

The Prohibitions against Homosexual Sex in Leviticus 18:22 and 20:13: Are They Relevant Today?

ABSTRACT: This article explores whether the prohibitions against homosexual sex in Lev 18:22 and 20:13 have ongoing relevance today. It begins by noting that the use of the term *abomination* in these verses does not settle the question and then turns to consider three different types of responses to the question: (1) the prohibitions do not apply today because Leviticus does not apply today; (2) the prohibitions do not apply today because the reason this activity was prohibited in Leviticus no longer applies today; and (3) the prohibitions do apply today because the reason the activity was prohibited in Leviticus still applies today. The conclusion notes that multiple moral rationales may be at work behind a single command and considers why this is significant when discussing whether these particular verses have ongoing relevance.

KEYWORDS: Lev 18:22, Lev 20:13, Matt 19:4–6, Mark 10:6–9, abomination, homosexual, Leviticus, purity code, Brownson, moral rationale

Introduction

There is no real debate that Lev 18:22 and Lev 20:13 are prohibiting sexual relations between two men.¹ This is agreed to by the commentators (whether they are conservative or liberal)² and by those writing more specifically

1. Lev 18:22 does so directly, and Lev 20:13 does so by way of clear implication.

2. In a survey of more than 25 major commentaries, both conservative and liberal, I found no exceptions. Exceptions might exist, but the consensus is overwhelming and all

about the Bible's view of homosexual sex (whether they think these prohibitions apply today or not).³ It is equally clear that consensual relations are being described, since the same penalty for breaking these laws is applied to both men (20:13), something that does not happen in the case of rape (cf. Deut 22:23–27).⁴ It may also be noted that the text's explicit focus is a person's practice (with whom they have sex); questions of orientation or identity are not explicitly addressed.⁵ There is debate, however, on whether and

the stronger because it includes commentators from a wide range of theological perspectives. The following list is representative of those coming from this wide range and yet who agree that this verse prohibits sexual relations between men: David Hoffmann, *Das Buch Leviticus*, vol. 2 (Berlin: Poppelauer, 1905), 23; Gordon J. Wenham, *The Book of Leviticus*, NICOT 3 (Grand Rapids: Eerdmans, 1979), 259; Baruch A. Levine, *Leviticus = Vayikra: The Traditional Hebrew Text with the New JPS Translation*, JPS Torah Commentary (Philadelphia, PA: Jewish Publication Society, 1989), 123; John E. Hartley, *Leviticus*, WBC 4 (Dallas: Word, 1992), 297; Philip J. Budd, *Leviticus: Based on the New Revised Standard Version*, NCB (Grand Rapids: Eerdmans, 1996), 260; Jacob Milgrom, *Leviticus 17–22: A New Translation with Introduction and Commentary*, AB 3A (New York: Doubleday, 2000), 1565–66; Samuel E. Balentine, *Leviticus*, IBC 3 (Louisville, KY: Westminster John Knox, 2002), 156; Lloyd R. Bailey, *Leviticus–Numbers*, vol. 3, Smyth and Helwys Bible Commentary (Macon, GA: Smyth & Helwys, 2005), 224. Walsh (Jerome T. Walsh, "Leviticus 18:22 and 20:13: Who Is Doing What to Whom?" *JBL* 120.2 [2001]: 201–9) and Hollenback (George M. Hollenback, "Who Is Doing What to Whom Revisited: Another Look at Leviticus 18:22 and 20:13," *JBL* 136.3 [2017]: 529–37) argue that Lev 18:22 only prohibits a man from acting as the passive partner but are agreed that Lev 20:13 prohibits being either the active or passive partner (Walsh, "Leviticus," 206; Hollenback, "Who," 537). For further interactions with their approach, see Jay Sklar, *Leviticus: A Discourse Analysis of the Hebrew Bible*, Zondervan Exegetical Commentary on the Old Testament (Grand Rapids: Zondervan, forthcoming) on 18:22.

3. As the survey below will show, even those who argue that homosexual sex is biblically permissible agree that this verse is indeed a prohibition against sexual relations between men. Their approach to the question is thus not to deny the prohibition itself, but to explain why it no longer applies today.

4. So also Milgrom, *Leviticus 17–22*, 1749; James V. Brownson, *Bible, Gender, Sexuality: Reframing the Church's Debate on Same-Sex Relationships* (Grand Rapids: Eerdmans, 2013), 271.

5. A former student of mine who experiences same-sex attraction has said it is helpful for him to make a distinction between sexual practice, sexual attraction/orientation, and sexual identity. Practice includes acting on sexual desires or attractions (whether with another person, or through pornography or lustful thoughts). Attraction/orientation is the inclination or sexual desire for others. Identity is the self-image built around one's perception of their sexuality. In a private communication to me (which I share with his permission), he summarizes: "Thus, God calls his people to bring their practice in line with his holiness, he calls his people to recognize which inclinations of our hearts are not part of God's design, and to build a sexual identity that understands sex to be a secondary marker in identity (as compared to relationship with Christ)." See also Dennis Hollinger, *The Meaning of Sex: Christian Ethics and the Moral Life* (Grand Rapids: Baker Academic, 2009), 172–73.

how these prohibitions apply today, whether in terms of male homosexual sex in particular or homosexual sex in general.⁶

Does the Use of the Term *Abomination* Resolve the Question?

At first glance, the answer to the debate seems straightforward: the act is called an “abomination,” that is, something considered to be reprehensible.⁷ But it may also be noted that the Hebrew word for “abomination” (תועבה) refers to things that are reprehensible for two different reasons.⁸ In most instances, it refers to things that are detestable because they are intrinsically immoral, that is, they go directly against God’s universal intent for the world. A partial list of examples in the Pentateuch includes things such as sins connected to idols or idolatry (Deut 12:31; 13:15[14]; 17:4; 20:18), the idol itself or things associated with it (Deut 7:25, 26; 27:15; 32:16), sexual sins such as prostitution (Deut 23:19 [18]),⁹ and stealing from others (Deut 25:16). Because these things are intrinsically wrong, they are condemned with equal strength in both OT and NT (1 Cor 5:11; 6:15; Eph 4:28).

In a few instances, however, the word refers to things that are not intrinsically wrong, including at least one reference to ritually impure animals (Deut 14:3). In Israel’s day, ritual purity and impurity was a cultural reality.¹⁰ The Lord made use of this cultural reality by forbidding the Israelites from eating ritually impure animals in order to (among other things) remind his people about the importance of avoiding impure things in all of life,¹¹ but there is nothing intrinsically immoral about a pig. This explains why the

6. Though these verses describe male homosexual sexual activity in particular, the discussion surrounding them—by those on both sides of the issue—usually turns very quickly to speak of homosexual sex in general. The same approach is followed here, especially in light of the argument below that these verses would have applied in general to sexual acts that were homosexual in nature. See below, “These Prohibitions Do Apply Today Because the Reason(s) Behind the Prohibitions Still Apply Today.”

7. Although I prefer the translation “detestable act” (see Sklar, *Leviticus: A Discourse Analysis*, at 18:22), I go with “abomination” here because it is the usual translation used in the more popular discussions of these verses. The use of one term over another is not central to the argument above.

8. For a much fuller analysis, see n. 25 below.

9. This verse may be referring to the wages of the prostitutes as being detestable, but that naturally speaks to the detestable nature of the act from which the wages were gained.

10. See Jacob Milgrom, *Leviticus 1–16: A New Translation with Introduction and Commentary*, AB 3 (New York: Doubleday, 1991), 764–65, 932–33.

11. See Jay Sklar, *Leviticus: An Introduction and Commentary*, TOTC 3 (Downers Grove, IL: InterVarsity, 2014), 48–49.

Lord can annul the category of impure animals in the NT without going against his moral standards in any way (Mark 7:19);¹² the category was rooted in cultural norms, not the moral fiber of his universe.¹³

A question then naturally arises: which use of the term is in view here? Is this referring to an act that is an abomination because it is intrinsically immoral, or to an act that is an abomination simply because it goes against certain cultural norms? Unfortunately, neither Lev 18:22 nor 20:13 gives an explicit answer to this question. They prohibit the act without telling us if they are doing so for intrinsic moral reasons or simply for cultural reasons. Thus, the question still remains: do these prohibitions still apply today?

This question has been answered in a number of different ways. The most common responses may be grouped into three major categories: those who say the prohibitions do not apply today because Leviticus does not apply today; those who say the prohibitions do not apply today because the reason(s) this activity was prohibited in Leviticus no longer apply today; and those who say the prohibitions do apply today because the reason(s) the activity was prohibited in Leviticus still apply today.

These Prohibitions Do Not Apply Today Because Leviticus Does Not Apply Today

While there are several different arguments that could be listed here, the majority of them fall into two different camps: those who argue that the presence of other bizarre laws in Leviticus means that these prohibitions might be bizarre as well, and those who argue that, if Leviticus does not apply in its entirety, it does not apply at all.

The Presence of Other Bizarre Laws in Leviticus Means That These Prohibitions Might Be Bizarre As Well

The form of this argument is as follows: Leviticus forbids homosexual behavior (18:22), but it also forbids things such as lay Israelites wearing clothing of two different materials (19:19).¹⁴ This second law is obviously bizarre. And if this is true for some laws in Leviticus, then it can also be true for the

12. See also Rom 14:14.

13. For further discussion, see Sklar, *Leviticus* (TOTC), 55–62, esp. p. 59.

14. At this point in the argument, any number of different examples from Leviticus may be cited that seem bizarre to the person making the argument (and presumably to their audience as well).

laws against homosexual practice as well.¹⁵ The points of this argument may thus be listed as follows:

- A. Leviticus does prohibit homosexual sex (18:22).
- B. Leviticus also prohibits wearing clothing of two different materials (19:19).
- C. The clothing prohibition is bizarre.
- D. Therefore, the prohibition against homosexual sex might be bizarre as well.¹⁶

Four observations may be made by way of response.

1. There is nothing wrong with the form of the argument. If the clothing prohibition is bizarre, then the prohibition against homosexual sex might be as well. But the argument simply raises a theoretical possibility without proving it, as the language makes clear: “the prohibition against homosexual sex *might* be bizarre as well.” In other words, the question whether the prohibition applies today or not has not at all been answered.

2. This becomes especially clear when the same form of argument is used with laws in Leviticus that seem plausible in today’s society. Consider the following example:

- A. Leviticus does prohibit committing injustice (19:15).
- B. Leviticus also prohibits wearing clothing of two different materials (19:19).
- C. The clothing prohibition is bizarre.
- D. Therefore, the prohibition against injustice might be bizarre as well.

Again, the form of the argument is sound: If the clothing prohibition is bizarre, the prohibition against injustice *might* be bizarre as well. But this has in no way been proved or even shown to be likely (and most today would disagree with it strongly); the conclusion simply expresses an unproven theoretical possibility.

