Next, the sole focus of Obama’s speech on fatherhood is the plight of single mothers, especially in the African-American community (Obama 2008). He does not reference dual parent homes without a male presence but rather single mothers who were abandoned by their heterosexual partners. Reading Obama’s sermon, his mission is clear: “So many of these women are doing a heroic job, but they need support. They need another parent. Their children need another parent. That’s what keeps their foundation strong” (Ibid). He chastises men who shirk responsibility: “[the children] see when you are ignoring or mistreating your wife. They see when you are inconsiderate at home; or when you are distant” (Ibid). Obama concludes, “We should be making it easier for fathers who make responsible choices and harder for those who avoid them” (Ibid). His speech is not sexually-charged, let alone relevant to the same-sex marriage debate. This quote is wrenched from its original context and perverted to further the unwarranted claim that homosexuals are unfit parents. Finally, one could counter that in a society rife with fatherlessness, a household with not one but *two* fathers must be the epitome of good parenting.

Nevertheless Anderson contends, “The norms of monogamy and sexual exclusivity encourage childbearing within a context that makes it most likely that children will be raised by their mother and father” (Anderson 2013a). The biblically-

sanctioned, and most historically prevalent version of family consists of a man, a woman and their biological children (Ibid). While this is a perfectly reasonable statement, it is fundamentally flawed since monogamy and the nuclear family no longer represent the “norm.” It is also an inaccurate assessment of the Bible, and not what Jesus practiced or ordained. In fact, the idea of a nuclear family with “high valuation of marriage and the family runs *counter* to the teachings of Jesus, authors of the Gospels, Paul, and other biblical writers. . . . There are more resources in Scripture and tradition to *critique* marriage and the family than to support it” (Martin 2006, 122; emphasis original).

Jesus himself radically reforms the family hierarchy by positioning God as the Father above the paterfamilias (Grassi 1989, 142). Jesus preaches, “Anyone who loves their father or mother more than me is not worthy of me; anyone who loves their son or daughter more than me is not worthy of me” (Mt 10:37 [NIV]). In other words, religion surpasses familial ties, and “relationships by blood count for little compared with those familial relationships formed by intention, based on common beliefs and values” (Robinson 2012, 101). Leading by example, Jesus rejects his biological family and “pointing to his disciples, he said, ‘Here are my mother and my brothers. For whoever does the will of my Father in heaven is my brother and sister and mother’” (Mt 12:49-50 [NIV]). Jesus never married, never fathered offspring, is not known to have been sexually intimate, and spent most of his life with a “group of twelve men” – a “family of choice” (Robinson 2012, 100-101). Each of these was highly unusual in biblical times, yet Jesus did so unapologetically because according to him, quality of relationship outweighs all else.

The United States appears to be adhering to this “new” world order. Multigenerational households are not only commonplace but on the rise in America; one in ten children live with a grandparent (Livingston 2013). Single parent households have tripled in the past fifty years; 25 percent of households are led by a single mother, and 6 percent by a single father (Mathur, Fu, and Hansen 2013). And, in California in 2010, only 23.4 percent of households constituted the traditional “nuclear” family; a stark minority (Cohn 2011). Whether or not people find these statistics alarming, they indicate a “new normal,” and showcase the fact that an evolving definition of family is not unusual.

Today, divorce, single-parent, and multi-generational households are more prevalent than sexually exclusive, long-lasting nuclear families. This notion is further evidenced by the pervasiveness of fatherlessness. The Religious Right may respond that these statistics are precisely why it is necessary to enforce monogamy and avoid “destabiliz[ing] the family unit by turning men’s affections away from their wives and from the procreation and nurture of children” (Gagnon 2001, 165). In this case, what could better counter absentee fathers than two men reinforcing the importance of a father’s duty to his family? Gay men who choose to marry and have children would seem to exemplify the male’s responsibility towards his family.

Myth: Children of Gay Parents are Maladjusted

Critics of same-sex marriage promote distorted quotes and statistics because studies overwhelmingly indicate that same-sex couples are capable and even high-performing parents. There is one study that is repeatedly cited in opposition to same-sex parenting. The study was published in 2012 by Mark Regnerus, and purportedly

discovered that when compared with children raised in heterosexual families, children of gay parents “did worse . . . on 77 out of 80 outcome measures” (Sprigg 2012b).

Opponents of gay marriage leapt to laud and defend the study against pro-gay activists’ attempts to “discredit” that which “undermine[s] the politically correct claim that such children are no different from children with heterosexual parents” (Sprigg 2012c). While analysts on either side of any argument may try to disprove their opposition, such criticism is only possible if the study in question is actually suspect. This case is no exception.

Not only did critics of Regnerus find ample fodder with which to discredit his research but also spokesmen for the Religious Right advise caution based on the same evidence cited by their opponents. While there are numerous drawbacks to Regnerus’ research, arguably the most important is the fact that it fundamentally does not reflect children raised by same-sex parents. In order to determine whether the subjects had gay parents, the study asked, “Did either of your parents ever have a romantic relationship with someone of the same sex?” (Regnerus 2012, 756; emphasis original). If either parent had engaged in same-sex relations, the respondent was declared a child of same-sex parents. In other words, it would be akin to asking study participants if one of their parents had ever broken a bone (whether a pinky finger or a femur) and then classifying all those who answered “yes,” as children of disabled parents. It simply is not specific enough to produce an accurate assessment of the respondent’s household environment.

Reading further in the study, it quickly becomes evident that most respondents did not live with a gay couple, let alone were raised by gay parents. When respondents were

asked whether they had lived with their biological parent and his/her same-sex partner, participants responded as follows:

57% said they had lived with their mother and her partner for at least 4 months at some point prior to age 18. A smaller share (23%) said they had spent at least 3 years living in the same household with a romantic partner of their mother's. (Regnerus 2012, 757)

The numbers are even smaller for those who reported living with their father and his same-sex partner – 23% for at least 4 months, and a measly “less than 2%” for at least 3 years (Regnerus 2012, 757). The study also indicates that almost 50% of the participants reported that their biological parents had once been married (Regnerus 2012, 757). These striking statistics suggest that the professed ‘children of same-sex parents’ are actually offspring of parents who have at some point experimented sexually, may or may not be homosexual, are either single (heterosexual or homosexual) parents who cohabit sporadically, and were divorced at least once. The study then compares the 236 children of these unstable adults with 919 children of “lived in intact biological family (with mother and father) from 0 to 18, and parents are still married at present” (Regnerus 2012, 757). Once the reader understands the criteria employed to label children of gay parents as such, it instantly becomes apparent why these individuals fared abysmally.

The fact is Regnerus’ study does not accurately represent the offspring of gay parents whatsoever. It does not reflect planned gay families, nor still married two-parent homosexual families. Regnerus himself writes that the study “does not evaluate the offspring of gay marriages, since the vast majority of its respondents came of age prior to the legalization of gay marriage in several states” (Regnerus 2012, 755). In his review of the study’s limitations Sprigg admits, “Figures like these suggest a need for more research, to distinguish, for example, the effects of living with a homosexual parent from

having a non-custodial one, or the effects of living with a homosexual single parent vs. a homosexual couple” (Sprigg 2012b). Anderson too allows, “The social science on same-sex parenting is a matter of significant ongoing debate, and it should not dictate choices about marriage” (Anderson 2013a).

The jury is in. Numerous studies consistently demonstrate that offspring of homosexual unions fare as well, if not better, in certain areas than children of heterosexual parents (Allen and Burrell 1996, 19). In lesbian households, division of labor is more equitable and the non-biological parent shares child care-giving more often, which can result in stronger parent-child relationships than their heterosexual counterparts (Cantor 2006, 62-63). There are no reports of lesbians using physical punishment to discipline their children (Cantor 2006, 65; Gartrell and Bos 2010, 34), in contrast to the majority of heterosexual parents (Patterson 2005). Children of homosexual parents are actively engaged with their extended family (Cantor 2006, 61), and do not “suffer deficits in personal development” (Patterson 2005).

Myth: Adoption is a Recruiting Ploy

As a result of studies such as these, more adoption agencies are extending rights to same-sex couples. Sexuality is now just one of many factors these agencies analyze when entrusting parents with a child (Sullivan 2004, 185). Because of this, the Religious Right contends “redefining” marriage will impede Christian adoption services in the same way that same-sex marriage will cause small business owners to violate their religious beliefs. For example, once Massachusetts introduced gay marriage, “Catholic Charities of Boston was *forced* to discontinue its adoption services rather than place children with same-sex couples against its principles” (Anderson 2013a; emphasis

added). It is frankly shocking that a Church-based adoption agency preferred to close its doors rather than place orphans with suitable parents.

Both the Old and New Testaments fervently implore society to care for orphans (Deut 10:18; James 1:27). Although the Religious Right claims that “redefining marriage would further disconnect childbearing from marriage . . . [which] would hurt children, especially the most vulnerable,” perhaps the opposite is true (Anderson 2013a). First, if same-sex couples did not desire children, the issue would be moot – so evidently childbearing and marriage are still intimately connected. Furthermore, gay marriage does not undermine the fact that only a man and a woman can produce a baby, just as infertile heterosexual couples do not challenge this reality. Nowhere is it more painfully clear that gay and lesbian couples cannot reproduce than within those relationships. While heterosexual couples may discover once married that they cannot conceive without assistance, same-sex couples enter their relationships with this reality looming. For same-sex couples, family planning requires in vitro fertilization, surrogacy, or adoption. One would think adoption agencies would be thrilled with the prospect of hundreds if not thousands of couples whose sole options for family growth are fertility assistance or adoption.

In response, the Religious Right often accuses homosexual parents of converting or recruiting helpless orphans to homosexuality. In reality, this is not true. While studies show children of gay parents are more likely to “consider entering into a same-sex sexual relationship” and participate in one if they felt so inclined, the majority are self-reportedly heterosexual (Patterson 2005). Though some may argue the former indicates children of homosexuals are more promiscuous, it is also possible that they are either

more self-aware, more willing to experiment, or just more forthright in questionnaires than their peers. In addition, children with lesbian parents “reported greater psychological femininity than did those of heterosexual mothers,” which should quell stereotype-based fears (Ibid). Moreover, arguing that a person’s sexuality can be manipulated is akin to admitting that heterosexuality too is not inborn. As the ex-gay movement painfully confirmed, heterosexuals can no more convert a person’s sexuality than homosexuals can. While the origins of sexuality have not yet been scientifically proven, it seems evident that one can experiment but not transform one’s sexuality.

Real Problems Children of Gay (and Straight) Parents Face

On par with studies of heterosexual offspring, the problems children of homosexual parents do experience often stem from divorce more than the parents’ sexuality (Patterson 2005; Gartrell and Bos 2010, 34). As demonstrated above, when comparing childrearing settings, it is important to contrast groups that truly reflect the same environment. Thus, offspring of still-married heterosexual couples should be measured against planned offspring of still-married homosexual couples. Comparing single-parent, poverty-stricken children to children of a messy divorce “is *not* the same as asking whether kids need to grow up with parents of two sexes” (Graff 1999, 119). In fact, studies show that children prosper most when raised by parents devoted to their offspring, whether divorced, widowed or married, gay or straight (Graff 1999, 120).

In addition, children of homosexual parents face prejudice due to the lack of social support for their parents’ relationship and stigmatization of homosexuality. A 1968 article interviewed interracial parents who explained, “You can’t really prepare your children for pain . . . whether it’s the pain of losing a close friend, or being defeated in a

basketball game or being discriminated against” (Hammel 1968). The same is true today for same-sex parents who try to prepare their children to handle adversity (Cantor 2006, 69).

In essence, the Religious Right’s war on same-sex marriage is injuring the very children it strives to protect. By delegitimizing same-sex marriage, children of such parents have less social support and their young peers have more fodder for bullying. This would seem to run counter to multiple biblical adages, including the importance of protecting orphans (and children in general) (Ex 22:22; Deut 10:18; Mt 19:14), the ninth commandment not to “bear false witness against your neighbor” (Ex 20:16 [NRSV]), and the Christian golden rule, “do to others as you would have them do to you” (Mt 7:12 [NRSV]). Finally, as mentioned above, it denies certain people the ability to fulfill God’s command in Genesis 1 to fill the earth.

It is natural and important that the Religious Right cares for the well-being of future generations. Children are the key to humanity’s survival, an individual’s legacy, and are a critical part of most biblical covenants with God (Gen 9:12; Gen 15:18). But marriage and procreation are no longer mutually exclusive, and same-sex marriages and families do not conflict with fundamental Christian and American values.

The Religious Right argues relentlessly that “marriage is a public institution because it facilitates the union of men and women in reproducing the human race and the cooperation of mothers and fathers in raising and nurturing the children produced by their union” (Sprigg 2004, 61), but it is more than that. Somehow marriage has also become a vehicle for morality. Marriage sanctions a couple’s “natural right” to copulate, and places them morally above their single counterparts in society (Herdt 2009, 172). The question

then is whether the Religious Right would bless same-sex marriages that promised to remain childless. Because the answer is likely “no,” children must not comprise the true root of this debate. Thus, Chapters III-VII will examine the biblical verses most often cited by the Religious Right in opposition to same-sex marriage to determine whether Scripture truly condemns homosexuality as the Religious Right so ardently proclaims.

CHAPTER III

HOMOSEXUALITY IN THE BIBLE: DAVID AND JONATHAN

Before addressing whether or not the Bible condemns homosexuality, let alone same-sex marriage, it is important to know whether homosexuality even existed in ancient times. This chapter strives to answer the question by exploring first the historical context of the Bible, and second, the Bible itself to determine whether there are any examples of homosexual relationships akin to those that occur in the 21st century.

Sexual orientation is defined today as an “enduring pattern of emotional, romantic, and/or sexual attractions to men, women, or both sexes,” often expressed through physical behaviors (American Psychological Association 2008). The term “homosexual” arose in the late 19th century and was first included in the Oxford English Dictionary in 1912, prior to which the terms “pederast” and “sodomite” were generally employed in reference to men engaged in same-sex activity (Geis 2009, 135n3). Neither of these terms, however, was synonymous with “homosexual,” and the latter referred to a specific sexual act (Boswell 1980, 43n4). Certain liberal scholars relish semantics because *technically* homosexuality was not invented until the 1900s; the Bible could not possibly oppose what did not exist. Daniel Boyarin¹ explains, for instance, that the Bible “does not know of a general category of the homosexual (as a typology of human beings) or even of homosexuality (as a bounded set of same-sex practices)” (Boyarin 1995, 337).

¹ A religious historian and professor at the University California, Berkeley, Daniel Boyarin, PhD, is a prolific, well-respected author who has published numerous books and articles regarding the Hebrew Bible, and sexuality.

Modern audiences tend to place a protective veil over the Bible, assuming that because it is sacred and ancient, its precepts must be conservative and prude. When it comes to sex in the Bible it is easy, but perhaps unnecessary, to be squeamish. The Bible reflects humanity at its best but also its basest. Genesis is ripe with sordid affairs. Abram/Abraham pimps his wife, Sarai/Sarah twice, once to a Pharaoh and then again to King Abimelech, yet escapes unscathed (Gen 12:10-20, Gen 20). Reuben sleeps with his father Jacob's concubine (pseudo-wife); in other words, Reuben *shtups* his step-mother (Gen 35:22). Most of the patriarchs have multiple wives in addition to concubines. There are countless examples of women like Judith or Delilah who seduce men for ulterior motives, and duplicitous men who cheat to win in battle and otherwise (e.g., Gen 34:25-31). This is certainly not to suggest that homosexuality is akin to incest, prostitution or murder but to say that it is important to remember the Bible reflects more than just a nuclear family.

Following this line of reasoning, one scholar reflects on the absence of lesbianism, positing that perhaps the Bible does not reference lesbians not because they did not exist but because Israel was simply not opposed to or threatened by them (Brooten 1996, 69). Chapters IV-VII explore in depth the verses relevant to the same-sex marriage debate, and determine that what the Bible does proscribe is a specific sexual act: anal penetration. It does not, however, address oral, intercrural or other forms of same-sex (or heterosexual) intimacy. Thus, it is possible the biblical world was familiar with homosexuality and pointedly condemned the singular act it considered taboo.

Homosexuality in the Ancient World

In fact, many authors do acknowledge the existence of homosexuality in antiquity regardless whether an appropriate term existed. Perhaps most compelling are the reports of same-sex marriages in ancient Rome. According to John Boswell,² “Martial and Juvenal both mention public ceremonies involving the families, dowries, and legal niceties” (Boswell 1980, 82). There are also examples of weddings in which both men were overtly masculine: “The bearded Callistratus married the rugged Afer” (Ibid). Emperor Nero purportedly wed two different men in “public ceremonies,” and these were recognized according to the same law that validated heterosexual marriages (Ibid; Smith 1996, 237). While there are fewer examples of lesbian relationships, accounts do exist, which lends further credence to their reality (Boswell 1980, 83).

