

# Homosexuality and the Bible

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The Bible has played a significant role in the debates relating to homosexuality that have raged over the past several years. Invoked by conservatives and rejected by liberals, the Bible is understood by both sides as condemning homosexuality. Examples of this view are legion. According to David Novak, “there are few prohibitions that are more unambiguous than the traditional Jewish prohibition of male homosexual acts,”<sup>2</sup> while Gordon Tucker describes it as “about as explicit and unambiguous as a biblical prohibition can be.”<sup>3</sup> Reform authorities echo that opinion; a 1981 CCAR responsum proclaimed, “The biblical prohibition against homosexuality is absolutely clear.”<sup>4</sup>

It is the burden of this paper to challenge that characterization of the Bible’s position. We will seek to show that the Bible’s view is not at all clear, at least with regard to the issues currently under discussion. Religious leaders who support gay rights need not, therefore, feel constrained by the Bible, while those who disapprove of homosexuality would be well advised to find other grounds on which to base their stance.

Whatever one’s position, it is important that the biblical evidence not be taken lightly nor its teachings rejected out of hand. Since the authority of religious leaders derives ultimately from the Bible, those who discard it run the risk of undermining their own credibility as well. Moreover, the fact that the Bible has so often been cited in support of restricting and even persecuting homosexuals increases the urgency of understanding exactly what it says.<sup>5</sup> It would be ironic if Jews who support homosexual rights abandoned the Bible to those who use it to justify intolerance and abuse in much the way that the New Testament has long been invoked by anti-Semites. Removing the stigma and restrictions connected to homosexuality must be done in a way that maintains respect for tradition. Over time, such an approach is likely to attract greater support and thus achieve longer-lasting success.

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The Jewish Bible contains only a handful of passages pertaining to homosexuality: the stories of Sodom and Gibeah (Genesis 19 and Judges 19) and, perhaps, the incident involving Noah's son Ham (Gen 9:20–27); the prohibitions of *qēḏēšîm* (Deut 23:18) and of sexual acts between males (Lev 18:22 and 20:13); and the characterization of marriage as the union of male and female (Gen 2:24). Although there are other Jewish sources that relate to homosexuality, rabbinic discussions of this topic are surprisingly few. Moreover, the Bible holds a unique position, especially within the Reform movement, as Rabbi Joseph Aub of Berlin noted over a century ago, "The Bible is our basis."<sup>6</sup> Given that heritage and the continuing prominence of these texts in recent discussions, it is important that they be addressed squarely.

### Sodom and Gibeah

There are two biblical stories that are widely understood as criticizing homosexual behavior. The first involves the cities of Sodom and Gomorrah (Genesis 19); the second relates to an incident that took place at Gibeah during the period of the judges (Judges 19). Similarities of plot and language have led many scholars to suspect that they are related.<sup>7</sup>

The first of these concerns the divine messengers who were hosted by Abraham's nephew Lot as they were on their way to investigate the city of Sodom. While they were preparing for the night, the local residents (*'anšê hā'îr*) called on Lot to "send them out to us so that we may know them" (*vēnēd'û 'ôtām*, Gen 19:5). However, Lot refused, offering his daughters instead. As he explained, "Do not do evil (*tārē'û*). ... Let me send [my daughters] out for you to do with as you wish" (vv. 7–8).

The book of Judges tells of an elderly resident of Gibeah who took a traveling Levite, his servant, and his concubine into his home for the night. The inhabitants of the city (*'anšê hā'îr*) called on him to send the Levite out "so that we might know him" (*vēnēdā'enû*, v. 22). In order to preclude their "doing such an evil" (*tārē'û*, v. 23; it is called a *nēvālâ* in v. 24), the man offered his own daughter and the concubine instead. However, the townspeople were not satisfied, so he pushed the concubine outside, where she was raped (*vayēdē'û 'ôtāh*, v. 25) and abused all night long. The next day he found her, dead on his doorstep.

