

# Issues on the Sanctity of Same-Sex Relationships

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This investigation began as an exclusively neurophysiological and psychological study to examine the development of self-identity and personality in infancy and in early life. Gender dysphoria is used as a case study to model the process. It is demonstrated that the features which create the core gender and sexual identities of every person are physiologically rather than behaviourally or cognitively driven. Therefore as wide a range of moral attitudes, beliefs and behaviour are to be found amongst these people as those which exist in society at large. It is additionally demonstrated that a duality must exist whereby gender and sexually variant people who express their true attractions and identities in ways that conform to the highest moral standards of their own societies should be highly regarded, while those who misuse these relationships would be very severely condemned for their acts. That duality is contradicted by the traditional teaching of the Christian Church which condemns without exception every expression of gender and sexually variant behaviour as inherently sinful, and regards all of them as heinous acts. The second part of this analysis is therefore a critique of the traditional teaching of the Christian Church. This uses the results of the neurophysiological and psychological study to determine how and why this contradiction occurs. Additional material describing the results of these investigations has been made available since this document was first released. See: Gilchrist, S. (2015): *“Personality Development and Gender: Why We Should Re-think the Process”* for more information. This and other papers are available on the website:

<http://www.tgdr.co.uk/articles/index.htm>

## 1:0 Introduction

In societies where men and women did not have equal status there was always the potential for significant social disruption should gender atypical behaviour be encountered. The changes of the last 50 years, with the coming of contraception, the legalisation of homosexuality and the recognition of gender equality have greatly altered present day perceptions by destroying the framework of male supremacy on which many structures were based. This article discusses the extent to which particular prohibitions which today are regarded as sexual taboos were instead primarily adopted for the preservation of social order. Old Testament Judaism made no distinction between the sacred and the secular, so changes in social order can have a profound impact on the theology of religious belief. A major neurophysiological and psychological has been conducted and the results of this are used in this analysis.

## 2:0 Overview

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<sup>1</sup> Personal Biography <http://www.tgdr.co.uk/documents/SusanBiographyPapers.pdf>

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This document adopts an approach which examines first the contemporary Non-Christian resources to determine the contexts within which the Christian traditions have developed. The reasons for the first century interpretation of Leviticus 18:22 and 20:13 which prohibited only anal penetrative sex are considered and why it was subsequently expanded into interpretations which prohibit all types of same-sex acts is also examined. Homosexuality as a separate condition was not recognised in the first century societies. The contemporary Greek and Roman attitudes to same-sex relationships are discussed and it is shown that that the boundary between acceptable and unacceptable behaviour was made between the noble pursuit of love and the carnal abuse of sex. This distinction was applied both to heterosexual and to homosexual relationships in the same way. Biology was much less important than the quality of the relationship itself.

The document also examines the cultural clashes which occurred between the Greek and Jewish traditions and particular attention is paid to those which were created by the conflicts in religious beliefs. In Greek and Roman society intercourse was a matter of status and any man could sexually penetrate another man of lesser status, without any censure being applied. However same-sex intercourse was only permitted in circumstances where the dignity of every Greek and Roman Citizen could be preserved. When any same-sex relationship between two citizens took place the expression of effeminacy or submissive conduct by either of the partners was strongly condemned. Maintenance of status was the dominant factor and there were no religious codes which prohibited any same-sex acts. Judaism took a very different view. Using its own scriptures it argued that sexual penetration could only take place in the context of committed relationships which are given in love. Marriage was of very high status in Jewish society and the Rabbis took a very strong stance against any type of behaviour which challenged the stability of this relationship. In Greek, Roman and Jewish societies, engagement in same-sex relationships were considered particularly dangerous because of the potential for sexual misuse and clear boundaries were set. However there were situations where the fostering of same-sex relationships was strongly encouraged. In line with first century attitudes this document distinguishes between same-sex actions which result from a natural outpouring of a homosexual orientation and the same-sex activities which are engaged in by heterosexual men for the purposes of domination, gratification, promiscuity and the practice of safe sex.

It is symptomatic of Greek society that it was assumed that love as a serious emotion ordinarily meant love between two males. Plato further argued that the highest form of love and the only type of real love is the love between two men. There was no boundary placed between strong heterosexual friendships on the one hand and on the relationships which resulted from homosexual attraction on the other. Indeed the latter was preferred for the depth and intensity of the commitments it provided. A host of writers demonstrate that this understanding was common not just to Athens but throughout the Greek world. The issue of immediate concern is how this was matched in the Jewish tradition.

In common with the practice in many other societies, a traditional rabbinic approach to Talmudic study involved chavruta partnerships in which a pair of students work together to learn, discuss, and debate a shared text. The rabbis in the academies repeatedly encouraged their students to adopt ever increasing degrees of intimacy. No rules for chavruta partnerships are found which set boundaries that approve of strong heterosexual friendships on the one hand and disapprove of homosexual relationships on the other. On

the contrary the reverse outlook is expressed. In the Avot de-Rabbi Hathan for example<sup>2</sup>, it is recommended that a friend should be someone with whom one can “Eat and drink, read and study, sleep, and share secrets of the Torah and personal secrets”. The Jewish tradition has many other instances where intimate social pairing occurred and where high degrees of intimacy between two male rabbis were encountered. The scope and prevalence of all these relationships is fully discussed in the document. Far from rejecting the expression of homosexual attraction, the Jews like the Greeks, encouraged its expression for the depth of understanding, the robustness of discussion, the sense of purpose and the strength of commitment it brought. It is shown in the document that the contemporary Jewish interpretation of Leviticus 18:22 and 20:13 prohibited only anal penetrative sex. The rabbinic requirements demanded that any such relationship had to be seen as between two equals. Full social and personal responsibility had also to be exercised, but within these boundaries, all of the expressions of intimacy which the bible did not prohibit could be engaged in and that as it happens includes oral sex.

This leads to the obvious question to ask, which is “Were Jesus and John in a homosexual relationship”. For the purpose of this document there is no need to answer this question since the only requirement is to know that this type of relationship could legitimately exist. However there are positive reasons for giving an answer and the evidence in the Bible suggests that they were. It is also of particular interest to note that when the Gospel texts are examined in the context of these arguments there does not seem to be any attempt to hide these relationships. Nor need there be! There is no evidence whatever to suggest that Jesus and John engaged in any impropriety and it would be important for first century readers to know what the relationships were. One such instance of this is in the passage in the Gospel of John (John 21:15-17), where Jesus asks Peter three times if he loves him. However today the real meaning of this passage is hidden in translation and it is necessary to get back to the original Greek words. One of these is *phileo* which is the love of friendship, and the second word is *agape*. *Agape* is a direct transliteration of the Jewish word *ahabà*. In the original Hebrew bible and in the Greek Septuagint the word *agape* and its equivalent it is used to describe committed and faithful love which can find its fulfilment in sex. By contrast the current Christian definition of *agape* has been changed to refer to committed and faithful love but this definition now demands the total absence of sex. The reasons for this change are discussed in the document and this is another instance where alterations in interpretation and translation drift, have altered the meaning of the text. Jesus uses the word *agape* on the first two occasions when he asks Peter if he loves him, to which he receives an affirmative but uncommitted response. Peter’s response is enthusiastic when, on the third occasion, Jesus uses the word *phileo* instead. One interpretation suggests that, while both Peter and John both loved Jesus, they did so in different ways and Peter wanted this distinction to be made. However the structure of this passage suggests a deeper meaning, for it clearly positions the relationships between the two disciples by affirming the supremacy of Peter and the Church in Rome, while at the same time authenticating the use of the term “The disciple who Jesus loved” in John’s Gospel. It also demonstrates the unique nature of this Gospel and it shows why, and in what way, the Gospel of John should be regarded as complementary to the Synoptic texts. If the John’s Gospel is indeed the product of such a relationship then it is a unique and intimate account of the ministry of Jesus, which has a depth which reaches far beyond that which any other relationship could bring. So instead of reacting with a condemnation or a

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<sup>2</sup> See Maimonide’s commentary on the Mishnah, Avot 1:6 *aseh lekha rav*

disapproval of the possibility of any same-sex relationship perhaps the offer of thanks is more appropriate response.

Similar attitudes to same-sex relationships were carried forward into the early Christian church. Liturgies of services of fraternisation, or “Brother making” which imposed requirements that were identical to those applied to same-sex relationships in the first century Jewish tradition have survived. These liturgies date from between the 9<sup>th</sup> to the 15<sup>th</sup> centuries but the ceremony is believed to have been introduced early in the life of the church. These were not marriages and anal penetration was not endorsed. The relationship was made between two equals and there was no marriage contract, but many of the symbols and social obligations of marriage were embraced. In practice these ceremonies could also give protection from the civil laws which were enacted against anal penetration and they would also impose by religious commitment an outcome which legal compulsion could not easily enforce. It is suggested that the nearest equivalent to this service may be found in the modern day blessing of a civil partnership. However there is also a great deal of disagreement about the role, frequency and purpose of these ceremonies, and these issues are fully discussed in the document.

Initially the Christian Church took a very negative view of all types of sexual activity but this was gradually relaxed. The historical developments are considered in the document. Under Augustinian doctrine the act of heterosexual intercourse was considered permissible within marriage, but even that could only be endorsed if procreation was in mind. For the laity it is shown that Christianity continued to practice the same approach to the expression of same-sex relationships which were given in love, as that which it inherited from the Jewish tradition. However different standards of behaviour were applied to the clergy and the religious. For these people all sexual activities were prohibited.