15. This type of argument is woven throughout the well-known “Dear Dr. Laura” letter that has circulated widely on the internet (an example of the letter can be found in James Martin, “Dr. Laura and Leviticus,” *America: The Jesuit Review*, August 18, 2010, online: <https://www.americamagazine.org/faith/2010/08/18/dr-laura-and-leviticus>).

16. A less-careful formulation of the last point would be to say, “Therefore, the prohibition against homosexual sex is bizarre as well.” But going from “might be bizarre” to “is bizarre” assumes that the presence of one bizarre law in a law code means that all other laws in the code are bizarre as well; this assumption is false, as the example in the second observation above will make clear.

3. The same point may be made by the following counter-argument in favor of applying the prohibition today:

- A. Leviticus does prohibit homosexual sex (18:22).
- B. Leviticus also prohibits miscarriages of justice (19:15).
- C. The prohibition against miscarriages of justice is proper and good.
- D. Therefore, the prohibition against homosexual sex might be proper and good as well.

It would be right to respond to this argument by saying, “The conclusion *might* be true, but the argument itself does not prove that it is!” This response would be exactly right—and would apply equally to the initial argument above.

4. Finally, it must also be pointed out that the initial argument makes a huge assumption when it says that the prohibition against wearing clothing of two different materials is bizarre. Is this actually the case? In order to answer this question, the first step is to try to understand this text in its own context and not simply read it through the lens of our modern context. Once we do this, some of these “bizarre” laws might make a lot more sense.

For example, the prohibition against lay Israelites wearing clothing of two different materials (Lev 19:19) may be related to the fact that priestly garments were made of a mixture of different materials (Exod 28:6; 39:29). This was significant for two reasons. First, Milgrom provides different lines of support to argue “that mixtures belong to the sacred sphere, namely, the Sanctuary,”¹⁷ meaning that garments of mixed fabrics were “reserved exclusively for priests and forbidden to nonpriests.”¹⁸ To cross this boundary was thus to ignore important ritual distinctions. Second, at this point in Israel’s history, some of the Israelites were rejecting priestly authority (Num 16:1–17:5[16:40]); prohibiting them from wearing clothing of mixed fabric thus made especially good sense: it was meant to underscore that the division between priest and laity was indeed appointed by the Lord, and to prevent the Israelites—especially the laity—from ignoring this distinction.

17. Milgrom, *Leviticus 17–22*, 1660.

18. *Ibid.*, 1663. I summarize his support in Sklar, *Leviticus: A Discourse Analysis*, at 19:19: (1) In the ancient Near East, certain heavenly beings are a mixture of creatures (Milgrom, *Leviticus 17 – 22*, 1659); (2) if Israelites plant a second type of seed in a vineyard (thus producing a mixed crop), all the produce “will be holy” (Deut 22:9), and thus given to the tabernacle (*ibid.*, 1663); and (3) some of the priestly garments are made of mixed fabrics (Exod 28:6; 39:29), as are certain curtains in the tabernacle (Exod 26:1), in keeping with their ritually holy status (*ibid.*).

In a modern context, it would be like saying, “Don’t put on a clerical collar if you’re not a priest!” Far from being bizarre, this law was meant to communicate to the Israelites a central value of the Lord: the importance of order among his people and of honoring the authority structures he puts in place for them (cf. 1 Thess 5:12–13, 17; Heb 13:17). Naturally, Lev 19:19 is not the only example of a law that could be cited that strikes us as strange, and each example that could be cited would have to be taken on its own. But it is important—and this is the point—to work hard to understand a law in its original context instead of simply reading it through our modern lenses and presuppositions.

In short, the first form of the argument against the applicability of Leviticus today simply raises a theoretical possibility without proving it in any way. This leads to the second form of argument against the applicability of Leviticus today.

If Leviticus Does Not Apply in Its Entirety, It Does Not Apply at All, and Any Other Approach Is Completely Subjective and Hypocritical

The form of the argument may be expressed as follows: Christians say that the laws in Leviticus concerning homosexual behavior apply today but ignore many other laws, such as not wearing clothing made of two different materials (19:19) or not eating shellfish (11:9–12). They are simply picking and choosing which laws to apply according to their own preferences. If they are going to apply some laws in Leviticus, they should apply all of them. If they say that some do not apply, then none of them apply.¹⁹

There are actually two related arguments at work here. The first is that Christians over the years have been entirely subjective and hypocritical in the way that they approach OT law because they simply use their own desires or personal views as the basis for picking and choosing which laws to follow or emphasize. We may list the points of this argument as follows:

- A. Christians apply the prohibition against homosexual sex but ignore many other prohibitions in Leviticus.
- B. This is done in a highly subjective way and is therefore hypocritical and unfair.

This argument is certainly true when it comes to some Christians, and those for whom it is true should be critiqued. As an argument against all Christians, however, it is certainly not true. There has been a long discussion,

19. This argument is also woven throughout the “Dear Dr. Laura” letter.

throughout the history of the church, in which Christians have worked very hard to understand the different principles that can serve as guides when it comes to the application of OT law today and thus as a protection against simply picking and choosing according to personal preference.²⁰ We will return to this below.

The second argument is related but different. It assumes a certain reading strategy for Leviticus, namely, that you must take an all-or-nothing approach to its laws, and if you do not, you are being entirely subjective and hypocritical.

- A. If some laws in Leviticus apply today, then all laws in Leviticus must equally apply.
- B. If some laws in Leviticus do not apply today, then all laws in Leviticus do not apply today.
- C. Therefore, if someone applies some laws today but not others, they are being subjective and hypocritical.

If an all-or-nothing approach were the correct one to take, this argument would have some force. The Bible itself, however, does not take this approach to OT law. As noted above, there has in fact been a long discussion in the history of the church surrounding the question, how does OT law apply today?²¹ The answer I find most convincing may be stated in its simplest form by identifying two major points.²²

First, because Jesus inaugurated a new covenant that replaced the old covenant (Luke 22:20; Heb 8:6–13), we cannot simply assume, “If it is in the OT, it must be followed today.” Christians thus do not begin with the assumption that all of these laws will be in force in the same way today as in Israel’s time, and the reason is that the Lord has made a new covenant with his people. It is not an “all” approach to the law.

But this leads to an important second point, namely, we cannot simply assume, “Because we are under a new covenant, OT law has nothing to say

20. See the summary of scholarship in Christopher J. H. Wright, *Old Testament Ethics for the People of God* (Downers Grove, IL: InterVarsity, 2004), 387–440. The summary touches on various approaches to the use of the OT in general for ethics today as well as the use of OT law in particular. His book as a whole is a very careful and thoughtful examination of the ways in which OT ethics, and OT laws more specifically, apply today. For his underlying methodological approach to law in particular, see pp. 314–24, especially pp. 321–24.

21. See n. 20.

22. For fuller discussion on which OT laws apply today, see *ibid.*, 314–24, esp. pp. 321–24; Sklar, *Leviticus* (TOTC), 55–62.

to us today.” To begin, several OT laws are repeated in the NT, including laws from Leviticus itself: “You shall be holy, for I am holy” (1 Pet 1:16; see Lev 19:2), and, most famously, “You shall love your neighbor as yourself” (Matt 19:19; Rom 13:9; Gal 5:14; James 2:8; see Lev 19:18). If the first point above showed the Bible does not take an “all” approach to the law, this point shows the Bible does not take a “nothing” approach to the law either. What is more, even when a law is not repeated, there is always an ethical value behind the law. Consider our own laws against murder: these exist because we value human life. Or again, laws against stealing: these exist because we value the right to own personal property. In the same way, the Lord’s laws are based on his values, and this means that reading Leviticus well involves asking, what are the values at work behind these laws? What is the moral logic supporting them?

As applied to Lev 18:22 and 20:13, the question thus becomes, what is the moral logic behind these prohibitions against homosexual sex? It is this question that is behind the majority of the discussions today about these prohibitions in Leviticus. Those who say they do not apply today do so by arguing that the moral logic behind the prohibitions no longer applies.

These Prohibitions Do Not Apply Today Because the Reason(s) Behind the Prohibitions No Longer Apply Today

There are a number of different rationales that have been identified as forming the moral logic behind these prohibitions. In each case, the argument follows the same basic form:

- A. The rationale behind the prohibitions is *x*.
- B. That rationale does not apply to homosexual relations today.
- C. Therefore, the prohibitions no longer apply today.

We may consider at least three such rationales. This list is by no means exhaustive, but it does represent the rationales that are more commonly given.²³

23. For a much more exhaustive discussion, see Robert A. J. Gagnon, *The Bible and Homosexual Practice: Texts and Hermeneutics* (Nashville: Abingdon, 2001), and Robert A. J. Gagnon, “The Bible and Homosexual Practice: Key Issues,” in Dan O. Via and Robert A. J. Gagnon, *Homosexuality and the Bible: Two Views* (Minneapolis: Fortress, 2003), 40–92.

Rationale 1: Homosexual Sex Leads to Ritual Impurity

In this camp are those who argue that the moral rationale behind the prohibitions is that homosexual sex leads to ritual impurity, but since ritual impurity is no longer an issue that applies in the NT, the prohibitions against homosexual sex no longer apply either.

One example comes from Boswell, who begins his observations by discussing the Hebrew term for “abomination” (תועבה). He argues that it “does not usually signify something intrinsically evil, like rape or theft (discussed elsewhere in Leviticus), but something which is ritually unclean for Jews, like eating pork or engaging in intercourse during menstruation, both of which are prohibited in these same chapters.”²⁴ The reality is in fact the exact opposite: of the 118 occurrences of the term, only one of them clearly refers to something that is ritually unclean (Deut 14:3); the clear majority of occurrences refer to something intrinsically evil, such as idolatry or murder or adultery.²⁵ Naturally, the fact that it can refer to something ritually

24. John Boswell, *Christianity, Social Tolerance, and Homosexuality: Gay People in Western Europe from the Beginning of the Christian Era to the Fourteenth Century* (Chicago: University of Chicago Press, 1980), 100.

25. In total, it occurs 118 times, in 112 different verses. Within the Pentateuch, the term occurs 27 times in 25 verses. Only one of these clearly refers to ritual impurity (Deut 14:3). Of the remaining instances, 8 times it occurs in the context of idols and idolatry (Deut 7:25, 26; 12:31; 13:15[14]; 17:4; 20:18; 27:15; 32:16), 7 times in summary descriptions of sinful practices such as incest, other types of sexual immorality, idolatry, and other illicit cult practices (Lev 18:26, 27, 29, 30; Deut 18:9, 12 [2×]), 4 times to describe an Israelite practice that Egyptians found offensive (Gen 43:32; 46:34; Exod 8:22 [2×]), 3 times in the context of specific sexual sin (Lev 18:22; 20:13; Deut 23:19 [18]), and one time each in contexts of stealing from others with unjust weights and measures (Deut 25:16), sacrificing blemished animals to the Lord (Deut 17:1), cross-dressing (Deut 22:5), and a divorced woman remarrying her husband after being married to another man (Deut 24:4). In short, while some of these uses refer to things that are not intrinsically sinful (Gen 43:32; 46:34; Exod 8:22 [2×]), and while some Christians will question whether other activities here are intrinsically sinful (Lev 18:22; 20:13; Deut 22:5; 24:4), the clear majority of uses (18 out of 27 times, 17 out of 25 verses) are in the context of practices that most Christians today would affirm are intrinsically sinful and thus still forbidden to the believer.