The tone of these stories is horrifying, especially given our heightened sensitivity to gender relations and physical abuse. Ancient Israelites must also have found them offensive, since biblical authors cite both incidents as examples of grievous sin;<sup>8</sup> however, the Bible never characterizes the problem in either case as homosexual lust. In fact, the identification of the perpetrators as *'anšê hā'îr* (Gen 19:4, Judg 19:22) could refer to the population in general (i.e., "the people of the city") and not just the males,<sup>9</sup> in which case the sin would obviously have nothing to do with homosexuality. The fact that at Gibeah it was a woman (the concubine) who was ultimately abused demonstrates that the citizens' lust could be satisfied by a person of either gender. Indeed, neither story is concerned with the victims' gender so much as with how guests are treated. Abusive conduct toward visitors violated the norms of hospitality. That is why both hosts offer their own daughters—to protect strangers from being victimized. The stories are about rape and humiliation, not homosexuality.<sup>10</sup> The victims' gender is an incidental detail, not an essential element of the plot.

The story about Noah and his son Ham (Gen 9:20–27) also has little to do with homosexuality. The ambiguity of Ham's action has long been a source of debate.<sup>11</sup> But even if "seeing his father's nakedness" (v. 22) does refer to a sexual act, rape and incest could as easily have been the problem as homosexual intercourse. Although this story, like those of Sodom and Gibeah, accuses a particular community of repugnant behavior, the sin need not be homosexuality.

### Ritual Prostitution

Deuteronomy's prohibition of *qēdēšîm* and *qēdēšôt* (23:18) has been widely interpreted as referring to ritual prostitution,<sup>12</sup> and the link to homosexuality is evident in those translations that render *qēdēšîm* as "sodomites." But the evidence supporting this view quickly evaporates on closer scrutiny.

To be sure, the book of Kings reports that *qēdēšîm* were present at religious shrines,<sup>13</sup> but there is no evidence that their role there was sexual. Related terms are found in other ancient Near Eastern cultures. Ugaritic and Phoenician documents mention *qdšm* (Hebrew *qēdēšîm*), and the title *qadištu* (Hebrew *qēdēšâ*) occurs in Babylonian texts. (Interestingly, Deuteronomy is the only ancient Near Eastern source that includes both genders.) The Ugaritic term fre-

quently appears alongside the title *khn̄m* (Hebrew *kōhānîm*), whereas the Babylonian women are often associated with marriage and childbirth. But references to sexual behavior of any sort are rare and all but incidental. It is surely reasonable to suspect that these were religious functionaries; the root *qdš* means “sacred,” after all. But there is no evidence that they had anything to do with sexual acts, and certainly not professionally.<sup>14</sup>

That linkage relies on the fact that these terms appear alongside references to prostitutes several times in the Bible; however, the words need not be synonymous. Deuteronomy’s prohibition of *qēdēšîm* and *qēdēšôt* is followed by one regarding payment to a prostitute (*zônâ*) and a “dog.”<sup>15</sup> Because this passage contains numerous laws on a variety of topics, these terms could refer to different activities. In the same way, Hosea’s criticism of Israel for “turning aside with prostitutes (*hazzônôt*) and sacrificing with *qēdēšôt*” (4:14) might refer to entirely separate transgressions.

According to Genesis 38, Judah had intercourse with his daughter-in-law Tamar, who he thought was a prostitute (*zônâ*, v. 15).<sup>16</sup> Later, a friend of his describes her as a *qēdēšâ* (v. 21). Again, the terms need not be synonyms, nor does the friend’s view that Judah had sex with a cultic functionary necessarily entail the assumption that she was acting in a professional capacity.

Even if *qēdēšîm* and *qēdēšôt* did engage in sexual activities—a position for which there is no compelling evidence—it does not follow that *qēdēšîm* necessarily did so with other males, much less that it was the homosexual nature of their behavior to which biblical authors objected. Indeed, were that the case, Deuteronomy would hardly have linked *qēdēšîm* and *qēdēšôt* in the way that it does.

The view that certain religions were filled with sexual rituals rests more on the imagination of their rivals than on reliable testimony.<sup>17</sup> Certainly, the Bible offers no evidence anywhere of religious practices involving sexual activities, much less homosexual ones. Prostitution and adultery are used as metaphors for disloyalty to Israel’s own God, and Deuteronomy’s opposition to *qēdēšîm* and *qēdēšôt* is categorical rather than connected with any particular activity.