From as early as the years 306 and 314, bishops in the Christian Church had enacted legislation in the Council of Elvira and the Council of Ancyra which imposed the rule of celibacy on all who served as religious or priests. Marriage or any sexual contact was prohibited and for those who were already married Canon 31 of the Council of Elvira declares “Bishops, presbyters, deacons, and others with a position in the ministry are to abstain completely from sexual intercourse with their wives and from the procreation of children. If anyone disobeys, he shall be removed from the clerical office”. Ancyra was in present day Turkey and Elvira in Spain so it may be presumed that these policies were already widespread in the church. The biblical arguments which were used to justify this policy came from a wide range of texts. In Luke 14:26. Jesus says for example: “If anyone comes to me and does not hate father and mother, wife and children, brothers and sisters, yes, even their own life, such a person cannot be my disciple”. The strength of these passages and the fact that Jesus was unmarried seem to make it very clear that Peter and the apostles were required to abandon their marriages as well, and this is what the Councils of Elvira and Ancyra demanded. This degree of enforcement of the discipline of celibacy of the priesthood as a rule, rather than as a calling, would come to cause particular difficulty, and one of the problems would come from the zeal with which it was expressed.

Despite the strength of these demands they were not supported in practice. Peter was already married at the beginning of Christ's public ministry, and he and other apostles were all in committed relationships with their wives when Paul was writing the first Epistle to the

Corinthians between 53 and 57 AD. According to Clement of Alexandria<sup>3</sup>, Peter and Philip were married and had children. Clement also reported that Peter's wife was martyred before him, and the apostle encouraged her as she was led to her death<sup>4</sup>. Eusebius writes of the relationship between Peter and his wife in these words, "Such as the marriage of these blessed ones, and such was their perfect affection."<sup>5</sup> There is an underlying presumption that all of the Apostles apart from John were married, however in most cases nothing is known about their wives.

The high degree of contrast between this teaching and the practice suggests that, while total commitment to the Gospel is required, there is nothing to stop wives and other loved ones, from being helpers and supporters on missionary journeys. According to Clement of Alexandria, Their wives travelled with the apostles "Not as wives, but as sisters, in order to minister to housewives"<sup>6</sup>. The Early Church leaders also spoke out against those who preached against marriage<sup>7</sup> and Paul's comments on marriage in 1 Corinthians 7 may reflect his personal understanding rather than the attitude of the early Church. There is a further passage which may illuminate further what Jesus meant. This is during the crucifixion when John and the women were at the foot of the cross. John 19:26-27 reads "When Jesus saw his mother there, and the disciple whom he loved standing nearby, he said to his mother, "Dear woman, here is your son," and to the disciple, "Here is your mother." From that time on, this disciple took her into his home"<sup>7</sup>. This passage, together with the presence of John alone of the apostles at the foot of the cross, may not have a meaning which is deeper than that which appears on the surface. However, given the description of John as the beloved disciple and the degree of intimacy in the relationships between Jesus and John which are expressed elsewhere in this Gospel, this may measure how deep their relationship was. In first century Jewish society a widow or widowed mother would need to be looked after by her own family and one wonders why this was taken on by John, rather than by another of her surviving sons.

If this is the case then the actions of the Councils of Ancyra and Elvira had overstepped the mark. Complaints over priestly sexual abuse began early and they were a constant presence during the first millennium. From around the year 300 the Church hierarchy began to single out all types of same-sex actions for a special condemnation. There were many such condemnations that were often of great vehemence which came from within the Church. However these were not acted on in civil ordinances as the Church demanded, either by the Roman Emperors or by the later Carolingian Kings (the principal exception being the Emperor Justinian). The Carolingian Kings for example republished the Canons of the Council of Ancyra on several occasions and Charlemagne ordered that these were to be issued as guidance for the laity to use. These canons prohibited bestiality and by extension anal penetration, but they did not prohibit other loving same-sex acts. This would

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<sup>3</sup> Clement of Alexandria, Stromata, III, vi, ed. Dindorf, II, 276. Accessed at <http://www.earlychristianwritings.com/text/clement-stromata-book3-english.html>

<sup>4</sup> Clement of Alexandria, Ante-Nicene Fathers. 2.541 (c. 195). Accessed at: <http://www.biblestudytools.com/history/early-church-fathers/ante-nicene/>.

<sup>5</sup> Eusebius, Ecclesiastical History, Book III, Chapter XXX. This excerpt was found in Ante-Nicene Fathers, Volume 4, p. 49. Accessed at: <http://www.biblestudytools.com/history/early-church-fathers/ante-nicene/>.

<sup>6</sup> Clement of Alexandria Ante-Nicene Fathers 2.390, 391 (c. 195). Accessed at: <http://www.biblestudytools.com/history/early-church-fathers/ante-nicene/>.

<sup>7</sup> See for example Ante-Nicene Fathers 1:349, Irenaeus Against Heresies, chap. 24 also Ante-Nicene Fathers 1:353, Irenaeus Against Heresies, [Book I,] Chap. 28,. Accessed at: <http://www.biblestudytools.com/history/early-church-fathers/ante-nicene/>.

mean that up to the end of the first millennium the original range of standards for the clergy and the laity continued to be applied. Same-sex abuse as always was strongly condemned but same-sex relationships given in love could still be endorsed. The scandals of sexual abuse committed by the clergy and the religious together with the disregard of the sexual prohibitions imposed on the laity eventually became so great that more severe action had to be taken. As always the response of the Church was to increase the penalties against those who broke the vows of celibacy rather than to question the policy of celibacy itself. This strategy was strongly pursued by Pope Gregory VII (1073–85) and his successors who imposed strict discipline on the clergy and vigorously asserted the secular authority and domination of the church.

Celibacy had the consequence of creating temporal power structures for the church, both at a national and a supra-national level which did not threaten the power of the hereditary dynasties. The reasons for this are discussed in the document. At the supra-national level the Church could exercise enormous secular power for these dynasties could be loyal to the Church without feeling under undue threat. However the imposition by Pope Gregory VII of such unbridled Church authority threatened this concordance and amongst other groups it produced resistance and revolt. According to the *Dictatus Papae*<sup>8</sup> published by Pope Gregory VII in 1075, the Pope was to be judged by no one, the Roman Catholic Church had never been, and would never be, wrong and it declared the Pope's authority to depose emperors.

The importance of maintaining the universal rule of celibacy should not be underestimated. By removing the threat to hereditary dynasties the Church was able to create an organisation which had the stature and the strength to undertake many of the key civil and social functions. Progression was on the grounds of ability and the role of the Church as a social and welfare organisation became essential to society. Amending or relaxing the rule of celibacy had the potential for destroying all of this, and this is probably one reason why it could not have been contemplated in the social structures of the time. From a pragmatic point of view that may have been the right decision, but it left the problem of how to deal with sexual abuse. During the time of the Jewish Exile this problem was dealt with by castration and this allowed individual Jews to rise to high places in the Assyrian Empire. The background to this practice is well told in the book of Esther. That was not available to the Church and metaphorical castration by the rule of celibacy was adopted.

Sexual abuse was not the only problem. The Cardinals, as the Princes of the Church could access great wealth. Their patronage, power and ostentation was seen and at the highest levels of the hierarchy, at the end of the first millennium the Church was regarded by many a corrupt institution. It is not surprising that the attempts by Pope Gregory to exercise supreme power would be resisted. One rejection was that of the Cathars who adopted theological positions directly opposed to Roman Catholic doctrine, at least partly on the grounds that enforcing this type of authority did nothing to exorcise the scandals in a corrupt organisation. The Cathars argued that sexual intercourse and reproduction propagated the slavery of spirit to flesh. They considered that informal relationships were

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<sup>8</sup> From: "Pope Gregory VII," in E. F. Henderson, ed., *Select Historical Documents of the Middle Ages* (London: George Bell, 1892), pp. 366-367, 365. Reprinted in Brian Tierney, ed., *The Middle Ages, Vol. I: Sources of Medieval History*, 4th ed., (New York: Alfred A. Knopf, 1983) pp. 142-143. Available online 30 October 2011 at <http://www.thenagain.info/classes/sources/dictatuspapae.html>

preferable to marriage, and this led to charges of sexual perversion being made. The Dominican Order was established to counter the Cathar revolt. However Dominic himself showed that he was not afraid to listen to the Cathars and to criticize the hierarchy of the Church for the power, wealth and ostentation it expressed. Thomas Aquinas was also a member of the Dominican Order, and this set the background to his work. The Cathar revolt was violently suppressed in the Albigensian Crusade, but the Church also had to accede to the need for some change. One of the reforms Aquinas introduced was to increase the freedom of sexual expression within marriage while at the same time denying all sexual relationships outside it. To do this Aquinas combined the principles of Natural Law which were developed by Plato, Aristotle and others with the then current theology of the Church. This work by Aquinas has become the foundation of present day teaching. The statement below is taken from the 1997 Catechism of the Roman Catholic Church<sup>9</sup>.

“Homosexuality refers to relations between men or between women who experience an exclusive or predominant sexual attraction toward persons of the same sex. It has taken a great variety of forms through the centuries and in different cultures. Its psychological genesis remains largely unexplained. Basing itself on Sacred Scripture, which presents homosexual acts as acts of grave depravity, Tradition has always declared that "Homosexual acts are intrinsically disordered." They are contrary to the natural law. They choose the sexual act to the gift of life. They do not proceed from a genuine affective and sexual complementarity. Under no circumstances can they be approved.”

