The Bible in Political Debate

What Does It Really Say?

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Culture Wars, Homosexuality, and the Bible

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For those inclined to the left wing of U.S. politics, the idea that nonheterosexuals or sexual minorities should be accorded equal rights as heterosexuals is typically a matter of civil rights, human rights, and social equality. For those who are more comfortable on the right-wing end of the political spectrum, there is a general opposition to the notion that nonheterosexual persons are deserving of equal rights. Some conservatives (but not all) would prefer it not even exist, based on what they see as the correct (and often uniquely Protestant) Christian basis of this country's secular government.

Many opponents of affording equal rights to nonheterosexuals follow what they view as a literal or plain-sense reading of the Bible. In this chapter, we will also employ a plain-sense reading strategy; however, in this case, we will be attempting to look at the plain meaning in the *original* context of biblical texts. Because the Bible in its original Hebrew and Greek speaks quite explicitly about certain sex acts, the reader should be prepared that we will have to name them here specifically, if clinically. It is not a political strategy to shock; it is a strategy to uncover the plain-sense of certain verses.

People are complicated as individuals, and so are the politics that emerge as people debate an idea. So, of course, political positions on nonheterosexual rights vary and are not always what one might expect. For example, contradictions appear from the right wing in ways that seek to extend compassion, dignity, and honor to the person—even as homosexual sex acts are condemned. In a similarly contradictory position, some on the left wing of the political spectrum never wanted same-sex marriage, seeking a legal partnership that they view as better, more love based, or free from preoccupations about property and its inheritance. Nevertheless, the left-leaning emphasis on civil rights, human rights, and social equality exists in strong tension with the right-leaning position that condemns the very existence of nonheterosexuality as being improper for humans under God's laws as is supposedly found in the Bible.

The problem of homosexuality

Homosexuality is a bit of a dirty word within the nonheterosexual communities of North America. Those of us who identify as nonheterosexual are taught to remember a time when the medical community decided that same-sex desire was a disease of the body and mind, namely the 1960s. In contrast to this dirty term, to use self-identifiers such as lesbian, gay, or bisexual (LGB) implies that there is far more to who you are than just sexual desire or sex itself. This is the central assumption I want to make perfectly clear: nonheterosexual identities are much more complicated than sexual desires or sexual acts. They involve ties of support, emotional bonds, and material commitments, as we shall see below.

So why do people in the United States tend to think of LGB folk as defined by sex? Principally, this is due to earlier associations made with "homosexual" as a category, first by the church, and then by the medical community.

Scholars of LGBT (LGB and transgender) drawing upon the work of Michel Foucault (1990) argue the following: The Catholic Church had long deemed that homosexual orientation itself was not considered a sin unless acted upon. Many Protestant denominations, notably branches of evangelicalism, also took this position. Since homosexuality was equated with a sinful action, this meant that it was forgivable and redeemable, through repentance and/or confession. A sin, from this religious perspective, need not stay with the soul or the body permanently.

However, in the twentieth century the medical community began to approach homosexuality as a condition needing treatment. Up until the very early 1970s, the *Diagnostic and Statistics Manual* (DSM-II) of the American Psychological Association explicitly listed homosexuality as a disease. This diagnosis is not just about sexual acts, but rather addresses a constellation of gender formation and conformity. This includes how one was brought up in a family, as well as attractions [and practices] that were considered to be sexually deviant (e.g., Gagnon and Simon 1967). This complex identity resides in the mind, and that mind is inextricably linked to the biological body. Thus, in the biomedical community, homosexuality became not a *sin*—as many in the church viewed it—but a *diagnosis* (Foucault 1990 [1978]).

One can repent from a sinful act. But while a diagnosis may have a treatment (or so the medical community had hoped), the illness is part and parcel of the mind, body, and the very personal identity of the patient. It is something like chicken pox—once the virus is in your body, infecting your cells, it is still a part of you even after the disease is cured.

Thus, a subtle but important shift occurred in the way society viewed homosexuality, first mainly from the point of view of the church—as a sin—and second from the viewpoint of the hospital—as a diagnosis. As a result of this new categorization, Foucault claims that "the sodomite had been a temporary aberration; the homosexual was now [viewed as] a species" (Foucault 1990 [1978], 48). Foucault is right. Before the medicalization of homosexuality, there was no idea of the "homosexual" as a category of person. After the twentieth-century development that viewed homosexuality as a medical disease, the homosexual was viewed as an aberrant type of person who needs to undergo treatment to conform to what is "normal," in order to correct mind, body, and identity.