While many authors celebrate Boswell’s scholarship, they also find fault in some of his analysis of homosexuality in the ancient world (Smith 1996, 225). As explained, Boswell firmly argues that homosexuality existed in biblical times as an inherent orientation in the same manner it is recognized today. Other authors contend male sexuality was a wide spectrum of acts that were not limited to a specific orientation (Petersen 1986, 188). In this way, men were characterized by their actions, so laws limited specific behavior rather than sexual orientation (Ibid).

Further, the exploration of same-sex love and relationships by philosophers such as Plato, solidifies the fact that though the term “homosexual” did not arise until the 19th

² John Boswell was a professor at Yale, and is one of the 20th century’s most well-known, oft-cited, and controversial historians on the topic of homosexuality in antiquity.

century, homosexual relationships and individuals seem to have existed as such in the ancient world. In his *Symposium*, Plato writes through Aristophanes that there are women who are “not at all interested in men but are attracted towards other women,” and men who “take pleasure in lying beside or entwined with [men]” (Plato *Symposium* 191e). He continues to state that these men do so due to their “confidence, courage and manliness,” and only couple with women when they are “compelled by convention” (Plato *Symposium* 192a-b). Boswell adds, “The point is not introduced as if it were controversial, and none of his hearers seems to find it questionable” (Boswell 1980, 54). Plato clearly acknowledges homosexuality as an inherent orientation and honors it as such.

Other examples abound. A Babylonian omen text includes two different instances of males copulating with positive outcomes (Gagnon 2001, 47). Male prostitutes (serving other males) were an integral component of cult worship in Mesopotamian society³ (Gagnon 2001, 48). The Egyptians also permitted homosexual relationships (Gagnon 2001, 51-53). Although many of these cases describe homosexual acts with the intent either to fulfill a cultic ritual or establish authority by shaming the receptive party, which does not sufficiently prove an acceptance of homosexuality, some instances do reflect homosexual relationships versus just same-sex intercourse (Gagnon 2001, 52). Adding further credence to this argument is the fact that the Talmudic Rabbis report in their writings on the Egyptian and Canaanite practice of same-sex marriage (Brooten 1996, 65).

³ Note that this tradition may be more analogous to transvestism than homosexuality.

While it is difficult to say with certainty exactly what the biblical author(s) was familiar with, the evidence displayed above combined with vivid depictions on vases of same-sex activity suggests homosexuality persisted in some form in antiquity (Smith 1996, 234). The question then becomes whether the Bible itself contains any references to homosexuality as opposed to solely same-sex intercourse. The story of Jonathan and David may be one such example.

Brothers or Lovers?

Scholars have long debated whether the nature of Jonathan and David's relationship is erotic or platonic. Authors who oppose the possibility of an erotic relationship argue that the brothers-in-law share a close political relationship and platonic friendship. Others, however, find ample evidence of an erotic relationship throughout the books of Samuel. A third viewpoint honors both readings. When examined individually instead of as a pair, it is apparent the Bible treats their sexuality differently. Analyzing the controversial verses in this way plainly suggests Jonathan is homosexual while David's sexuality remains ambiguous.

David and Jonathan's first meeting dramatically transforms Jonathan's character. In a poignant scene, Jonathan is "bound to the soul of David" (1 Sam 18:1 [NRSV]). Jonathan strips the garments that define him as the son of King Saul, heir to the throne of Israel, and offers them to David, the young shepherd who valiantly defeated Goliath (1 Sam 18:4). In essence, Jonathan devotes his whole self, including his birthright, to David, "because he loved him as his own soul" (1 Sam 18:3 [NRSV]).

Proponents of same-sex marriage interpret this passage as a declaration of devotion between two male lovers. The verses are viewed as “virtually the only positive presentation of male homosexuality in the Jewish Bible” (Heacock 2011, 30). The sentiment that Jonathan loves David “as his own soul” is repeated at least three times (1 Sam 18:1, 1 Sam 18:3, 1 Sam 20:17), and is compounded by the fact that אהב (*ahav*, “he loved”⁴) and נפש (*nephesh*, “soul”) “elsewhere occur only [as a pair] in the erotic poetry of the Song of Songs” (Linafelt 2008, 524). Saul then welcomes David into his own house, which resembles the tradition of a wife moving to her husband’s home⁵ (1 Sam 18:2). By undressing before David, one could argue the text intimates these two men consummated their relationship (Dearman 1996, 58).

In addition, later in the chapter Saul insinuates his awareness of Jonathan and David’s love affair. Saul offers his daughter Merab to David to wed but ultimately gives her to Adriel (1 Sam 18:19). He then discovers his younger daughter, Michal, loves David, so Saul presents Michal to David instead (1 Sam 18:20-21). In offering Michal to David, Saul says: “בשתיים תתחתן בי היום” (1 Sam 18:21 [JPS]). The literal translation is “you shall be my son-in-law through two [today]” (Geis 2009, 60). Since the narrator has just informed the reader that Saul’s eldest daughter was betrothed to another man, one has to wonder who the second “-in-law” is. Pro-gay scholars will argue Saul must be

⁴ Hebrew translations are the work of this thesis author unless indicated otherwise.

⁵ Though this phrase is often used to describe a newly wed female, which may be employed to imply that David assumes the feminine role in the relationship, it is more likely that based on David’s performance against Goliath, Saul adopts David in a political capacity, not to entertain his son.

referring to Jonathan (Geis 2009, 60). In other words, Saul is acknowledging David's intimate union with his son, Jonathan, as well as David's future engagement to Saul's daughter, Michal. Hence, David will be Saul's son-in-law through two of Saul's children.

Interestingly, the three most popular versions of the Bible each handle this conundrum differently. The New Revised Standard Version (NRSV) translates "through two" as "a second time," as in: "Saul said to David *a second time*, 'You shall now be my son-in-law'" (1 Sam 18:21 [NRSV]; emphasis added). The New International Version (NIV) also translates בַּשְּׁתִּימִ as "second" but attributes it to David's "second opportunity" to become Saul's son-in-law. Similar to this approach, the King James Version (KJV) translates the verse as: "Thou shalt this day be my son in law in the one of the twain" (1 Sam 18:21 [KJV]). Evidently each translator is uncomfortable with the prospect of David marrying both Saul's son and daughter. There is however, a possible conservative reading that remains faithful to the text. One could argue that Saul recognizes David as his adopted son through David's covenant with Jonathan (Gagnon 2001, 147). Since the men are now akin to brothers, when David marries Michal, he will be Saul's son-in-law "through two."

Conservative authors interpret Jonathan's covenant with David as a transfer of power and establishment of an alliance between two tribes (Himbaza, Schenker, and Edart 2012, 31). Jonathan forgoes his right to the throne when he gives his robe and armor –all that defines his power– to David, and pledges his support to David's sovereignty (Gagnon 2001, 148). Later in the story Jonathan promises David, "You shall be king over Israel, and I shall be second to you" (1 Sam 23:17 [NRSV]). This passage

“signifies a love that has less to do with personal affection and more about formal obligations in accordance with agreements made” (Heacock 2011, 14).

While both interpretations are compelling for different reasons, there is a third reading that honors both traditions. When considered as unique characters instead of a combined unit, the passage illuminates Jonathan’s sexuality but remains obscure regarding David’s.

The opening verses depict Jonathan’s love for David but do not portray David’s feelings towards Jonathan. Jonathan is described as practically throwing himself upon David, after which David is characterized as successful in war. This literary choice either underscores the point that Jonathan’s actions are a political maneuver or highlights David’s indifference to Jonathan’s prostrations. Based on their first meeting alone, however, it is difficult if not impossible to argue that the two men are involved erotically. It is therefore necessary to examine the development of their relationship, and analyze each man’s level of commitment to the other.

Introduction to Jonathan

Interestingly, prior to David’s arrival in the story, there is no indication of Jonathan’s sexuality. He is depicted as a mighty warrior, commanding 1000 men at Gibeah of Benjamin (1 Sam 13:2). When Jonathan calls upon God for a sign in battle, God responds and delivers Jonathan’s enemies (1 Sam 14:14). Jonathan is the crown prince and, sexuality aside, finds favor with God.

The text also indicates Jonathan is a rebellious son. When Saul orders the troops to fast for a day (1 Sam 14:24), Jonathan does not hear the decree, and consumes a bit of

honey (1 Sam 14:27). When he learns of his mistake, Jonathan does not repent but rather chastises his father for making such a foolish oath. Ever the pragmatist, he declares, “How much better if today the troops had eaten freely” (1 Sam 14:30 [NRSV]). When Jonathan is tried for disobedience before Saul, Jonathan is protected by the people both for his “great victory” and because “he has worked with God” (1 Sam 14:45 [NRSV]).

While the Bible frequently ascribes age to vital characters and outlines important lifecycle events, it is only through deductive reasoning that the reader can infer Jonathan’s age. Based on Saul’s youngest son’s age (forty) at the time of Saul’s death (1 Chr 9:39; 2 Sam 2:10), as the eldest, Jonathan must have been at least forty-four when Saul died. If David was thirty when he began his rule shortly after Jonathan’s death (2 Sam 5:4), the two men were at least fourteen years apart. Since the same Hebrew word, נער (*naar*), used to describe David as “just a boy” when he fights Goliath (1 Sam 17:33 [NRSV]), is employed to describe Ishmael when he is cast out at age fourteen,⁶ one can logically reason that Jonathan is about (or at least) twenty-eight years old when he and David meet.

In short, Jonathan is introduced as a commanding and clever warrior, insubordinate but popular, and in good standing with God. One would think that the king’s eldest son, capable and valiant, would be married by twenty-eight and grooming heirs, but the Bible does not provide Jonathan’s marital status. It is only after his death, that the reader learns Jonathan had a son but again there is no mention of the woman who

⁶ According to Genesis 17:24-25, Abraham is ninety-nine when he is circumcised and Ishmael is thirteen. Abraham is 100 when Isaac is born so Ishmael must be fourteen when he is called “נער” and cast out in Genesis 21:12.

bore him (2 Sam 4:4). By contrast, David is depicted with numerous wives and offspring – so many that it is difficult to catalog them all (2 Sam 5:13). In fact, almost as soon as David enters the story, he is betrothed to Saul’s daughter (1 Sam 18:17).

Some maintain these details confirm that the two men are heterosexual. While possible, the fact that Jonathan fathered a child does not prove his sexual orientation. Scholars explain that “it is common in patriarchal societies for men whose primary sexual orientation is homosexual to live out a heterosexual role for at least some part of their lives, and in doing so father children” (Fewell and Gunn 1993, 150). In today’s parlance, this is called a “marriage of convenience,” and is still quite common in many parts of the world (Akram 2006; Branigan 2013). Perhaps Jonathan enjoyed a romantic relationship with a woman but maybe it was an attempt to fulfill the commandment to “be fruitful and multiply” (Gen 1:28 [NRSV]), and appease his father and nation.

Introduction to David

Unlike Jonathan who is clearly depicted as a capable leader, there are two distinct narratives that introduce David.⁷ The first portrays him as a young shepherd, chosen by God to succeed Saul as king of Israel (1 Sam 16:11-13). In this narrative, David is talked about but does not drive the action or speak himself. The text praises David and describes his character favorably (1 Sam 16:18). He is chosen to be Saul’s armor-bearer, meaning he will be the king’s “constant companion” (Jennings 2005, 10). Off the battlefield,

⁷ One indication that the two narratives are unique is the fact that in the second story, Saul does not know who David is (1 Sam 17:55-58) while in the first, David is the king’s personal armor-bearer (1 Sam 16:21).

David remains close, soothing Saul with his lyre-playing (1 Sam 16:21-23). Throughout the narrative, David maintains a passive but intimate role by the king's side.

David plays an integral role in the second story. The youngest of eight boys, David is impish and cunning (1 Sam 17:14). His first spoken words in this narrative exemplify his character. David asks, "What shall be done for the man who kills [Goliath]" (1 Sam 17:26 [NRSV]). This is a question full of ambition, and one that suggests David is only interested in challenging Goliath if he has something to gain. The story continues to depict him as crafty and brazen both in battle and in his private life.

Interestingly, in both narratives, David is described as "ruddy" and "beautiful" (1 Sam 16:12; 1 Sam 17:42). Because these qualities are included in both versions, they bear further examination. It is possible these traits are employed to harken the patriarchs of Genesis. Esau is also described as "ruddy" (אדמוני) (Gen 25:25 [JPS]), and Joseph is marked by his beauty (יפה) (Gen 39:6). As the author sets the stage for David to ascend to kingship in lieu of the rightful heir, it is logical to couch David's authority in a strong lineage.

Certain scholars argue that the repeated emphasis on beauty contributes to the sexuality debate. The Hebrew word for beauty (יפה) suggests femininity; "[Goliath] sees only another 'pretty boy,' a chief's 'boy-toy,' perhaps," which strikes a provocative chord (Jennings 2005, 15). David's beauty establishes him as an erotic being from inception and infuses the story with sexual undertones. His stunning good looks captivate individuals and crowds alike but this alone does not prove a homosexual relationship, which requires more than just attraction (Heacock 2011, 8). Further, David "is not in

other respects ‘feminized,’” so it is challenging to contend his beauty signifies homosexuality (Jennings 2005, 11).

Unrequited Love

Once Jonathan commits himself to David, Jonathan’s military prowess fades and David becomes the focal point. As David’s victories amass, Saul is increasingly threatened and David fears for his life. In a pivotal scene, Jonathan betrays his father to save David (1 Sam 20). Proponents of gay rights emphasize that while in hiding David pursues Jonathan twice but does not attempt to see Michal, which belies a homoerotic relationship (Ackerman 2005, 179). While certainly compelling, this reading is not entirely accurate. When David interacts with Jonathan the romantic language he employs reflects Jonathan’s feelings, not his own: “Your father knows well that you like me” (1 Sam 20:3 [NRSV]). David acknowledges and exploits Jonathan’s attachment but does not profess similar emotions. David’s purpose in this scene appears to be self-serving.

David does not kowtow to Michal because she is not whom he must surpass to become king. Many of the verses describe Jonathan’s love for and attachment to David but do not demonstrate that the feeling is reciprocated. When David meets Jonathan, he reminds Jonathan to “deal kindly with your servant, for you have brought your servant into a sacred covenant with you” (1 Sam 20:8 [NRSV]). In other words, David panders to Jonathan’s attachment to him, exploiting it for his own gain, which underscores Jonathan’s unconventional sexuality. Notice also that it is Jonathan who entreats David, “Jonathan made David swear again by his love for him; for he loved him as he loved his

own life” (1 Sam 20:17 [NRSV]). The repetition of this phrase continually affirms Jonathan’s devotion to David but not vice versa.

Jonathan, not David, arranges their second rendezvous in the field. The two men prepare a signal to convey David’s safety, yet Jonathan dismisses his servant and meets with David regardless (1 Sam 20:40). When the men convene, David prostrates himself and they kiss (1 Sam 20:41). The Hebrew word for “kiss” (*nesheq*, נשק) can portray an erotic kiss (e.g., Song of Sol 1:2) or a platonic one (e.g., Gen 45:15). Some authors claim David’s display of affection indicates a deeper love between the two men, while others contend these are “kisses of sorrow that conveyed the deep emotional pain of a committed friendship and alliance” rent apart (Gagnon 2001, 152). It may also be that *if* David professes his love, he does so only to secure an advantage for himself. Once again David performs as necessary and manipulates Jonathan’s desire for him, in order to secure a bond between the two and remove Jonathan from his path to the throne.

What their encounter in the field ultimately reveals is that the two men’s relationship is unbalanced, highlighting Jonathan’s vulnerability and David’s agenda. It is conceivable, though, that this reading stretches the plain meaning of the text. Perhaps the two men’s relationship is purely platonic and unadulterated, an ancient example of “male bonding” (Heacock 2011, 24). It is evident from Jonathan’s early insubordination that he does not feel beholden to his father. Hence, one could plausibly argue Jonathan foresaw David’s value and placed his trust, faith and the future of his people in David. In this capacity, Jonathan would do anything to protect and steward David. Saul’s outrage towards Jonathan’s betrayal coupled with Saul’s choice of vocabulary, however, firmly

undermines this interpretation. Saul is furious with Jonathan for his naïveté and presumably his sexuality.