Outside the Pentateuch, the term occurs 91 times in 87 verses, not one of which uses it to refer to ritual impurity. In 4 instances, it refers to the punishment that comes for idolatry (Ezek 7:3, 4, 8; 44:13). In 3 instances, it is used to refer in general to something that is detestable, though not because it is immoral: a person in deep affliction is detestable to his “friends” (Ps 88:9[8]), it is detestable for a fool to turn from evil (Prov 13:19), and the righteous are detestable to the wicked (Prov 29:27). In two instances, it is used to refer to something Christians may not consider intrinsically immoral: eating meat with blood in it (Ezek 33:29) and bringing the uncircumcised to the sanctuary (Ezek 44:6). In the

impure means that it *might* refer to ritual impurity here, but this is what has to be proved, not assumed. In any case, as already noted above, the use of the term itself is not decisive one way or the other.

As Boswell continues his argument, he states that the main purpose of Lev 18 and 20 is to set the Israelite nation apart from the other nations (18:3), citing the prohibition against Molech worship as a prime example (20:3–4). In doing so, he argues that the concern is first and foremost about ritual matters, not moral matters.

Chapter 20 begins with a prohibition of sexual idolatry [i.e., Molech worship] . . . and like 18, its manifest . . . purpose is to elaborate a

remaining 82 instances, it is used to refer to practices that most Christians would affirm are intrinsically sinful and thus still forbidden to the believer. In Kings and Chronicles, it is used in connection with idols, idolatry, other illicit cultic practices, and sexual immorality (1 Kgs 14:24; 2 Kgs 16:3 [//2 Chr 28:3]; 21:2 [//2 Chr 33:2], 11; 23:13; 2 Chr 34:33; probably also 2 Chr 36:8, 14); in Ezra it is used for unnamed abominations of the nations (Ezra 9:1, 11, 14), a probable allusion back to the sexual immorality and idolatry and illicit cult practices of the Canaanites (see Lev 18:24–30; Deut 18:9, 12; 20:17–18); in Proverbs (aside from the two uses identified above), it refers to a wide range of immoral practices, including haughty eyes, a lying tongue, murder, lies, wickedness, a false balance, being perverse in heart, evil plans, and the prayer of the disobedient (Prov 3:32; 6:16; 8:7; 11:1, 20; 12:22; 15:8, 9, 26; 16:5, 12; 17:15; 20:10, 23; 21:27; 24:9; 26:25; 28:9; 29:27); in Isaiah, it refers to sacrifices by the rebellious, idols, and idolatry (Isa 1:13; 41:24; 44:19); in Jeremiah, it refers to, idolatry, greed, dealing falsely, stealing, murdering, adultery, swearing falsely, wicked actions in general, and the land being morally defiled by wicked deeds (Jer 2:7; 6:15; 7:10; 8:12; 16:18; 32:35; 44:4, 22); in Ezekiel, it refers to idolatry, general wickedness and disobedience, idols, idolatry, punishment for idolatry, not caring for the poor, lending money on interest, murder, and adultery (Ezek 5:9, 11; 6:9, 11; 7:9, 20; 8:6 [2×], 9, 13, 15, 17; 9:4; 11:18, 21; 12:16; 14:6; 16:2, 22, 36, 43, 47, 50, 51 [2×], 58; 18:12, 13, 24; 20:4; 22:2, 11; 23:36; 33:26, 29; 36:31; 43:8; 44:6, 7), and in Malachi, it refers to idolatry (Mal 2:11). Thus, whether in the Pentateuch or outside it, it is clear that the term usually signifies things that are intrinsically immoral.

Curiously, Boswell himself goes on to note that the term is “often” used to refer specifically to idols and that its connection to idolatry is clear even in Lev 18 (p. 100). It is not clear to me whether he is contradicting his earlier claim that the term “does not usually signify something intrinsically evil” (p. 100), or if he believes idolatry is not intrinsically evil (which seems problematic, to say the least, from a biblical perspective). The same problem comes up with his argument that the Septuagint translates the Hebrew term for “abomination” with two different words, one of which refers to “intrinsic wrong,” which he describes as “violations of law or justice,” and the other of which refers to “ritual impurity,” which he describes as “infringements of ritual purity or monotheistic worship” (p. 101). One may again ask, are infringements of monotheistic worship not intrinsically evil from the Bible’s perspective? (For the linguistic problems with his arguments about the terms in the Septuagint, see Donald J. Wold, *Out of Order: Homosexuality in the Bible and the Ancient Near East* [Grand Rapids: Baker, 1998], 110–13.)

system of ritual “cleanliness” whereby the Jews will be distinguished from neighboring peoples. Although both chapters also contain prohibitions (e.g., against incest and adultery) *which might seem to stem from moral absolutes*, their function in the context of Leviticus 18 and 20 seems to be as symbols of Jewish distinctiveness.²⁶

In other words, as he goes on to explain, this distinctiveness has to do with “ritualistic concerns,” not with “moral imperatives.”²⁷

There are two problems with this. First, it assumes that, if a command is meant to set the Jewish people apart, it is only about ritual and not moral matters. The basis of this assumption is not clear. From a biblical perspective, it is clearly a moral imperative to avoid adultery and idolatry, both of which are forbidden in these chapters (18:20, 21; 20:2–5; 10); to use Boswell’s language, the Bible considers these things to be “intrinsically evil.” So while it is true that the purpose of these chapters is to set Israel apart from the nations in terms of their behavior (18:24–30; 20:22–26), doing so involves avoiding certain actions because they are intrinsically wrong; they go against the moral fiber of God’s universe.

The second problem is actually a root problem for many of the arguments that fall into this camp. It is that they miss a crucial distinction between two different types of impurity. Commentators have long recognized that the Bible in general, and Leviticus in particular, uses the language of impurity in two different ways.²⁸ In some cases, the Bible refers to what has been called “ritual (or ceremonial) impurity,” and in other cases, to what has been called “moral impurity.” These are not the same. Ritual impurity is the focus of laws such as those found in Lev 11–15.²⁹ It is associated with certain life processes (e.g., childbirth, bodily flows, certain skin conditions), or with having contact with things that are ritually impure (e.g., others who have

26. Boswell, *Christianity*, 100–101 (emphasis added). It is not clear to me what Boswell means by the phrase “sexual idolatry.” By itself, the phrase could be a way to say that idolatry is comparable to harlotry (cf. 20:5). But Boswell describes the parallel prohibition in 18:21 as an act of “idolatrous sexuality” (p. 100), which seems to imply that Molech worship involved sexual acts, in which case he has moved into the realm of speculation (the Bible connects child sacrifice to Molech worship but not sexual practices). In either case, the criticisms above still apply.

27. *Ibid.*, 101.

28. The following summarizes Jay Sklar, *Sin, Impurity, Sacrifice, Atonement: The Priestly Conceptions* (Sheffield: Sheffield Phoenix, 2005), 141–53; see there for further details and for interaction with scholars discussing (and affirming) this distinction between two basic types of impurity.

29. See also Num 19:14–19.

certain types of ritual impurity), but is not rooted in morally wrong actions. This explains why Israelites are generally *not* prohibited from becoming impure by burying their dead, or procreating, or touching those who are impure.³⁰

30. There are exceptions when it comes to priests, since they are not simply ritually pure (the normal ritual state for most Israelites) but ritually holy (a much higher ritual state). Due to this elevated ritual status, they are forbidden from defiling themselves by going near most corpses, and thus presumably from having contact with them as well (Lev 21:1–4, 11; the same was true for Nazirites [Num 6:6–7], who were treated like priests in terms of their ritual status during the period of their vow). One possible exception for lay Israelites is Lev 11:8, which forbids them from touching the carcasses of certain impure animals. In context, however, the verse appears to be a prohibition against touching these carcasses and then failing to deal properly with the ritual impurity that results (cf. 11:24–25; see Sklar, *Leviticus: A Discourse Analysis*, at 11:8). A final possible exception has to do with menstruation. The Israelites are not forbidden from general contact with a woman who is menstruating; they are forbidden from sexual contact in particular (Lev 18:19; 20:18). It is not clear, however, if this is directly related to issues of ritual purity, since the rationale behind the prohibition is highly debated. A (nonexhaustive) list of proposals include: (1) Lev 18:19 mentions the woman’s ritual “impurity,” which was fairly serious as far as ritual impurities go, while Lev 20:18 focuses more on the flow of her “blood.” If we start with 18:19, the prohibition may be related to the impurity’s severity, meaning that a couple who knowingly engaged in sexual relations during this time was treating issues of serious ritual impurity with very low regard, an act that was shameful for those who were called to be a “kingdom of priests and a holy nation” (Exod 19:6) and who had the Lord of absolute purity and holiness dwelling in their midst (Lev 15:31; cf. Sklar, *Leviticus* [TOTC], 236). If so, the mention of menstrual blood in 20:18 would simply be a way to identify the source of the impurity (namely, menstruation; cf. Lev 12:7). (2) Alternately, if we begin with Lev 20:18, the prohibition may not be related to impurity as much as it is to taboos surrounding blood that we do not fully understand (cf. Hartley, *Leviticus*, 340). If so, the mention of menstrual impurity in 18:19 would simply be a way to identify the source of the blood (namely, menstruation). (3) Milgrom notes that the menstruating woman is described as being “infirm/unwell” (12:2; 15:33; 20:18), and suggests that the prohibition is meant to “protect the woman from unwanted advances by her husband during her period of weakness” (*Leviticus 17–22*, 1755). (4) Milgrom also suggests that blood and semen were both life fluids and that there was an aversion to having life “symbolically oozing out of both partners” (ibid.; cf. Milgrom, *Leviticus 1–16*, 941). (5) The word for menstrual impurity used in 18:19 (תִּטְמָא) is used elsewhere to refer to the morally impure acts of the nations (2 Chr 29:5; Ezra 9:11; Ezek 36:17; Zech 13:1; cf. Lev 20:21), for which the penalty is being cut off (Lev 18:29; 20:3, 5, 6, 17, 18); in our context, the woman in her menstrual impurity symbolizes these acts, and a couple that disregards this meaning by having sex “is on a par with engagement in the other ‘abominable customs’ punishable by” the cutting-off penalty (Leigh Trevaskis, “Dangerous Liaisons: Sex and the Menstruating Woman in Leviticus,” in *Text, Time, and Temple: Literary, Historical and Ritual Studies in Leviticus*, ed. Francis Landy, Leigh M. Trevaskis, and Bryan D. Bibb [Sheffield: Sheffield Phoenix, 2015], 134; for full argumentation see esp. pp. 131–45). (6) Gagnon (*The Bible and Homosexual Practice*, 138) suggests that the “menstrual period

Moral impurity is the focus of laws such as those found in Lev 18 and 20.³¹ It is associated with acts considered to be morally wrong, such as illicit worship and sexual immorality. This association with morally wrong behavior explains why the Israelites *are* prohibited from doing these things, and why those who do these things have committed sin. With regard to sexual immorality in particular, Wright captures the idea well: “Calling those involved in improper sexual relationships impure is a way of calling the persons sinful.”³² To summarize:

		<i>Forbidden?</i>
<i>Ritual impurity</i>	Associated with certain life processes (childbirth, bodily flows, certain skin conditions, etc.), or from contact with ritually impure things (dead bodies, others who have certain types of ritual impurity, etc.)	No
<i>Moral impurity</i>	Associated with morally wrong actions such as idolatry, murder, sexual immorality	Yes

was the time that God had given women to cleanse their bodies from impurity as a prelude to renewing a cycle of fertility,” and was thus “not the time for men to intrude with procreative designs” since this “not only had the effect of ‘wasting seed’ but also of putting one’s own desires at cross-purposes with God’s timing.”

