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Michael G. Lawler
and
Todd A. Salzman

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Lesbian, Gay, Bisexual, and Transgender (LGBT) rights in Ireland are among the most liberal in the world. In 1993, homosexual acts were decriminalized; in 2010, civil partnerships between same-sex couples were legalized; in 2015, a referendum overwhelmingly approved same-sex marriage, and a thirty-fourth amendment was added to the Irish Constitution, to the effect that “marriage may be contracted in accordance with law by two persons without distinction to their sexes.” On November 17, 2015 same-sex marriage became officially legal in Ireland, and the first same-sex marriage was joyfully celebrated the following day. We believe that Ireland is sold short, however, by declaring it among the most *liberal* in the world for LGBT rights. It should be declared among the most *Christian* in the world, for the rights of LGBT persons are deeply embedded in Jesus’ great commandment, second after only “you shall love the Lord your God with all your heart”: “You shall love your neighbor as yourself (Mark 12:30-31). It is sad that the Catholic Church to which the majority of Irish women and men at least nominally adhere has not yet learned from its Irish adherents, indeed from its world-wide adherents. In this essay, we consider the Church’s position.

The received tradition of the Catholic Church condemns homosexual acts as “intrinsically disordered” and gravely immoral. It does so on the basis of three sources of ethical knowledge: scripture, tradition narrowly defined as magisterial teaching, and tradition broadly defined as *sensus fidelium* (sense of the faithful), which includes human experience. First, the teaching of Scripture in which, it is taught, such acts “are condemned as a serious

Michael G. Lawler is the inaugural holder of the Amelia and Emil Graff Chair in Catholic Theology at Creighton University in Omaha, now emeritus. Todd Salzman is his successor in the Graff Chair. Together they have recently published two books, *Virtue and Theological Ethics* and *Introduction to Catholic Theological Ethics: Foundations and Applications*, both published by Orbis Press in 2019.

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depravity and even presented as the sad consequence of rejecting God;” second, “the constant teaching of the Magisterium;” third, “the moral sense of the Christian people.”¹ We will critically analyze each of those three sources and attempt to clarify them, so that readers might be sufficiently informed to make a conscientious moral judgment about same-sex acts and LGBT rights.

HOMOSEXUALITY IN SCRIPTURE

We first examine the scriptural texts the Vatican’s Congregation for the Doctrine of the Faith (CDF) advances as showing a clear consistency “for judging the moral issue of homosexual behavior.” It lists the texts in which this clear consistency is found: Genesis 19:1-11; Leviticus 18:22 and 20:13; Romans 1:26-7; 1 Corinthians 6:9; and 1 Timothy 1:10. We believe that, when read as the Second Vatican Council requires them to be read, that is, in the “literary forms” of the writer’s “time and culture,”² that is, in their own context, the texts that are advanced as an unambiguous foundation of the Catholic teaching on the immorality of homosexual acts are far from unambiguous. They are, rather, complex, socio-historically conditioned literary forms that demand careful socio-historical analysis that raises questions in the inquiring theological mind. Ultimately, the real issue here is the issue, not of homosexual acts and what the Bible says or does not say about them, but of how to read the Bible in order to inform our contemporary Catholic moral lives.

Our first question might appear a strange one: does the Bible say anything about homosexuality as we understand it today?. What we mean today by the words *homosexuality* and *homosexual* is learned from what contemporary science and the Catholic Church now take for granted, namely, the existence in some women and men of a homosexual *orientation*. In contemporary scientific and theological-ethical literature, the noun *homosexuality* and the adjective *homosexual* are used to refer to a person’s *psychosexual condition*, produced by a mix of genetic, psychological, and social factors. Sexual orientation, in general, is the sustained erotic attraction to members of one’s own sex, the opposite sex, or both – homosexual, heterosexual, or bisexual respectively. In its modern connotation, homosexuality is a way of *being* before it is a way of *acting*.