For many religious Americans, this confirmed that a homosexual was not just a person committing a sexual sin, but also a scientifically confirmed, faulty kind of person—perhaps even a socially dangerous "species." Both liberal forms of Judaism such as the Reform Movement and the more liberal strands of Protestant Christianity turned to the DSM-II for understanding homosexuality.

Today's discussion of "homosexuality" emerges out of this negative history of the term. Thus, many nonheterosexuals prefer a plethora of terms that indicate a different history. For example, biological men who desire or enact attraction to men prefer terms like gay, queer, or bi. Biological women who enact or desire attraction to women may prefer terms such as lesbian, queer, bi, or dyke—since minority groups often adopt with pride terms like "dyke" that outsiders may use to denigrate them. Some prefer no terminology at all, which indicates the cultural shift away from rooting the entirety of one's selfhood in the single facet of sexual desire.

The view from the present

We therefore see in our time, in these early years of the twenty-first century, a collection of nonheterosexual identities and an expanded possibility for different understandings of genders, modes of affection, kinds of material interdependence, and family structure. I will call this plethora of possibilities "queer." How did this new identity emerge in our time?

Many answers exist. I speak as a gay man born just *after* the psychiatric community finally rejected the idea of homosexuality as a medical disease of the mind and body, and as a person who was a child during the emergence of the human immunodeficiency virus (HIV) epidemic. From this vantage point, I argue that it was *political activism* in response to the mysterious "gay cancer" (as HIV was then known) that rooted queer identities firmly in North American politics. *The homosexual "species"*—this is Foucault's term for how medicine made the homosexual a category of diseased people that you could keep away from the healthy majority by categorizing them—*is now a distinctly political being.*

So now we come to the problem. Nonheterosexual people see themselves as defined by the ties of love and affection they share, the property they hold in common with a beloved partner, the children they raise, and the community they support. Yes, there is often sex between persons in a love-based relationship, and there is sexual desire for persons of the same biological sex. However, to say you are gay is a complex identity, which is not solely about sex.

Yet certain powerful religions have historically seen nonheterosexuals as practitioners of a sinful *sex act*, not as complex people in complex relationships, inhabiting complex identities. Then, science saw them as diseased persons because of same-sex attraction. Now, LGBT folks are the subject of political debate that too often sees them once again as reduced to a sex act, not as whole people.

And yes, the Bible does address a sex act and not a kind of person or a kind of love, as we're about to see.

Hebrew Bible: Sex acts, silences, and glancing affirmations

When we hold a notion, a word, or a concept in our hands at the present time and when we know that this notion, word, or concept has a particular history, we tend to think that history led directly and clearly to the present moment. We forget as we look down into the well of the past from the high surface of the present that many strands of history from the ancient past never made it to us. We often forget that how we read a term today does not necessarily reflect the original, intended meaning of the first few to write it down. Thus, when a speaker might say to a queer-identifying person that they support "homosexual rights," the intended beneficiary of such a statement might cringe at having been labeled with a term that in past decades medical terminology had equated with a disease.

Likewise, the scriptural traditions of Judaism and Christianity contain words with meanings that resonate differently depending on the cultural moment in which they were written or read. We read things one way, but the original or nearly original audience might have had many other meanings evident to them. Often cited in anti-queer arguments is the following verse from Leviticus: "Do not lie with a male as one lies with a woman; it is an abhorrence" (Lev. 18:22, JPS). This seems to be, in plain-sense modern reading, a direct ban against homosexuality.

However, turning to the plain-sense original meaning, the verse does not address contemporary issues such as same-sex relationships or marriage. It deals with the practice of some sex act. Thus, when interpreting Leviticus 18:22 to ascertain the Bible's position on "homosexuality" or queerness, three questions arise.

First, what *exactly* is the practice specified and prohibited?

The meaning of the Hebrew differs from what is captured in the English translation. The words "lie with a male as one lies with a woman" in Hebrew are more literally rendered "and with a man, not should you lie the *lyings of a woman*" (Lev. 18:22). What is immediately evident from this more literal rendering of the Hebrew text is that there is one sex practice that is forbidden here: the "lyings of a woman" (*miškevey 'išah*). What on earth are the lyings of a woman?