Instead of being the original interpretation of the Early Church, this doctrine as it is developed by Aquinas reflects the circumstances of the Church just after the end of the first millennium. This was a time of profound crisis for the Church and when choices have to be made tradition will always act for the benefit of the institution. The consequent condemnation of the expression of every type of same-sex act has destroyed any acceptance of same-sex relationships which are given in love and it has allowed the church to make homosexuality the scapegoat for all illicit same-sex acts.

Aquinas used the concept of Natural Law developed from Greek philosophy to develop his concepts. However First Century Judaism and the Early Christian Church did the same but they came up with different results. A comparative study of how natural law was applied in both circumstances is contained in the document. There is a continuous tension in Aquinas' writing which comes from the need to reconcile the cardinal virtues of reason with the theological values of the Church. Aquinas writes that any act which includes fornication, adultery or even rape is not considered a sin at all if it is performed under the command of God<sup>10</sup>. When Aquinas uses logic based on the cardinal values of reason, he provides answers which do not preclude the validity of certain types of loving same-sex relationships.

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<sup>9</sup>Catechism of the Catholic Church: Paragraph 2357. The Second Edition English Translation of the Catechism of the Catholic Church with corrections promulgated by Pope John Paul II on 8 September 1997

<sup>10</sup>Summa Theologica I-II, question 94. Article 5, reply to objection 2. “All men alike, both guilty and innocent, die the death of nature: which death of nature is inflicted by the power of God on account of original sin, according to 1 Samuel 2:6: "The Lord killeth and maketh alive." Consequently, by the command of God, death can be inflicted on any man, guilty or innocent, without any injustice whatever. In like manner adultery is intercourse with another's wife; who is allotted to him by the law emanating from God. Consequently intercourse with any woman, by the command of God, is neither adultery nor fornication. The same applies to theft, which is the taking of another's property. For whatever is taken by the command of God, to Whom all things belong, is not taken against the will of its owner, whereas it is in this that theft consists. Nor is it only in human things, that whatever is commanded by God is right; but also in natural things, whatever is done by God, is, in some way, natural”....

These conclusions are more in accord with the elements of first century Greek and Judean philosophy that influenced the early Christian Church. However any more movement in this direction is then trumped by the arguments which Aquinas derives from the doctrines of his contemporary Church.

This document traces the development of Christian Teaching on homosexuality and same-sex relationships from its first century Jewish roots and it shows how the need for social order and the use of tradition for the benefit of the institution has turned it into its present form. The contemporary first century interpretation of Leviticus 18:22 and 20:13, which had prohibited only anal penetration is well attested. However by the time of Aquinas this had changed to an interpretation which prohibited all sexual acts. The previous definition of Sodomy had only condemned anal penetration and this extension of the prohibition to include any type of same-sex act then allowed the Church to merge all three definitions. One prominent example of this can be found in the translations of the 11th Century book by Peter Damian, "Liber Gomorrhianus [Book of Gomorrha]<sup>11</sup>". This book primarily condemns priestly sexual abuse. However in some of the translations the word homosexuality is used instead of sodomy or sexual abuse, and the book has come to be regarded as a primary text which is used to condemn homosexuality itself. This has meant that homosexuality is considered as though it is sexual abuse and sodomy as well. Such a use is attractive to the institution since it diverts attention away from the problems that celibacy brings.

Translation drift and reinterpretation in bible passages has occurred from the outset and the changes in definition of the word agape have already been noted. The interpretation which Paul gives to Leviticus 18:22 and 20:13 is subtly different to that of the original Hebrew text, but in certain modern translations the interpretation given to these passages has changed even more. Thus the Living Bible for example translates the passages in Leviticus 18:22 and 20:13 as "Homosexuality is absolutely forbidden, for it is an enormous sin". At a first sight Paul's condemnations in Romans 1:18-27, 1 Corinthians 6:9, and 1 Timothy 1:10 do indeed appear to condemn all same-sex acts. However Paul makes a very deliberate use of the relevant verses in Leviticus, as they are translated in the Greek Septuagint, when he coins the word "arsenokoitai", to describe people who are engaged in heterosexual and same-sex promiscuity and prostitution as "Abusers of themselves with mankind". By linking his invented word directly to Leviticus and by applying it to these passages he makes it clear that the Jewish rather than the Greek view should be understood. This directly refers a first century reader back to the interpretation of Leviticus 18:22 and 20:13 which Jesus and Paul would have known. This condemns all same-sex actions where lust is the motive, but it does not condemn those which are given in love.

These distortions of translation and interpretation have almost totally changed the meaning of the texts and it is necessary to unpick the results. This account identifies three reasons for the prohibition of anal penetration. These were: First, the humiliation of an enemy or stranger through the use of same-sex rape: Second, the disturbances to status and social order in a gender unequal society and Third, the misuse of relationships for the gratification of lust and for the practice of safe sex. In situations where two people of the same sex are in loving, faithful and chaste relationship, only the second reason for prohibiting anal penetration remains. With all other types of sexual acts the distinction which is made

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<sup>11</sup> Pierre J. Payer (ed.): (1982) Book of Gomorrah: An eleventh century treatise against clerical homosexual practise, Waterloo, Ont. Wilfrid Laurier University Press.

between acceptable and unacceptable behaviour is made by distinguishing between the motives of love and lust.

To carry a convincing argument it is important to understand the conclusions that a non-religious reader would reach. It is also appropriate to apply Jewish exegeses to what is a Jewish text. The Mitzvah lists the 613 commandments (or Mitzvoth) which are given in the Torah (plus seven additional rabbinic commandments) that a religious Jew is required to follow: Leviticus 18:22 and 20:13 are two of these. Some mitzvoth are now impossible to fulfil and others may be irrelevant to today's society. This is why Judaism questions the purpose and applies two meanings to any biblical text. The first is the original meaning and the second is what the text means in the current situation. In December 2006, the American Conservative Judaism's Committee on Jewish Law and Standards reaffirmed the original interpretation of Leviticus 18:22 and 20:13 in words which state that in loving same sex relationships all forms of sexual acts are permitted short of anal penetrative sex. It also recognised that there is a wide diversity of opinion and it was decided that this decision should not be binding on any group. One of the major differences between Liberal, Conservative, Reform and Orthodox Judaism is the degree of literalism with which these mitzvoth are interpreted and the changes in family dynamics which result. There have been many social changes in Western society during the last sixty years. These changes have included the introduction of contraception, the establishment of a gender equal society and the diminution of the secular power of the Church. In a gender equal society it can be argued that the second, and therefore all of the biblical reasons, for the prohibition of anal penetration in a loving and faithful relationship now cease to apply. However this does not abrogate the consequences of such actions and these arguments do not provide any excuses for promiscuity, prostitution or sexual abuse. They also demand the avoidance of aids and venereal diseases by the use of protected sex. These conclusions may not be accepted by everybody but they have to be heard by those who uphold the traditional teaching of the Church.

Cultural issues are also involved. There are greater degrees of persecution of homosexual behaviour in societies and religious traditions where social and legal discrimination on the grounds of gender and sexual biology takes place and these differences can cause severe discord in the world wide church. In contemporary Western societies, when no such legal discrimination on the grounds of gender is encountered, faithful and loving same-sex partnerships are often valued for the strength of the relationships and the commitments they bring. In many respects Western society has returned to the situation encountered in first century civilisations where these types of faithful same-sex relationships could be entered into and (within appropriate boundaries) be freely expressed. At the 2011 Conservative Party Conference the British Prime Minister, who is also the leader of a party which stands most strongly for family values and the party which might also be expected to be most opposed to such relationships, could say that he approves of such relationships because he is a Conservative, and not in spite of being a Conservative, because of their maintenance of social values and for the family traditions they support.

The challenges that these changes have brought has resulted in the retreat of many groups into fundamentalism and into literal interpretations of translated bible text. If this retreat is to succeed it must show that promiscuity and sexual abuse are synonymous with homosexuality and that homosexuality is not a scapegoat for abusive acts. It must also

show that it is true in all cases, for any exceptions to it would mean that their argument is lost. Therefore strenuous efforts have been made by different groups to use psychology and psychiatry in attempts to prove the immutability of this link. However the professional associations and mainstream practitioners have consistently rebuffed these efforts. This need for rebuffing is also becoming less and less necessary as the reality of the fidelity and the constancy of such same-sex relationships becomes increasingly visible in society at large. An extended review which includes a data analysis is given in the document. The persistent misrepresentation of these data by such groups discredits the Church.

In 1998 the Church of England initiated a review process which was designed to listen to the experiences of gay and lesbian Anglicans around the world. On the 1<sup>st</sup> July 2011 a statement issued by the House of Bishops announced a review of its approach to same-sex relationships and another review on whether gay priests in civil partnerships should be allowed to become bishops According to this statement, "There is a theological task to be done to clarify further understanding of the nature and status of these partnerships". This document is a contribution to that debate.