Neither the Bible nor Christian tradition rooted in it ever considered the homosexual condition; *they took for granted that everyone was heterosexual*. To look for any mention in the biblical

1 Congregation for the Doctrine of the Faith, DF, *Persona Humana*, 8.

2 Second Vatican Council, *Dei Verbum*, 12.

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texts of what today is called “homosexual orientation” is simply anachronism. One might as well search the Bible for advice on how to deal with Amazon or fix a Toyota engine. The biblical passages most frequently cited as condemning homosexual acts condemn then not *qua* homosexual acts but *qua* perversion of the heterosexual condition they assume to be the natural condition of every human being. In its modern meaning, homosexuality is not a perversion of the heterosexual condition because homosexuals, both gays and lesbians, by natural orientation, do not share the heterosexual condition. The context in which both Old and New Testaments condemn homosexual acts includes a false assumption, shaped by the socio-biological context of the times in which they were written, that all human beings naturally have a heterosexual orientation and that, therefore, any homosexual act is a perversion of nature and immoral. Since that biblical assumption is now scientifically shown to be incorrect, the Bible has little to contribute to the discussion of the homosexuality, homosexuals, and homosexual acts as we understand them today. That conclusion will become clearer when we consider what the Bible actually says about homosexual behavior and what it mean when it says that.

THE BIBLICAL STORY OF SODOM

The single most influential biblical text leading to the condemnation of homosexual behavior is undoubtedly the *interpretation* given to the biblical story of Sodom. Christian Churches have consistently taught that the destruction of Sodom was caused by the male homosexual behaviors practiced there, and understandably Christians have uncritically believed what their Churches taught them. *Two* reasonable questions may be raised with respect to this widespread interpretation, the first about its accuracy, the second about its basis in the biblical text.

The biblical story is not as straightforward as it appears to the untrained reader. “Two angels came to Sodom in the evening and Lot was sitting in the gate of Sodom” (Gen 19:1). Lot offered the two angels the required hospitality, bringing them to his house and feeding them, but before they retired for the night the men of Sodom surrounded the house and called for Lot to bring the two men out “that we may know them (*yadha*)” (19:5). That word *yadha* is critical for understanding what the men of Sodom were asking. *Yadha* is the ordinary Hebrew word for the English *know*, but it is also used on occasion to mean specifically sexual intercourse. Which meaning is intended in this text? The Hebrew-English Lexicon of the Old Testament notes that *yadha* is used 943 times and in only 10 of those time is it used with any sexual

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connotation. The sexual meaning of the word here seems, however, to be insinuated by two facts. First, if all the men of Sodom wanted to do was to learn the identity of the strangers, why would Lot beg them “do not act so wickedly” (19:7); second, the same word *yadha* is used in a clearly sexual sense when Lot offers his two daughters to the crowd (19:8). We believe there is clear insinuation of homosexual intent against the two strangers at Sodom, which does not necessarily mean that the sin of the men of Sodom was the sin of homosexual behavior.

INHOSPITALITY

The clearer sin in the Hebrew context is the sin of *inhospitality*. That Lot is concerned about that hospitality is made evident in the phrase “do nothing to these men for they have come under the shelter of my roof” (Gen 19:8), that is, under the shelter of my hospitality, which embraces protecting them against the perverted sexual designs of the crowd. The men of Sodom are as bound by the law of hospitality as is Lot, but they demonstrate their wickedness by not living up to the law. If *yadha* is to be understood in its sexual connotation, and we are convinced it is, then the men of Sodom demonstrate the extent of their inhospitality by seeking violent *homosexual* rape of the strangers. If any action is condemned in the text, it is the crime of homosexual rape carried out by perverted *heterosexual*, not homosexual men. And if the act of homosexual rape by *perverted heterosexual* men is condemned in this text, that is a long way from a condemnation of loving homosexual acts of men with a homosexual orientation.

The interpretation of the text we propose is supported by the fact that in the rest of the Old Testament, where Sodom is regularly mentioned, not once is its crime said to be homosexual behavior. Ezekiel describes it as “... pride, surfeit of food, and prosperous ease, but did not aid the poor and the needy” (10:49). Isaiah advises the rulers of Sodom to “seek justice, correct oppression, defend the fatherless, plead for the widow” (1:17). The apocryphal Book of Wisdom explicitly charges the men with inhospitality (19:14). For Christians, a prime argument in support of our interpretation that the sin of Sodom is inhospitality is Jesus’ mention of Sodom in the same breath as the inhospitality accorded his disciples. “Whenever you enter a town and they do not receive you...I tell you it shall be more tolerable on that day for Sodom than for that town” (Luke 10:10-12). Good Jew that he is, Jesus makes hospitality or inhospitality a major cause of salvation or damnation in the great judgment scene in Matthew 25:34-46.