Jonathan's Sexuality Unveiled

First, Saul curses Jonathan as the “son of a perverse, rebellious woman” (1 Sam 20:30 [NRSV]). By summoning Jonathan’s mother, Saul effectively disowns Jonathan and reframes his identity (Heacock 2011, 27). Further, by naming Jonathan as his *mother’s* son, Saul “destroy[s] the possibility that there is anything *in himself* that could have made the boy turn out like this” (Jobling 1998, 161; emphasis original). Saul then accuses Jonathan of “choos[ing] the son of Jesse to [his] own shame” (1 Sam 20:30 [NRSV]). While in First Samuel 18:2, Saul basically adopts David and will not “let him return to his father’s house” ([NRSV]), here Saul scornfully addresses David according to his father’s house, simultaneously rejecting David from Saul’s own. Saul curses Jonathan for treacherously siding with David who is now the enemy. In addition, the Hebrew word for “chosen” (בַּחַר, *bachar*), “indicates a permanent choice and a firm relationship,” which reaffirms Saul’s recognition that the men are romantically involved (Nissinen 1998, 55).

Although the use of “shame” could be misconstrued in the first half of Saul’s curse, the sexual implication is made more obvious when Saul continues his rant. Saul roars at Jonathan, “And to the shame of your mother’s nakedness” (1 Sam 20:30 [NRSV]), which “is a deliberate reference to the euphemism for sexual intercourse” (Heacock 2011, 27). The use of this phrase reveals the carnal nature of Jonathan’s passion for David. By invoking Jonathan’s mother, Saul again “transfers the blame of Jonathan’s perverse actions [away] from himself” (Heacock 2011, 27). If David and

Jonathan were simply close friends –politically aligned or otherwise– one would imagine Saul would use less sexually-charged language but instead he locates Jonathan’s transgression between his mother’s loins.

Some assert Saul’s reaction to Jonathan’s betrayal arises from jealousy (Michaelson 2011, 97). Saul notices David first and the development of his relationship with David echoes Jonathan’s (Himbaza, Schenker, and Edart 2012, 37). The Bible states that David “found favor” in both Jonathan’s and Saul’s “eyes” (1 Sam 16:22; 1 Sam 20:3). Saul and Jonathan both offer their military dress to David (1 Sam 17:39; 1 Sam 18:4). Both men are “pleased” with David (1 Sam 18:22; 1 Sam 19:1). Note that the Hebrew word *חָפֵז* (*haphetz*) means “take pleasure in” and can have an “erotic dimension” to it (Himbaza, Schenker, and Edart 2012, 27). Perhaps Saul’s wrath reflects frustration that his younger son has successfully wooed David away from him (Jennings 2005, 16). This is either an early indication that sexuality is hereditary, evidence that David is truly a beguiling young man, or a far-fetched claim. The latter is most probable, as Saul’s behavior likely stems from his position as king and commander in chief, entreating a gallant young warrior to join his ranks. Further, the text repeatedly demonstrates that Saul is short-tempered and attacks those who threaten his authority.

The line that follows Saul’s tirade highlights his political agenda and confirms Jonathan’s homosexuality. Saul concludes, “As long as the son of Jesse lives upon the earth, neither you nor your kingdom shall be established” (1 Sam 20:31 [NRSV]). This may refer to Jonathan’s literal kingdom –if Jonathan submits himself to David, Jonathan will never become king– but it may also refer to a figurative kingdom, Jonathan’s

offspring. The chapter concludes with Jonathan telling David, “The Lord shall be between me and you, and between my descendants and your descendants, forever” (1 Sam 20:42 [NRSV]). The Hebrew word employed here for “descendants” is זרע (*zara*), which is typically translated as “seed” or “offspring” (e.g., Gen 3:15 [KJV, NIV respectively]). Hence, Jonathan spurns his father’s reproach by placing his legacy in David.

It is also important to note that Jonathan’s reaction to his father’s curse is anger because “he was grieved for *David*,” and also because he was “disgraced” (1 Sam 20:34 [NRSV]; emphasis added). Jonathan first worries about David’s fate and then his own reputation. There is no mention in this passage of the nakedness of David’s mother or shame, only that of Jonathan. This may strictly reflect Saul’s disappointment in Jonathan for forgoing his birthright, but Saul has three younger sons in whom to entrust his legacy. Ultimately Jonathan’s steadfast devotion coupled with Saul’s use of sexualized terms in reference to Jonathan’s wrongdoing, underscores an erotic attachment.

David’s Lament

Perhaps the most telling verses regarding Jonathan and David’s relationship are the conclusion of David’s lament following Jonathan’s death.

I am distressed for you, my brother Jonathan;
greatly beloved were you to me;
your love to me was wonderful,
passing the love of women. (2 Sam 1:26 [NRSV])

The second line is particularly controversial as it implies mutuality in a homoerotic relationship. With Jonathan’s death, “David finally realizes how much Jonathan meant to him” (Michaelson 2011, 99). David’s avowal that Jonathan’s love surpasses that of

women, “goes far beyond the expressions of love” that brothers might convey (Geis 2009, 59). For many authors, this solidifies David and Jonathan’s homosexual relationship (Nissinen 1998, 55; Jennings 2005, 30).

The English translation, however, is misleading. The root of the Hebrew word translated as “beloved” is אהב, and is the same as the root for “nice” or “pleasant.” Because identical roots in Hebrew words often convey similar meaning, it is more likely that this verse means, “very dear you were to me,” which instantly changes the tenor of this passage (Linafelt 2008, 500). A simple alteration transforms David’s lament into a mere sympathetic nod to Jonathan. Moreover, David’s use of “my brother” eliminates the possibility of erotic attachment and highlights the notion he is belittling Jonathan’s affection. These details combined with David’s use of “*your* love” (2 Sam 1:26 [NRSV]; emphasis added), provides evidence enough that Jonathan’s love was unrequited.

Furthermore, the final word of David’s supposed ode to Jonathan is “women.” David concludes by likening Jonathan to a woman, “even if only to surpass her,” as if to say, Jonathan is “more woman than women are” (Fewell and Gunn 1993, 151). David then distances himself by flaunting his passion for not one but many women. He is clearly mocking Jonathan. In addition, after Jonathan commits himself to David, the text does not mention Jonathan’s involvement with women until he is compared to them in memoriam. Through these verses, David simultaneously “preserve[s] his own dominance and heterosexual reputation” and reaffirms Jonathan’s inadequacy as heir to the throne (Linafelt 2008, 523).

Critics have further suggested that David's lament is a "political ploy to prove his own worthiness to rule over Judah" (Heacock 2011, 34). This is a compelling argument and one that the text substantiates. First, there are three components that comprise a classic lament: announcement of the news by messenger, response with customs of grief, and a mourner's lament; all to which this text adheres (Heacock 2011, 34). It is important to remember that Saul's youngest son is still alive and eligible to ascend the throne. If David were genuine in his love for Jonathan and admiration of Saul, one would imagine he would support Ishbaal's succession, but instead David destroys him in battle (2 Sam 2:17). Thus, "the last obstacle to David's bringing his primary ambition to fulfillment and becoming king of Israel . . . [is] removed" (Morgenstern 1959, 325).

David's lament is at once a straightforward celebration of "the achievements of Saul and Jonathan . . . which mourns their deaths," and also an elegy that "denigrates their military prowess and their effectiveness as leaders of Israel" (Linafelt 2008, 508). His eulogy is disingenuous, serving only to bolster his own reputation and position in Israel. David exploits Jonathan's love for him, using it as a "political endorsement" while simultaneously "subtly devalu[ing] him" as the crown prince (Fewell and Gunn 1993, 151).

Mephibosheth's Adoption: A Posthumous Gesture of Love?

Eventually, after Jonathan's death, David does adopt Jonathan's son, Mephibosheth, finally honoring his pact with Jonathan (2 Sam 9:7). While some may argue this supports the reading that David too was in love with Jonathan, there is an alternate possibility. As evidenced by his lament, David often deliberately supports

Jonathan and Saul in public. For example, when David first learns the two men are dead, he murders the messenger, pointedly removing himself from blame and establishing his allegiance to Saul's line (2 Sam 1:16). In private, however, David's mission is to usurp Saul's legacy and establish himself as king.

It is possible that adopting Mephibosheth is one such example of David stoking goodwill with the public. There is no evidence that "David keeps an eye out for (or on) Mephibosheth simply because his soul is knit to [Jonathan's]" (Tull 2004, 6). As David is older when he embraces Mephibosheth, it may be that he has grown gentler and is truly honoring his alliance with Jonathan (2 Sam 9:7). At the same time, this vignette begins and ends with reference to Mephibosheth's lameness, which affirms Mephibosheth is an unsuitable heir, and by extension again highlights Jonathan's inadequacies.

The fact that Jonathan's son is introduced with crippled feet may also underscore Jonathan's homosexuality. In the Bible, uncovering another's feet can be a euphemism for sexual intercourse (Ruth 3:4). By presenting Jonathan's son with maimed feet, perhaps the text implies this child is the result of 'crippled' sex. This is certainly an extrapolation of the plain meaning, and is not a ringing endorsement for the Bible's view on homosexuality but it is a viable interpretation that reiterates Jonathan's homosexuality.

On the other hand, perhaps David adopts Jonathan's son not only to honor his oath but also because of his deep, abiding love for Jonathan. The Bible states Mephibosheth "always ate at the king's table" (2 Sam 9:13 [NRSV]). David does not just offer Jonathan's son money and land, but essentially embraces him as "his own son" (Jennings 2005, 31). Further, when David is pressed to sacrifice seven of his sons, he

spares Mephibosheth “because of the oath of the LORD that was between them, between David, and Jonathan son of Saul” (2 Sam 21:7 [NRSV]). This not only reveals David’s eternal loyalty to Jonathan (Jennings 2005, 32) but also indicates Mephibosheth is commensurate with David’s sons.

While pro-gay scholars may read David’s lament as an unadulterated ode to his deceased lover, supported through his adoption of Jonathan’s son, it is equally compelling to argue that David was self-centered and purely power-driven. Whether or not David and Jonathan were involved romantically, however, does not negate the homoerotic undertones in this narrative. One can convincingly argue that Jonathan was homosexual, and that despite his sexuality, he garnered God’s favor as a warrior (1 Sam 14:6-14).

Some scholars assert the lack of explicit sexual intercourse confirms the men’s friendship is platonic (Gagnon 2001, 153). David may be completely heterosexual, but one could also contend he was bisexual and did engage romantically with Jonathan whether or not the text depicts it. If they did not consummate the relationship, this story presents evidence that sexual orientation does not rely solely on sexual acts. After all, few would argue that a virginal heterosexual person might not be heterosexual wholly because he/she has not yet engaged in sexual intercourse with a member of the opposite sex. Jonathan evidently feels “*romantic* love with erotic overtones, whether or not it blossomed into sexual activity” (Michaelson 2011, 101; emphasis original).

Ultimately, the fact that this text explores alternate forms of sexuality indicates an early knowledge and presence of queer identities in biblical times. Proponents of same-

sex marriage highlight Ruth’s relationship with Naomi, and Daniel’s with Asphenaz (Geis 2009, 61; Helminiak 1994, 104-105; Michaelson 2011, 95) as additional examples of same-sex unions in the Old Testament. These stories are worth careful consideration and may indeed reflect further understanding of homosexuality in the ancient world. This chapter, however, focuses solely on David and Jonathan since their story is more widely discussed in the contemporary same-sex marriage debate. The information presented in this chapter, and the underlying assumption that homosexuality did exist to some extent in biblical times, will inform the analysis of the “clobber texts”⁸ discussed in Chapters IV-VII.

⁸ Biblical texts frequently employed by the Religious Right to “clobber,” or suppress, gay rights.

CHAPTER IV

STRANGERS AT THE GATE: SODOM AND GIBEAH

The Religious Right frequently cites passages from the Bible in opposition to same-sex marriage. As mentioned in the Introduction, Focus on the Family warns, “When God is said to sanction what He plainly forbids, then a serious heresy is unfolding before us in bold fashion” (Focus on the Family Issue Analysts 2008b). Websites such as “godhatesfags.com” underscore the notion that not only does God solely condone heterosexual unions but also that God actively rejects homosexual ones. While certainly true that the Bible focuses on heterosexual relationships as discussed in Chapters I and II, the question remains whether the latter is also accurate. The story of Jonathan and David implies the answer is more nuanced than the Religious Right allows. Chapters IV-VII will address this sensitive topic by examining each of the controversial verses in turn.

Perhaps the most notorious story cited in opposition to homosexuality from the Old Testament is that of Sodom and Gomorrah. There are two prevailing interpretations of what occurred there. The Religious Right clings to the notion that these cities incurred God’s wrath by engaging in homosexual acts, and thus claims the Bible opposes homosexuality (Dailey 2004, 1). On the other hand, liberal scholarship vehemently argues the sin of Sodom was inhospitality, which bears no relation to sexual orientation. This chapter lays bare the essential components of both viewpoints and offers a new twist to this seemingly black and white debate.

The story in Genesis 19 unfolds as follows:

The two angels came to Sodom in the evening, and Lot was sitting in the gateway of Sodom. When Lot saw them, he rose to meet them, and bowed down with his face to the ground. He said, "Please, my lords, turn aside to your servant's house and spend the night, and wash your feet; then you can rise early and go on your way." They said, "No; we will spend the night in the square." But he urged them strongly; so they turned aside to him and entered his house; and he made them a feast, and baked unleavened bread, and they ate. But before they lay down, the men of the city, the men of Sodom, both young and old, all the people to the last man, surrounded the house; and they called to Lot, "Where are the men who came to you tonight? Bring them out to us, so that we may know them." Lot went out of the door to the men, shut the door after him, and said, "I beg you, my brothers, do not act so wickedly. Look, I have two daughters who have not known a man; let me bring them out to you, and do to them as you please; only do nothing to these men, for they have come under the shelter of my roof." But they replied, "Stand back!" And they said, "This fellow came here as an alien, and he would play the judge! Now we will deal worse with you than with them." Then they pressed hard against the man Lot, and came near the door to break it down. But the men inside reached out their hands and brought Lot into the house with them, and shut the door. And they struck with blindness the men who were at the door of the house, both small and great, so that they were unable to find the door. (Gen 19:1-11 [NRSV])

Whether or not people have read this story, most are familiar with the term "sodomy." Until 2003, when the United States Supreme Court ruled sodomy laws unconstitutional, certain states regulated various sexual acts, such as same-sex relations (Toensing 2005, 62). "Sodomite" typically refers to a man who engages in anal intercourse (sodomy) with another man (Nissinen 1998, 45). Many assume that since the term stems from the biblical story of Sodom and Gomorrah, the sin of Sodom must be related to homosexuality.

The Origin of "Sodomy"

In actuality, the term "sodomy" was not invented until the 11th century. Initially, Jewish and Christian exegetes, such as Origen and Tertullian, understood the sin of

Sodom as excess and/or inhospitality (Carden 2004, 154). There is some evidence suggesting otherwise but it is difficult to substantiate. Philo describes “forbidden forms of intercourse” such as “men mount[ing] males without respect for the sex nature which the active partner shares with the passive” (Philo 1935). The Sodom referenced in this work, however, is not located in the same region as the biblical Sodom and some scholars speculate his account is not only inaccurate but also not his own (Bailey 1975, 22). Later in *Biblical Antiquities* (70 CE), which is improperly ascribed to Philo, the Sodomites are described as “sinners exceedingly” without mention to sexual deviance (Bailey 1975, 23).

Certain authors may cite Josephus in defense of a conservative viewpoint, since he writes, “The men of Sodom admiring the beauty of the youths, resolved with themselves to offer force and violence, in order to get them into their hands” (Josephus 1755, 17). Elsewhere in his account in *Antiquities*, however, Josephus characterizes the Sodomites as prideful and in violation of the laws of hospitality (Ibid). Since the Bible itself does not directly address the guests’ attractiveness, Josephus’ choice of language “betrays the influence of [his] contemporary life” (Bailey 1975, 23). It was not until the 4th century that John Chrysostom supplanted inhospitality for homoeroticism, which was fully embraced and further developed by Augustine who ingrained this reading in future Christians (Carden 2004, 154).

As mentioned, in the 11th century, Peter Damian coined the term “sodomy” in his work, *The Book of Gomorrah* (Michaelson 2011, 67). His definition included all same-sex sexual acts (Carden 2004, 176), and was used as a “legal classification for specific sins of Catholic priests” (Michaelson 2011, 67). In the 13th century, Thomas Aquinas

extended the sin of Sodom to all male and female homosexuality (Carden 2004, 184).¹ Finally, in the 17th century, the King James Version (KJV) incorporated “sodomite” into its translation of two verses: Deuteronomy 23:17 and Kings 14:24. Both of these, however, are mistranslations of *שֶׁדֵם* (*qadesh*), which can more accurately be translated as “temple prostitute” (Boswell 1980, 98-99). The temple prostitutes may have engaged in same-sex intercourse but did so under the guise of idol worship, which is problematic² for reasons apart from sexuality (Geis 2009, 21). While the Religious Right may locate anti-gay sentiment in the tale of Sodom and Gomorrah, this interpretation developed over hundreds of years and does not accurately reflect the original intent of the story.