In November 2003, the House of Bishops of the Church of England had published an earlier document "Some Issues in Human Sexuality"<sup>12</sup> which was intended to set the framework for the debate. Many of the presumptions made in that document date from the time of St Thomas Aquinas onwards. The document accepts that the statement on homosexuality, taken from the Catechism of the Roman Catholic Church has become recognised as the traditional teaching on homosexuality. However in the analysis contained in this document it has been shown that the doctrines which are expressed in it do not represent the original understandings of the early Church. They reflect instead the position of the Church just after the end of the first millennium and a more fundamental framework is required on which the discussions can be correctly based.

The analysis presented in this document has traced the development of Christian attitudes to same-sex relationships throughout the first millennium. It has shown how culture clashes between Judean and Greco/Roman society, together with the scriptural reinterpretations, influences of tradition and the imposition of the rule of celibacy were eventually brought together to condemn all types of same-sex expression, and how they were also employed to make homosexuality the scapegoat for every same-sex abusive act. Contemporary Christian and non-Christian literature has also been used to clarify the nature of permissible same-sex relationships within both the first century Judean and the Greco/Roman societies. This study has shown that in both societies the distinctions that were made between acceptable and unacceptable sexual behaviour were based more on the motives that were involved and less on the sexual orientation or biological sex. The nature and the existence of a same-sex relationship between Jesus and John has also been examined, and the outcome is described in the document, although this is not the primary focus of the work This document aims to provide a more accurate framework for future study through its use of historical and textual examinations of the attitudes to same-sex relationships before and during the first millennium of the Christian era, One aim of the document is to provide the appropriate plane of reference against which the present day attitudes to same-sex relationships can be discussed, acted on and assessed.

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<sup>12</sup>Church of England 4 November 2003 Some Issues in Human Sexuality: A Working Party of the House of Bishops. Church House, Westminster ISBN No: 9780715138687

This account also demonstrates that the debate on homosexuality cannot be carried out in isolation, for it must also consider how and why homosexuality has been made a scapegoat for abusive same-sex acts. By imposing a rule of celibacy on the clergy and the religious the Church was able to create power structures which complemented those of the hereditary dynasties and in many cases it has put this capability to very good effect. In the context of those societies that decision was probably correct. However the potential for sexual abuse was always present and the scandals over priestly sexual abuse in today's society are nothing new. Even though they are strongly condemned they have often been followed up by inappropriate action and by attempts to hide their effects. In the past these could be concealed by using the influence of the church but in present day society that can no longer happen. The discipline of priestly celibacy has been questioned at various times and as a young priest, Pope Benedict put his name to a document which called for its examination, although this was because of the shortage of people offering themselves for ordination. Now the Roman Catholic Church is adopting an increasingly reactionary position and it is retreating into traditional values. The calling of celibacy is correctly given very high regard in the Roman Catholic Church, but the history of sexual abuse which is caused by the failure of the universal rule of celibacy appears to be one of the issues which it is unwilling to face. The changes in doctrine which Aquinas and the Church introduced at the end of the first millennium may on the surface appear minor, but the consequence of these has been centuries of persecution. If the arguments contained in this document are correct, the Church has also succeeded in condemning its founder for mortal sin and one of its most heinous acts. If the Roman Catholic Church is to establish any moral authority this is the major issue that must be addressed.

Celibacy is not an issue with the other denominations. However the doctrines of Aquinas on same-sex relationships come from a common history, and they are often shared in common today. Departures from these traditions within the contemporary churches continue to be reinforced through translation drift and the consequent reinterpretation of the biblical passages. This raises serious concerns about the behaviour and current doctrines which are now being promoted by the churches who believe in the literal truth of the biblical texts.

It is necessary to ask, what is the real division? Both sides can agree that to have homosexual feelings is not sinful and the question that needs to be asked is, "Can the relationships between homosexual couples who express their feelings in faithful, loving, chaste and committed lives be accepted by the church?" Answering yes to this question does not require a new dispensation. It returns to the truths of biblical texts.

Some recent theological developments make use of the theories developed by Rene Girard. One of Girard's precepts is that in situations of unresolved conflict the dynamics can take over and any awareness of the original cause becomes lost. The original point of difference may be minor but this can lead to a runaway situation. When all other methods of resolution fail a scapegoat is created and the scapegoat may gain enormous power. The conflicts in the Church over same-sex relationships have lasted for over two thousand years and today the issue of homosexuality has come to dominate much of religious life. Despite the disruption which these conflicts have brought the Church has never tried to resolve the conflict at source. The reaction has always been to hide or suppress their demands, but with the changes in attitude in present day society this will no longer work for secular

society is no longer prepared to tolerate the abuses, prejudices and the inequities which it sees. The refusal of the churches to do listen and their continued failure to address these issues has already begun to destroy their reputation and it is taking the reputation of Christianity with it as well. The history and depth of the conflict means that this is not an easy step to take. Celibacy is a particular concern for the Roman Catholic Church. However Girard has also shown that once the role of the scapegoat is recognised the dynamics of the conflict can then be quelled. Instead of finding the things that divide, opponents then look for the things that unite and a true resolution of the conflict can bring great strength.

If the Christian Church is not prepared to, does not or cannot resolve these issues of homosexuality, celibacy and same-sex abuse which has affected it from its foundation it will continue to destroy its credibility in society at large. If this is never resolved there will be little point in discussing the sanctity of same-sex relationships with the church when there is nothing of relevance within it that is left.

### 3:0 Background

In the 1950s the attitude of the Church of England's Moral Welfare Council was one of the major influences that led to the setting up of the Wolfenden Commission, subsequently supporting its recommendation to abolish the law against male homosexual activity and to set the age of homosexual consent at 21. This became law in 1967. Three documents on homosexuality were produced by Church of England working parties between 1970 and 1989. They included two unpublished reports and the 1979 Board for Social Responsibility report on "Homosexual Relations". Each of them was intended as contribution to the debate.

The views of the Church of England have been expressed formally on two occasions. On 11 November 1987, the General Synod passed following motion: "That this Synod affirms that the biblical and traditional teaching on chastity and fidelity in personal relationships in a response to, and expression of, God's love for each one of us, that sexual intercourse is an act of total commitment which belongs properly within a permanent married relationship, that fornication and adultery are sins against this ideal, and are to be met by a call to repentance and the exercise of compassion, that homosexual genital acts also fall short of this ideal, and are likewise to be met by a call to repentance and the exercise of compassion and that all Christians are called to be exemplary in all spheres of morality, including sexual morality; and that holiness of life is particularly required of Christian leaders."

In December 1991, the House of Bishops published a statement titled "Issues in Human Sexuality"<sup>13</sup>. This endorsed the traditional Christian belief that the teaching of the Bible is that heterosexual marriage is the proper context for sexual activity between two people. It went on to declare that what it called 'homophile' orientation and activity "could not be endorsed by the Church as a parallel and alternative form of human sexuality as complete within the terms of the created order as the heterosexual. The convergence of scripture, tradition and reasoned reflection on experience, even including the newly sympathetic and perceptive thinking of our own day, makes it impossible for the Church to come with

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<sup>13</sup> Issues in Human Sexuality: House of Bishops Church House Publishing, Church House, Great Smith Street, London, SW1P 3AZ. ISBN No: 9780715137451

integrity to any other conclusion. Heterosexuality and homosexuality are not equally congruous with the observed order of creation or with the insights of revelation as the Church engages with these in the light of her pastoral ministry.”

This 1987 Synod motion and the report on “Issues in Human Sexuality” are the two authoritative Church of England statements on homosexuality. During the thirteenth Lambeth Conference of the whole Anglican Communion in 1998, a resolution was passed stating that homosexual acts are "incompatible with Scripture" by a vote of 526–70, however, it also contained a statement which "Calls on all our people to minister pastorally and sensitively to all irrespective of sexual orientation and to condemn irrational fear of homosexuals, violence within marriage and any trivialisation and commercialisation of sex." The International Anglican Conversations on Human Sexuality produced a report in 2002 which set out common ground and areas of disagreement that were encountered.

A further document “Some Issues in Human Sexuality”<sup>14</sup>, published in November 2003 outlined the debate about the traditional teaching on homosexual activity from the 1950's onwards. It built on the foundational statements made in the House of Bishops 1991 statement “Issues in Human Sexuality” and it aimed to provide a detailed account of all the viewpoints surrounding this topic. The report describes approaches which it considers to be both theologically rigorous and pastorally sensitive, with detailed Scriptural analysis. The guide “Recommends and calls for wider, informed discussion on this issue, which will ... enable individuals and churches to reflect on this potentially contentious subject in an intelligent way”. In February 2004 the General Synod took note of this report and commended it to the Church for study and reflection.

The election in August 2003 of Gene Robinson, an openly gay and partnered priest as Bishop of New Hampshire threatened to cause a major schism. In 2004, the Lambeth Commission on Communion issued a report on the issue of homosexuality in the Anglican Communion, which became known as the Windsor Report. This report took a strong stand against homosexual practice, recommended a moratorium on further consecrations of actively homosexual bishops and blessings of same-sex unions

In February 2007 the General Synod of the Church of England passed a Private Member's motion which commended continuing efforts to prevent the diversity of opinion about human sexuality creating further division and impaired fellowship within the Church of England and the Anglican Communion. It recognized that such efforts would not be advanced by doing anything that could be perceived as the Church of England qualifying its commitment to the entirety of the relevant Lambeth Conference Resolutions (1978: 10; 1988: 64; 1998: 1.10). It welcomed the opportunities offered by these Lambeth resolutions, for the Church of England to engage in an open, full and godly dialogue about human sexuality. It affirmed that homosexual orientation in itself is no bar to a faithful Christian life or to full participation in lay and ordained ministry in the Church and it acknowledged the importance of lesbian and gay members of the Church of England participating in the listening process as full members of the Church.