### Leviticus

The strongest evidence of biblical antipathy to homosexuality comes from the book of Leviticus, which insists, “Do not lie with a male as one does with a female; it is an abomination” (18:22) and “If a male lies with a male as one does with a female, the two of them have committed an abomination; they shall be put to death” (20:13). Beyond making homosexual behavior a capital crime, these passages classify it as an abomination (*tô’ēvâ*).

A variety of explanations have been offered for both the prohibition and its designation as an “abomination.”<sup>18</sup> Drawing on Leviticus’ statements about not imitating Egyptian or Canaanite practices (18:3 and 20:23), some have argued that homosexual behavior was associated with foreign cultures and possibly even pagan ritual. Others attribute these laws to ancient Israel’s proclivity for keeping categories separate.<sup>19</sup> That view is supported by the phrasing of the text, which asserts that one should not lie with a male *as one does with a female*; in other words, men should not act (or be treated) like women.<sup>20</sup> Seen this way, the prohibition belongs in the same category as those relating to cross-dressing (Deut 22:5) and genital defects (Deut 23:2).

Whatever the law’s basis, it is important that we pay close attention to both what it proscribes and what it does not. At most, all that it prohibits is the very specific act of male-male intercourse and that, according to the phrasing of the first prohibition, only on the part of one partner.<sup>21</sup> (Whether the insertive partner or the receptive one is a matter of disagreement.)<sup>22</sup> This supports the view of those who think that the offensive behavior was for a man to be treated (or act) as if he were a woman. In any event, the law has nothing to do with homosexuality as we understand it today and certainly not with most of the issues about which contemporary discussions have centered—marriage, leadership, community membership, and the like. As Walter Wurzburger points out, “What is frowned upon is the indulgence in homosexual acts—not the experience of sexual preferences.”<sup>23</sup> Indeed, as David Feldman has observed, “homosexual fantasies—or even homosexual acts other than sodomy—are not yet a violation of the Torah’s proscription against *mishkav zakhar*.”<sup>24</sup>

This should not be surprising, for our understanding of homosexuality is of recent vintage. The term itself did not exist until barely a century and a half ago. Moreover, the way we use it is

rather odd, since the word “homosexual,” which literally means “same sex,” should apply to relationships rather than to people.<sup>25</sup> In any event, the notion that some individuals’ sexual instincts are directed, whether by birth or upbringing, toward members of their own sex simply did not exist prior to the middle of the nineteenth century.<sup>26</sup> Previously (and in some conservative circles today), people were thought to be capable of choosing the direction in which to focus their sexual interest. That is precisely the biblical view as expressed in the stories of Sodom and Gibeah, whose citizens clamor for sex without much interest in the gender of those with whom they have it. To be sure, they ask for men; but when offered women, as happened at Gibeah, they accept that and proceed accordingly. What Leviticus insists is that such actions be restricted to those of the opposite sex—precisely because it thinks people are capable of choosing the gender of those with whom they have sexual relations.

The absence of references to lesbianism in the Bible is noteworthy. (The rabbinic prohibition is based on the biblical proscription of imitating Egyptian and Canaanite practices.)<sup>27</sup> This cannot be written off as the result of biblical androcentrism, since females are mentioned alongside males in other prohibitions (e.g., Lev 20:15–16). Some have thought that lesbianism is omitted because such relations do not entail physical union or lead to the “spilling of seed.”<sup>28</sup> Whatever the reason, the lack of a biblical prohibition against female homosexual behavior allowed the rabbis to be more lenient in that case than with males.<sup>29</sup> There is surely no reason for us to be more restrictive than the Bible; indeed, classical Judaism invoked precisely this approach when it applied the biblical proscriptions regarding procreation and marriage to Moabites or Ammonites only to males on the basis of a literal reading of the text.<sup>30</sup> (Christians do not have it so easy, since lesbianism is explicitly condemned in the New Testament.)<sup>31</sup>

Elliot Dorff has extended this argument, suggesting that the biblical prohibition on having sex with a male “as one does with a female” refers only to face-to-face genital relations.<sup>32</sup> (Neither the Bible nor Jewish tradition explicitly prohibits oral sex acts.)<sup>33</sup> One might go even further and observe that it is physically impossible for men to have sex with other men in (exactly) the same way that they would with women.