Heterosexual Sodomites

In addition to semantics, there are numerous flaws with the premise that Sodom and Gomorrah were destroyed due to wanton homosexuality. First, although not initially obvious, one can deduce that the supposedly homosexual Sodomites are in fact heterosexual.

The text carefully details that *all* the men of Sodom, “young and old—all the people to the last man gathered about the house” and harassed Lot (Gen 19:4 [JPS]). Later, the story informs its readers that Lot “went out and spoke to his sons-in-law, who had married his daughters” (Gen 19:14 [JPS]). Since marriage requires consummation, these daughters must be in addition to the two aforementioned virginal daughters (Gen 19:8).

¹ For a more thorough explanation of the origin, history, and development of this term, please refer to Michael Carden’s *Sodomy*.

² See Chapter VII for a more detailed explanation.

These verses are critical for two reasons. First, if daughters of Lot married men from Sodom, there are at least two Sodomites who not only preserved the tradition of marriage but also engaged in heterosexual intercourse. Second, the insistence of the text that all the men of Sodom attacked Lot's house, suggests Lot's presumably heterosexual sons-in-law were among the mob and thus the mob could not have contained only homosexual men.

Although one could argue that Lot's sons-in-law were homosexual despite their marriages, it is unlikely. If Sodom truly were a lawless city comprised of rampant, brazen homosexuals, there would be no need to uphold the veil of heterosexual marriage. This coupled with the presence of other women in Sodom (Gen 14:16), suggests that Lot's sons-in-law and the rest of the mob were not homosexual but heterosexual men. Underscoring this theory is the fact that Lot offers the mob his daughters as a suitable alternative for his male guests, which presumes "a heterosexual context for the situation" (Toensing 2005, 72).

Interrogation vs. Sexual Intimacy

The men of Sodom implore Lot to release his visitors so they may "know" his guests. The Hebrew word translated as "know" is *yada* (יָדָע), which, depending on context, can imply sexual intimacy (Dailey 2004, 2). Reflecting this nuance, the New International Version (NIV) translates the mob's plea as, "Bring them out to us so that we can have sex with [*yada*] them" (Gen 19:5).

Lauding this translation, the Religious Right cites other biblical books to bolster its claim that Sodom was annihilated because of depraved sexual practices. Ezekiel refers

to the Sodomites' behavior as "abominable" (Ezek 16:50 [NRSV]), a term also used to indict homosexuality in Leviticus³ (Dailey 2004, 2). Jude's letter highlights Sodom and Gomorrah as cities that "indulged in sexual immorality and pursued unnatural lust" (1:7 [NRSV]). Finally, Robert Gagnon⁴ draws a parallel between the destruction of Sodom and Gomorrah and the great flood in Genesis 6, arguing that improper sexual relations were the catalyst for both (Gagnon 2001, 75).

Certain liberal authors instead contend that sex is entirely absent from the story. Rather than translate *yada* with a sexual connotation, some scholars choose to interpret its meaning as "to investigate (a person's state or actions)" within a juridical context (Morschauer 2003, 472). In ancient times, if a person seemed suspicious the community might interrogate him to discover his true purpose (Ibid). Perhaps in Genesis 19, the men of Sodom are demanding Lot release the angels so the mob may discover (*yada*) the visitors' agenda.

While the Religious Right may argue Sodom was destroyed for its perverse sexual inclinations, it is important to remember that God planned to eradicate Sodom and Gomorrah well before the angels were attacked. Thus, "the punishment that befell the city had to do with its previous and notorious state of wickedness" (Gomes 1996, 151). Perhaps the Sodomites were homosexuals before the arrival of the angels, but more likely neither homosexuality nor sexuality in general was the root of their evil.

³ See more in Chapter V.

⁴ Associate Professor of New Testament at Pittsburgh Theological Seminary, Dr. Robert Gagnon offers a conservative approach to homosexuality in the Bible.

In light of this, one scholar suggests that the wayward Sodomites recognized their fate upon the angels' arrival, and so demanded an audience with the visitors either to challenge their impending doom or reassure themselves otherwise (Gomes 1996, 151). While *yada* does have sexual implications in certain circumstances, it is solely used in reference to heterosexual intercourse in the Hebrew Bible, adding credence to the aforementioned viewpoint. Whereas Leviticus 18:23 employs שכב (*shakav*) in possible reference to male-male intercourse, the sexual connotation of *yada* relies on “sexual differentiation and complementation” in order to intimately “know” one’s partner⁵ (Bailey 1975, 3). Thus, it seems the Sodomites’ initial request is to know Lot’s visitors’ intentions, and not to know them sexually.

Although some scholars argue that *yada* means to interrogate and does not have a sexual implication, this interpretation is difficult to substantiate. Lot responds to the crowd’s demand by offering the men his daughters, who “have not known a man” (Gen 19:8 [JPS]). He does not offer himself up to be judged as an acceptable substitute for his guests, nor does he simply say, “Know my daughters instead.” Rather, Lot considers his daughters suitable precisely *because* they have not known *a man*, which is explicitly sexual (and heterosexual). While interrogation may seem a plausible reading at first, Lot’s response highlights the sexual undertones, and leaves little room for a chaste interpretation.

⁵ It can certainly be argued that homosexual partners can intimately “know” each other through non-sexually-differentiated coitus, however, for the sake of the perspective represented here, this is the apparent use of *yada* in the Hebrew Bible.

(In)Hospitality

Consequently, many scholars purport this passage examines the importance of hospitality and the consequences of harassing visitors. The most alarming part of the story for modern audiences is when Lot offers his daughters to the mob in lieu of his guests. In order to understand this portion of the text, it is important to remember two things. First, in the Bible, a woman was considered a man's property, and as such the man could do with her as he pleased (Helminiak 1994, 37). Second, in ancient times, hospitality was of utmost importance and reflected one's true character. "Hospitality was not merely a question of good manners, but a moral institution which grew out of the harsh desert and nomadic existence" of the Israelites (*Encyclopedia Judaica* 2nd ed., s.v. "Hospitality").

It is hard to believe that a man who would condemn his daughters to gang rape, could be deemed "righteous," yet at the time, hospitality required protection of one's guests above all else (Helminiak 1994, 38). Remember that there were no hotels, motels, or even inns for weary travelers. Traders and sojourners relied on the hospitality –and security– of their hosts in order to conduct business and journey successfully from one place to another (Boswell 1980, 96). The survival and advancement of humanity was practically dependent on good hospitality. Additionally, hospitality included an ethical layer for the Israelites. Because the Israelites were "strangers in the land of Egypt," they are required to shelter and aid the foreigner (Lev 19:34 [JPS]).

By demanding to interrogate Lot's guests (if that is in fact the mob's agenda), the Sodomites breach the understanding that guests are under their host's protection and

supervision until morning (Morschauser 2003, 469). When Lot rejects their request, the men's anger heightens and the crowd threatens Lot's integrity (Gen 19:9). This is a particularly offensive and xenophobic turn of events since Lot himself is a foreigner (Bailey 1975, 4). Underscoring this interpretation is the repeated use of the word שפוט (*shaphot*) or "judge." The crowd essentially says to Lot, "This one came here to live, and he will judge (וישפט) as the judge (שפוט)" (Gen 19:9). In modern times, this would be akin to accusing a recent immigrant of behaving as the Chief Justice of the Supreme Court. There was a specific process by which a person was judged, and Lot apparently violates the code (Morschauser 2003, 467).

When the Sodomites become further enraged and it is clear they mean to rape Lot's guests, their sin magnifies. In ancient times, anal rape was employed to "insult the men by treating them like women" (Helminiak 1994, 38). Rape was considered immoral in every case—homosexual or heterosexual—and was "the ultimate means of subjugation and domination" (Nissinen 1998, 48).

A modern example of this phenomenon is rape in prison. For example, evidence arose in 2004 that U.S. soldiers were assaulting detainees in Abu Ghraib and subjecting them to sexual humiliation, and in some cases rape (Higham and Stephens 2004). It is so widely accepted that male-male rape in prison is a way to establish authority (Nissinen 1998, 48), that it is even depicted in modern primetime television shows as normal. In each instance, the perpetrator is not labeled homosexual but rather is either protecting himself by establishing dominion or humiliating his adversary. In the same vein, "homosexual rape is the way in which [the Sodomites] violate hospitality—not the

essence of their transgression” (Michaelson 2011, 68). Both then and now, anal rape is the means to an end, not an expression of homosexuality.

The men are uninterested in Lot’s daughters not because the men are homosexuals, but because their purpose is to humiliate the foreigners (Seow 1996, 23). These are not flamboyant homosexual men yearning for erotic fulfillment, but rather wicked heterosexual men “asserting . . . [their] supremacy” (Nissinen 1998, 48). If the story depicted the angels entering a city teeming with coupled men living together harmoniously, and the angels then whisked Lot away and destroyed the city, it may be a clear indication that the Bible opposes homosexuality. But that is not at all what happens. Prior to the angels’ arrival, the audience only knows that Sodom is wicked (Gen 18:20-23). The story then indicates that God condemns Sodom for its crimes of inhospitality, not for its residents’ sexual proclivity.

Hospitality in Context

There is considerable textual support for the notion that the Sodomites were punished for “excessive arrogance, xenophobia, and contempt of hospitality” rather than homosexuality (Nissinen 1998, 48). The story of Sodom and Gomorrah appears among a series of stories about hospitality. First, Abraham welcomes three men (Gen 18), next two angels visit Lot (Gen 19), and then Abraham encounters King Abimelech (Gen 20). Each story depicts a different form of hospitality among strangers. While the Religious Right cites Ezekiel in support of an anti-homosexual reading, in reality this book supports the theme of hospitality. Ezekiel states, “Only this was the sin of our sister Sodom:

arrogance! She and her daughters had plenty of bread and untroubled tranquility; yet she did not support the poor and the needy” (Ezek 16:49 [JPS]).

Ezekiel 16 compares Sodom’s sins to Jerusalem’s and it is important to recognize that some of Jerusalem’s sins were overtly sexual (Ezek 22:10-11), and are deemed far worse than Sodom’s (Boswell 1980, 94). Also, remember that the men never succeeded in raping Lot’s guests, yet Ezekiel writes that Sodom “committed an abomination [*toevah*] before Me” (Ezek 16:50 [JPS]). The abomination (or culturally inappropriate⁶ transgression) the Sodomites committed must be related to inhospitality since this was the sin they actually perpetrated.

Boswell insightfully draws a parallel between Genesis 19 and Joshua 6 to further explain the significance of hospitality (Boswell 1980, 96). In Joshua 6, Rahab and her household are spared in the assault on Jericho because “she hid the messengers we sent” (Josh 6:17 [JPS]). Although Rahab is a prostitute, which is prohibited in the Hebrew Bible (Lev 19:29, Deut 23:18), she is protected due to her generous hospitality. If God pardons a harlot—a profession God patently denounces—God must value hospitality immensely. Thus, it is plausible God could demolish a city for not just its lack of hospitality but its overt disregard for it.

There is also support for this reading in the New Testament. In Matthew,⁷ Jesus instructs his disciples to abandon any town that does not welcome them (10:14). Jesus explains that for such towns “it will be more bearable for Sodom and Gomorrah on the

⁶ See Chapter V, for a detailed explanation regarding the meaning of *toevah* (“abomination”).

⁷ See also Luke 10:10-12.

day of judgment than for that town” (Mt 10:15 [NIV]). If homosexuality is the ultimate sin, how could an Israelite town with poor cordiality fare worse on judgment day? The Wisdom Literature discusses sinners who deserve to suffer for their crimes “since they evinced such bitter hatred towards strangers . . . [and] refused to welcome unknown men on their arrival” (Wisd 19:13-14 [NRSV]). These authors never considered the sin of Sodom “an issue of sexual immorality,” but rather a violation of the ethical code of conduct (Nissinen 1998, 47).

Some conservative critics provide a space for the hospitality argument by positing that the Sodomites’ abuse of foreigners is evidenced by their choice of debasement. Gagnon argues that regardless whether the whole mob was homosexual or just a few, it is this combination of homosexual lust *and* desecration of strangers that “establishes beyond doubt the utterly evil character of the city’s inhabitants” (Gagnon 2001, 76-77). Gagnon does concede, however, that Sodom and Gomorrah is not “an ideal passage” on which to base the Bible’s views of same-sex intercourse since much of the story is tied to hospitality, rape and other elements (Gagnon 2001, 78).

The punishment God delivers the Sodomites further underscores the viewpoint that Sodom’s crime is related to its lack of hospitality. God scorches the earth so that it is permanently uninhabitable. References to Sodom and Gomorrah throughout the Bible indicate that “no man shall live there, [and] no human shall sojourn there” (Jer 49:18 [JPS]). Whereas God’s covenants with the Israelites frequently include making their “descendants as numerous as the stars of heaven” (Gen 22:17 [JPS]), God’s repudiation of the Sodomites is exactly opposite. God smites the Sodomites so that the current

residents are destroyed and all potential future generations are extinguished. Additionally, since the land is also annihilated, it is impossible for a new breed of Sodomites to flourish in their stead. One could argue that this is the Levitical death warrant for homosexuals realized to its extreme potential⁸ (Lev 20:13); however, it is more likely that sex is a mere element of the story and not the cause of the Sodomites' demise.

There is one exception to the text's understanding of the Sodomites' sin, and that is in the Epistle of Jude. In the beginning of the letter, the author writes:

Sodom and Gomorrah and the surrounding towns gave themselves up to *sexual immorality and perversion*. They serve as an example of those who suffer the punishment of eternal fire. (Jude 1:7 [NIV]; emphasis added)

KJV translates the italicized portion as, "fornication, and going after strange flesh." The New Revised Standard Version translates the same phrase as, "sexual immorality and pursued unnatural lust," with a note that "pursued unnatural lust" can also be translated as "went after other flesh." From these translations, it is clear the letter's author views the sin of Sodom as sexual in nature and also unnatural, but not necessarily homoerotic.

It is more plausible that the "unnatural lust" the men of Sodom pursued was that of intercourse with angels (Bailey 1975, 16). Some critics contend "sexual immorality" and "going after strange flesh" are two distinct sins since it is unclear whether the Sodomites knew the guests were angels (Gagnon 2001, 87). Others posit the two are correlated and the Sodomites' awareness does not negate their sin.

⁸ See Chapter V for more information.

The author of Second Peter writes:

. . . if [God] condemned the cities of Sodom and Gomorrah by burning them to ashes, and made them an example of what is going to happen to the ungodly; and if he rescued Lot, a righteous man, who was distressed by *the depraved conduct of the lawless* (for that righteous man, living among them day after day, was tormented in his righteous soul by the lawless deeds he saw and heard)—if this is so, then the Lord knows how to rescue the godly from trials and to hold the unrighteous for punishment on the day of judgment. (2 Pet 2:6-9 [NIV]; emphasis added)

The italicized portion is also translated as “the filthy conversation of the wicked” (2 Pet 2:7 [KJV]), and “the licentiousness of the lawless” (2 Pet 2:7 [NRSV]). This author replicates the message from Jude but employs vocabulary that substitutes sexual deviance for “more general accusations of lasciviousness . . . and lawless deeds (Bailey 1975, 16). Both authors reflect a “transgression of ‘order’” but do not attribute this to homosexuality (Bailey 1975, 17). Moreover, the section that follows specifically references “celestial beings,” which lends credence to the argument that the Sodomites’ sexual transgression related more to the guests’ status as angels than males (2 Pet 2:10). In addition, whether or not the Sodomites wanted to rape the guests because they were angels or men, their abuse of the visitors was evidence of their wickedness, not their primary offense.

Though the men do not succeed in raping Lot’s guests or daughters, interestingly rape does occur in Genesis 19 and is often overlooked. At the close of the chapter, Lot’s daughters falsely assume the fate of humanity relies on them, since they and their father are the sole survivors after the destruction of Sodom and Gomorrah. In an effort to repopulate the earth, they intoxicate their father and rape him on successive nights, each becoming pregnant (Gen 19:31-35). Although Sodom and Gomorrah have mostly been

destroyed,⁹ order is inverted and perverted, yet heterosexual. In this astonishing plot twist, victim becomes perpetrator, daughter overtakes father, and female dominates male (Carden 2004, 28). Perhaps this is Lot's punishment for not resisting his adversaries and protecting his guests more decisively.