With some of these proposals, immediate questions come to mind, for example, if protecting the woman is the goal (no. 3), why is she also cut off for engaging in this act, and not just the man (Trevaskis, “Dangerous Liaisons,” 138)? And if the word for menstrual impurity is the key (no. 5), why is it not mentioned in 20:18? The remaining are not impossible, but in the absence of more-detailed information with regard to how Israelites themselves thought about menstruation and/or menstrual blood, it will be difficult to have a strong degree of certainty on any of them, or even to conclude that these are the only explanations possible.

31. See also Lev 19:31; Ps 106:38; Ezek 22:3–4; Isa 24:5. For Lev 18:19 and 20:18, see n. 30. The prohibition of these two verses is unique in that it is the only one in these chapters that describes a situation (menstruation) that is explicitly connected to issues of ritual impurity elsewhere (15:19–24). Such a connection is not made for any other prohibition in these chapters. Having said this, it is also not clear that the prohibition of 18:19 and 20:18 is due to the connection of menstruation with ritual impurity or if it is based on a different reason (again, see n. 30 for discussion).

32. David P. Wright, “Unclean and Clean [OT],” *ABD* 6:734.

If a discussion does not recognize this distinction between ritual and moral impurity, it runs the risk of making certain conclusions about *ritual* impurity—especially that it no longer applies in NT times—and then reading these conclusions on to the issues related to *moral* impurity.³³ For example, in a section entitled “Purity and Impurity in the New Testament,” Brownson argues that the OT laws that “are no longer applicable to Gentiles in Christ have to do with the contrast between what is ‘pure’ or ‘clean’ . . . and what is ‘profane/common’ . . . or ‘unclean/impure’.”³⁴ He gives various examples to establish this point³⁵ and then concludes that, when it comes to “those laws that deal with *purity* . . . many of those laws are no longer binding on Gentile Christians in the same way that they were binding on the Jews of the Old Testament period.”³⁶ Unfortunately, his discussion fails to distinguish between the *types* of purity in question. Indeed, the examples he gives of OT laws that are no longer binding are all related to issues found in the *ritual* impurity laws of Lev 11–15, namely, food laws dealing with ritually impure animals (Lev 11) and contact with a ritually impure leper (Lev 13–14) or a ritually impure woman suffering from an abnormal discharge (Lev 15).³⁷

33. It is a classic example of equivocation. It is comparable to discussing the word “trunk,” mixing together examples of tree trunks and elephant trunks, and then concluding that what is true of one is true of the other. There are certainly similarities between the two (both types of trunks are typically round), but there are significant differences as well.

34. Brownson, *Bible*, 183.

35. *Ibid.*, 183–84.

36. *Ibid.*, 184; emphasis added. Although his discussion here is found in a chapter that deals on the whole with Rom 1, he takes the chapter’s conclusions about purity and impurity as relevant to Lev 18:22 and 20:13 (cf. 20:2–3 with 26:9).

37. It may further be noted that Brownson cites Paul as an example of a NT author that sets purity laws aside (*ibid.*, 183). This creates some tension with his previous section, where he argues that the Bible does not make a distinction between moral and ritual law and where Paul is a key part of his discussion (pp. 181–83). He begins that discussion in an appropriately qualified way (“[Paul] *rarely* distinguishes some aspects of the law from others” and “*tends* to speak of the law in its totality” [p. 182, emphasis added]) but then finishes in absolute terms (“Paul treats the law in its totality as a unity, a unity that no longer fundamentally determines the relationship to God of those who are ‘in Christ.’ The moral versus ceremonial/ritual distinction is thus a distinction of later interpreters” [p. 182]). It would be more accurate to say that Paul often speaks of the law in a general way but that he can also make clear distinctions between which aspects of it have ongoing applicability and which do not, and that one of the clearest examples of the types of laws he sets aside are related to ritual matters (ritually impure food [Rom 14:14], as Brownson later notes [p. 183]). Conversely, when it comes to matters dealing with moral impurity, especially in the realm of sexual practice, Paul actually affirms OT precedent (see n. 38).

It is simply not valid to go from these *ritual purity* examples to issues of *moral purity* as though they were the same.³⁸

In that same section, Brownson argues that “at many points during the history of the church’s reading of Scripture, the distinction between moral and ceremonial/ritual is exceedingly blurry and contentious” (p. 182). He cites the Sabbath law as an example (pp. 182–83), which seems to be a moral law and yet which many in the history of the church have treated as a ritual law that no longer applies today, based on passages such as Rom 14:5 (he inadvertently cites “14:7” instead of “14:5” [p. 183]). It would be accurate to say that the church has not always been clear on whether to relate *the Sabbath law* to issues of moral purity or ritual purity, but this is very far from establishing his general claim that “the entire distinction between the ceremonial . . . and moral . . . probably gains more of its energy today from low-church Protestantism than it does from anything in the New Testament itself” (p. 183). In terms of the history of the church—and it is the interpretation of texts in the history of the church that is Brownson’s reference point here—the issue of the Sabbath law is not comparable to homosexual sex because the latter has not been “exceedingly blurry and contentious”; the church has overwhelmingly agreed that it is a moral issue and that the prohibitions against it apply to this day. See S. Donald Fortson III and Rollin G. Grams, *Unchanging Witness: The Consistent Christian Teaching on Homosexuality in Scripture and Tradition* (Nashville: B & H Academic, 2016), 27–141. It is only in very recent history that this has begun to change (*ibid.*, 143–63). (As for the Sabbath law, Christians who do believe that it applies today—and that it does so because it is rooted in creation norms—understand that passages such as Rom 14:5 are about special Jewish festival days, not the Sabbath; see discussion in Leon Morris, *The Epistle to the Romans* [Leicester: Eerdmans; Inter-Varsity, 1988], 480, who identifies this understanding to be “equally possible” to the understanding that Paul is referring to the Sabbath.)

38. This failure to distinguish the different types of impurity also weakens one of Brownson’s main points about purity in the Bible, namely, that in going from OT to NT, the Bible moves “away from *defensiveness* and separateness toward confidence and engagement” (*Bible*, 269). One might affirm Brownson’s claim with regard to issues of ritual impurity, such as the food laws, but not at all with regard to issues of moral impurity such as idolatry, adultery, or murder.

An equally serious problem with his discussion on purity and impurity is the claim that “in the New Testament, without exception, the language of ‘impurity’ and ‘uncleanness’ is reframed—away from an ‘objective’ approach that regards impurity simply as a ‘dirty’ action or bodily state. The call to purity drives deeper in the New Testament, toward a ‘subjective’ approach that sees purity and impurity as qualities of one’s attitudes or dispositions” (pp. 196–97; he sees this to be especially true of Paul [197]). This is a curious claim. Indeed, Brownson himself cites several Pauline texts at the beginning of the chapter (197 n. 1), and these clearly associate impurity with immoral actions: “those who have sinned in the past and not repented of the *impurity*, immorality and sensuality *which they have practiced*” (2 Cor 12:21); “Now the *deeds* of the flesh are evident, which are: immorality, *impurity*, sensuality . . . of which I forewarn you . . . that those who *practice* such things will not inherit the kingdom of God” (Gal 5:19, 21); “and they, having become callous, have given themselves over to sensuality for the *practice* of every kind of *impurity* with greediness” (Eph 4:19). There is no question that such things spring from the heart (and also no question, it may be noted, that the OT also recognizes the “subjective” aspect of

This is a weakness that underlies any discussion that fails to recognize the distinction between ritual and moral impurity.³⁹ In the larger biblical story, it is ritual impurity that is discontinued as a category, and thus the laws based on this category no longer apply in the same way.⁴⁰ The actions associated with moral impurity, however, are still considered sinful in the NT, be it idolatry (1 Cor 5:11; Gal 5:19–21), murder (1 Pet 4:15; Rev 22:15), or sexual immorality (Gal 5:19; 1 Thess 4:3), including homosexual sex (Rom 1:26–27;⁴¹ 1 Cor 6:9; 1 Tim 1:10).⁴² In short, whether in the OT or the NT, the rationale for why these actions are wrong is not related to issues of ritual impurity.

the heart when it comes to impurity and sin: Gen 6:5; 8:21; Lev 26:41; Deut 10:16; 29:19; Ps 51:12[10]; Prov 6:18; Eccl 9:3; Jer 4:4, 14; 16:21; 17:9). But there is also no question that Paul speaks of impurity as immoral actions, not simply as a “qualit[y] of one’s attitudes or dispositions.” It is especially noteworthy that when Paul speaks of impurity in the context of sexual immorality, his language aligns perfectly with what we find in the OT, where moral impurity is always associated with morally impure deeds. Paul is not reframing the language of impurity; he is simply following the precedent the OT has already set.

39. For further examples, see Jack Rogers, *Jesus, the Bible, and Homosexuality: Explode the Myths, Heal the Church (Revised and Expanded Edition)* (Louisville, KY: Westminster John Knox, 2009), 69; Dan O. Via, “The Bible, the Church, and Homosexuality,” in Dan O. Via and Robert A. J. Gagnon, *Homosexuality and the Bible: Two Views* (Minneapolis: Fortress, 2003), 7–10; L. William Countryman, *Dirt, Greed, and Sex: Sexual Ethics in the New Testament and Their Implications for Today*, rev. ed. (Minneapolis: Fortress, 2007), 17–33. Countryman initially identifies some differences in how purity is treated in Lev 1–16 in comparison with Lev 17–27 but does not touch on some of the key differences recognized by scholars, and his discussion that follows speaks of purity in a general sense as though it is a single, cohesive idea. He later acknowledges that scholars have recognized a distinction between ritual and moral purity and that ritual impurity is morally neutral as long as one does not do certain things in an impure state (p. 44), but he does not interact with the fact that moral impurity was never seen to be morally neutral, a key distinction that does not inform his earlier discussion. For a further example from Brownson, it may be noted that he speaks in general about the “purity codes” of Leviticus and then mixes together examples of ritual impurity (dietary regulations, ritual defilement from dead bodies, etc.) with examples of moral impurity (incestuous relationships, bestiality, etc.), as though these two types of impurity were the same (*Bible*, 180–81; see also p. 185).