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<sup>14</sup>Church of England 4 November 2003 Some Issues in Human Sexuality: A Working Party of the House of Bishops. Church House, Westminster ISBN No: 9780715138687

In a statement issued by the House of Bishops on the 1<sup>st</sup> July 2011, the Church of England said it is reviewing its approach to same-sex relationships and to whether gay priests in civil partnerships should be allowed to become bishops<sup>15</sup>. According to this statement, "There is a theological task to be done to clarify further understanding of the nature and status of these partnerships". The review will glean information from an initiative launched in 1998 designed to listen to the experiences of gay and lesbian Anglicans around the world. Gay clergy in civil partnerships should not be nominated as bishops "to avoid prompting the outcome of the view". The review on gay clergy in the episcopate will finish in 2012 while the study of same-sex relationships will take a little longer with the bishops producing a consultation document in 2013. Engagement in the "Listening Process" which began in 1998 so far seems to have provided little agreed output.

The document "Some Issues in Human Sexuality"<sup>16</sup>, published in November 2003 has largely set the framework for the debate. A summary of the traditional Christian view of sexual ethics is given in section 1.2 of the document. However while patristic literature is fully considered much of the sexual ethics presented are derived from the time of St Thomas Aquinas onwards. As the document says: "Where St Thomas led the Christian tradition has followed" and the statement which is taken from the Catechism of the Catholic Church<sup>17</sup> has become the traditional view on homosexuality. The statement is this:

"Homosexuality refers to relations between men or between women who experience an exclusive or predominant sexual attraction toward persons of the same sex. It has taken a great variety of forms through the centuries and in different cultures. Its psychological genesis remains largely unexplained. Basing itself on Sacred Scripture, which presents homosexual acts as acts of grave depravity, Tradition has always declared that "Homosexual acts are intrinsically disordered." They are contrary to the natural law. They choose the sexual act to the gift of life. They do not proceed from a genuine affective and sexual complementarity. Under no circumstances can they be approved."

Many of the arguments put forward by those who advocate the acceptance of same-sex relationships try to find ways to step round this inconvenience. However the need to step round it only applies if the principles upon which it is based are right. There is ample evidence to show, both from a Jewish<sup>18</sup> and a Christian<sup>19</sup> perspective, that the interpretations of Leviticus 18:33 and 20:13 which are applied to justify the present prohibition of homosexuality are not ones that Jesus and the Apostles would have used<sup>20</sup>. This account uses Jewish and contemporary first century sources to try to recover what the early Christian Church would have understood.

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<sup>15</sup> Church of England 1 July 2011. Civil Partnerships and Human Sexuality: Statement from the House of Bishops. GS Misc 997 Church House, Westminster

<sup>16</sup> Church of England (4 November 2003) Some Issues in Human Sexuality: A Working Party of the House of Bishops. Church House, Westminster ISBN No: 9780715138687

<sup>17</sup> Catechism of the Catholic Church: Paragraph 2357. The Second Edition English Translation of the Catechism of the Catholic Church with corrections promulgated by Pope John Paul II on 8 September 1997

<sup>18</sup> Greenberg, Steven; (2004) "Wrestling with God and Men: Homosexuality in the Jewish Tradition" The University of Wisconsin Press, ISBN 10: 0-299-19094-3

<sup>19</sup> See for example: Mein, Andrew; (2007) "Threat and Promise: the Old Testament on Sexuality" Chapter 2 in "An Acceptable Sacrifice? Homosexuality and the Church" Edited by Duncan Dormor and Jeremy Morris. SPCK 2007. ISBN - 10: 0-281-05851-2.

<sup>20</sup> Additional references are given in the main body of the text

## 4:0 Cultural Issues

### 4:1 First Century Attitudes to Same-Sex Relationships

Too often labels are used to condemn others or to pursue particular points. Like using labels to equate homosexuality with pederasty and by applying the same labels without distinction to same-sex acts engaged in by heterosexual men for ritual purposes, sexual satisfaction or religious rites. Most of the ancient Near East adopted an attitude to homosexuality and same-sex acts which was very similar to that of classical Greece and Rome, where it was simply accepted as long as it was done among consenting adults. Indeed Greeks and Romans often approved of same-sex acts between adult men and youths where it was part of an ongoing educational relationship. These pederastic relationships included heterosexual males. The consent of both parties was required and the practice was state regulated. The lowest permissible age for the younger partner was about 12 years of age. The relationships were not acceptable after the younger partner became able to grow a beard.

Obvious homosexual relationships between two adult male citizens were disparaged. The status of the dominant partner was unaffected, but compliant or effeminate deportment by the submissive partner was condemned. This was because it was seen to debase citizenship to the status of women. Moral issues were not of concern. Same-sex intercourse with slaves or people of lesser status was common practice; at least amongst the higher classes, and with slaves the issue of consent did not arise. Two emperors entered forms of same sex marriage. Nero for example is alleged to have married a freedman named Pythagoras and also an actor named Sporus who he had castrated for the purpose. Elagabalus married a slave named Hierocles. The ancient Greeks did not have terms or concepts that correspond to the contemporary dichotomy of 'heterosexual' and 'homosexual'. Probably the most frequent assumption of sexual orientation in Greek society was that people could respond erotically to beauty in either sex.

In the ancient world the wife became the property of the husband and marriage was not an equal relationship. Therefore it was perfectly permissible for a woman to be penetrated by the penis of a man but for another male citizen to be penetrated anally was a social disgrace. Although the Greeks and Romans practiced pederasty, stimulation and ejaculation was usually generated by hand, or by placing the penis between the thighs.

Similar attitudes were found in other societies - and only the penetrated partner was condemned. The jurist Paulus stated in his Digest of Roman law, written around 300 A.D., that a male who voluntarily is passive to another male should lose half of his estate. He also reiterates an earlier edict barring such men from the legal profession. In 438 A.D. the Roman Emperor Theodosius II confirmed that just the submissive partners in homosexual relationships were to be put to death. The dominant partners and slaves were exempt. This makes it clear that the prohibition was for reasons of social order rather than moral concern. The major issue is that of penile penetration. When sexual acts took place between two adult male citizens they had also to be seen as a relationship between two equals, otherwise they would attack the social structure on which society was based. It is not always appreciated that these acts could be so subversive. In societies where men and woman are treated unequally the prejudice against same-sex intercourse is high.

*Gilchrist, S. (2011). "Issues on the Sanctity of Same-Sex Relationships".*

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Lesbianism attacked the social structure in a different way. For example Lucian of Samostia wrote that women who loved women could be described as having “The mind and the desires and everything else of a man” (Dialogues of the Courtesans 5:4). Displays of lesbianism were not regarded as respectable but no legal penalties were imposed. There are many Jewish, Christian and non Christian texts which condemn male and female departures from gender expectations.

In New Testament times the Jewish attitude to homosexual and same-sex relationships was very different from many Christian and Jewish attitudes of today. This regarded love between any two people (including people of the same sex) as being positive. A committed relationship was required which was normally expected to lead towards marriage but same-sex or homosexual relationships with an equivalent degree of attachment could be endorsed.<sup>21</sup> It is important to note that in first century Judaism the understanding which was applied to the passages in Leviticus 18:22 and 20:13 only prohibited anal penetrative sex. In Leviticus 18:22 it is the active partner that is condemned. The reasons for this interpretation are given later in this account. Significantly no other physical sexual acts between two men are forbidden.

This approach examines the issues using other contemporary sources as well as the bible, and this includes Jewish oral law. For those who are unfamiliar with these sources it may be useful to define a few terms. The Torah is the five biblical books of Moses. The Mitzvah lists the 613 commandments given in the Torah (plus seven additional rabbinic commandments) which a religious Jew is required to follow. The Torah and Mitzvah contain the entirety of Judaism's founding legal and ethical religious texts. The Talmud has two components which are the Mishnah and the Gemara. The Mishnah was the first written compendium of Judaism's oral law, it was compiled around 200 A.D. and it draws on sources which date from the time of the Exile onwards. The Gemara develops and expands on the Mishnah. Two versions of the Talmud are often referred to: the Jerusalem Talmud was put together around 350 A.D. and the Babylonian Talmud dates from around 500 A.D. The Babylonian Talmud is usually regarded as the definitive text. As with the Old Testament it contains a wide variety of documents, some contradictory, and also some unpalatable texts. Halakha is a term which is used to describe the whole corpus of Jewish oral and written law and traditions. In first century Judaism the oral law was at least as important as the written law. It is the interpretation of the oral law, given most particularly in the Mishnah, which Jesus and his disciples would have acted on and understood.