Rape in Gibeah: Judges 19

The story of the Levite and his concubine in Judges 19 is scarcely cited but merits review here as it parallels Genesis 19. A man and his concubine are traveling and seek shelter in Gibeah specifically because it is an Israelite town (Jdg 19:11). From the outset, Gibeah is introduced as an inhospitable place. When the Levite arrives in Gibeah with his concubine and servant, "they sat in the city square, but no one took them in for the night" (Jdg 19:15 [NIV]). An elderly man, who is a resident alien (like Lot), eventually offers them lodging (Jdg 19:16 -20). As in Genesis 19, wicked men attack the old man's house and demand to "*yada*" his guest (Jdg 19:22). From here the stories diverge.

Unlike in Sodom, the evil that ensues in Gibeah is explicitly sexual and violent. While the meaning of *yada* is ambiguous in Genesis 19, in Judges 19, *yada* has definite sexual undertones. First, the old man refers to his daughter as "בתולה" (*bethulah*), which means "virgin" (Jdg 19:24 [JPS]). Second, by presenting his guest's non-virginal concubine to the crowd, the host understands the men's request as sexual in nature and not interrogatory. Further, when the Levite later recounts his experience, he says the citizens of Gibeah tried to "kill" him (Jdg 20:5 [NIV]). Although the text states the men wanted to "know" (*yada*) him, the Levite's choice of vocabulary indicates the threat is

⁹ Except for Zoar, the town spared for Lot's refuge (Gen 19:18-22).

violent, not erotic. These three details not only underscore the Gibeahites' intention to rape the male visitor but also the notion that anal rape was used to degrade adversaries.

Although one can more easily establish the men's plan to rape another male in Gibeah than in Sodom, the Sodomites live in infamy while the Gibeahites have been utterly forgotten. There are two primary differences between these stories, which may explain why. When the mob pressures the old man, his guest hurls the concubine at the men, who "rape" and "abuse her all night long until morning" (Jdg 19:25 [JPS]). This is a stark departure from the Genesis 19 story, in which the Sodomites never successfully rape anyone.

One would think that because the Gibeahites actually perform rape and murder, they would incur a harsher punishment than the Sodomites, but the Bible states otherwise. Though absurd, it is likely this grotesque gang rape that preserves the Gibeahites' lives. Because the men of Gibeah rape the Levite's female concubine, they cannot be marked as homosexuals. The Gibeahites' heterosexuality is reiterated later when the men who survive war take (read: abduct) wives and resettle the land (Jdg 21:23). In addition, their actions are excused since "in those days there was no king in Israel; everyone did as he pleased" (Jdg 21:25 [JPS]).

The second critical discrepancy between the two stories is that Lot's guests are angels, and the old man's are mortal. Sodom's crime is not only that the men conspire to rape other men but also (and more importantly) that they almost raped two angels, which is a grave sin (Gen 6:4-6). The men of Gibeah threatened to rape one man but are ultimately satisfied with a woman, proving that their intention is not erotic, but violence

and degradation (Seow 1996, 23). Lot offers the Sodomites the opportunity to do what is “good in [their] eyes” (Gen 19:8 [JPS]), yet they persist in evil. By doing so, the men of Sodom not only offend “God’s emissaries . . . [but also] God” (Nissinen 1998, 48). When the men of Gibeah are presented the same choice, they accost humanity, which may insult God but is not a direct affront (Lasine 1984, 41). Both stories involve the threat of same-sex anal rape yet one city is annihilated and one war-stricken. This distinction strongly suggests that if the sin of Sodom was sexual in nature, it was not homosexuality but rather attempted rape of angels.

Sodom, Post-Eden

Whereas the Gibeahites succeed in disgracing the visitor, the Sodomites fail due to the angels’ intervention. The angels’ choice of defense is particularly puzzling in Genesis 19. One would think that when threatened with rape, all-powerful angels would retaliate with more than blindness. A closer reading leads to an alternative conclusion, perhaps the story of Sodom and Gomorrah is a specifically post-Eden cautionary tale.

Lot chooses to settle in Sodom because the land is “well watered everywhere like the garden of the LORD” (Gen 13:10 [NRSV]). This is the first indication that the two stories might be linked. The second clue is the parallel use of “eyes.”

While different translations abound, the original Hebrew in Genesis 19 parallels the vocabulary used in the Garden of Eden. In Genesis 3, the serpent tells Eve that if she eats the fruit, “ידעי טוב ורע . . . **עִינֵיכֶם**” – her “eyes will be opened . . . [and] she will know good and bad” (Gen 3:5 [JPS]; emphasis added). The word in bold (*anayim*) is the word for eyes, and the word in italics (*tov*) is the word for good. When Lot offers his

daughters to the mob, he appeals to the men saying, “ועשו להן כטוב ועיניכם” – “do to them as is good [*tov*] in your eyes [*anayim*]” (Gen 19:8 [JPS]; emphasis added). Lot’s vocabulary mimics the serpent’s, again harkening Eden.

When Adam and Eve eat from the tree of knowledge, their eyes are opened to both morality and sexuality. In Sodom and Gomorrah those values are tested. Lot challenges the men to *choose* what is good, to honor his guests and respect his daughters (Gen 19:8). By using the idiom “do what is good in your eyes,” Lot specifically entrusts his rivals to “act properly, as dictated by acceptable customs . . . [and reminds them] that ethical constraints” apply (Morschauser 2003, 478). The men, however, not only flagrantly disregard Lot’s entreaty but also are emboldened by it, brandishing their violent sexual proclivity as a sword. The crowd is literally “sin crouch[ing] at the door” (Gen 4:7 [JPS]). As if to emphasize this point, “door” is repeated five times within six verses (Gen 19:6-11), highlighting the proximity of danger both to Lot and the mob.

In short, the mob’s behavior is the epitome of the worst-case scenario post-Eden. With this connection established, the angels’ choice of affliction is no longer enigmatic. When the arrogant, perverse men of Sodom abuse the gift bestowed by the fruit of the tree of knowledge, the angels fittingly strike them blind.

While today Sodom and Gomorrah is exclusively associated with sodomy, this chapter strives to uncover its origins as a complex narrative about the importance of hospitality. Themes of shame, rape, and sexual perversity run throughout the story to underscore the deeper message of respecting strangers. Sexual violence is not the moral of the story but rather a means to an end. Retribution for pack rape should not dictate

modern attitudes towards homosexual relationships. It is also critical to note that lesbians are absent from both Sodom and Gibeah. Thus, if at all homoerotic, the Sodomites' crime must be confined to a specific act and does not reflect sexual orientation writ large. Finally, Daniel Helminiak¹⁰ eloquently illustrates that “those who oppress homosexuals because of the supposed ‘sin of Sodom’ may themselves be the real ‘sodomites,’” according to the biblical interpretation of the Sodomites' crime as one of inhospitality (Helminiak 1994, 41).

¹⁰ A retired Catholic priest and now a psychology professor, Daniel Helminiak, PhD, argues frankly that throughout history the Bible has been misused to substantiate various anti-gay viewpoints in his popular book, *What the Bible Really Says about Homosexuality*.

CHAPTER V

SEX OR GENDER? LEVITICUS 18:22 AND 20:13

Thou shalt not lie with mankind, as with womankind: it is an abomination.
–Lev 18:22 [KJV]

If a man also lie with mankind, as he lieth with a woman, both of them have committed an abomination: they shall surely be put to death; their blood shall be upon them.
–Lev 20:13 [KJV]

As explored in the previous chapter, modern translations can be misleading and lack historical nuance. It is important to read not just a specific verse but also the surrounding passage in order to understand the context in which it occurs. Finally, it is critical to determine what exactly a biblical verse condemns, whether it be a specific act or complete category of sin. For instance, if a passage proscribes forced sex, does it reject all heterosexual intercourse or just rape? These are two vastly different proscriptions with distinct implications and it is vital that readers know what the text intends.

The most prominent translations of Leviticus 18:22 and 20:13 convey their meaning clearly: a man shall not lie/have sexual relations with a man as with a woman (Lev 18:22, 20:13 [KJV] [NIV]). From this, many deduce that the Bible condemns homosexuality. Unfortunately, these verses are far more complex than many translations allow. Remember from Chapter III that while homosexuals likely existed in biblical times, society had a different understanding and treatment of homosexuality than it does today (Boyarin 1995, 337). Thus, to assume these verses proscribe a particular sexual

orientation is to commit a grave anachronism and reveals modern bias. If one re-examines the verses, one may notice that they solely curb a physical action.

There are two popular schools of thought regarding the translation and interpretation of the verses cited above. The first argues that Leviticus 18:22 forbids a man from penetrating another male. The second contends Leviticus 18:22 applies to the passive¹ participant: a male may not experience being penetrated by another male. As these viewpoints are diametrically opposed yet equally valid, it is difficult to know which is authentic. Some may hesitate to challenge the authority of the Bible but it is important to understand that it is the authors of certain translations who are here critiqued, and not the text itself. Rather, delving into the original Hebrew and aided by experts in the field, may yield a more accurate “plain meaning” of this important text. This chapter will explore the differences between these two interpretations, the implications of each and the possible original motivation behind Leviticus 18:22 and 20:13.

Gender Roles and Rules

Like Aristotle’s method of animal classification, the purity laws in Leviticus tend to be defined according to a category-based system (Olyan 1994, 199), and serve to strictly enforce boundaries. For example, it is prohibited to blend two different materials, or to “sow [one’s] field with two kinds of seed” (Lev 19:19 [JPS]). In the same vein, men and women are expected to assume specific roles in the bedroom according to their gender (Walsh 2001, 202). While scholars promote different translations and

¹ The word “active” is used here to describe the role of the penetrator, and “passive” to indicate the role of the individual being penetrated, the receiver.

interpretations of the verses above, both sides mostly support the notion that Leviticus 18:22 addresses codified gender roles.

One of the more contentious phrases in Leviticus 18:22 is “משכבי אשה” (*mishkavei isha*) or “lies with a woman” in the context of two males (Lev 18:22 [JPS]). Some scholars derive an explanation by drawing on other biblical passages that employ a similar phrase. Numbers 31:18, 35 and Judges 21:11-12 both use the idiom “משכב-זכר” (*mishkav zakar*) - “know a man carnally” ([JPS]), or “to know the lying down of a male” (Olyan 1994, 184). From this, one may conclude that just as *mishkav zakar* likely means “male vaginal penetration,” its sister phrase *mishkavei isha* probably means “the act or condition of a woman’s being penetrated’ . . . ‘vaginal receptivity’” (Olyan 1994, 185). Since the phrase applies specifically to the male’s experience of vaginal penetration with a female, the analogous act between males would likely be anal penetration (Ibid).

It appears the Rabbis of the Talmud came to the same conclusion. In a discussion about adultery Rava said, “But with reference to anal intercourse, it is written ‘a woman’s lyings’!” (Boyarin 1995, 346). Rava interpreted *mishkavei isha* as referring to anal penetration, and considered it a legitimate form of intercourse, on par with vaginal penetration. In a different passage, Rabbis discuss two types of intercourse with a woman, one of which is “a woman’s lyings,” in reference to anal penetration (Ibid). This essentially means that Leviticus 18:22 prohibits a man from penetrating another man.

Jay Michaelson² underscores this interpretation by determining that the word translated as “with” is a mistranslation. While a specific word for “with” (עִם, *im*) exists in Hebrew, the word employed in these verses is “את” (*et*), which is rather “a grammatical signal that the next word is a direct object” (Michaelson 2011, 60). This changes the translation to “*at a man you shall not lie the lyings of woman,*” and may indicate sexual violence (Ibid; emphasis added). While an astute observation, there is nothing in Leviticus 18:22 that indicates the act is not consensual (Walsh 2001, 203). It does, however, support the idea that the man who experiences penetration assumes the role of a female, and that the man who penetrates him is responsible for this “feminization” (Olyan 1994, 191).

Because women were considered men’s property in the ancient world, “feminizing” a man was to dehumanize him (Helminiak 1994, 44). In this way, Leviticus 18:22 conforms with other laws that curtail men’s sexual behavior in the Old Testament. For example, if a man rapes a virgin, he must pay a fine to the woman’s father since the rapist has stolen the other man’s property (Deut 22:28-29; Dearman 1996, 58). The Bible does not punish the man for his heterosexuality or for his abuse of the female but rather for confusing “one’s own sexual property and one’s neighbor’s” (Walsh 2001, 207), which is also a violation of the tenth commandment (Ex 20:17). If a man penetrates

² Correspondent for *The Huffington Post*, Dr. Jay Michaelson has authored a popular book on religion and homosexuality, and often appears in the media to comment on LGBT issues.

another man, thereby feminizing him, the penetrator may be accused of stealing the other man's property³ (Olyan 1994, 204).

On the surface, this perspective seems logical. If it were accurate, however, it would constitute a controversial paradigm. In the ancient world, being penetrated was considered weak—the female's role—so one would assume that the man in this position would be the one who is ridiculed. Meanwhile, the person appropriately performing his gender should be blameless. In this interpretation of the verse, though, the penetrator's behavior is curbed and he is instructed not to experience “the lying down of a woman” with a man (Olyan 1994, 180).

Other scholars address this question via an alternate approach. One scholar posits:

The woman either “knows the lying down of a male” or “knows a man as to the lying down of a male.” The Levitical laws, by contrast, both speak of a man who “lies . . . the lying down of a woman”—a cognate direct object construction . . . [that] regularly describes an action performed by the subject, not the subject's experience of someone else's action. (Walsh 2001, 205)

In other words, the aforementioned translation of these verses has the subject and object backwards – it is not the penetration that is proscribed but rather *being penetrated*.

According to this author, the appropriate translation of Leviticus 18:22 is a man cannot “lie with a male as a woman would” (Walsh 2001, 205).

Another historian explains that “to allow male penetration though you yourself are a male would qualify as *Levitical* defilement for you are acting in that case as a female” (Geis 2009, 23; emphasis original). If a man subjects himself to penetration or allows himself to be feminized, he “does not conform to his class” (Olyan 1994, 199).

³ In other words, the penetrator steals the penetratee from himself.

Although this translation is less prominent among modern scholars, Rabbi Akiba promotes the same interpretation in the Talmud: “The Writ saith, thou shalt not lie with mankind as with womankind: read, ‘thou shalt not be lain with’” (Sanhedrin 54b).

This translation also accords with gender norms of neighboring nations. In Greece and Rome, sexual activity was regulated according to status. In Rome, it was acceptable for a free man to engage sexually with a slave, provided the Roman citizen performed the active role (Walsh 2001, 203). Greek men were permitted to have a sexual relationship as long as the active partner was older and the passive one younger (Ibid). It follows that the Bible contains similar rules: free male citizens are prohibited from being penetrated because it is a violation of their gender, and as such, male-male anal penetration was considered perverse (Boyarin 1995, 341). In addition, it is noteworthy that these rules are specific to anal sex and do not allude to either intercrural, oral sex, or any other forms of same-sex intimacy.

That said, some authors have highlighted the fact that the Old Testament has myriad laws that purposefully oppose or diverge from neighboring customs in order to segregate the nascent Israelite nation from outside influence (Gagnon 2001, 116-117). It is then irrelevant what gender norms were at the time, since the Israelites adhered to different rules. In this case, perhaps Leviticus 18:22 does prohibit men from penetrating other men. The fact is the verse is vague and a perfect translation still eludes scholars.

Translation aside, there are many indications that these verses do not condemn homosexuality per se. Based on the understanding of sexuality in the ancient world, it seems likely that the Israelites viewed homosexuality “as an unnatural variant of

heterosexuality” (Bigger 1979, 203). “Male-male anal intercourse belong[ed] to a category known as ‘male intercourse’” (Boyarin 1995, 340). Thus, anal intercourse between males was a violation of “the body of the free, adult male[, and] sexually constituted one offense within a category of many against such a body” (Boyarin 1995, 341). There was a spectrum of male sexuality within heterosexuality and engaging in anal intercourse did not determine the participants’ sexuality. In other words, Leviticus 18:22 probably condemns an action expressed by a *heterosexual* male towards another male.

Furthermore, Leviticus 18:22 only applies to men. It does not exact punishment but rather states that a man is not permitted to experience the “lying down of a woman” with another man (Olyan 1994, 180). Whether the verse prohibits a man from penetrating another man or from being penetrated by another man, it is evident this verse censures a particular sex act within specific parameters unique to men.

Women are neither ignored by the Bible nor lumped together grammatically with men, rather Leviticus 18:22 simply does not apply to them. This verse condemns a specific act but not an entire category of sexuality; it is not relevant for lesbians. Similarly, a preceding verse prohibits men from seducing other men’s wives: “Do not have sexual relations with your neighbor’s wife and defile yourself with her” (Lev 18:20 [NIV]). This proscription applies only to men, and few would read it and assume that the Bible is patently against sex. Rather it curtails a specific action – a man may not have sex with his neighbor’s wife, but he may have sex with his own wife.