40. Cf. Mark 7:19; Rom 14:14. For why it is possible for the Bible to discontinue this category, see further discussion in Sklar, *Leviticus (TOTC)*, 55–62, esp. p. 59.

41. See Preston Sprinkle, “Paul and Homosexual Behavior: A Critical Evaluation of the Excessive-Lust Interpretation of Romans 1:26–27,” *BBR* 25.4 (2015): 497–517. Sprinkle interacts significantly with Brownson’s approach to this passage.

42. To explain the above in today’s terms, it might be helpful to identify at least two types of situations that modern laws address. First, some modern laws regulate certain *conditions* that are not wrong in and of themselves, for example, many societies have laws that require a person with a very dangerous and contagious disease (such as Ebola) to be quarantined in order to prevent it from spreading. In such cases, the law does not exist because it is wrong to have the disease; it exists because it would be wrong not to deal with

Rationale 2: Homosexual Sex in These Chapters Is Related to Illicit Practices at the Tabernacle

It is sometimes argued that, when Leviticus prohibits homosexual sex, it has in mind illicit homosexual sex that was practiced in connection with the tabernacle.⁴³ The implication is then made that, if the homosexual sex being practiced today is not done in such a connection, it does not necessarily come under these prohibitions.

Three lines of support may be named in favor of this approach, along with reasons the link in each case is not decisive when it comes to Lev 18:22 and 20:13.

the disease properly (e.g., by willingly exposing others to it). This is like laws in Israel dealing with ritual impurity. It is not wrong to be ritually impure; indeed, in order to “be fruitful and multiply,” an Israelite must become ritually impure, because that is the result of sexual relations between husband and wife (Lev 15:18). But Israelite law requires that they deal properly with that ritual impurity lest it spread throughout the camp; failure to do so is wrong.

Second, other modern laws regulate *actions* that are wrong in and of themselves. When a law prohibits murder, or theft, it is because the action itself is wrong. This is like laws in Israel dealing with idolatry or adultery; these things are forbidden because it is wrong to do them.

	<i>Modern Example</i>	<i>Leviticus Example</i>
<i>Laws related to conditions that are not wrong in and of themselves, but must be dealt with properly</i>	Laws that require certain people with very dangerous and contagious diseases to be quarantined	Laws that require Israelites to deal properly with their ritual impurity
<i>Laws related to actions that are wrong in and of themselves</i>	Laws that prohibit murder or theft	Laws that prohibit idolatry or adultery

To make the analogy complete: if dangerous and contagious diseases were no longer an issue, the laws dealing with them would become obsolete, and this explains why the OT laws dealing with ritual impurity—which is not treated as an ongoing reality in the NT (cf. n. 40)—no longer apply, while laws dealing with actions that are wrong in and of themselves still do.

43. Brownson, *Bible*, 270–71; Ken Wilson, *A Letter to My Congregation* (Canton, MI: Read the Spirit, 2014), 61; for a fuller list of references, see Gagnon, *The Bible and Homosexual Practice*, 129 n. 202.

Line of support 1. There is evidence in the OT of a connection between “male prostitutes” (Heb., שְׂרֵשֵׁר) and the tabernacle,⁴⁴ and there is possible evidence of male homosexual activity in connection with cultic contexts elsewhere in the ancient Near East,⁴⁵ meaning this type of homosexual activity could have been in view in Lev 18 and 20 as well.⁴⁶

44. See Deut 23:18[17]; 1 Kgs 14:24; 15:12; 22:47[46]; 2 Kgs 23:7. The feminine form of this term appears to refer to a female prostitute in Gen 38:21–22 (cf. vv. 14–18; see also the connection between this term and the regular term for prostitute [*zōnāh*] in Deut 23:18–19[17–18]). The association with the temple is made in 2 Kgs 23:7.

45. David F. Greenberg, *The Construction of Homosexuality* (Chicago: University of Chicago Press, 1990), 96–97, but the evidence is unclear. In a Mesopotamian context, it seems plausible to affirm that there were certain men associated with the cult (such as the *assinmu*) who could also serve as prostitutes (see Wilfred G. Lambert, “Prostitution,” in *Aussenseiter und Randgruppen: Beiträge zu einer Sozialgeschichte des Alten Orients*, ed. Volkert Haas, Xenia 32 [Konstanz: Universitätsverlag, 1992], 148–53), though it is not clear how their homosexual activity was connected to the cult (if at all). Martti Nissinen concludes his discussion of the *assinmu* by stating, “All things considered, it is possible that an *assinmu* occasionally served as the passive partner in a sexual contact with a man. How often and under what circumstances this happened is difficult to determine” (*Homoeroticism in the Biblical World: A Historical Perspective* [Minneapolis: Fortress, 2004], 33). It may be further noted that Greenberg cites only two specific examples in support of his claim connecting homosexual activity and cultic contexts. One of these examples indicates that an *assinmu* had intercourse with men (*Construction*, 96), though it is not stated where this took place, making it impossible to know how it connects (if at all) to the temple. (At least one later Assyrian text connects an *assinmu* with a brothel, though the nature of the connection is not clear. See Lambert, “Prostitution,” 152; note that *sinnišānu* is a synonym for *assinmu* [Lambert, “Prostitution,” 150].) Greenberg introduces his second example by stating, “The noun *assinu* [*sic.*] has the same root as *assinutu* [*sic.*], ‘to practice sodomy;’” he then follows this introduction by translating the relevant text, “the owner of the sacrificial lamb . . . will practice sodomy” (*Construction*, 97). But *CAD* defines *assinnūtu* as “position of the *assinmu*,” (A/2 342), that is, the person who serves as an *assinmu* in terms of his role. The relevant text thus simply says, “the owner of the sheep will practice *assinnu*-ship [i.e., the role of the *assinmu*]” (Ilan Peled, “Gender Ambiguity and Contempt in Mesopotamia,” *JAOS* 135.4 [2015]: 761); exactly what this involves is the very question that has to be answered. (*CAD* [A/2 341] defines the *assinmu* as “a member of the cultic personnel of Ištar” and states “there is no specific evidence that he was a eunuch or homosexual.”)

46. Brownson (*Bible*, 270) builds on this. Citing Nissinen (*Homoeroticism*), he notes that “there is no literary evidence for consensual male-male sexual relations in the land of Israel and surrounding regions specifically, apart from that cultic context,” which could imply that a cultic context must be in view here as well. But this would be an argument from silence, especially weak in this instance because of the lack of discussion of homosexual practice in general in documents from this time. Nissinen himself states, “Ancient Near Eastern sources document same-sex erotic interaction meagerly and ambiguously. The available material comes mostly from Mesopotamia. With regard to other significant

Response 1. This point is possible but difficult to describe as probable. The biblical texts cited in support use a very specific term to describe male prostitutes (Heb., שִׁבְזִי),⁴⁷ but Lev 18:22 and 20:13 do not; they describe the sexual activity in the most general terms. As for the ancient Near Eastern evidence, “the records of cultic homoeroticism [in the ancient Near East] are scanty and not unequivocal.”⁴⁸ We know very little about these activities, including how common they were, or how similar (or dissimilar) they were to OT practices. This makes it impossible to know how much weight to put on them when approaching the OT itself.

Line of support 2. The prohibition against Molech worship in 18:21 is immediately followed by the prohibition against homosexual relations in 18:22, perhaps because these, too, have to do with illicit cultic activities.

Response 2. This could be the case, but the same rationale does not apply to the verse before 18:21 (the prohibition against adultery [18:20]), meaning it need not apply here as well. More to the point, ch. 20 puts the prohibition against homosexual sex not beside the laws about Molech worship (20:2–5) but squarely in the midst of other laws about sexual sins, not idolatrous ones (20:10–16; see v. 13).

Line of support 3. The term *abomination* occurs often in conjunction with idolatry, which may explain why it is used in this context.

Response 3. While the term *abomination* occurs often in conjunction with idolatry, its only other use in the immediate context of Lev 18 and 20 is in 18:26, 27, and 29, each time referring to all the sins of the chapter as abominations, most of which are not related to idolatry.

At the least, it may be said with confidence that Lev 18:22 and 20:13 would certainly make clear that, if there was homosexual sex taking place that was connected to the tabernacle, it was to be prohibited. It may not be said with confidence that this is the only type of homosexual sex being prohibited, or that this type of sex is even in view. More is needed to prove that this explanation should be considered likely.

Rationale 3: Homosexual Sex between Men Degrades the Honor of the Passive Partner

The argument here is that due to cultural assumptions in the ancient Near East, homosexual male sex resulted in the degrading of the passive partner’s honor by placing him in the role of the woman. Today, however, the same

cultures of that area, those of Egypt and Ugarit, for instance, we are left almost entirely in the dark” (Nissinen, *Homoeroticism*, 19). See also the quotation associated with n. 48.

47. See references in n. 44.

48. Nissinen, *Homoeroticism*, 44. See also n. 46.

cultural assumptions no longer apply, meaning the prohibitions in Leviticus no longer apply either.

Though it is expressed in different ways, there are two basic steps to this argument.⁴⁹ The first is to argue that, in the ancient Near East, there was a strong patriarchy, as a result of which male honor was of much more importance than female honor. The second step is to argue that, in homosexual male sex, the passive partner took on the role of the woman, which in turn was degrading to his male honor. For example, Nissinen argues for this point by citing three Middle Assyrian Laws (MAL §§18–20), which together *might* indicate that the passive male partner in homosexual sex was viewed as taking the role of a woman and that this was viewed as degrading to his male honor.⁵⁰ He goes on to argue that this is behind the prohibition

49. Compare *ibid.*, 24–26, 41–44; Brownson, *Bible*, 82–83, 271–72; Matthew Vines, *God and the Gay Christian: The Biblical Case in Support of Same-Sex Relationships* (Colorado Springs: Convergent, 2014), 88–90.