## **4:2 Sexual Relationships and Marriage**

The cultural differences between Jewish and Greco-Roman society were often a source of friction. Jewish perceptions of love and marriage had a significant influence on this, and the Jewish attitudes to women and intercourse gave both a special place. Jewish law regarded the rape of a wife by another man as a crime against the husband, not the wife. Nevertheless in some respects consideration for women was given some status. For example In Deuteronomy 21:13-14 it is made clear that if any man has intercourse with an unattached woman, even if she is a captive or slave, he is required to take her as his wife;

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<sup>21</sup> All sources are cited in Gilchrist, S2011a “Gender Dysphoria and Personality Development”. and Gilchrist, S. 2011d. “Gender and Sexual Variation in the Bible”. Both are in preparation.

and in the case of a free woman the rapist must also pay the bride price to the father, (Deuteronomy 22:28-29). A woman so defiled would be unable to marry another man on her own account. In Genesis 1:27 and 2:24 the role of a woman is to be a companion for the man and to bear children. However this should not be taken to represent the modern idea of monogamous marriage for the wife was the property of the husband, polygamy was practiced and concubines were allowed (see 2 Samuel 5:13; 1 Kings 11:3; 2 and Chronicles 11:21). Nevertheless the relationship between the man and his wife or wives is to be one of love. The Torah commands that a husband must love his wives as much as if not more than himself. The reason for monogamy to develop seems to have been one of practicality and cost - for there is still no edict against polygamy in Judaism today. At the time of Jesus monogamy was generally assumed. This is reflected in his statements on marriage in Matthew 19:4-5; Mark 10:6-7. The quality of love in relationships was considered very important and this has had a major influence on the development of the Jewish thought which is enshrined in the oral and written law. Although the man has internal and external authority, it is on the tradition of the man as the servant of the family that the strength of family values in Judaism and the matriarchal tradition is based.

### 4:3 Prohibitions and Power

In many respects the first century concepts of sex and sexuality differed greatly from those of today. Leviticus contains lists of prohibitions regarding sexual intercourse. Some of these are determined by the Purity Code but others are more absolute. There is no prohibition of under age sexual intercourse in the bible and attitudes were very different from current perceptions. The prohibitions of Leviticus 18:33 and 20:13 to same-sex intercourse with boys under the age of nine years and one day were applied in a lesser way or not at all (Sanhedrin 54b-55a). This is horrific to modern attitudes but it is well written up in the Jewish Halakhah literature. The age of nine years and one day is the age at which a boy was considered to have begun puberty. Below that age a boy was considered to be "Not a male" and he could not be humiliated by being anally penetrated in a sexual act. With girls a lower age limit was applied<sup>22</sup>.

The bible also takes an equivocal attitude to rape. The passages in Zechariah 14:1-2, Deuteronomy 20:10-14, Numbers 31:7-18 and Judges 21:10-24 make it clear that when the Jews were the victors in battle they were expected to take the conquered women for themselves. Deuteronomy 21:13-14 spells out how such captive women were to be treated. There is no evidence to suggest that the Jews used same-sex rape to humiliate those they defeated. However there is horror at the prospect of same-sex rape being used to humiliate them when the Jews are instead the defeated side. This is the real meaning of the story in Genesis Chapters 18-19. When the men of Sodom and Gomorrah congregated to gang

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<sup>22</sup> Modern society condemns sex between an adult and a child in inverse proportion to the age of the child. The younger the child is, the more serious the offence. Talmudic law worked on the reverse scale. Sex with younger children was less significant than sex with older children and in the case of intercourse with a girl the age limit was set at three years. Having intercourse with a girl of this age or above was considered to be an act of betrothal and the man was expected to take her as his wife. No crime was committed if the girl was younger than three years of age, for the sages believed that at this stage in her life the hymen would grow back. Although such acts were permitted in law the Jewish attitudes to love between two people and the other commandments in the Torah regulated the practice. This is made even more clear in Matthew 19:14 when Jesus said, "Let the little children come to me and do not hinder them, for to such belongs the kingdom of heaven." Here Jesus emphasised the purity of the child. What is seen as abuse is culturally determined. The requirement in Judaism that all such relationships are given and received in love is rightly used today to condemn all aspects of paedophilia, promiscuity and inappropriate sexual acts

rape their Jewish visitors Lot sought to placate their demands by offering them his two virgin daughters instead (Genesis 19:5-8).

Lot and his family escaped without anybody being raped but others were not so lucky. There is a similar story in Judges, Chapter 19 where the men of Gilbeah sought to humiliate their Jewish Levite visitor by raping him. To avoid this he made his concubine available to them instead. This time there was no escape and the concubine was repeatedly raped (see Judges 19:25). The story gets even more horrific from then on.

#### 4:4 Sodomy and Homosexuality

When Jesus refers to the story of Sodom and Gomorrah in Matthew 10:1-15, Luke 10:1-12, Matthew 11:20-24 and Luke 17:28-30 he makes it clear that the crimes of the Sodomites were those of cruelty and lack of hospitality. There is no reference to sex. In Jude 1:7 it is recorded that both Sodom and Gomorrah were "giving themselves over to fornication, and going after strange flesh". The Early Church Fathers, Origen and St Ambrose for example made it clear that the crimes of the Sodomites were those of inhospitality, gluttony and sloth<sup>2324</sup>. The Rabbinic writings also added economic crimes, blasphemy and bloodshed to this list. This means that Sodomy may be used as a term to describe all licentious behaviour. However Josephus<sup>25</sup> and Philo<sup>26</sup> applied the term as well to sexual domination and lustful same-sex acts. There is nothing in these interpretations to suggest that Sodomy can have anything to do with sexual orientation or to consensual same-sex intercourse given in loving and faithful relationships. Attitudes to same-sex relationships were very different from those of today and later in this report it will be shown that in First Century Greek and in Jewish societies the boundaries between acceptable and unacceptable behaviour were not determined by biological features, they were instead set by the noble pursuit of love and the carnal misuse of sex. There is nothing consensual about the acts of the Sodomites in these passages and the story of Sodom is a story of enforcing humiliation through same-sex rape. This means that the modern attempts to associate Sodomy with Homosexuality, and its practice, are a misuse of the biblical texts.

#### 4:5 Attitudes to Same-Sex Relationships

The only direct prohibition of same-sex activity in the bible is that of anal penetrative sex. Despite this there is strong opposition to the expression of any homosexual desires even though the possession of these is not regarded as sinful in any way. Four main reasons for this antagonism are applied which rely on the need to preserve social order and on the interpretation of other bible texts. The first argument is that same-sex relationships cannot result in procreation<sup>27</sup>, and that the bible considers this to be the focus of the sexual act.

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<sup>23</sup> See for example Jordan, Mark (1998) "The Invention of Sodomy in Christian Theology" The University of Chicago Press ISBN: 9780226410401

<sup>24</sup> See Origen Contra Celsus Book VII. Chapter. XLIX for the closest Origen seems to get. Even here the condemnation is described in terms of lust rather than relationships. The early church fathers such as St. Ambrose and Origen clearly associate sodomy with inhospitality. However, by the time of St. Augustine, cultural associations had started to shift the denotative and associative meanings of the word.

<sup>25</sup> Josephus, Flavius. (ca 96) Antiquities 1.11.1,3

<sup>26</sup> Philo of Alexandria, Abraham 134-136.

<sup>27</sup> In Genesis 38:8 Onan was condemned by refusing to supply his dead brother's wife with a child by spilling his semen on the ground. This is sometimes taken to prohibit all deliberate non-procreative sex. However the Jewish oral law allowed

Having children was of great importance in the Jewish tradition and the avoidance of reproductive consequences could also lead to prostitution and promiscuous acts. The second reason was stability in marriage: in a society where arranged and early marriages were the normal practice the sexuality of each of the partners was not taken into account, therefore the condemnation of all homosexual behaviour was a way of ensuring that the marriage remained intact. The third reason was the disruption of the social order: in a society where men and women are treated unequally the gender based power structure is broken by homosexual and transgender acts. Even though it is not identified with homosexual behaviour, the prohibition of cross dressing in Deuteronomy 22:5 should also be seen in this light<sup>28</sup>. The fourth reason comes from the debasement of citizenship and the use of same-sex rape to humiliate a beaten enemy. These restrictions clearly placed limitations on what was acceptable in the expression of same-sex relationships. However it still permitted them in circumstances where they were given and received in love, and when they conformed to the social boundaries that had to be met.

#### 4:6 David and Jonathan

The Bible celebrates the bond between David and Jonathan as a committed and intimate relationship, where the vows that they make to each other are given in love (1 Samuel 18:1 and 1 Samuel 20:16, 42). The intensity of David's lament on hearing of the death of Jonathan, (in 2 Samuel 1:17-27), and elsewhere is evidence of how freely the love between two men could be expressed. The presence or absence of any sexual relationship depends on the way in which the original Hebrew word or its Greek derivative, agape (for love) is translated. However another verse may give a greater insight into what really took place. Saul's condemnation of Jonathan in 1 Samuel 20:30 translates as follows: "Then Saul's anger was aroused against Jonathan, and he said to him, "You son of a perverse, rebellious woman! Do I not know that you have chosen the son of Jesse to your own shame and to the shame of your mother's nakedness?"". The Hebrew word used here for nakedness, "erva", is used in Leviticus to describe sexual violation. This use also refers back to the incident described in Genesis 9:20-27 where Noah's son Ham is understood to have either raped or castrated his father<sup>29</sup>. Verse 23 states that after Ham told his brothers what he had done, Noah's other two sons covered their father's nakedness with a cloth. Saul changes his condemnation to refer to Jonathan's mother instead. Had he kept to the original sex he would have been casting aspersions on himself. The suggestion in this verse is that David and Jonathan were indeed involved in an erotic relationship, and that

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women to use an absorbent as a contraceptive device in particular circumstances. These were in marital intercourse, if they were a minor, and as an expectant and a nursing mother. (Babylonian Talmud, Tractate Niddah 45a). This contrasts with the present attitude of the Roman Catholic Church where only "natural" methods of contraception are allowed. Apart from anal penetration there is no prohibition in the bible of other methods of stimulation where ejaculation might occur. The encouragement to reproduce is well served by other commands both in the bible and by rabbinic instructions to "Settle the World" (BT Yevamot 62b).