In sum, the biblical prohibition is no where near so broad nor so rigid as it has often been said to be. Rather than condemning

“homosexual behavior in no uncertain terms,” as the 1998 CCAR responsum has it,<sup>34</sup> it prohibits only one very specific act, and certainly not homosexuality itself. As hurtful as even these statements may be, there is no reason to extend them to activities they do not mention.

### One Flesh

The last passage that may be relevant to this issue is Genesis’ statement that “a man leaves his father and his mother and clings to his wife so that they become one flesh” (Gen 2:24).<sup>35</sup> In fact, this is not a commandment at all but an observation, tracing the reality of marital relations to the way in which we were created. Men “cling” to their wives, it explains, in an effort to recapture their aboriginal unity.<sup>36</sup>

One can hardly object to this observation. Men do typically seek physical union with women. In that respect, the Bible is simply describing (and explaining) what we all see. But there is no reason to turn a descriptive aetiology into another *mitzvah*; surely, 613 commandments are enough.

The statement in Genesis comes out of God’s belief that “It is not good for people to be alone” (Gen 2:18).<sup>37</sup> As such, it seems to be encouraging intimate relationships, for which marriage (at its best) can even serve as an ideal. Of course, many marriages fall short of that goal, while heterosexual relationships may not always be realistic or appropriate.<sup>38</sup> Although which relationships can be called *kiddushin* is obviously not a biblical issue, it is hard to see why the sexual orientation of those involved should be the determining factor.<sup>39</sup> Marriage entails far more than sex, and it is surely not the sex act *per se* that the ceremony of *kiddushin* seeks to sanctify so much as the relationship within which it is expressed. Remarkably, many discussions about homosexuality seem to assume that homosexual relationships involve only one activity, even though homosexuals and their relationships are every bit as diverse as their heterosexual counterparts.

### Conclusion

The purpose of this discussion has been to demonstrate that homosexual relationships need not be understood as violating biblical teachings. Homosexuality is not the real issue in the stories of Sodom, Gibeah, or Noah’s son and may not even be a factor there.

Nor do we know what the *qēdēšīm* did, much less what the Bible found offensive about them. As for the laws in Leviticus, they deal with only a very specific act and, even that, in a context quite different from our own. Finally, the statement in Genesis about marriage is descriptive rather than prescriptive.

As a result, there is no reason to see either Jewish tradition or the Bible as being on trial in this debate<sup>40</sup> and, thus, no reason to feel that we must choose between them and our own most generous impulses. Jewish tradition has a long history of flexibility, and the Bible has been cited by proponents on both sides of many different issues. Contemporary scholars and traditional Jewish authorities have found the biblical statutes pertaining to homosexuality far less restrictive than they are usually assumed to be, though there is no denying that they have often been used in ways that are hurtful and cruel. However, that simply strengthens the importance of reading them carefully so that we will understand what they do and do not say. We need not be afraid of the Torah, nor should we let it be used to denigrate people whose situation it does not address.

#### Notes

1. I am grateful to James Nelson for the initial insight that led to this paper and for his guidance, along with that of Elliot Dorff and Gregory Robbins.
2. "Religious Communities, Secular Society, and Sexuality: One Jewish Opinion," in Saul M. Olyan and Martha C. Nussbaum, *Sexual Orientation and American Religious Discourse* (New York: Oxford University Press, 1998), p. 12; cf. David Novak, *Covenantal Rights. A Study in Jewish Political Theory* (Princeton, N.J.: Princeton University Press, 2000), p. 168.
3. "Homosexuality and Halachic Judaism: A Conservative View," *Moment* 18:3 (June, 1993), p. 40.
4. Walter Jacob, ed., *American Reform Responsa* (New York: CCAR, 1983), p. 53.
5. Cf. Judith Plaskow, "Sexual Orientation and Human Rights: A Progressive Jewish Perspective" in *Sexual Orientation and American Religious Discourse*, op. cit., p. 41.
6. Cited by David Philipson, *The Reform Movement in Judaism* (revised ed., New York: The Macmillan Co., 1931), p. 302.
7. Cf. Susan Niditch, "The 'Sodomite' Theme in Judges 19–20: Family, Community, and Social Disintegration," *Catholic Biblical Quarterly* 44 (1982), pp. 375–77; the passages are laid out alongside each other by