50. Nissinen, *Homeroicism*, 24–27. He cites two main arguments in support. First, in law §18, a woman is accused of being someone that many men have used for sex, which is a shameful accusation; in law §19, a man is accused of being someone that many men have used for sex, which is a shameful accusation. Why is it shameful for the man? Because he is now taking on the passive role of a woman. Nissinen arrives at this conclusion about the man from the simple juxtaposition of the two laws: “The passive role generally belonged to the woman, as indicated in the juxtaposing of §§18 and 19 in the *Middle Assyrian Laws*. If a man assumed the passive role, he was acting as a woman and his whole masculinity became questionable” (*ibid.*, 27). This conclusion is not impossible, but it is definitely an interpretation of the data. At the least, it may be said that the laws are put together because they both involve accusations of shameful sexual activity in which the accused party was the passive partner. Perhaps the shame in law §19 is due to a man taking on the role of a woman, but perhaps it was considered shameful because of a general stigma that attached to those who let so many people use them sexually, or because of the more specific association of this activity with the humbling of a defeated enemy in the ancient Near East, or because of some other reason entirely. The text simply does not tell us. His second main argument is based on law §20, which stipulates that a man who rapes someone of the same social status is punished with castration. Why this punishment? Because he has brought shame on the other person and now is “brought to the same position and given the same permanent shame” since “castration was a permanent change in his gender role” (*ibid.*, 25, 27). Once again, it must be clear that this is an interpretation of the data. Nissinen himself argues that this is a situation of rape, which he supports by noting that in such cases it is only the active partner (not the passive partner) that is punished (*ibid.*, 25). It thus seems he makes a fair observation when he notes that “the intent [of the castration] is to prevent the malefactor from repeating the crime” (*ibid.*; indeed, castration centers on the very part of the man that is responsible for the crime, thus making it a perfectly appropriate application of the principle of talion: commit a crime like that with your male member and your male member will be cut off). But it is not clear that this was considered a crime “because the penetrating partner effect[ed] a change

in Leviticus not to “lie with a man as you lie with a woman,” a prohibition that shows “the division of masculine (active) and feminine (passive) roles.”⁵¹ In other words, the Israelites must not have homosexual sex because doing so was to confuse the masculine and feminine roles and would lead to the dishonoring of the passive male partner. In further support of this approach, it is sometimes noted that this explains why female homosexual behavior is not prohibited: in that situation, the issue of male dishonor was not at risk.⁵²

Nissinen summarizes:

Israel shared with its cultural environment an understanding of sexual life as an interaction between active masculine and passive feminine gender roles. . . . Sexual contact between two men was prohibited because the passive party assumed the role of a woman and his manly honor was thus disgraced.⁵³

As with the previous case, this rationale is possible, though it is not as clear cut as it may at first appear. To begin, in terms of the association between being the passive male partner and being degraded, the laws Nissinen cites in favor of this understanding are qualified in ways that the biblical laws are not. “In the Middle Assyrian Laws, status, coercion, and repeated acts of receptivity appear to play a part in constructing the boundaries between sanctioned and prohibited behaviors among men. In contrast, Lev. 18:22 and 20:13 ban all male couplings,”⁵⁴ and again, “Leviticus 18:22 and 20:13 prohibit male–male intercourse without qualification, in contrast to other ancient cultures, where status, coercion, and other issues play a role in the bounding of licit and illicit sexual behavior between men.”⁵⁵

in the other partner’s role from active (male) to passive (female)” (ibid., 26); it may have been considered a crime simply because it involved unwanted sexual coercion of an equal, or because it was the type of violent activity a person did to humble a defeated enemy in the ancient Near East. It is thus not clear that MAL §§18–20 provide a good basis of support for Nissinen’s argument.

51. Ibid., 43.

52. Ibid.; Brownson, *Bible*, 271–72; Vines, *God*, 90.

53. Nissinen, *Homoeroticism*, 44.

54. Saul M. Olyan, “‘And with a Male You Shall Not Lie the Lying Down of a Woman’: On the Meaning and Significance of Leviticus 18:22 and 20:13,” *Journal of the History of Sexuality* 5 (1994): 195.

55. Olyan, “‘And with a Male,’” 205. Nissinen (*Homoeroticism*, 44) also acknowledges the absolute nature of the Levitical prohibitions in contrast to other ancient Near Eastern sources but assumes the issue of male honor being degraded was still at work in Leviticus. For analysis of whether MAL §§18–20 may even be cited as evidence of a male’s honor being degraded for taking the place of a woman, see n. 50.

As for the fact that female homosexual sex is not prohibited, this might be related to issues of male honor, but a number of other possible explanations have been given.⁵⁶ The simplest is that these laws are thinking about sex as an act that culminated in a male depositing his seed into the body of another.⁵⁷ In other words, the laws are talking about what we would describe as sexual intercourse, that is, a sexual act that involves penetration. This can happen in homosexual male sex (18:22; 20:13), in bestiality between a man and an animal (18:23a; 20:15), in bestiality between a woman and a male animal (18:23b, 20:16),⁵⁸ and in every other sexual prohibition in this chapter, but can never happen in relations between two women, and it is for this reason that such relations are not discussed.⁵⁹ In short, this third rationale is similar to the previous one: it is possible, but more is needed to prove that it should be considered likely.

These Prohibitions Do Apply Today Because the Reason(s) Behind the Prohibitions Still Apply Today

In contrast to the above approaches, those who hold that the Levitical prohibitions against homosexual sex are still applicable today often support their position by arguing that the moral rationale behind the prohibitions still applies. For many in this camp, the central moral rationale is related to the model of sexual relations and family described in Gen 1 and 2.⁶⁰ In other words, in

56. For a list, see Gagnon, *The Bible and Homosexual Practice*, 145–46.

57. So also Milgrom, *Leviticus 17–22*, 1568: “Hebrew Scriptures ignored [discussing female homosexual acts] . . . because in the act no bodily fluids are lost.” Usually, the laws describe sex in a euphemistic way, but at times they become very explicit, and when they do, the act of a male depositing his seed becomes especially clear, as in 18:20: “you must not give your layering *with regard to seed*.”

58. Note that the prohibitions against bestiality between a woman and an animal use a form of the verb “to breed/mate” (רָבַע), which assumes a sexual act between two different sexes (cf. 19:19).

59. See further, n. 71.

60. The following list focuses on the approach of these writers to Lev 18 and 20 in particular, listing what they see to be the main rationale behind the prohibitions. Wenham: the rationale is rooted in creation, and he alludes to the family in particular (Gordon J. Wenham, “The Old Testament Attitude to Homosexuality,” *ExpTim* 102.9 [1991]: 359–63, esp. p. 363); Grenz: the rationale is rooted in creation, and in particular, the understanding of the family as the union of male and female (Stanley J. Grenz, *Welcoming but Not Affirming: An Evangelical Response to Homosexuality* [Louisville, KY: Westminster John Knox, 1998], 45–46, 48–56); Peterson: the rationale is rooted in creation (*Holiness and Sexuality: Homosexuality in a Biblical Context*, ed. David Peterson [Milton Keynes:

Gen 1 and 2, the Lord designs sexual intercourse to be an act in which people of two different sexes—male and female—come together in sexual union as husband and wife. In this regard, two simple observations may be made.

First, the opening chapters of Genesis lay out the Lord's design with regard to marriage, namely, that it is a sexual union between male and female. This is clear in ch. 1, which notes that the Lord made humanity "male and female" (1:27) and immediately follows this observation with the Lord's command for the couple to "be fruitful and multiply" (1:28). The same is true in ch. 2, where no suitable partner for the man was found until the creation of the woman, the one to whom he is to cling as his wife (2:18–25). The pattern for marriage established here is clearly heterosexual in nature.

Second, the opening chapters of Genesis serve as an incredibly important backdrop to Leviticus. This is seen in two major ways. First, the tabernacle—a central feature of Leviticus—and the garden of Eden are described in similar ways.⁶¹ For example, the Lord "walked" (הִתְהַלֵּךְ) in the garden, and does so as well in the tabernacle (Lev 26:12); Eden and the tabernacle are entered from the east (Gen 3:24; Exod 26:15–37; 27:13–16); angelic cherubim are stationed at the entrance of both (Gen 3:24; Exod 26:31); Adam is placed in the garden to "work" (עָבַד) and "keep" (שָׁמַר) it (Gen 2:15), and the Levites are called to do the same with reference to their tabernacle duties (Num 3:7–8; 8:26; 18:5–6);⁶² and the land of Havilah, which is in the vicinity of Eden (Gen 2:10–12), was a land known for its "good gold" and its "onyx

Paternoster, 2004], 8–9); Gagnon: the rationale is rooted primarily in creation (*The Bible and Homosexual Practice*, 135–36, 138–42; "The Bible and Homosexual Practice," 61–62, 64–65; for other rationales, see n. 82); Smith: the rationale is rooted in creation (Katy Smith, "The Culpability of Sexual Offence," in *Sexegesis: An Evangelical Response to Five Uneasy Pieces on Homosexuality*, ed. Michael Bird and Gordon Preece [Sydney: Anglican Press Australia, 2012], 65–86, esp. pp. 72–83); DeYoung: the rationale is rooted in creation (Kevin DeYoung, *What Does the Bible Really Teach About Homosexuality?* [Wheaton, IL: Crossway, 2015], 41–42). While differences exist in terms of how these authors discuss or appeal to the creation narrative, what they share in common is an understanding that the model of heterosexual sex in these chapters is the model laid down for humanity.

61. The following summarizes the observations found in Gordon J. Wenham, "Sanctuary Symbolism in the Garden of Eden Story," in *Proceedings from the Ninth Congress of Jewish Studies, Division A: The Period of the Bible* (Jerusalem: World Union of Jewish Studies, 1986), 19–25, esp. pp. 20–22. Others have argued more broadly that the parallels are not limited to the tabernacle and the garden of Eden but extend to parallels between the tabernacle and the creation as a whole in Gen 1–2 (see now L. Michael Morales, *Who Shall Ascend the Mount of the Lord? A Biblical Theology of the Book of Leviticus* (Downers Grove, IL: InterVarsity, 2015), 40–42; more fully, L. Michael Morales, *The Tabernacle Pre-Figured: Cosmic Mountain Ideology in Genesis and Exodus*, *Biblical Tools and Studies* 15 (Leuven: Peeters, 2012). This would only strengthen the overall point being made above.

62. These latter passages are in fact the only ones in which these two verbs occur together again in the Pentateuch.

stones” (Gen 2:12), which calls to mind the “pure gold” of the tabernacle (Exod 25:11, 17, 24) and the “onyx stones” used in the high priestly garments (Exod 25:7; 28:9–12, 20). In short, to think of one is to think of the other, so that the presence of the tabernacle in the Israelites’ midst would be a constant reminder to them of the garden of Eden and the creation story and thus a constant backdrop for hearing the laws of Leviticus—a backdrop only strengthened by the fact that Moses goes to the tabernacle to receive these laws in the first place (Lev 1:1).

In addition to the tabernacle–garden parallels, there are further verbal and thematic echoes of Gen 1–3 that are found in Leviticus and central to some of its main themes. Elsewhere, I have noted that “[Leviticus] casts a vision rooted in the Bible’s larger story, and in particular, in creation. Indeed, God’s purpose for his people in Leviticus is in many ways a return to his purpose for humanity in creation. This may be seen in terms of separation, blessing and calling.”⁶³ The parallels between the opening chapters of Genesis and the book of Leviticus in this regard are summarized in table 1. Taken together, the parallels demonstrate that “the Israelites are not only to be a signpost back to Eden, they are to become a manifestation of it and a people who extend Eden’s borders to every corner of the earth.”⁶⁴ Once more, therefore, the creation story serves as a central backdrop to this book.