<sup>28</sup> For sexuality we may argue that the main passages of condemnation are those in Leviticus. For gender it is that in Deuteronomy 22:5. It is argued here that the purpose of both sets of passages is identical and that their principal purpose was for the preservation of social order in an unequal society. Cross dressing in Judaism is permitted for "gaiety" purposes during the feast of Purim and there is no historical evidence to show that a literal interpretation has ever been applied. Transsexuality was known about in the first Century and the Greek and Roman Galli were the equivalent of the Indian Hirjas of today. The condemnations of Philo relate to the flaunting of transgender behaviour rather than the principle itself. The Mishna states that such people should not be harmed and the Babylonian Talmud contains extended discussions on how these and intersex people should be integrated into Jewish society.

<sup>29</sup> The specific act of violation is not described within this passage. However the Talmud deduces two possible explanations which are attributed to Rab and Rabbi Samuel. According to Rab, Ham castrated Noah. According to Samuel, Ham raped his father. (Babylonian Talmud, Sanhedrin 70a.)

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the act which Saul condemned was that of anal penetrative sex<sup>30</sup>. The meaning of the word agape is considered in more detail later in this document.

The bible is very guarded about how it expresses the erotic relationships in this story and this is not surprising, given the requirements for preserving social order and for preventing misuse. This account presents the relationship between David and Jonathan as one of two equals. However by engaging in anal penetrative sex they transgressed the boundaries that were set. In the traditional Jewish view there is indifference to the heterosexual or homosexual nature of sexual practice when it is given and received in love and when anal penetrative sex is not involved. The Modern Christian attitudes argue that this story implies the total absence of sexual acts. While either response is possible the answer depends on how one interprets the standards of the time.

#### **4:7 Cultural Clashes**

The emphasis on love contributed greatly to the culture clash between the Jewish and Greco-Roman traditions. For Jews and Greeks the freedom to engage in sexual activity was based on authority. A Greek or Roman citizen could engage with any unattached woman or a man of lesser status for the purpose of sexual gratification, including penetrative acts. For the Jews the freedom to engage such relationships was governed by love. Authority played no role and even a slave was protected by this requirement. Therefore the Greeks and Romans could be regarded as people who penetrated at will, but the Jews did not.

For a subject people this was a source of considerable friction and it kept the focus of dissent on promiscuity, cult and shrine prostitution and sexual acts. Paul's attack on the social order in Romans 1: 26-27 condemned immoral behaviour which he associated with same-sex relationships and he included women in the condemnation as well. However Paul was very careful about the words he used in Romans 1:18-27, 1 Corinthians 6:9, and in 1 Timothy 1:10. He coins the word "arsenokoitai", to describe people who are engaged in heterosexual and same-sex promiscuity and prostitution, and by sourcing his word from the Greek translation of Leviticus he makes it clear that the Jewish rather than the Greek view should be understood. This puts a different slant on these passages which have traditionally been used to condemn all same-sex acts. They must be interpreted in a way which upheld the moral standards of the time. The way in which the interpretation of these passages has changed over the centuries is again discussed later in this document.

### **5:0 Identity, Dynamics and Sex**

#### **5:1 The Driving Forces Behind Same-Sex Relationships and Homosexuality**

There was, and there still is, a particular need to distinguish between sexual orientation and the performance of same sex-acts. In particular it is necessary to determine how the sense of self identity drives the action, or indeed the reverse. To do this it is necessary to look at the motives involved. The practice of pederasty in Ancient Greece was regarded as an

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<sup>30</sup> For a full description of this see Greenberg, Steven; (2004) "Wrestling with God and Men: Homosexuality in the Jewish Tradition" The University of Wisconsin Press, ISBN 10: 0-299-19094-3

educational experience: as well as being considered to develop maturity, the exposure to same-sex relationships could help the younger partners to define their own sexual orientation. Today the practice of pederasty is rightly abhorred and there is no place for it in modern life. However during adolescence there is still a need for people to explore their identity and some dalliance with same-sex behaviour may occur.

A vast range of behaviour encountered and in societies where the boundaries of sexual behaviour are more flexibly defined a greater degree of bisexual behaviour occurs. Homosexuality is commonly defined as a sexual orientation characterized by aesthetic attraction, romantic love, or sexual desire exclusively for another of the same sex. The crucial point to note is that it is the sense of self identity that drives the action and not the other way round.

The idea that homosexuality and heterosexuality are mutually exclusive is a myth. Sexual activity with a person of the same sex, in and of itself, does not necessarily demonstrate same-sex orientation. That was true of many of the citizens of Ancient Greece where, instead of the sense of self identity associated with the sexual orientation, it was the identity derived from the cultural values of their society that promoted their engagement in same-sex acts. The Greeks did not have words that made this distinction but the difference was clearly understood. For one group the driving force is that of sexual experience. For the other it is the need to be oneself.

These are the crucial distinctions that must be made. For those whose identity is primarily heterosexual the engagement in same-sex acts may be regarded as a lifestyle choice. However homosexuality is not a lifestyle choice. The more it is suppressed the stronger it becomes and continued attempts to fight it lead to a runaway drive. It arises as a consequence of the foundation of self identity and to manage it similar techniques to those used in transsexuality are required. Its fulfilment is sought in love and the relationships made rather than sexual acts. There is a large range of experience and everyone follows a different path. For some, this may lead to a bisexual orientation. Gender and sexuality also go their different ways. Although the outcomes are independent there are many similarities in the dynamics involved in the creation of sexual identity and sexual orientation (or allegiance), as there are in the creation of the equivalent gender terms<sup>31</sup>. This shows that homosexuality is identity driven. It means that homosexual couples in faithful, loving, chaste and committed relationships are capable of living lives which conform to the highest standards of moral behaviour that anyone could expect.

The Christian Gospel expects its followers to live a life of example to others and Paul, together with other Christian teaching gives many descriptions of what is required. The misuse of same-sex acts could disrupt the social order. There is also a particular issue with homosexual promiscuity and prostitution since the absence of reproductive consequences means that there is less of a bar to their practice than there is with similar heterosexual acts. This is true of same-sex acts performed by heterosexual men. The distinction between what is acceptable and what is unacceptable has to be made on the motives of the partners rather than orientation. Thus the contrast between the acceptance of sexual relationships

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<sup>31</sup> For a more complete analysis see Gilchrist, S. 2011a "Gender Dysphoria and Personality Development". This is in preparation.

given in love and the condemnation of both heterosexual and homosexual promiscuity and cult and shrine prostitution marks the boundary between acceptable and unacceptable sex.

## 6:0 Some Biblical Interpretations

There is a considerable degree of gender and sexual variance in the Bible. Time and space only permit a limited consideration but a more complete discussion is given elsewhere<sup>32</sup>. Generally such issues support the action the stories describe. In the story of Joseph there are hints of homosexual and even transgender tendencies, but these do not drive the story. The Bible celebrates sexuality when it is given and received in the context of love and the early Christian Church continued the Jewish understanding that it inherited. However Jewish Law was forcefully used to exclude people and their actions when they were not Jewish, or when they did not conform to what it requires. However the emphasis within the Jewish Law is one of inclusion and of finding ways to interpret it which enables everyone to fulfil its demands. This includes heterosexual, homosexual and transgendered people alike.

### 6:1 The Centurion's Slave

It is commonly thought that Jesus did not express any view on homosexuality or on same-sex relationships. However the story in Luke, Chapter 7:1-10 and Matthew, Chapter 8:5-13 about the Centurion's slave who was healed by Jesus suggests otherwise. To understand why, it is necessary to look at the original Greek word for slave used by the writers of both gospels. Both Matthew and Luke use the Greek word *pais* to describe the Centurion's relationship with his orderly or slave. *Pais* and *paidika* were used by non-Christian writers in New Testament times to refer to the younger partner in a same-sex relationship. In the biblical Greek lexicons, *pais* just means "manservant, son, young man or maid," depending on context. However a Centurion in occupied countries was discouraged or prevented from having sexual relationships with the local population<sup>33</sup>. Providing sexual satisfaction was one of the duties of his slave<sup>34</sup>, and any first century Jew, Greek or Roman who heard the word *pais* in this context would know precisely what the gospel writers meant.

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<sup>32</sup> Gilchrist, S. 2011d. "Gender and Sexual Variation in the Bible". This is in preparation.