In fact, the Hebrew terms used are extremely explicit, but their meaning does not always translate well into English. Simply put, the Bible forbids anal sex. Grammatically speaking, the word "lyings" is a verb form in biblical Hebrew that comes from the root š-*k*-*b*, meaning "to lie down." Hebrew dictionaries explain that this phrase implies lying down in preparation for sexual intercourse (Brown, Driver, and Briggs 1999 [1906], 1012 col. 1). In the present context of Leviticus 18:22, then, the meaning is distinctly "sodomy," male–male anal sex (Brown et al. 1999). The reader should note first that this verse bans a singular, specific sex act; it does not ban sex between two men wholesale, since this practice is only one of many things two male bodies could do together. Being gay, lesbian, or bi is about so much more than a single sex act.

Second, now that we understand what sex act is specified, does the verse speak to a ban on all identities of queerness as they are understood within our present cultural context?

Clearly, the answer is no. First, thinking of male–male sex only in terms of this prohibited sexual act assumes sex is penetrative, which today not all sexual practices are. Further, to apply this sex act as constituting queerness or homosexuality itself ignores the social, emotional, material, and affective aspects of nonheterosexuality, and other such important, relational dimensions of the present-time identity. Not all queer folk or homosexuals are male-bodied individuals engaging in relations(hips) with other male-bodied individuals. The ban on a man penetrating another man therefore does not apply to lesbians, transgender persons, and so on.

At the most, Leviticus 18:22 is a ban on insertive anal sex. What is interesting upon a close reading is that the ban is only for one of the two partners involved. Oddly, the passage makes no mention of the individual being penetrated. The sex act is imagined to have one active participant, the other being "just there" as we might say. This brings up another assumption in the text that we may find uncomfortable when it is applied uncritically to the present day. It assumes that female-bodied persons have no agency in sexual intercourse.

In the vocabulary of the queer community, especially that subset identifying as "gay," penetrative anal sex practice includes two active roles. There is the role of "top," the insertive partner, and the role of "bottom,"

the receiving partner. Thus, the Bible here comments not on an identity as we understand queerness or homosexuality, but rather on a single-sex practice, and not even as that particular practice is understood in the queer community—as having two active participants.

It is interesting to note how some gay-identifying Orthodox Jews understand this passage. They strive to observe the law technically and correctly. Thus, they take seriously this ban and do not engage in anal sex, but continue to be "gay," sometimes in same-sex love relationships. Leviticus makes no claim on nonheterosexuality.

Thus, given the specific ancient context of Leviticus and the ways in which it differs from our modern context, the final question that arises is: Can we so simply apply the meaning of this verse to today, to our contemporary political debates?

The bedroom in the courtroom

In U.S. politics, the practice of penetrative anal sex has come before the Supreme Court recently in the case of *Lawrence et al. v. Texas* 539 U.S. 6 (2003), which overturned the 1974 Texas Sexual Conduct Law (Jakobsen and Pellegrini 2004). The issue of "sodomy" came before the high court years earlier in the case of *Bowers v. Hardwick* 487 U.S. 196 (1986), which ruled that the Georgia sodomy law as governing a private act in a private bedroom was legal and within the bounds of the constitution. As Jakobsen and Pellegrini note: "In justifying the decision, the *Bowers* majority cited millennia of moral opposition to homosexual sodomy. On closer examination, though, this supposedly universal opposition turned out to be religious in origin—what Chief Justice Warren Burger, in his concurring opinion, even explicitly named as 'Judaeo[*sic*]-Christian moral and ethical standards'" (Jakobsen and Pellegrini 2004, x, citing *Bowers v. Hardwick* 487 U.S. 196 [1986]).

Yet *Bowers* is overturned in *Lawrence v. Texas*, as explained in the majority decision by Associate Justice Anthony Kennedy:

> To say that the issue in *Bowers* was simply the right to engage in certain sexual conduct demeans the claim the individual put forward, just as it would demean a married couple were it to be said that marriage is simply about the right to have sexual intercourse. The laws involved in *Bowers* and here ... have more-far-reaching consequences, touching upon the most private human conduct, sexual behavior, and in the most private of places, the home. (Jakobsen and Pellegrini 2004, xi, citing *Lawrence et al. v. Texas* 539 U.S. 6 [2003])

We note in Justice Kennedy's language the idea that *a sex act does not constitute an entire constellation of personhood*, an entire identity when he uses the logic of analogy to say that "marriage is not simply about the right to have sexual intercourse" (Jakobsen and Pellegrini 2004).