TABLE 1 | Leviticus: A Return to God’s Purposes in Creation⁶⁵

	<i>Creation</i>	<i>Leviticus</i>
Separating things into their proper place and bringing order to the world	Gen 1:4, 6, 7, 14, 18	Lev 10:10; 11:46–47; 20:24–26
Blessing humanity:		
• Fruitfulness	• Gen 1:28	• Lev 26:9
• A lush land where physical needs are met	• Gen 2:8–25	• Lev 26:4–5, 10
• Sabbath rest	• Gen 2:3	• Lev 23:3; 25:1–7
• Walking with them as their God	• Gen 3:8	• Lev 26:11–12
A calling: to reflect God’s image in the world	Gen 1:26–28	Lev 11:44–45; 19:2; 20:7, 26

These two observations lead to two related conclusions. First, because these chapters are a backdrop to Leviticus, it is natural to understand that

63. Sklar, *Leviticus* (TOTC), 28.

64. *Ibid.*, 29.

65. *Ibid.*

the moral logic behind the Levitical prohibitions against homosexual sex is rooted in the fact that there is a pattern laid down in creation that helps us to understand what sex and marriage are to look like. Homosexual sex goes against that pattern, which explains why the Lord commands, “You must not have sexual relations with a male as you do with a woman” (18:22). This understanding also explains well why bestiality is mentioned in the very next verse (18:23): it also goes against the creation story, where there is a clear distinction between humans and creatures (Gen 1), and where the animals are brought to Adam and none of them were suitable; he needed a woman (Gen 2). In both verses, the same moral rationale applies: these types of sexual relations go against God’s intent for sexuality as laid out in Gen 1–2.⁶⁶

Second, because the pattern is creational, it has ongoing relevance for today.⁶⁷ Such an understanding is rooted in Jesus’s own approach to these chapters. For example, when asked a question related to marriage, he responded by saying, “Have you not read that he who created them from the beginning made them male and female [cf. Gen 1:27], and said, ‘Therefore a man shall leave his father and mother and be joined to his wife, and the two shall become one flesh’ [Gen 2:24]?” (Matt 19:4–5; see parallel in Mark 10:6–8). In quoting Gen 1 and 2, Jesus affirms that these chapters set the pattern to follow when it comes to what should be seen in marriage.⁶⁸

66. It has been plausibly argued that the creation pattern can in fact explain most of the other prohibitions in Lev 18 and 20 as well. See Adrien Schenker, “Why Does the Mosaic Law Forbid the Practice of Homosexual Love (Leviticus 18 and 20)? The Reasons for and the Importance of a Biblical Rule of Life,” in Innocent Himbaza, Adrien Schenker, and Jean-Baptiste Edart, *The Bible on the Question of Homosexuality* (Washington, DC: Catholic University Press of America, 2012), 50–51, 52–56, 58–59. His main premise is that these chapters lay out an understanding of the family, and it is the understanding of the family laid out there that is threatened by many of the types of sexual behaviors prohibited in Lev 18 and 20 (incest, adultery, polygamy, homosexuality, bestiality) and by sacrificing one’s children to Molech. If one counters that the rationale does not explain everything well in this chapter (e.g., having sex with a menstruating woman), the response is simply that the rationales of male honor or cultic prostitution cited above do not explain everything either and in fact explain far less. (As for the purity rationale cited above, it only explains that Israel is to avoid these behaviors in order to avoid impurity, not why these specific actions lead to impurity.) The point is not that a single rationale must explain everything here; it is that the creational rationale works very well for most of the chapter, and can in fact explain more than other proposed rationales. As such, it has an attractive simplicity.

67. It may be noted that Brownson does not question the ongoing relevance of these chapters for today. He argues that the normative aspect of these passages for marriage relates only to kinship (see *Bible*, 85–99; I will discuss this below), but he does not question the ongoing moral relevance of the chapters themselves.

68. I discuss this further below.

Some authors have tried to mute the relevance of Gen 1–2 by arguing that, if the rationale was about breaking the heterosexual aspect of the creational pattern, we should expect some prohibition against female homosexual sex as well; since there is no such prohibition, the rationale must be found elsewhere.⁶⁹ This is an argument from silence.⁷⁰ What is more, as noted above,

69. Brownson, *Bible*, 271–72; Vines, *God*, 90.

70. Another argument from silence is made when Brownson states:

The more basic question is this: Is “anatomical and procreative complementarity” really the basic form of moral logic that the *biblical writers* have in mind or assume when they condemn same-sex erotic relations? If so, we should certainly expect to find biblical passages that treat this subject of the biological complementarity of the genders directly and explicitly. . . . If biological gender differences really are what the Bible has in mind when it rejects same-sex erotic relations, we ought to expect to find other passages of Scripture that make this connection between gender and biology clear. (*Bible*, 23; emphasis his)

This argument is problematic in at least two different ways. First, it undermines one of Brownson’s very own explanations. He argues that the moral rationale behind the prohibitions involves issues related to male dishonor (*ibid.*, 82–83, 271–72). It may be noted, however, that there are no passages that treat the subject of dishonor in consensual male homosexual relations “directly and explicitly.” There are passages where it may be in the background (such as the story of Sodom in Gen 19), but this only becomes clear when we go outside the Bible to other ancient Near Eastern sources; the Bible itself does not discuss this directly and explicitly. If it is insisted that the Bible must do this, then Brownson’s own argument about male dishonor becomes meaningless. This leads to a second problem with the argument: it wrongly assumes that moral rationales are always directly and explicitly given. This is simply not the case. To return to Brownson’s own approach, it may be noted that with an issue such as male dishonor he goes outside the Bible to study the surrounding cultures and then uses this information to inform his reading of the biblical texts (*ibid.*). There is actually nothing wrong in doing so; this sort of approach is regularly taken in biblical studies for the simple reason that underlying rationales are often not explicitly given in the Bible itself, especially if they were self-evident to the audience being addressed. Thus, we should not “certainly expect” direct and explicit treatments of the moral rationale behind every biblical prohibition.

A slightly different argument from silence occurs when Vines (*God*, 88–89) argues that, if anatomical complementarity were the issue, Leviticus would prohibit all same-sex acts in general and not male anal penetration in particular. But if, as discussed above, Lev 18 and 20 are addressing illicit sexual intercourse in particular (that is, a sexual act involving penetration), this explains why it prohibits male anal penetration in particular. The silence with regard to other same-sex acts is due simply to the fact that these chapters are more narrowly focused on the question of illicit *intercourse*, whether homosexual or heterosexual. Most laws simply do not address every possible aspect of the matter at hand, as witnessed by the fact that the laws in these chapters about illicit *heterosexual* activity are focused on intercourse as well; when it comes to the many other types of illicit heterosexual activity

there is a logical explanation for the silence: when this chapter prohibits illicit sex, it is thinking of sexual intercourse, that is, sexual contact with penetration. This in fact explains why females having homosexual sex is not mentioned (18:22, 20:13), but females engaging in bestiality is (18:23; 20:16): sexual intercourse does not happen in the former but does happen in the latter.⁷¹

A related approach is to focus on Gen 2:24 in particular and to argue that when it speaks of marriage as a one-flesh relationship, the essence of this relationship is about kinship, not about the complement of male and female in the relationship. Brownson has argued for this in some detail.⁷² He acknowledges that the Bible “*assumes* that this one-flesh bond only takes place between a man and a woman”⁷³ but argues that “there is nothing inherent in the biblical usage that would necessarily exclude committed gay or lesbian unions from consideration as one-flesh unions.”⁷⁴ In other words, “what is *normal* in the biblical witness may not necessarily be *normative* in different cultural settings that are not envisioned by the biblical writers.”⁷⁵

There is no question that the language of “one flesh” refers to a kinship bond in Gen 2:24, and it is also true that “normal” and “normative” are not the same. It is also important to note that Brownson does regard the “one-flesh” aspect of marriage—by which he means that it is to be a very close relationship, as a person has with their own kin—not only as normal, but also normative, and argues that other biblical writers do the same.⁷⁶ In other words, we can look to this passage for normative guidelines. I agree with all of these points. But the question is not whether Gen 2:24 in isolation requires us to understand male and female as essential to biblical marriage; the question is whether the male-and-female aspect of marriage that is described in both Gen 1 and Gen 2 should be considered part of the normative pattern.⁷⁷

that exist from a biblical perspective, they are absolutely silent, trusting the reader to apply the principles at work in the present laws to other similar situations (cf. n. 71).

71. See also n. 58. It is not legitimate to argue that, because female homosexual sex does not involve intercourse, it is therefore allowable, just as it is not legitimate to argue that, as long as a man does not have intercourse, he can engage in other sexual activities with another man’s wife. To state the underlying principle positively: the model laid out in Gen 1–2 is that sexual activity with others is to be done in the heterosexual marriage bed.

72. Brownson, *Bible*, 16–38 (esp. pp. 32–38), 85–109.

73. *Ibid.*, 109, emphasis his.

74. *Ibid.*

75. *Ibid.*, emphasis his.

76. *Ibid.*, 34, 90–109.

77. Brownson overreaches his own arguments when he goes from demonstrating the kinship aspect of marriage in Gen 2:24 to concluding, “As far as the creation accounts are concerned, then, gender complementarity, viewed through the lens of the physical or biological difference between the genders, cannot be construed as the basis for the Bible’s rejection of same-sex erotic relations” (*ibid.*, 36). Rather, his arguments demonstrate that

Once again, answering yes to this question is rooted in Jesus's own approach to these chapters, as shown in Matt 19 and the parallel in Mark 10. As noted above, when Jesus speaks here of marriage, he refers to both Gen 1 and Gen 2: "Have you not read that he who created them from the beginning made them male and female [cf. Gen 1:27], and said, 'Therefore a man shall leave his father and mother and be joined to his wife, and the two shall become one flesh' [Gen 2:24]?" (Matt 19:4–5; cf. Mark 10:6–8). He is not only viewing Gen 1 and 2 as normative for marriage, but he is reading them together and connecting them logically ("made them male and female . . . *therefore* a man shall leave"). As many have noted, the connection may be simply explained: God's intent for marriage is that it be between two complementary sexes, male and female (Gen 1); therefore, in keeping with this design for marriage, it is a man and woman who are to join together in a one-flesh union that is not to be pulled apart (Gen 2). Marcus summarizes well in his comments on the Mark 10:6–8 parallel: "These passages [Gen 1:27; 2:24] speak of Adam and Eve as beings whose complementary sexual equipment proves that they were designed for each other (10:6, citing Gen 1:27) and whose resultant sexual union (10:7–8, citing Gen 2:24) is part of an indelible marital bond created by God (10:9)."⁷⁸

the language of "one flesh" in Gen 2:24 focuses on kinship, but this is far from saying that Gen 1 and 2 together have nothing normative to say when it comes to the relationship between physical or biological differences and the prohibitions against homosexual sex. See also Countryman (*Dirt, Greed, and Sex*, 242–45), who uses the title "Genesis 1–2" for his section dealing with the creation narrative but essentially focuses on why Gen 2:24 itself does not require marriage to involve male and female.