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HOLINESS CODE

If the Sodom story is about inhospitality evidenced by homosexual rape, no such reservation can be made about the prescriptions of the Holiness Code in Leviticus. “You shall not lie with a male as with a woman; it is an abomination” (18:22). What the Holiness Code says could not be clearer, the *homosexual behavior* of men presumed to be heterosexual is an abomination. It is the homosexual acts of heterosexual men that Leviticus says are an abomination, and that restriction yields some insight into the context in which Leviticus says what it says and what it might mean,

The first thing to be noted about the Hebrew context of the time is bad biology. The ancient Hebrew, Greek, and Roman understanding was that the male provided seed that contained the whole of life; the female simply provided the “ground” or the “field” in which the seed was sown to develop into a fully-fledged human.³ To spill that seed anywhere it could not develop properly, in a male body, for instance, was regarded as tantamount to the abomination of murder. The fact that it is only same-sex acts by heterosexual men that are declared an abomination introduces another contextual consideration, that of male honor and the actions appropriate to it.

Extended family was and is a primary economic, religious, and social network in Old Testament society. Family was the locus of honor, carried exclusively by males, particularly the patriarch who headed the family and to all intents and purposes owned the females in it, whether they were wives or daughters. In such a socio-historical context, homosexual acts by heterosexual men would be an abomination, not because they are homosexual acts but because they are dishonorable acts that threatened the patriarchal and hierarchical sexual arrangement that pervaded the Old Testament.

A NEW SOCIAL CONTEXT

What, however, of an utterly *different* social context, a context in which not every human being is presumed to be by nature heterosexual, but some are known to be by nature homosexual; a context in which honor is not a dominant concern; a context in which male and female are understood to contribute equally to the procreation of new life? In such a context, male same-sex behavior need not be judged as dishonorable and *ipso facto* immoral. Just and loving same-sex acts, flowing from an innate homosexual orientation, cannot be regarded as a perversion of a universal heterosexual condition and, therefore, cannot be judged *ipso facto*

3 See Paige duBois, *Sowing the Body: Psychoanalysis and Ancient Representations of Women* (Chicago: University of Chicago Press, 1988), 39-85.

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immoral; and the spilling of male semen would no longer be regarded as the spilling of life and murder. In short, when the interpreter considers what the Bible says about homosexual behavior by men presumed to be heterosexual and the socio-historical context in which it says it, it is difficult to consider the Bible as saying anything more instructive in the present socio-historical context than what it says about *kosher* laws.⁴ As homosexual orientation is understood today, male homosexual behavior may or may not be moral, but contemporary judgment of its morality cannot be based on what the Old Testament says about it in the context of its socio-historical time and place.

NEW TESTAMENT

Many Christians give more credence to what the New Testament says about homosexual acts than what the Old Testament says. We now consider what many believe to be the centerpiece of the New Testament on homosexual behavior, Paul's letter to the Romans. It is important, again, to note the *context* of Paul's remarks, which is an attack, not on homosexual acts but on idolatrous acts. Paul makes the standard Jewish accusations about Gentile idolatry. What can be known about God is plain to Gentiles, he argues, because God has shown it to them, but they did not acknowledge God, they "did not honor God as God or give thanks to God." Rather, "they exchanged the glory of the immortal God for images resembling a mortal human being or birds or four-footed animals or reptiles" (1:23). What is radically wrong with Gentiles is that they are idolaters, and Paul describes the behavior of such idolaters. *Because* they are idolaters, God *gave* them up in the lusts of their heart to impurity, to the dishonoring of their bodies (1:24-28). It is Gentile *idolatry* that is directly at stake in this Pauline text, and the same-sex acts of perverted heterosexuals to which it is presumed to lead, not the same-sex acts of those who by nature have a homosexual orientation and the just and loving homosexual acts to which it might lead. Paul is not talking of, because he has no concept of, relationships between modern same-sex couples who might justly and chastely love one another and might be committed to one another as faithfully as any heterosexual couple. The condemnation of the homosexual actions of perverted heterosexuals does not easily translate across time to the condemnation of the just and loving actions of those whose condition is by nature homosexual.

4 'The hare, because it chews the cud but does not part the hoof, is unclean to you. An the swine, because it parts the hoof and is cloven-footed but does not chew the cud, is unclean to you. Of their flesh you shall not eat and their carcasses you shall not touch; they are unclean to you' (Lev 11:6-8)

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We will not consider here the two remaining texts cited by the CDF as solid foundation for the Catholic Church's teaching on the immorality of homosexual acts, 1 Cor 6:9-10 and 1 Tim 1:10, because they add nothing to what we have already discovered,⁵ namely, that the Christian scriptures condemn as immoral the same-sex acts of *perverted heterosexuals*, not the loving same-sex acts of those who by nature share a homosexual orientation.