Many people are uncomfortable with the concept of bondage in the bedroom even between a strictly monogamous married couple (Helminiak 1994, 47). The two people

engaged in the act may be perfectly “wholesome” individuals and the act entirely legal, yet the *type* of sex is itself objectionable. However, just as the possibility of adultery does not preclude the legality of marriage in the Bible, the risk of couples engaging in unconventional sex does not deter marriage proceedings today. The Bible permits marriage and gives couples authority over their marital bed, with certain guidelines such as no intercourse during menstruation (Lev 15:24). In the same vein, Leviticus 18:22 censures a specific act; no man –homosexual or heterosexual, citizen or slave,⁴ single or otherwise– may engage in anal intercourse with another man and/or experience penetration. The question then becomes: what exactly is at the root of the prohibition? To that end, theories abound.

Root of the Prohibition

Some scholars argue that these verses aim to prevent the improper mixing of emissions. The verse following states, “Do not have sexual relations with an animal and defile yourself with it. A woman must not present herself to an animal to have sexual relations with it; that is a perversion” (Lev 18:23 [NIV]). “Perversion,” however, is a “significant mistranslation” (Boyarin 1995, 342). The Hebrew word תבל (*tevel*) is closer to “confusion,” which is how the King James Version (KJV) translates it. In this verse, the Holiness Code warns against mixing different species (Boyarin 1995, 342). It is possible that verse 18:22 strives to prevent the same “confusion.”

When a man engages in anal intercourse with another man, semen and excrement commingle. Much of the Levitical code is concerned with maintaining appropriate

⁴ This reading may vary depending on the schools of thought discussed above.

boundaries between different categories. In addition to the examples cited above, intercourse was prohibited with a menstruating woman because “both semen and menstrual blood were defiling on their own, and mingled together these presented a double threat . . . [that could endanger] the entire community” (Bigger 1979, 202). It follows that sodomy was prohibited for a similar reason, and reinforces the notion that verses 18:22 and 20:13 in Leviticus present a distinctly male prohibition.

There are two important points to consider regarding this argument. First, if commingling of fluids were the sole reason behind Leviticus 18:22 and 20:13, one would expect to find a similar prohibition between a male and a female, as with the prohibition against bestiality (Lev 18:23), yet none exists (Gagnon 2001, 135). Second, it confines the prohibition to a very specific sexual act: anal intercourse. This line of reasoning does not bar either intercrural or oral sex between men, or sex between women (Olyan 1994, 206). As women can neither ejaculate⁵ nor penetrate⁶ another individual, they cannot cause the commingling of fluids in the same manner as men. In this context, Leviticus 18:22 and 20:13 can only be applied to male-male anal sex, regardless of each man’s sexuality.

Another reason anal penetration may have been proscribed was because it constitutes an improper use of the anus itself. “Anal sex . . . confuses the function of the anus as a cavity for expelling excrement, not receiving sperm” (Gagnon 2001, 139). In other words, anal intercourse is not wrong on the basis of sexuality but rather because it

⁵ I.e., into another person; in the same manner as men.

⁶ In the same manner as a man experiences penetrating a woman through his sexual organ.

causes the anus to stretch beyond its “natural” use. While this is a logical argument, it too is flawed. By the same standard, one would assume there would be a prohibition against oral sex in the Bible, since it presumably violates the natural purpose of the mouth. Yet none exists.

Other scholars contend Leviticus 18:22 and 20:13 strive to hinder the misuse or wasting of male seed. In biblical times it was assumed that “man’s sperm . . . contain[ed] the whole of life” (Gagnon 2001, 133). Thus spilling semen for any purpose other than procreation was a grave sin (Olyan 1994, 198). Unfortunately, while this is a compelling argument in theory, in reality it is difficult to support. Prohibitions against oral sex and masturbation are strangely absent from the Bible (Boyarin 1995, 337). Scripture does not forbid intercourse with a pregnant woman (Gagnon 2001, 134), or among the elderly. If the Levitical verses were determined to inhibit the wasting of male seed, one would expect the text to reject similar behavior, yet it does not.⁷

Certain academicians argue that these verses reflect a “religious crime of idolatry,” and not a sexual offense at all (Helminiak 1994, 45). Harkening Deuteronomy 23:18, critics claim that Leviticus 18:22 and 20:13 warn against male cult prostitution (Michaelson 2011, 64). Because the practice was popular in biblical times, and scorning idolatry is a prevalent biblical theme (Geis 2009, 22), it is possible Leviticus is directly prohibiting male prostitution. However, male cult prostitution frequently involved

⁷ Some may reference the story of Onan in response, arguing that God smote him for the sin of masturbation. In reality, God punished Onan for failing to fulfill his sexual duty to his late brother’s wife. See the Introduction for a more detailed explanation.

younger males, and it seems evident that the behavior condemned in Leviticus 18:22 and 20:13 is neither coerced nor pederasty⁸ (Gagnon 2001, 116).

Some conservatives who employ the Levitical verses to condemn all homosexuality, do so on the basis of “gender discomplementarity [*sic*]” (Gagnon 2001, 135). Gagnon writes that homosexuality is:

A flagrant transgression of the most fundamental element of human sexuality: sex or gender. Homosexual intercourse requires a radical “gender bending” of human sexuality by the very creatures whom God placed in charge of the good, ordered creation. (Gagnon 2001, 138)

God designed male and female separately purposefully for “sexual pairing”⁹ (Gagnon 2001, 142). While Gagnon makes an astute observation, he simultaneously claims that procreation is not the purpose of sexual intercourse (Gagnon 2001, 133). And, even if it were the purported purpose, there is no overt or implied mention of procreation in the verse in question (Olyan 1994, 189). If reproduction is not a necessary function of sex, then God must have created sexual pairs not only for procreation but also for the pure purpose of enjoyable intercourse. In this case, there is no ethical violation¹⁰ at stake and it is thus morally irrelevant whether individuals of the same-sex choose to engage in sexual activity together. Furthermore, if sexual pairing and procreation were of utmost

⁸ Because Leviticus 20:13 specifies that איש (*ish*, a man) may not lie with זכר (*zakar*), which can be defined as a *young* male (Geis 2009, 25), some contend the verse references pederasty (an erotic relationship between an adult male and a young male), but the context suggests otherwise.

⁹ See Chapter II for a more thorough discussion.

¹⁰ This assumes procreation is ethically violable, and that sexual intercourse in itself is not.

importance, one would expect the Bible to firmly forbid masturbation and lesbian intercourse but it does not.

What about Women?

Some critics may argue that the absence of female-specific language does not necessarily exclude women from the prohibition. While this is certainly a fair assessment, one can argue strongly that in this case it does. First, as has been demonstrated clearly above, the action described in Leviticus 18:22 can only regard males. The grammatically-based reasoning that the male form of a word often extends to both sexes, cannot be applied here. Because a woman does not inherently possess a male sex organ, she cannot penetrate another being in the same way a man can (without assistance). She can neither subject another individual to “feminization” through penetration nor can she experience internally how it feels to penetrate a woman (or man). Thus, this verse *must* refer to men alone, and cannot be extended to women.

In addition, there are numerous examples of commandments that specifically address women in similar categories of sin. For instance, in Leviticus 18:23 (quoted above), both men and women are banned from communing with animals. Perhaps an even stronger example is Deuteronomy 22:5, which firmly warns against cross-dressing. Unlike Leviticus 18:22, this prohibition is precise in its intent: “A woman must not put on man’s apparel, nor shall a man wear woman’s clothing; for whoever does these things is abhorrent [*toevah*] to the LORD your God” (Deut 22:5 [JPS]). This verse first targets women and then men, underscoring that cross-dressing is refused to both genders.

Deuteronomy 22:5 is structured similarly to Leviticus 18:22 – it prohibits men from donning a “*woman’s garment* [*šimlat ‘iššā*]” just as 18:22 prohibits lying with a “*woman’s lyings* [*miškabei ‘iššā*]” (Boyarin 1995, 342; emphasis original), and deems both actions *toevah*. Yet today, American women wear pants and other masculine regalia in all settings and no one labels them “abhorrent” to God. Likewise in Scotland, kilts are considered formal menswear, while in the U.S. girls sport kilts on lacrosse and field hockey teams across the nation. Both are equally “normal,” yet according to the Bible men in skirts and women in pants are abominable. Is it appropriate to dismiss such an explicit prohibition on the one hand, and vehemently uphold a vague one on the other?

It is critical to recognize that as in Deuteronomy, the issue in Leviticus is “gender . . . and not ‘homosexuality’” (Boyarin 1995, 344). Boyarin reasons that “moving a male body across the border into ‘female’ metaphysical space transgresses the categories,” those boundaries upheld so carefully in Leviticus (Boyarin 1995, 343-344). The interaction between the sexes defined by their active and passive roles is “the cornerstone of gender identity,” distinct from the concept of sexual orientation (Nissinen 1998, 44). In other words, gender was defined strictly according to sexual and societal roles, whereas “gender identity” and “sexual orientation” likely were not understood as they are today.

The Death Penalty

Like many of the other laws defining Israelite boundaries and behavior, Leviticus 18:22 presents a law but does not immediately exact punishment. Instead, the verse qualifies the transgression, providing justification for the mandate. Retribution for the action arrives later with verse 20:13, which imposes the death penalty. One scholar

argues that Leviticus 20:13 also accounts for the ambiguity in 18:22 by punishing both participants, which sets the Israelites' law apart from its neighbors, "protect[ing] the holiness of Israel from the תועבה [*toevah*] of confusion with other nations" (Walsh 2001, 208). While segregation of the Israelite nation is a common theme in Leviticus (Olyan 1994, 189), it appears the phrase containing the punishment was appended later. In other words, the threat of death was not original to the verse when it was first composed. Instead, Leviticus 20:13 was initially offered as a rule without specific consequence, akin to Leviticus 18:22 (Olyan 1994, 187). Any moral implication would then hinge on the meaning of "abomination" (*toevah*).

What is an Abomination?

KJV's translation of תועבה (*toevah*) as "abomination," is misleading. In accordance with Deuteronomy 32:16, Michaelson explains that *toevah* is frequently employed in association with other nations' offenses (Michaelson 2011, 62). It is an "idolatrous transgression of national boundary" (Ibid). Boswell similarly defines *toevah* as a word that "does not usually signify something intrinsically evil, like rape or theft . . . but something which is ritually unclean for Jews, like eating pork or engaging in intercourse during menstruation" (Boswell 1980, 100). In this way, Leviticus 18:22 and 20:13 curtail behavior that was considered taboo at the time. These verses do not set ethical standards but rather describe a "ritual purity law that distinguishes Israelites from foreigners" (Michaelson 2011, 63).

A cursory look at other verses that employ *toevah* substantiates the assertion that Leviticus 18:22 and 20:13 do not have moral implications. First, *toevah* was an indication

of something culturally specific. Genesis 46:34 states that “every shepherd is an abomination [*toevah*] unto the Egyptians” ([JPS]). In the Torah, the Israelites were predominantly shepherds, meaning that if *toevah* truly means “abomination,” God’s chosen people were wholly abominable. Furthermore, the fact that food (Gen 43:32) or behavior can be specifically *toevah* to the Egyptians, while other actions may be *toevah* to the Israelites (Deut 24:4), suggests that which is *toevah* is reliant on certain societal rules. Thus, a more accurate translation of *toevah* is “abhorrent” ([JPS]), “detestable” ([NIV]) or “taboo” (Michaelson 2011, 62).

Returning to the ban on cross-dressing, once it is clear that *toevah* applies more to the violation of a social convention rather than a moral sin, it is easy to reassess the verse in a modern context. While most Americans are comfortable with females wearing pants or suits, Americans are likely less comfortable with the notion of a woman attempting to “pass” as a man. Although a topic for another thesis, the point here is that the plain meaning of Deuteronomy 22:5 is blind to this modern distinction. Society has overcome the prohibition against cross-dressing precisely *because* it was *toevah* – taboo. The injunction was specific to the time and like most other biblical “abominations,” was meant to separate the Israelites from neighboring tribes (Lev 18:26-27). Similarly, the prohibition against anal intercourse likely differentiated the Israelites from their neighbors, and was not a moral mandate.

Conservative scholars argue that because Leviticus 18:22 concludes with *toevah* while the surrounding verses do not, its contents must be especially reprehensible (Gagnon 2001, 113). While the use of *toevah* may indeed underscore the severity of

engaging in anal intercourse, it does so only on a cultural level not an ethical one. As demonstrated above, there are numerous examples that apply “*toevah*” to a specific action without any moral implication or judgment. In light of this, all judgments against homosexuality relying on it being an “abomination,” should be re-evaluated accordingly.

The Death Penalty Revisited

Critics also highlight the addition of the death penalty in Leviticus 20:13, noting that it is an extreme punishment, which signifies the severity of the crime (Gagnon 2001, 114). While this is a legitimate observation, it is flawed. First, remember that the retributive phrase was likely added to Leviticus 20:13 at a later date, and thus may not reflect the original intention of the verse (Olyan 1994, 187). Second, while the death penalty is highly controversial today and is viewed as a capital punishment, it is frequently employed in the Bible. “Anyone who curses their father or mother is to be put to death” (Lev 20:8 [NIV]). “Anyone who desecrates [the Sabbath] is to be put to death” (Ex 31:14 [NIV]). If two people commit adultery, “the adulterer and the adulteress shall surely be put to death” (Lev 20:10 [KJV]). If an individual tries to turn anyone from God, “that prophet or dreamer must be put to death” (Deut 13:5 [NIV]). There are countless examples of a variety of crimes that incur the death penalty in the Bible.

Just as adulterers are not stoned to death in today’s society, or children exiled for disobeying their parents, individuals who engage in anal intercourse ought not be charged the same offense as murderers. While some may disagree, it is difficult to do so based on the text alone. Because *toevah* is akin to a cultural taboo and the death penalty is not original to the verse, men who experience anal intercourse cannot be tried for a moral

violation according to Leviticus alone. Furthermore, because intercourse between men is mentioned “in no other Israelite legal setting,” and lesbians are absent from these verses, it is particularly challenging to contend that the Bible forbids homosexuality based on Leviticus (Olyan 1994, 205).

While one can contend the Old Testament opposes anal intercourse, it is challenging to argue it condemns homosexuality writ large. The language used in these verses is ambiguous. Popular translations do not honor the nuances of the original Hebrew, and in some cases are simply incorrect. Today’s culture is substantially different than that of the Israelites in biblical times. Two verses that vaguely condemn anal penetration should not be extrapolated to condemn homosexual orientation as it persists today. Furthermore, it would be dishonest to argue the latter and simultaneously dismiss that on which the Bible is perfectly clear, such as adultery (Lev 20:10), collecting interest (Lev 25:36-38), and honoring the Sabbath (Ex 31:14). Finally, because both of these verses appear in the Old Testament, neither should bear strict defending or observance in Christianity since “through Christ Jesus the law of the Spirit who gives life has set you free from the law of sin and death” (Rom 8:2 [NIV]).

CHAPTER VI

GETTING IT STRAIGHT: ROMANS 1:26-27

Because of this, God gave them over to shameful lusts. Even their women exchanged natural sexual relations for unnatural ones. In the same way the men also abandoned natural relations with women and were inflamed with lust for one another. Men committed shameful acts with other men, and received in themselves the due penalty for their error.

–Rom 1:26-27 [NIV]

This thesis has demonstrated that fully comprehending the controversial verses in the Old Testament requires careful consideration of the original Hebrew language and the verses' context. The same is true of the New Testament. The following two chapters will address the passages most frequently cited in opposition to homosexuality therein. Much like the Old Testament, though the meaning may at first seem obvious, closer examination of these verses within their historical and biblical context may yield alternate, but equally viable, meanings. It may surprise readers to learn that the texts explored in these chapters stem solely from Paul's letters, as Jesus rarely discussed sex. Since American laws have equal application for citizens of all faiths, it is important to consider whether Paul's message reflects a universal truth or a uniquely Christian ideal, and in either case to understand what exactly that message is before using it to subvert citizens' rights.

At first blush, Paul's letter to the Romans appears to contain the most overt condemnation of homosexuality, and the only reference to female homosexuality in the Bible. A closer reading, however, will prove that both claims are not only false but also ignore the spirit of Paul's letter, his message and its historical context.

Reading the passage quoted in the epigraph above as a blanket condemnation of homosexuality, infers much about the verses that cannot be substantiated upon closer examination. First, to assume that exchanging “natural sexual relations for unnatural ones” refers to homosexual orientation versus a same-sex sexual act, assigns a modern concept where none may exist.¹ Second, it ignores the possibility that the verses may actually refer to heterosexual behavior deemed “unnatural” in Paul’s time. The Greek word Paul employs, defined above as “unnatural,” is *παρά φύσιν* (*para physin*), and means “contrary to nature” (Michaelson 2011, 81). *Physin* can suggest an “elementary substance” or a person’s physical nature as opposed to his sexuality (DeYoung 1988, 430).