78. Joel Marcus, *Mark*, vol. 2, AB 27A (New York: Doubleday, 2000), 710; see also R. Alan Culpepper, *Mark* (Macon, GA: Smyth & Helwys, 2007), 330. On Matthew 19:4–5, see Robert H. Mounce, *Matthew*, NIBCNT (Peabody, MA: Hendrickson, 1991), 180; Craig L. Blomberg, *Matthew*, NAC (Nashville: Broadman & Holman, 1992), 290; Leon Morris, *The Gospel according to Matthew* (Grand Rapids: Eerdmans, 1992), 481; Ben Witherington III, *Matthew* (Macon, GA: Smyth & Helwys, 2006), 362. In a blogpost (Jim Brownson, "Jesus and Marriage," *New Testament, Theology, and the Church*, January 19, 2015, <https://jimbrownson.wordpress.com/2015/01/19/jesus-and-marriage/>), Brownson responds to a question on his blog about Jesus's mention of "male and female" from Gen 1. He begins by noting that the mention of "one flesh" (Gen 2) makes clear that marriage is a permanent kinship bond. He then writes:

But why does Jesus also cite the reference to "God made them male and female?" I suspect that the reason is fairly simple. The marriage bond is not the only kinship bond, and people feel free to walk away from many kinship bonds, given their personal circumstances. We are not eternally obligated to live with our cousins. But Jesus wants to say that the bond of marriage is a special kinship bond, that one can't simply walk away from. It is special because it is established by divine decree, rather than by simply being born into a family. So I suspect that he quotes from the rest of the Genesis text to do two things: First, he wants to return to original principles on which the law

In short, Jesus mixes the male-and-female aspect of Gen 1 right into the middle of his model for marriage. This is not what you would expect Jesus

rests, rather than operate in a casuistic manner on the question of divorce. Secondly, he wants to single out the marriage bond as a unique kinship bond that cannot be walked away from like other kinship bonds can.

It thus seems that the flow of the argument is as follows:

1. Jesus speaks of marriage as a kinship bond (“one flesh,” Gen 2).
2. Natural family kinship bonds can be abandoned.
3. The language “male and female he created them” (Gen 1) shows that marriage is not a natural family kinship bond but a special bond, established by divine decree.
4. Jesus thus cites Gen 1 to underscore that marriage is a unique kinship bond that is permanent because it is established on divine decree, not natural family relationship.

The first two points are clear enough; the third is less convincing, and this naturally undermines the fourth (which is based on the third). It seems the third point is saying that the mention of “male and female he created them” is a way to signal that marriage is a kinship bond established by divine decree and not by ordinary family relations. In this case, Jesus’s overall flow of thought is as follows: “Have you not read that he who created them from the beginning made them male and female, [meaning the marriage relationship is established by divine decree and not by ordinary family relations] and said, ‘Therefore, [since the marriage relationship is established by divine decree and not by ordinary family relations,] a man shall leave his father and his mother and hold fast to his wife, and the two shall become one flesh?’” The overall flow of thought here is cohesive; the problem is that it is simply not clear that the phrase “male and female he created them” would have signaled to Jesus’s audience “the marriage relationship is established by divine decree and not by ordinary family relations.” A far simpler explanation is that the language of “male and female” would have been naturally understood to refer to the way that men and women complement one another physically, especially when followed by language about “being joined” to one another and “becoming one flesh”: “Have you not read that he who created them from the beginning made them male and female [meaning they are complementary physical beings], and said, ‘Therefore, [since male and female are made as complementary beings,] a man shall leave his father and his mother and be joined to his wife, and the two shall become one flesh?’” This is God’s design for marriage, Jesus says, and when this relationship is entered into, it should not be pulled apart.

In a different vein, it has been noted that one early Jewish text cites Gen 1:27 as proof that monogamy was the Lord’s intent, the thought perhaps being it was *one* male and *one* female (CD IV, 20–21; see W. D. Davies and Dale C. Allison, *A Critical and Exegetical Commentary on the Gospel according to Saint Matthew*, vol. 3 [Edinburgh: T&T Clark, 1988], 10). It is difficult to say how common this approach to Gen 1:27 was in early Judaism and thus difficult to know how likely it was in the background of Jesus’s use of the phrase. More importantly, it does not lead to a smooth flow of thought: “Have you not read that he who created them from the beginning made them to be monogamous, and said, ‘Therefore, [since they are to be monogamous,] a man shall leave his father and his mother and hold fast to his wife, and the two shall become one flesh?’” The simplest explanation of the flow of thought remains the one identified above.

to do if somehow the Lord was hoping that the church would one day think of marriage only in terms of a one-flesh relationship between two people, regardless of the sex of the two people in the marriage. But this is exactly what you would expect if the Lord's intent for marriage was that it be a one-flesh relationship between people of the opposite sex, male and female.

Summary and Final Comments

In the above, I have given a survey and evaluation of different responses to the question, do the prohibitions in Leviticus against homosexual relations still apply today? I began by noting that the Hebrew word for “abomination” (תועבה) does not answer the question for us. I then turned to consider three other major ways the question has been answered.

The first response was that the prohibitions in Leviticus do not apply today because the book of Leviticus as a whole no longer applies today. I argued that the arguments in favor of this approach either raise the possibility without in any way proving it or run into problems with the Bible's own approach to Leviticus.

The second response was that the prohibitions no longer apply because the rationale behind the prohibitions no longer applies. Three of these proposed rationales were considered. The first of these was problematic; the second and third of these were at least possible.

<i>Rationale Explaining Why Leviticus Prohibits Homosexual Sex</i>	<i>Evaluation</i>
Homosexual sex leads to ritual impurity	Not supported by the text; this position fails to distinguish between ritual and moral impurity
Homosexual sex in these chapters is related to illicit practices at the tabernacle	This is possible but more proof is needed to show it is likely
Homosexual sex between men degrades the honor of the passive partner	This is possible but more proof is needed to show it is likely

The third response was that the prohibitions still apply today because the rationale behind them still applies. It was noted that the opening

chapters of Genesis serve as a clear backdrop to the book of Leviticus, making it natural to understand that the moral logic behind the Levitical prohibitions against homosexual sex is rooted in the fact that there is a pattern laid down in creation that helps us to understand what sex and marriage is to look like. It was further noted that Jesus himself looked to Gen 1–2 as laying down a pattern for marriage with ongoing relevance and that he described this pattern by reading Gen 1 and 2 together, in particular by noting that “male and female” (Gen 1) and the permanence of the relationship (Gen 2) are both central to that pattern. At the least, the strength of this support means that this approach differs from the previous two in an important way: in those cases, more evidence would be needed to show why they might be likely; in this case, more evidence would be needed to show why it is not likely.

<i>Rationale Explaining Why Leviticus Prohibits Homosexual Sex</i>	<i>Evaluation</i>
Homosexual sex goes against the pattern for sexual relations given in the creation narratives.	In light of how central the opening chapters of Genesis are as a backdrop to the book of Leviticus, and in light of the ongoing relevance of the creation pattern that is evident in Jesus’s own approach to Gen 1 and 2, it may be concluded not only that this rationale is possible but that those who disagree with it must show why it is not likely.

Two final comments are in order. First, it is important to note that the moral logic behind ethical rules and regulations can have multiple components. Why is it wrong to murder? This can be answered in different ways. We could note that humans are created in the image of God and it is an offense to him to destroy those in his image. We could also note that murderers do what no human should do: put themselves in the place of God by determining who continues in life. If the person who was killed has a family, we could further note that the murder was also wrong in light of the harm done to those who depended on the person who was murdered. In short, the moral rationale behind ethical commands can be multifaceted.

This applies equally to the prohibitions of Lev 18:22 and 20:13, as is recognized by the most thorough discussions on either side of the issue. For example, Brownson believes that issues of male honor are “probably . . . at least part of the motivation underlying these prohibitions” but also wisely observes “that this may not be the only reason why the Levitical texts speak against this activity.”⁷⁹ At a later point, he identifies at least four reasons when he speaks of “religious, purity, procreative, and honor-shame contexts that form the underlying moral logic of the Levitical prohibitions.”⁸⁰ Coming from the other side of the issue, Gagnon will also argue for multiple components involved in the moral rationale for the prohibitions (some of which overlap with those of Brownson and some of which do not).⁸¹

The possibility of multiple components being involved in the moral rationale behind these prohibitions is significant. It means that, even if we are convinced that the moral rationale of these prohibitions is probably related to issues of ritual purity, or idolatry, or male honor, and are further convinced that these issues do not apply in the same way today as they did back then, we have not yet shown that the prohibitions themselves do not apply. This is simply because a rationale rooted in creation may also be at work. As argued above, a creation rationale is in fact the strongest possibility of those usually given; if the others are possible, the creation rationale is more so. It is thus not enough to affirm one of the other rationales in order to deny the ongoing relevance of the prohibitions today; it also has to be shown why the creation rationale is unlikely.⁸²

The final comment may be framed as a series of questions: What does it mean for Christians to hold true to the biblical teaching on these matters and also show the love of Christ to those who have a homosexual or bisexual orientation? What does it mean for churches to do the same? And what does it mean for churches to be places where Christians attracted to the same

79. Brownson, *Bible*, 83.

80. *Ibid.*, 273.

81. Gagnon’s rationales include idolatry (*The Bible and Homosexual Practice*, 130), procreation (*ibid.*, 133), the mixing of defiling substances (semen and excrement; *ibid.*, 134), and the violation of the created order (*ibid.*, 135–42; he sees the latter as the main rationale).

82. Those who do not do so for these passages include Wilson (*Letter*, 61–62) and Rogers (*Jesus*, 68–70). Brownson is much more careful in terms of recognizing that the rationale relating to creation must be addressed (*Bible*, 271–72); as noted above, however, his approach does not succeed in showing the rationale to be unlikely.

sex, who desire to be faithful to biblical teaching, can have a community to love them, support them, and encourage them in their pursuit of biblical faithfulness? Historically, we have not done a good job of answering these questions, and while this is slowly beginning to change, one thing remains very clear—we must do better.⁸³

83. For a helpful approach to these questions, see Mark A. Yarhouse, *Homosexuality and the Christian: A Guide for Parents, Pastors and Friends* (Bloomington, MN: Bethany, 2010); *Understanding Sexual Identity: A Resource for Youth Ministry* (Grand Rapids, MI: Zondervan, 2013). For the perspective of a Christian who describes himself as same-sex attracted and as adhering to the historic Christian perspective on these questions, see Ed Shaw, *Same-Sex Attraction and the Church: The Surprising Plausibility of the Celibate Life* (Downers Grove, IL: InterVarsity Press, 2015). On a more autobiographical level, Wesley Hill has written a short book describing his journey as a same-sex attracted Christian seeking to maintain biblical faithfulness (*Washed and Waiting: Reflections on Christian Faithfulness and Homosexuality* [Grand Rapids, MI: Zondervan, 2010]).