What, then, does the Bible have to say of a fuller, more complex nonheterosexual relationship?

A story of relationships, not sex

1 Samuel 18:1–6 (JPS trans.) reads as follows:

> When [David] finished speaking with Saul, Jonathan's soul became bound up with the soul of David; Jonathan loved David as himself. Saul took him [into his service] that day and would not let him return to his father's house. Jonathan and David made a pact, because [Jonathan] loved him as himself. Jonathan took off the cloak and tunic he was wearing and gave them to David, together with his sword, bow, and belt. ...

Girded with the material support from the king's son's gear, David is successful in battle. As a result of his victory, he marries the king's daughter Michal and David grows in the eyes of the public, which regards him as a great warrior: "And they cherished his name greatly" (1 Sam. 18:30).

The affective bond between two men also helped undergird a Davidic dynasty sacred to God in the Bible, one essential to later emergent Judaism, and one that has messianic outcomes for later Christians. The intimacy between the men is remarkable. As the text states: "the soul of Jonathan became bound up with the soul of David ... Jonathan, out of his love for David, adjured him again, for he loved him as himself" (1 Sam. 18:1; 20:17).

To be clear, I am not stating David and Jonathan's relationship necessarily implies a gay attraction and bonding, although some commentators on the passage have concluded this to be the case. In fact, many practicing Jews and believing Christians see this as a biblically approved model for

loving relations between two people of the same sex. Jonathan and David's love is made material not in *miškevey 'išah*, the penetrative sex forbidden in Leviticus 18:22, but in the weaponry that preserves the future king's life, ensuring his accession of the throne of Judah. It is also made real by an unbreakable emotional bond.

New Testament terms and their context: Natural tops and natural bottoms

Turning again not to complex relationships, but rather to simple sex practices, we ask: But what of female-bodied persons (who, so far, seem to just lie there both as the object of Levitical laws and passive recipients of sex)?

In the letter to the Romans 1:26–27, Paul writes: "For this reason God gave them up to degrading passions. Their women exchanged natural intercourse for unnatural, and in the same way also the men, giving up natural intercourse with women, were consumed with passion for one another. Men committed shameless acts with men and received in their own persons due penalty for this error" (trans. Brooten 1996, 215). As moderns and as North Americans, it is all too tempting to read quickly the terms natural and unnatural under the dominant rubric of our biomedical sciences, which taught us for decades that "natural" is heterosexual and "unnatural" is nonheterosexual, even though this disease model was finally removed from the DSM in 1973.

How do we think about nature? We consider nature to be as survival of the fittest, according to the influence of Charles Darwin and Alfred Wallace (the codiscoverers of evolution theory). What do the fittest do when they survive? They reproduce more of themselves. We might be tempted to see nature in the New Testament as affirming this logic. But this logic of survival and reproduction is new and of our time. In Paul's day, the natural intercourse that he meant to imply was what the Roman Empire thought of as proper sex—passive women lying under active men.

Brooten offers a corrective by explaining what "nature" meant when Paul was composing his letters to the early Christian communities. By keying in on these terms "natural" and "unnatural," she argues that: "... Paul condemns sexual relations between women as 'unnatural' because he shares the widely held [Hellenistic] cultural view that *women are passive by nature* and therefore should remain passive in sexual relations" (Brooten 1996, 216). She argues that women, according to this ancient thinking, "cannot naturally assume the active role [as opposed to the passive], thus rendering natural sexual relations between women impossible" (Brooten 1996). By this logic, those who now call themselves lesbian could not have *existed* in the logic of Roman sexuality.

Brooten further explains that in bringing early Christianity to the non-Jewish world at large, Paul is trying to match up the Jewish idea of natural sexual relations with the Roman. The Jewish law forbids male–male anal sex in Leviticus as explained above. Good Roman thinking sees passive women and active men in sex. Following Brooten's commentary, any sexual role in which the woman does not lie as the passively inserted partner during sex is condemned.

Once again, understanding that sex is not the most important or the complete part of gay, lesbian, or bi identity reveals that not only does this passage fail to address our contemporary ideas of LGBT as a complex way to be a person in this society, it also does not address our understanding of what is natural and what is not natural. The Bible therefore does not address either female–female or male–male homosexuality as a complex construct of who one is; rather, it bans certain sex acts in a very specific and explicit manner.