Para Physin

In the ancient world, morals were derived from the natural order, which consisted not only of what was observable but also what was established as normal, including certain gender roles (Michaelson 2011, 81). For example, women were subject to the authority of men and in the Old Testament were considered men’s property (Ex 20:17, 21:22, 22:17). While Paul challenged this norm by writing, “The husband does not have authority over his own body but yields it to his wife” (1 Cor 7:4 [NIV]), Paul did not overturn the entire hierarchical system. In First Corinthians he states, “But I want you to realize that the head of every man is Christ, and the head of the woman is man, and the head of Christ is God” (1 Cor 11:3 [NIV]). A dominant woman moving freely about society like a man, would have been considered *para physin*.

¹ See Chapter III for a more thorough explanation.

As discussed in the previous chapter, just as gender roles dictated men and women's place in society, they provided structure in the bedroom. "Natural" intercourse was defined as "penetration of a subordinate person by a dominant one" (Brooten 1996, 241). Furthermore, "any non-procreative sex was called *para physin*" (Helminiak 1994, 66). In the same vein, a man who assumed a passive role or engaged in a position that was not directly procreative during intercourse, such as oral or anal sex, would be considered *para physin* (Michaelson 2011, 81). Hence, it is quite possible that Paul describes heterosexual behavior here, and is not overtly or subversively critiquing homosexuality.

This is especially true in the case of Romans 1:26. Conservatives highlight this verse as a negative reference to lesbianism in the Bible. Based on the true meaning of *para physin*, though, it more likely refers to "unnatural" heterosexual intercourse. In fact, because lesbianism is rarely mentioned in ancient Greco-Roman texts, it would be odd—or *para physin*—for Paul to be referencing it at all (Helminiak 1994, 70). Although lesbians probably existed in biblical times, there are few references to lesbian relationships. This is likely because males are the primary arbiters of history, and would have had little if any knowledge of or interaction with lesbians. Paul is no exception, and if this verse does not refer to lesbianism then condemnation of female homosexuality is wholly absent from the Bible.

It is much more likely that the "unnatural [sexual relations]" Paul refers to are either non-normative sexual positions or heterosexual non-procreative sex acts as mentioned above. It is even possible, however, to argue against the latter statement. A

recurring theme in Paul's letters is the end of days. It would be unusual for Paul to promote procreation and simultaneously preach an imminent second coming (Helminiak 1994, 67). Some may respond by arguing that Paul encouraged marriage despite the forthcoming apocalypse; "Let every man have his own wife, and let every woman have her own husband" (1 Cor 7:2 [KJV]). Yet Paul preached marriage not to promote procreation, but to "avoid fornication . . . for it is better to marry than to burn" (1 Cor 7:2, 7:9 [KJV]). Indeed, as discussed in Chapter II, "nowhere in [Paul's] writings does he show concern for procreation" (Helminiak 1994, 67), even in his references to marriage. Hence, it appears Paul is referring to unnatural heterosexual sexual positions and neither heterosexual non-procreative intercourse nor homosexuality.

Immoral or Impure?

Some scholars also argue that this passage may refer to sex acts that cause impurity. Helminiak explains that Paul first addresses his Jewish audience and then the Gentiles (Helminiak 1994, 79). By employing words that directly reference Jewish impurity laws such as "*askhēmosynē* ('shamlessness,' 1:27)[, which] belong[s] to Jewish terminology of purity" (Nissinen 1998, 104; emphasis original), and concluding with the appropriate recompense, this passage closely parallels Leviticus 20:13 (Helminiak 1994, 73).

Conjuring Jewish purity laws may indeed illuminate Paul's meaning. The Israelites were fixated on purity since it was a critical component of their connection with God. According to Jewish law much causes defilement, and in many cases sex itself requires cleansing. For instance, as mentioned previously, intercourse is prohibited

during menstruation (Lev 15:19). Engaging in sex with a menstruating woman is not considered immoral but rather a defilement of the body, and purification requires temporary separation from the community and ritual bathing (Lev 15:24). While some suggest Paul follows the woman-woman verse with a man-man verse to underscore same-sex intent (Scroggs 1983, 114), the two may not be mutually exclusive. If Paul is harkening Leviticus, and his audience is primarily Jewish, then “at issue is ritual violation of the Jewish Law,” which could lead to impurity. It is not then a moral condemnation of a particular sexual orientation (Helminiak 1994, 70).

Underscoring this point is the fact that *para physin* does not always carry a negative connotation. Later in his letter, Paul uses the analogy of grafting branches to and from an olive tree to describe how God has extracted Gentiles from their wild roots and cultivated them. Paul employs *para physin* to describe God’s behavior in the course of this process:

After all, if you were cut out of an olive tree that is wild by nature, and contrary to nature [*para physin*] were grafted into a cultivated olive tree, how much more readily will these, the natural branches, be grafted into their own olive tree! (Rom 11:24 [NIV])

In this case *para physin* has a positive connotation. The Gentiles’ induction into Christianity, though contrary to nature, is deemed good. Michaelson explains that “the moral valence of *para physin* depends on its effects” (Michaelson 2011, 83; emphasis original). If *para physin* were by definition immoral, God’s action in this verse must also be immoral (Helminiak 1994, 66). For Paul, *para physin* is a characteristic bound to nature and not divinely ordained (Helminiak 1994, 64). Thus the implication here is that homosexual acts are not an ethical matter but rather are simply unconventional.

In addition, the word Paul elects to describe the “degrading” or “shameful” lusts in Romans 1:26, further bolsters this interpretation. ἀτιμία(ς) (*atimia*) means “not respected,” and also implies social disapproval rather than moral valence (Helminiak 1994, 71). Once again, this is easy to prove within the context of Paul’s letters. In Second Corinthians 6:8 and 11:21, Paul “applies [*atimia*] to himself” when describing how following Christ can sometimes be difficult (Ibid). In some instances *atimia* refers to a commode (Rom 9:21; 2 Tim 2:20), and in another the length of men’s hair (1 Cor 11:14), neither of which is violable. It is crucial to note that *para physin* and *atimia* both involve something that may either be socially unacceptable or unclean but not immoral. In other words, “Romans may refer to same-sex acts, but it intends no ethical condemnation of them” (Helminiak 1994, 71).

Romans in Context

Many challenge this perspective, contending that while Romans 1:26 is ambiguous at best, Romans 1:27 clearly condemns men having sex with men (Scroggs 1983, 114). Boswell adds an interesting and compelling twist in response, suggesting it is critical to consider these verses’ context. Those Paul castigates are not punished for their behavior but rather for their rejection of God. Paul writes that although the Romans “knew God, they neither glorified him as God nor gave thanks to him” (Rom 1:21 [NIV]). In their insolence, they “exchanged the glory of the immortal God for images made to look like a mortal human being and birds and animals and reptiles” (Rom 1:23 [NIV]). The Romans are punished because though they are aware of God, they choose to worship idols. As the first three commandments underscore, worshipping false gods or

idols is the ultimate sin against God (Ex 20:2-4). It is important to note, however, that the Romans were not in any way punished *for* their sexual behavior.

Thus, Boswell argues that the verses following Romans 1:26 must refer to *heterosexual* individuals because the passage is meant to “stigmatize persons who have rejected their calling” (Boswell 1980, 109). Just as the Romans have abandoned God and monotheism, people have turned away from their “natural” sexual inclinations for the opposite sex and adopted that which is unnatural to them (Ibid). In other words, it is not necessarily unnatural for a gay man to enjoy sexual relations with another gay man but it would be *para physin* for a heterosexual man to solicit homosexual intercourse (Geis 2009, 28). By behaving this way, heterosexual men are unfaithful to themselves and their wives, much as the Romans are unfaithful to God. Furthermore, it is worth emphasizing that Paul uses sex solely as an example to prove his larger point that the Romans should not turn away from the one true God. His purpose is not to condemn sexuality but rather to chastise the Romans for being unfaithful to the Lord (Boswell 1980, 108).

Pederasty

Some scholars approach this passage differently. They accept that Romans 1:26-27 does not refer to homosexuality per se, and contend instead that Paul is specifically opposing pederasty. Robin Scroggs² posits, “While the phrase ‘males with males’ relates to the laws in Leviticus, the likelihood is that Paul is thinking only about pederasty . . . There was no other form of male homosexuality in the Greco-Roman world which could come to mind” (Scroggs 1983, 116). Many authors, however, patently dispute this claim.

² Former professor at Union Theological Seminary, New York, Robin Scroggs has authored numerous books on the New Testament including one about homosexuality.

First, as explored at length in Chapter III, it seems evident that a concept of homosexual orientation did exist during Paul's time, distinct from pederasty. A series of laws enacted in the early 1st century CE made specific homosexual acts, mostly involving the subjugation of others, illegal in Rome (Boswell 1980, 63). Alongside these were similar measures condemning certain heterosexual acts, highlighting the fact that homosexuality in itself was not criminalized –just as heterosexuality was not– solely sexual abuse of others (Ibid). The existence of these laws also suggests that although society was familiar with homosexuality, the law did not directly condemn it. Additionally, Boswell writes that there was no stigma attached to the use of prostitutes, male or female, and there are numerous examples of men soliciting male prostitutes without consequence (Boswell 1980, 77). These laws suggest a space for consensual adult male homosexuality existed in society during Paul's time.

It is within this context and perhaps because of it that Paul alludes to same-sex acts in his letter to the Romans. Although some may argue Paul's knowledge of homosexuality indicates he is indeed condemning it, another reading is possible. If there were examples of adult homosexual relationships with which Paul was familiar, he may be referring here only to the *abuse* of same-sex acts. Martti Nissinen³ writes that since Corinth was an "international seaport," Romans there were probably exposed to the practice of "homosexual relations, in which slaves rather than free young men assumed the passive role" (Nissinen 1998, 110). Paul likely objected to the abuse of such slaves.

³ Professor of Old Testament Studies at the University of Helsinki, Finland, Martti Nissinen's *Homoeroticism in the Biblical World*, is an informative study of whether homosexuality existed as such in ancient times.

Furthermore, Bernadette Brooten⁴ contends that the translation of “*epithymiai* as ‘lusts’” in Romans 1:27, “suggest[s] that Paul opposes uncontrolled or excessive sexual desires, but not healthy, moderate desires” (Brooten 1996, 237; emphasis original).

Additionally, Helminiak argues convincingly that Paul specifically references same-sex behavior *because* it was common practice among the Gentile Christians, and distinguished them from Jewish Christians (Helminiak 1994, 81). In that case, Romans 1:26-27 is not a treatise against homosexuality but rather a useful ploy to engage Paul’s audience in conversation; “Paul is quoting Jewish prejudice precisely to counter and reject it” (Helminiak 1994, 76). Once again, attacking homosexuality is not Paul’s primary goal, rather he sets “a [rhetorical] trap for anyone who would read his words with feelings of moral superiority or religious bigotry” (Nissinen 1998, 112). Paul cites that with which his Jewish audience was most uncomfortable about Gentile culture, and declares they may not judge even on that matter.

Second, Paul himself contradicts Scroggs’ statement by employing language that refers to adult males. There are Greek words that imply a man sleeping with a boy, yet Paul does not elect them (DeYoung 1988, 439). Furthermore, Paul’s inclusion of women in Romans 1:26 indicates “Paul’s criticism should not be restricted to pederasty” (Nissinen 1998, 110). While he easily could have chastised the Romans for their pederastic practices, which were quite common and well-known (Nissinen 1998, 105), Paul’s vocabulary suggests his intention is otherwise.

⁴ Bernadette Brooten, PhD, is a professor of Christian Studies at Brandeis University in Massachusetts. Her book *Love Between Women*, explores the origins of and early attitudes towards lesbianism.

The most important verse illuminating Paul's objective is incidentally one often ignored by opponents of gay rights. Immediately following Romans 1, Paul proclaims:

You, therefore have no excuse, you who pass judgment on someone else, for at whatever point you judge another, you are condemning yourself, because you who pass judgment do the same things. (Rom 2:1 [NIV])

Regardless whether a person believes a behavior is unnatural or not, the New Testament demands that neighbors love one another (Mt 22:39).

The crux of Paul's letter to the Romans is that those who judge others are committing a sin of equal magnitude to the one on which they pass judgment. In Romans 10, Paul quotes Moses to bolster his point, "'Do not say in your heart, 'Who will ascend into heaven?'" (that is, to bring Christ down)" (Rom 10:6 [NIV]). Four chapters later, Paul writes, "Why do you pass judgment on your brother or sister? Or you, why do you despise your brother or sister? For we will all stand before the judgment seat of God . . . So then, each of us will be accountable to God" (Rom 14:10-12 [NRSV]). Whether Paul is condemning homosexuality or idolatry, his over-arching message is that God, not man, is the arbiter of moral judgment. Ultimately, denouncing homosexuals based on Romans 1:26-27, dismisses and abuses the central purpose of Paul's letter.

CHAPTER VII

LOST IN TRANSLATION: FIRST CORINTHIANS 6:9-10 AND FIRST TIMOTHY 1:9-10

Do you not know that wrongdoers will not inherit the kingdom of God? Do not be deceived! Fornicators, idolaters, adulterers, male prostitutes[/effeminate ([KJV])/men who have sex with men ([NIV])], sodomites[/abusers of themselves with mankind ([KJV])], thieves, the greedy, drunkards, revilers, robbers—none of these will inherit the kingdom of God.

–1 Cor 6:9-10 [NRSV]

This means understanding that the law is laid down not for the innocent but for the lawless and disobedient, for the godless and sinful, for the unholy and profane, for those who kill their father or mother, for murderers, fornicators, sodomites[/them that defile themselves with mankind ([KJV])/those practicing homosexuality ([NIV])], perjurers, and whatever else is contrary to the sound teaching.

–1 Tim 1:9-10 [NRSV]

In addition to Romans 1:26-27, the Religious Right cites First Corinthians 6:9-10 and First Timothy 1:9-10 as proof the New Testament opposes homosexuality. Each set of verses contains a long list of “vice[s] or sin[s] that cannot be practiced by those who wish to inherit God’s kingdom” (Gagnon 2001, 303), within which is a possible condemnation of homosexuality.

In order to honor the spirit of Paul’s letter, it is important to understand what exactly the above verses condemn. At first it may seem obvious: both passages distinctly include “sodomites” in their list of wrongdoers, and First Corinthians 6:9 references “male prostitutes” too. The alternate translations included in brackets above go further, tying “sodomites” more explicitly to homosexuality. The Bible teaches, “Trust in the Lord with all your heart, and lean not on your own understanding” (Prov 3:5 [NIV]).

Since Paul plainly opposes same-sex relationships in both these letters, conservatives allege any alternate reading is a liberal “re-reading” and should be subject to strict scrutiny. While this may seem logical, it is only valid if founded on an accurate translation. It is important to determine whether popular versions of the Bible honor the intended meaning of the Greek verses or whether they reflect modern bias. For instance, were the words translated as “sodomites” and “male prostitutes” originally intended as such?

The two Greek words in question are ἀρσενικοῖται (*arsenokoitai*) and μαλακοὶ (*malakoi*). They appear together in First Corinthians 6:9, and *arsenokoitai* alone in First Timothy 1:10. While *malakoi* occurs frequently in the New Testament (e.g., Mt 11:8; Lk 7:25), *arsenokoitai* is only employed in these two verses. It is also noteworthy that both words intimate a male-male sex act, which inherently excludes lesbians and thus cannot be said to categorically condemn homosexuality as it exists today. Finally, notice that the mere existence of multiple translations in itself indicates these verses are more nuanced than they may at first appear.

Malakoi

Malakoi means “soft,” and is frequently employed as an adjective (Helminiak 1994, 88). Boswell explains that *malakoi* can also mean “‘cowardly,’ . . . ‘weak willed,’ . . . ‘licentious,’ . . . or ‘wanting in self-control’” (Boswell 1980, 106). He adds that the “unanimous tradition of the church through the Reformation . . . has been that this word applied to masturbation,” and was later ascribed to homosexuals (Boswell 1980, 107). The King James Version (KJV) translates *malakoi* as “effeminate,” which conjures men

who embody feminine traits, and could be extrapolated to include men who play “the female role in sexual intercourse with other males” (Gagnon 2001, 308). From these translations, *malakoi* could either suggest wanton morality or men who assume a feminine role.