- C. F. Burney, *The Book of Judges with Introduction and Notes* (reprinted New York: Ktav Publishing House, 1970), pp. 444–45.
8. Cf. Gen 13:13, Isa 1:9–10, 3:9, Jer 23:14, 50:40, Ezek 16:46–50, Hos 9:9, 10:9, and Lam 4:6. Ancient interpretations of the story of Sodom and Gomorrah are surveyed in J. A. Loader, *A Tale of Two Cities: Sodom and Gomorrah in the Old Testament, Early Jewish and Early Christian Tradition* (Kampen: J. H. Kok Publishing House, 1990).
  9. Cf. Gen 17:23 and Josh 8:25.
  10. Noting that the root *yd'* is not used for homosexual acts elsewhere in the Bible, some have thought that the citizens wanted only to know the guests' identity; however, the root recurs in both stories with clearly sexual connotations regarding the women who are to be sent out instead (Gen 19:8 and Judg 19:25).
  11. Cf. *b. Sanh.* 70a.
  12. E.g., Rashi ad loc.; cf. *b. Sanh.* 54b.
  13. 2 Kgs 23:7; cf. 1 Kgs 14:24, 15:12, 22:47.
  14. Cf. Mayer I. Gruber, "Ha-Qadesh be-Sefer Melakhim uve-Meqorot Aherim," *Tarbiz* 52 (1982–83), pp. 167–76; Joan C. Westenholz, "Tamar, Qēdēšā, qadištu, and Sacred Prostitution in Mesopotamia," *Harvard Theological Review* 82 (1989), pp. 245–65; John Barclay Burns, "qādēš and qēdēšā: Did They Live Off Immoral Earnings?" *Proceedings of the Eastern Great Lakes and Midwest Bible Society* 15 (1995), pp. 157–68; Phyllis A. Bird, "The End of the Male Cult Prostitute: A Literary-Historical and Sociological Analysis of Hebrew Qādēš-Qēdēšim," *Supplements to Vetus Testamentum* 66 (1997), pp. 37–80.
  15. Cf. Othniel Margalith, "The Kēlābīm of Ahab," *Vetus Testamentum* 34 (1984), p. 229.
  16. It is not clear whether he thought this because of her clothing, her location, or her behavior; her hiding of her face from him (v. 15) was solely in order to obscure her identity.
  17. The only ancient "evidence" of sexual rituals comes from Herodotus, who speaks of ordinary Babylonian women—not religious functionaries—as having been required to engage in nonmarital relations (1:199, LCL vol. 1, pp. 250–51); cf. Strabo, *The Geography* 16:1.20 (LCL vol. 7, pp. 226–27). Mayer I. Gruber compares "the myth of cultic prostitution among Canaanites and Israelites" to John Chrysostom's suggestion that similar activities took place within synagogues (*The Motherhood of God and Other Studies* [Atlanta: Scholars Press, 1992], p. xiii; cf. John Chrysostom, "Adversus Judaeos Orationes" 6.7 [PG vol. 48, p. 915], translated by Paul W. Harkins in *Discourses against Judaizing Christians* [The Fathers of the Church 68; Washington, D.C.: Catholic University Press, 1979], p. 174).
  18. Cf. Paul Humbert, "Le substantif *to'ēbā* et le verbe *t'b* dans l'Ancien Testament," *Zeitschrift für die alttestamentliche Wissenschaft* 72 (1960), pp. 217–37 and "L'Étymologie du substantif *To'ēbā*" in *Verbannung und Heimkehr, Beiträge zur Geschichte und Theologie Israels im 6. und 5.*