A BIBLICAL APPROACH?

All of this leads us to a third question and its answer: can the Bible speak to the divisions that characterize contemporary Christians with respect to homosexuality? We note first that homosexual acts are *not* a prominent biblical concern. There is no mention of them in Israel's earliest moral codes, there is nothing about them in the Decalogue, the gospels record no saying of Jesus about them, there is not even a word for homosexuality in either Hebrew or Greek. If we return to the twenty-first century after our excursion into the first century, we can see that Paul's perspective, if taken contextually, simply does not make sense. He does not live in our context in which homosexuality is scientifically recognized as a *natural* condition; we do not live in his context of bad biology and cultural value; and the ancient context does not translate easily to the modern context on most issues, including homosexuality. The same conclusion applies to the even more distant texts of the Old Testament. They are articulated in the same context as Paul's text. Everyone is presumed to be heterosexual and, therefore, any male homosexual act is a freely-chosen perversion; the male is the sole source of life and, therefore, any spilling of the seed is murder and an abomination; the male is also the source of honor in the society and for a male to behave as a female, sexually or otherwise, shames not only him but every other male in the family or corporate clan.

Because of the difficulty of translating from an ancient context to the present, the Christian traditions today are moving away from a biblical rules approach to moral judgments and are exploring a more profound interrelationship between rules, values, virtues, and *persons*. Lisa Cahill puts the matter succinctly. "Realizing the impossibility of transposing rules from biblical times to our own, interpreters look for larger themes, values or ideals which can inform moral reflection without determining specific practices in advance."⁶ Paul, in common with the Jewish tradition by which

5 Those who wish an exegesis of these two texts may consult Todd A. Salzman and Michael G. Lawlor, *The Sexual Person: Towards a Renewed Catholic Anthropology* (Washington, DC: Georgetown University Press, 2008) 222-223.

6 Lisa Sowle Cahill, "Is Catholic Ethics Biblical?" Warren Lecture Series in Catholic Studies, No. 20 (Tulsa: University of Tulsa Press, 1992), 5-6.

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he was influenced, judged the wickedness of male homosexual acts to be their perversion of the natural heterosexual order. That judgment on the lust of *heterosexual* men and of the perversion of the natural heterosexual order cannot justly be applied to just and loving same-sex acts today in persons whose natural sexual orientation is to persons of the same sex. On scriptural evidence alone, then, we *cannot* derive a clear and clean condemnation of contemporary just, loving, and committed homosexual acts.

THE MORALITY OF HOMOSEXUAL ACTS

Sexual acts are moral when they are natural, reasonable, free, and expressed in a truly human manner that promotes human dignity and flourishing. All the terms of this statement are important and must be carefully understood. Sexual acts are moral when they are natural, and they are natural when they coincide with the *nature* of the person. For men and women who are by nature heterosexual, heterosexual acts are natural and therefore moral when they are freely chosen, truly human, just, loving, and a promotion of human dignity and flourishing. For those who are by nature homosexual, it is the reverse. For them, homosexual acts are natural, reasonable, and moral when they are free, truly human, just, loving, and a promotion of human dignity and flourishing. Sexual acts are ethical when they are *reasonable*, and they are reasonable when careful attention to and understanding of all the relevant human circumstances leads a person to make an informed judgment of conscience that a given sexual action is according to right reason and facilitates mutual human dignity and flourishing. Sexual acts are moral when they are *truly human*, that is, when they fulfill all the requirements of orientation, interpersonal and affective complementarities and when they promote human dignity and flourishing. Sexual acts are *just* when they are performed by mutual, free agreement and when they do no harm to either person involved or to the common good. Sexual acts are *loving* when each person acts, not out of uncontrolled lust but out of the desire for the flourishing of the other person.

Our final judgment on the morality of homosexual acts can be succinctly stated. *Some* homosexual and *some* heterosexual acts, those that take place in a stable human relationship and are natural, reasonable, free, and expressed in a truly human, just, and loving manner for the promotion of mutual dignity and flourishing are ethical; any coercion or violence automatically makes a sexual act immoral.