The New International Version (NIV) translates *malakoi* as “male prostitutes,” which may tie into KJV’s “effeminate.” This reading draws on the Hebrew קדשים (*qedeshim*), who were male prostitutes in cults with idol worship (Michaelson 2011, 88). This tradition often involved transvestism. A young male would dress as a woman and service (adult) male worshippers, who solicited sex and then implanted their seed in honor of the fertility goddess (Geis 2009, 22). *Qedeshim* refers to this unique practice, which not only involved same-sex intercourse and transvestism but more importantly idolatry, which was uniformly condemned across the Old and New Testaments.

In this vein, where *malakoi* refers to those who received male callers, *malakoi* and *arsenokoitai* together likely mean: male prostitutes and the males who lie with them (Scroggs 1983, 108). Supporting this reading, NIV includes a footnote that states, “The words *men who have sex with men* translate two Greek words that refer to the passive and active participants in homosexual acts” (1 Cor 6:9; emphasis original). If indeed “male prostitutes” is the appropriate translation of *malakoi*, these “homosexual acts” are confined to an ancient tradition oriented around transvestism and not homosexuality per se. It is thus grossly misleading to condemn modern-day same-sex marriage based on these verses.

Arsenokoitai

While the translation of *malakoi* stems from its common and frequent use in the New Testament, *arsenokoitai* presents a far greater challenge since Paul appears to have invented it. Numerous scholars have studied this issue and arrived at different conclusions.

As explored above, one school of thought translates *arsenokoitai* as “sodomites”¹ in the context of male cult prostitutes. In other words, *arsenokoitai* were the men who solicited *malakoi* – those who implanted their seed in cross-dressing young men to honor the fertility gods Molech and Astoroth (Geis 2009, 21). Some argue that because First Corinthians incorporates both the active and passive male-male sex acts, Paul is purposefully condemning a wide berth of homosexual activity (DeYoung 1992, 210-211).

Other scholars posit *arsenokoitai* is a compound word comprised of “male” (*arsen*) and “bed” (*koitē*) (Scroggs 1983, 106). As in Paul’s letters to the Romans, explored in the previous chapter, scholars find a direct correlation between the vocabulary Paul elects and that of Leviticus 18:22 and 20:13, which prohibits a man from lying with another man² (in bed). “The theme is moral separation . . . Of the ten vices in 1 Cor 6:9-10, only one (drunkards) is not found in Leviticus 18-20” (DeYoung 1992, 213). Historians also connect Paul’s list of depravity with the Ten Commandments delivered in Exodus, determining that the vices correspond “in order to the fifth through the ninth of

¹ Remember from Chapter IV, however, that “sodomite” cannot be indisputably defined as “homosexual.”

² See Chapter V for more detail on the Levitical verses.

the Ten Commandments” (Ibid). By recalling Old Testament ethics, Paul underscores the severity of these transgressions.

This argument has several defects. First, throughout his letters, Paul repeatedly emphasizes that “Christ is the culmination of the law so that there may be righteousness for everyone who believes” (Rom 10:4 [NIV]). The moral code required in the Old Testament no longer fully applies to Christ’s followers, “because through Christ Jesus the law of the Spirit who gives life has set [them] free from the law of sin and death” (Rom 8:2 [NIV]). It is unlikely that Paul would simultaneously require a reexamination of the Old Testament legal code and conjure Leviticus to legitimize his claim.

The second issue with this supposition is that compound words do not always mean the sum of their parts. The word derived from “male” and “bed” may have countless meanings apart from “homosexual” that should be thoroughly explored to fully comprehend Paul’s message. For example, *arsenokoitai* may refer to a specific action rather than an orientation. Perhaps *arsenokoitai* condemns pederasty or it could specifically decry anal penetration. In his use of the Greek root *arsen* in compound words, Aristotle refers to a male in an active sexual role with a *female* (Geis 2009, 32). Thus, *arsenokoitai* may imply a sexual act that can be performed with a woman or a man, and may not apply solely (or at all) to male-male intercourse. It could also be that the combination of *arsen* and *koitai* is entirely unrelated to sex, just as “understand” bears no relation to “stand” or “under” (Martin 1996, 119), or under-stand as in stand-less (i.e., *underperform*).

Some scholars approach *arsenokoitai* via contemporaneous literature that employs the same word and find alternate meanings. The *Sibyline Oracle*³ and *Acts of John* both conjure *arsenokoitai* similarly in a list of vices; however, in these texts the word is grouped with economic injustices. The *Sibyline Oracle* states:

Do not steal seeds. Whoever takes for himself is accursed (to generations of generations, to the scattering of life. Do not *arsenokoitein*, do not betray information, do not murder.) Give one who has labored his wage. Do not oppress the poor man. (Martin 1996, 120; emphasis original)

Notice that the *Oracle* does not mention anything sexual, and it would be odd to translate *arsenokoitein* as “homosexuals” in this context.

Written in the second century CE, *Acts of John* begins with a tirade against the wealthy, challenging those who honor their riches above all else, and continues with the following:

And let the murderer know that the punishment he has earned awaits him in double measure after he leaves this (world). So also the poisoner, sorcerer, robber, swindler, and *arsenokoitês*, the thief and all of this band. (Martin 1996, 121)

Like the *Sibyline Oracle*, *Acts of John* here condemns sins related to property, “economic injustice and exploitation” (Martin 1996, 120). Grouping men who have sex with men, with poisoners and swindlers would be highly uncharacteristic, as they belong to different categories of sin. Returning to First Corinthians, it could be that “fornicators, idolaters, adulterers, [and] male prostitutes” are a class of vices related to cultic traditions, “[*arsenokoitai*], thieves, [and] the greedy” are a separate class related to economic injustice, and “drunkards, revilers, [and] robbers,” a third grouping (1 Cor 6:9-

³ The *Sibyline Oracle* is a collection of books written over “several hundred years” (Collins 1972, xiii), and reflects “uttered prophecies” of “an ecstatic woman,” which was a common literary form in antiquity (Collins 1972, 1).

10 [NRSV]). In this rendering, *arsenokoitai* may be a monetary crime (i.e., not sexual), though it is possible the word also has a sexual application in this context.

One could argue that if *arsenokoitai* indicates “the unjust and coercive use of another person sexually” (Martin 1996, 122), it may constitute the abuse of a man’s property. This is easier to understand in a heterosexual context since women were owned by men, but one can also extend it to homosexual relations. As discussed in Chapter V, if a man penetrates another man, it effectively reduces the passive male to the role of female (or property), and becomes an offense similar to rape (or theft) (Geis 2009, 17). This interpretation is more plausible when *malakoi* is translated as “effeminate,” as the phrase would then mean “feminized men, and the men who stole their masculinity.” It is important to note though that this definition does not at all reflect homosexuality as it is understood today, and thus should not be applied to the modern same-sex marriage debate.

Though these are varied explanations leading to different conclusions, there is a common thread throughout. Whether *arsenokoitai* involves male cult prostitution, is a reference to Sodom, has Levitical origins, or means something related to “male-bedder” (Geis 2009, 32), each translation condemns an action rather than a sexual orientation.

An interpretation of *arsenokoitai* that limits its scope to an action alone also honors these verses’ historical context. As explored in this thesis, some scholars believe that in “Classical and Roman antiquity, male sexuality was regarded as polyvalent,” which the Old Testament in particular supports (Petersen 1986, 188). As outlined in Chapter I, there were myriad forms of marriage and relationships to which men were

privity in the ancient world. Thus, “a man could be characterized sexually only by describing his sexual *acts*,” and as a result prohibitions in the Bible tend to be action-specific (Petersen 1986, 188; emphasis original). Michaelson highlights the notion that perhaps “homosexuality is not a concern for Paul [at all]. [Rather,] male lascivious sexuality is” (Michaelson 2011, 92), in the same way that Paul may have been concerned with the abuse of sex and not sex itself in his letter to the Romans.⁴

Even if *arsenokoitai* refers to a male-male sex act, it likely does not prohibit all forms of homosexuality (Michaelson 2011, 91), just as all forms of heterosexuality are not condemned simply because rape is wrong. Michaelson writes that “the social context of an act changes the moral valence of an act. Killing a person is murder; killing in self-defense is not” (Michaelson 2011, 91). It is critical to understand the context of a word in order to grasp its full meaning. This is especially true considering that speaking so all can understand is central to Paul’s mission (1 Cor 14). Since Paul would not have coined a word his audience could not comprehend, readers today must delve into the historical context of First Corinthians (and First Timothy) in order to discern the meaning of *arsenokoitai* and *malakoi* for Paul. The fact that numerous scholars who have devoted their lives to the study of religion still cannot definitively define *arsenokoitai*, is further proof that it must be approached with careful consideration.

Furthermore, and perhaps most importantly, categorically condemning a portion of the population based on an ambiguous word(s) again defies the spirit of Paul’s letters.

⁴ See Chapter VI for more information.

In his first letter to Timothy, the verses that introduce the extensive list of sins are as follows:

The aim of such instruction is love that comes from a pure heart, a good conscience, and sincere faith. Some people have deviated from these and turned to meaningless talk, desiring to be teachers of the law, without understanding either what they are saying or the things about which they make assertions. (1 Tim 1:5-7 [NRSV])

Unlike *arsenokoitai*, this passage is not ambiguous. Paul chastises the community for hyperbole and for extracting meaning where none exists. The purpose of these verses is to return people to the faith and away from hypocrisy. Similarly, Paul's first letter to the Corinthians is devoted to reuniting a society rife with debauchery and anarchy. The thrust of his letters is not to specify exactly what type of sex and sexuality is allowed, but to unify the community "in the same mind and the same purpose" (1 Cor 1:10 [NRSV]). Paul implores the Corinthians not to combat or indict each other, writing, "To have lawsuits at all with one another is already a defeat for you" (1 Cor 6:7 [NRSV]). Reading these passages as a damnation of homosexuality in order to subvert citizens' rights, is to do precisely what Paul condemns.

Focus on the Family contends, "Attempts to subjugate objective biblical truths to subjective human experiences lead men and women to accept lies" (Focus on the Family Issue Analysts 2008c). These chapters do not necessarily assert that the Bible is malleable but rather that much has been lost in modern translation. In fact, one could argue it is the Religious Right that prefers and promotes translations that suit its anti-gay agenda rather than those closer to the original text. Scholarship suggests that when examined in context, the "objective biblical truth" Paul writes to the Corinthians and Timothy, is to be united

as a peaceful community under the one true God. As in his letter to the Romans, the thrust of Paul's message is not sexuality. Furthermore, *if* Paul proscribes anything related to homosexuality, it is a sex act within a particular context, and not a class of people.

CONCLUSION

As discussed throughout, the Religious Right wields the Bible to challenge the validity and legality of homosexual relationships. Although evidence suggests society in ancient times was familiar with homosexuality, the Bible does not explicitly prohibit it. Rather, a thorough review of the contentious verses reveals that what the Bible actually proscribes is a specific sexual act that mostly pertains to men. In addition, the sinful act may really only be forbidden within certain circumstances. When read in context, and in the original languages, it is clear the Bible does not patently condemn homosexuality, and especially not in the manner that sexual orientation is understood today. Moreover, based on the biblical teachings regarding marriage, it is difficult to argue that the Bible would not sanction those same-sex marriages that are committed, fulfilling, long-lasting relationships.

In the face of such argumentation, the Religious Right has at times abandoned its moral precepts and appealed instead, surprisingly, to “democracy” to reinforce its agenda. The Religious Right has often declared, “The American people do not support same-sex marriage. Every time they have voted on marriage—32 states overall—they have voted to preserve traditional marriage” (Brown 2012). Disregarding polls indicating changing opinions on the subject (Montopoli 2010; Cohen 2013), the Religious Right emphasized that *at* the polls, voters repeatedly rejected same-sex marriage on ballots across America.

In 2012, Americans in at least four states shattered this pronouncement. Voters in Maryland, Maine and Washington State all passed measures to allow same-sex marriage (Markoe 2012). In addition, Minnesotans impressively rejected a bill defining marriage

as between one man and woman, paving the way for future pro-gay legislation (Ibid). Opinions and laws on gay marriage are rapidly changing, challenging the Religious Right's assertions to the contrary.

Indeed, although the Religious Right vows same-sex marriage is not "inevitable" (Sprigg 2013), the U.S. government has moved relatively quickly towards adopting laws that grant homosexuals increased access to the institution of marriage (Perez 2014). In 2012, Barack Obama became the first sitting president to publicly support same-sex marriage, and has since led the U.S. towards more inclusive policies (Earnest 2012). Past judicial precedent has also facilitated the passage of gay rights. Because marriage is now considered a "fundamental right," it is protected by the courts and "deemed vital to a legally equal society" (Snyder 2006, 63). Denying such a right is more challenging, as evidenced by the recent slew of cases overturning state bans on same-sex marriage (Fernandez 2014). Even the Supreme Court could not contradict homosexuals' right to wed their same-sex partners. In 2013, the Court overturned the Defense of Marriage Act (DOMA), determining:

DOMA singles out a class of persons deemed by a State entitled to recognition and protection to enhance their own liberty. It imposes a disability on the class by refusing to acknowledge a status the State finds to be dignified and proper. (*United States v. Windsor* 2013, 25)

As a result, same-sex married couples now have access to Federal benefits.

Furthermore, as of March 2014, seventeen states and the District of Columbia have legalized same-sex marriage in the U.S., and according to polls, the majority of Americans (58%) now support it (Ahuja et al. 2014). Information and education are the keys to the evolution of public opinion.

Although not the focus of this thesis, it is important to note the impact the media and entertainment industry has had on shifting attitudes. Since 2012, television networks have featured a record number of LGBT¹ characters (GLAAD 2013, 3). More importantly, these roles are not just caricatures or stereotypes but substantive characters with elaborate storylines like their heterosexual counterparts (GLAAD 2013, 9). By bringing examples of gay people, relationships and struggles directly to consumers' living rooms, "children are receiving media indoctrination at their most impressionable age" (Phy-Olsen 2006, 185), and adults are exposed to homosexuality in a non-threatening medium.

The more people are familiar with homosexuality, the less "other" it is and the more acceptance it gains. When a Pew study asked why people changed their views on homosexuality, almost one-third (32%) responded it is because they know someone who is gay (Pew Research Center 2013). Television has facilitated this movement by featuring LGBT characters, and providing a platform for celebrities, professional athletes, and politicians, among others to "come out" and share their stories with a wide audience.

In addition, religious views towards same-sex marriage appear to be shifting. In 2003, the Episcopal Church elected openly gay Gene Robinson, as Bishop in New Hampshire (Goodstein 2010). Though his appointment led to an uproar throughout the Church, his diocese remained "stable and healthy," and Bishop Robinson has become an important leader in the gay rights movement on an international scale (Ibid). The Methodist Church is undergoing a similar crisis of faith. According to its website, the

¹ LGBT stands for Lesbian, Gay, Bisexual, and Transgender.

Church preaches adamantly against homophobia since “all persons are of sacred worth” but excludes noncelibate homosexuals from ordination and is divided over same-sex marriage. In October 2012, the Church prosecuted Rev. Dr. Thomas Ogletree² for officiating at his gay son’s wedding (Benz 2014). The case was dropped in March 2014 but not before igniting debate within the Methodist Church, which is struggling to remain united over this issue (Ibid). The Catholic Church is also challenged by the matter. Departing from his predecessors, however, Pope Francis has consistently declared, “Who am I to judge?” regarding homosexuality, indicating “his papacy seeks to welcome gays” (Dias 2014). In March 2014, the Dalai Lama similarly suggested each government should determine its own marriage laws, but he considers homosexuality “ok” as long as homosexual intercourse is consensual (AFP 2014).

Leaders of different faiths are reevaluating their views around the world, yet the American Religious Right and conservative Christians remain obstinately opposed (Pew Research Center 2013). Whether it be a fear of disrupting gender norms, damaging the patriarchy, confronting the unknown or “unnatural,” or simply a belief that the Bible cannot condone same-sex marriage if it rejects homosexuality (Sprigg 2004, 115), the Religious Right invents reasons to reject gay marriage.

This thesis addressed the Religious Right’s biblically-based objections to gay marriage, endeavoring to prove that when examined more closely in their appropriate historical and biblical contexts, it is clear these verses have been willfully misinterpreted. Whether analyzed in detail or simply read in context, it is evident the Bible does not

² Rev. Dr. Thomas Ogletree is former dean of Yale Divinity School and Drew Theological Seminary.

condemn homosexuality and therefore cannot be said to oppose gay marriage. This paper staunchly opposes the Religious Right's duplicitous tactics, and proposes that perhaps it is the Religious Right that is "redefining" marriage – and the Bible for that matter. In response, this thesis strives to unveil the Bible to generate more honest and productive religious dialogue on the issue of same-sex marriage.

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