Later on in her argument, Brooten further observes that two other supposed references to what we once called homosexual and now call LGBT sexuality are found in 1 Corinthians 6:9 and 1 Timothy 1:10, which read as follows. The 1 Corinthians letter addresses male–male anal penetration, forbidding a single sex act already outlawed in Leviticus, with the Greek literally speaking of "one who has sex with a man as sex with a woman." This indicates Paul's concern is not with a type of person or a whole identity, but with a sex act already forbidden in the Levitical code, as inherited from his Jewish upbringing and first career. The same analysis applies to the 1 Timothy reference—it is a reaffirmation of the Leviticus ban on a single sex act.

Our notions today of being gay, lesbian, and bisexual are so much broader than the ancient worlds of the Bible could conceive. They encompass relationships and identities far more complex than a single sex act. They are not in today's present time a reincarnation of ancient Roman, Hellenistic, or biblical Israelite sexuality. As Justice Kennedy observes: "To say that the issue in *Bowers* was simply the right to engage in certain

sexual conduct demeans the claim the individual put forward, just as it would demean a married couple were it to be said that marriage is simply about the right to have sexual intercourse. The laws involved in *Bowers* and here ... have more-far-reaching consequences, touching upon the most private human conduct, sexual behavior, and in the most private of places, the home" (Jakobsen and Pellegrini 2004, xi, citing *Lawrence et al. v. Texas* 539 U.S. 6 [2003]).

Interpreting the past in present: An identity is so much more than sex

Standing at the present time, looking down into the well of the past, we can see there are ideals that exist now that did not exist in the past, and vice versa. The idea that a relationship between two persons (whether heterosexual or nonheterosexual) is not reducible to a form of sexual intercourse is key to the North American understanding of sexual identity. The early church or the editors, compilers, and writers of the Hebrew Bible could not have imagined or understood nonheterosexual relationships from this perspective.

In her foundational article, *Thinking Sex*, anthropologist Gayle Rubin writes:

> The time has come to think about sex ... people are likely to become dangerously crazy about sexuality. Contemporary conflicts over sexual values and erotic conduct have much in common with the religious disputes of earlier centuries. They acquire immense symbolic weight. Disputes over sexual behavior often become the vehicles for displacing social anxieties, and discharging their attendant emotional intensity. Consequently, sexuality should be treated with special respect in times of great stress. (Rubin in Abelove, Barale, and Halperin 1993, 3–4)

While I share her concern, we have to be careful now, in the second decade of the twenty-first century, not to conflate a sex practice with a sexuality. We see this anxiety in Brooten, who shows us how Paul attempts to align Jewish and Roman social orders in his condemnation of sexual practices. The practices that Paul condemns ignore both the "natural" active and penetrating role of men, and also ignore the "natural" passive and penetrated role of women.

But *against* the sex-centered language that Rubin (1993) deploys, we need to look *away* from sex sometimes to see the whole person named by the singular facet of sexual desire. Paul does not condemn those whom we now call lesbians, since such an identity did not exist in his day. Such an identity as "lesbian" is dependent on modern and contemporary feminist and women's liberation movements, on political coalition with HIV activists, with the complexities of affective (love, mutuality, and intimacy) and material (property, privacy of domicile, and inheritance jurisprudence) sharing. We see the biblical compilers and editors praise such relationships, as typified in examples such as the affective love and material sharing of the tools of warriorship between Jonathan and David, just as we see today the Supreme Court affirm the relationship between same-sex persons in cases such as the recent landmark *Obergefell et al. v. Hodges* 567 U.S. (2015):

> This dynamic can be seen in the Nation's experience with gay and lesbian rights. Well into the 20th century, many States condemned same-sex intimacy as immoral, and homosexuality was treated as an illness. Later in the century, cultural and political developments allowed same-sex couples to lead more open and public lives. Extensive public and private dialogue followed, along with shifts in public attitudes. (*Obergefell et al. v. Hodges* 567 U.S. [2015])

It is the dignity of persons in material, deeply emotional, and enduring relationships—regardless of the biomedical sex of their bodies—whom the high court has seen fit to honor with equal social position. The sex act is not the relationship, nor does it constitute the entirety of persons who are sexual minorities. This was not true in the time of the composition and editing of the Bible, and it is not true today at a time when the Bible is inherited and consumed politically.

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