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- Jahrhundert v. Chr., Wilhelm Rudolph zum 70. Geburtstage*, ed. Arnulf Kuschle (Tübingen: J. C. B. Mohr [Paul Siebeck], 1961), pp. 157–60. The rabbis explained the term *tô'ēbâ* as meaning something by which one goes astray (*tô'eh bāh*, e.g., *b. Ned.* 51a.).
19. Cf. Mary Douglas, *Purity and Danger. An Analysis of Concepts of Pollution and Taboo* (New York: Frederick A. Praeger, 1966), pp. 53–56.
  20. Cf. Martti Nissinen, *Homoeroticism in the Biblical World. A Historical Perspective* (Minneapolis: Fortress Press, 1998).
  21. In Saul Olyan's view, Lev 20:13 was expanded so as to apply to both partners ("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], p. 197).
  22. Olyan contends that Lev 18:3 refers to the "penetrative" party, who treats his partner like a female (*ibid.*, p. 185), whereas Jerome T. Walsh argues that it is the "receptive" one ("Leviticus 18:22 and 20:13: Who Is Doing What to Whom?" *Journal of Biblical Literature* 120 [2001], p. 205). The disagreement centers on whether the phrase *miškav 'išâ* refers to lying *with* a woman or the lying *of* a woman.
  23. Walter Wurzbürger, "Preferences Are Not Practices," *Judaism* 32 (1983), p. 425.
  24. David M. Feldman, "Homosexuality and Jewish Law," *Judaism* 32 (1983), p. 427, contra Moshe Halevi Špero, "Homosexuality: Clinical and Ethical Challenges," *Tradition* 17:4 (Spring, 1979), p. 57. Feldman goes even further when he observes that "the act cannot be punishable if the perpetrator is moved by compulsions beyond himself, though the end result must remain an abomination" (*loc. cit.*).
  25. 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), pp. 41–42.
  26. Michel Foucault, *The History of Sexuality* (New York: Vintage Books, 1980), vol. 1, p. 43; thus Bradley Artson's conclusion that "The Torah did not prohibit what it did not know" ("Gay and Lesbian Jews: An Innovative Jewish Legal Position," *Jewish Spectator* 55:3 [Winter, 1990–91], p. 11).
  27. *Sifre Acharei Mot* 9:8.
  28. Tikva Frymer-Kensky, "Law and Philosophy: The Case of Sex in the Bible," p. 97. In fact, female relationships are no less procreative than male ones, while several ancient sources note the possibility that female activities could lead to penetration (e.g., Martial, *Epigrams* 7:67,70 [LCL vol. 1, pp. 468–71]; [Pseudo-]Lucian, *Affairs of the Heart* 28 [LCL vol. 8, pp. 194–95], and *b. 'Abod. Zar.* 44a.)
  29. Maimonides, *Mishneh Torah, Issurei Bi'ah*, 21:8.
  30. *M. Yebam.* 6:6 and 8:3. Note the explanation offered in *b. Qidd.* 67b, *b. Hul.* 62b, *b. Yebam.* 69a, 76b, 77b, 78b, *b. Ketub.* 7b, and *b. Nid.* 50b; cf. also *b. Yebam.* 77b, pertaining to Deut 23:9.

31. Romans 1:26.
32. *Matters of Life and Death. A Jewish Approach to Modern Medical Ethics* (Philadelphia: Jewish Publication Society of America, 1998), p. 139; but cf. Maimonides, *Mishneh Torah, Issurei Bi'ah*, 21:1.
33. Cf. *b. Ned.* 20b.
34. *CCAR Yearbook* 108 (1999), p. 56.
35. Cf. *b. Sanh.* 58a and *Gen. Rabb.* 18:5.
36. Cf. *Gen. Rabb.* 8:1 and Phyllis Trible, *God and the Rhetoric of Sexuality* (Philadelphia: Fortress Press, 1978), p. 80.
37. Cf. *b. Yebam.* 62b.
38. Recognizing the reality of homosexual orientation, some Orthodox thinkers have suggested that such individuals remain celibate.
39. Even the minority of the CCAR responsa committee that supported rabbinic officiation at commitment ceremonies in 1998 was reluctant to apply the term "kiddushin" ("CCAR Responsum on Homosexual Marriage," *CCAR Yearbook* 108 [1997-98], p. 44).
40. Despite David Novak, *Covenantal Rights*, p. 167.