<sup>33</sup> The Roman soldier, like any free and respectable Roman male of status, was expected to show self-discipline in matters of sex. The Emperor Augustus, who reigned from 27 BC-14 AD, prohibited soldiers from marrying, and this prohibition remained in force in the Imperial army for nearly two centuries. A military officer on campaign might be accompanied by a male concubinus. See for example: Caesar, Julius? (100-44 BC): "The Spanish War": Paragraph 33: [http://juliuscaesar.altervista.org/en/spawar\\_book.html](http://juliuscaesar.altervista.org/en/spawar_book.html). Other forms of sexual gratification available to soldiers were prostitutes of any gender including, male slaves and attendants. Unlike Greece where same-sex relationships between soldiers were strongly encouraged, sex among fellow soldiers violated the Roman decorum against intercourse with other freeborn males. See: Williams, C.A. (1995): "Greek Love at Rome": *Classical Quarterly* 45 (ii). Pp 517-539: <http://www.centenary.edu/academics/religion/dotto/rel332/greek%20love%20at%20rome%20article.pdf>

<sup>34</sup> To understand why, it is necessary to look at the original Greek word for slave used by the writers of both gospels. Both Matthew and Luke use the Greek word *pais* to describe the Centurion's relationship with his orderly or slave. *Pais* and *paidika* were used by non-Christian writers in New Testament times to refer to the younger partner in a same-sex pederastic relationship. A Centurion in occupied countries was discouraged or prevented from having sexual relationships with the local population. Providing sexual satisfaction was an accepted duty of his slave, and any first century Jew, Greek or Roman who heard the word *pais* in this context would know precisely what the gospel writers meant. Victory in war gave the freedom to rape but the need to provide good governance in peacetime demanded the conquered society's respect. The role of the Centurion in peacetime was to provide some of that governance and authority, and the civil role of this centurion is written into the bible story. Soldiers of the rank of Centurion and below were not permitted to marry into local society, nor could they afford to offend it by licentiousness of sex. The role of a male slave as a concubinus for a single man was an established one in Roman society, and this is the same role which the Centurion's slave might expect. It is perhaps worthy of note the story as it is presented in the bible does not demand that this particular Centurion and his

The emphasis placed on love in this story was equally important to a first century listener. Matthew and Luke both make it clear that the relationship between the Centurion and slave was one of very high regard. The story also emphasises the Centurion's love for the Jewish nation. By healing the slave it can be argued that Jesus was affirming the correctness of same sex relationships which are given and received in love. He was also affirming such relationships for gentiles as well. The context of these actions by Jesus makes it clear that they included intimate sexual acts. There were many other words for child, orderly or slave that Matthew and Luke could have used which did not have the connotations that pais possesses. One must conclude that the repeated use of the word "Pais" in both gospels is deliberate and that it was used to make a point<sup>35 36</sup>.

The question arises as to whether the Centurion and slave were in a homosexual relationship and the answer is that they were probably not. The words used in Matthew to describe the relationship between the Centurion and slave interpret the relationship as being one of high regard. The word homosexual was first introduced in the 19<sup>th</sup> Century to describe the orientation of the sexual drive. However in the societies which accepted same

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slave engaged in these acts. For more background information on the role of the military see: Phang, Sara Elise (2001): "The Marriage of Roman Soldiers (13 B.C.–A.D. 235): Law and Family in the Imperial Army" Brill ISBN: 90 0412155 2 also: Phang, Sara Elise: (2008): "Roman Military Service. Ideologies of Discipline in the Late Republic and Early Principate" Cambridge University Press: ISBN 9780521882699. There were other words that could have been used if that is not what was intended. However in today's biblical Greek lexicons, pais just means "manservant, son, young man or maid". For these reasons the different Greek and Jewish uses of the word "pais" must be more fully considered. The word is frequently employed elsewhere in the New Testament, (Matthew 2:16; Matthew 12:18; Matthew 14:2; Matthew 17:18; Matthew 21:15; Luke 1:54; Luke 1:69; Luke 2:43; Luke 7:7; Luke 8:51; Luke 8:54; Luke 9:42; Luke 12:45; Luke 15:26; John 4:51; Acts 3:13; Acts 3:26; Acts 4:25; Acts 4:27; Acts 4:30; Acts 20:12), but in all of these passages it is used in the Jewish context to describe a boy, youth, girl, maiden, servant, slave, attendant or minister. Same-sex intercourse could be regarded as acceptable in a dominant society but this became the horror of same-sex rape in a subject one.

<sup>35</sup> Pederasty was commonly practiced in Greco/Roman society but it was absolutely abhorred in Judaism. When this word "pais" is used in the Jewish context, or to describe the actions of any Jew, no allusions to the practice of pederasty could ever be allowed. That restriction did not apply to Greco/Roman society. Here the practice of pederasty was endorsed and these cultural differences are extremely important in determining the correct interpretation of the word. In Greco/Roman society the word pais was applied to the junior partner in a pederastic relationship and Neill notes that, the Greek term "pais" used for the servant almost always had a sexual connotation (Neil, James (2008): "The Origins and Role of Same-Sex Relations in Human Societies": McFarland, ISBN 0786452471, 9780786452477: Pages 216, 197, 180-181. Also: Sergeant, Bernard. (1986): "Homosexuality in Greek Myth" Beacon Press, Boston, ISBN 10: 0807057002 / ISBN 13: 9780807057001). Dover supports this, and he indicates that the word is often linked to situations where the Greek noun erastes, 'lover', for the senior partner is used (Dover, K.J. (1978): "Greek Homosexuality": Harvard University Press, Cambridge, page 16, 85-86, 165. A copy may be downloaded at: [https://tajakramberger.files.wordpress.com/2013/11/k-j-\\_dover\\_greek\\_homosexuality\\_updated\\_and\\_witbookfi-org.pdf](https://tajakramberger.files.wordpress.com/2013/11/k-j-_dover_greek_homosexuality_updated_and_witbookfi-org.pdf)). Mader gives a thorough discussion on how the terms pais and entimos doulos are employed (Mader, Donald: (1998): "The Entimos Pais of Matthew 8:5-13 and Luke 7:1-10" in: "Homosexuality and Religion and Philosophy", Harland Publishing, Inc., New York, 1998 pp 223-235. A copy may be downloaded at:

[http://www.williamapercy.com/wiki/images/The\\_entimos\\_pais\\_of\\_matthew\\_studies\\_of\\_homosexuality\\_volume\\_12.pdf](http://www.williamapercy.com/wiki/images/The_entimos_pais_of_matthew_studies_of_homosexuality_volume_12.pdf)).

<sup>36</sup> There were significant differences between Greek and Roman society. In Archaic and classical Greece, pederasty had been a formal social relationship between freeborn males. Rules and regulations set according to the values of that society were introduced to prevent misuse, but the need to maintain the authority of male citizenship meant that the upper age limit for the junior partner was fixed by the age when he first became able to grow a beard. Same-sex relationships in Rome were acceptable only within an inherently unequal relationship. Therefore in Roman society any pederastic relationship with a freeborn male of any age was frowned upon. Male Roman citizens retained their masculinity as long as they took the active, penetrating role, and the appropriate male sexual partner was a prostitute, concubinus, or slave. This use of slaves defined Roman pederasty. Sexual practices were "somehow 'Greek'" when they were directed at "freeborn boys openly courted in accordance with the Hellenic traditions of pederasty". This and similar practices were described as the "Greek Vice". Pederasty came to express roles based on domination and exploitation. It was utterly abhorred in Judaism, it increasingly came to be rejected in Roman society, and these practices should rightly be condemned with the same intensity as paedophilia is today. The use of the word pais by both Matthew and Luke in this passage is both challenging and problematic unless the duality predicted by the neurophysiological study is recognised, and the distinction is made between same-sex relationships given in love and commitment and those pursued for abusive sex.

*Gilchrist, S. (2011). "Issues on the Sanctity of Same-Sex Relationships".*

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sex acts between heterosexual men, no such judgements were needed. Jesus was not consenting to a sexual relationship between the two males because of their homosexual orientation. He was consenting to all such relationships when they are given and received in love.

## 6:2 Agape and Love

The Greeks used four separate words for love. These were agape, phileo - which is non-sexual in nature, eros - which is more sexually driven and storge - which means affection within the family. The culture clash between Greek and Jewish attitudes to heterosexual, homosexual and same-sex relationships was the reason which led the translators of the Greek Septuagint to create the word agape to represent the Jewish concept of dedicated love. It is a direct translation of the Jewish word *ahabà*, and in the original Hebrew and in the Greek Septuagint the word agape and its equivalent describes committed and faithful love which can find its fulfilment in sex<sup>37</sup>. By contrast the current Christian definition of agape refers to committed and faithful love, but this definition now demands the total absence of sex. This change in meaning and the reasons for it are important. A full discussion is given elsewhere<sup>38</sup>. This is fundamental to the analysis and the document contains a full consideration of the ways in which agape is used.

The standard Christian interpretations argue that both phileo and agape have no sexual content, and that phileo is the higher form of love. This view is indicated in paragraph 3 of the encyclical letter "Deus Caritas Est" of Pope Benedict XVI, on Christian Love. However it can be criticized on two counts. Agape is used with a sexual content many times in the Greek Septuagint and the early Christians who could read the document in the vernacular would know exactly what agape meant. It is also contradicted elsewhere in the New Testament where agape is used instead of phileo to represent the highest form of Christian Love. The early Greek Church was influenced by Plato. Plato does not use phileo in his definition of Platonic Love.

The passage in John 21:15-17 is relevant to this discussion. Without separate words being available in English for the different types of love the meaning of this passage in translation is often lost. Here Jesus asks Peter three times if he loves him. The first two times Jesus uses the word agape for love. Peter replies that he does, but each time he uses the word phileo in response. Jesus uses phileo the third time that he asks if he loves him, and it is to this definition of love that Peter gives his total consent.

The difference in meaning between agape and phileo clearly mattered to Peter and the standard Christian reading of this passage has to be forced by giving the same meaning to both words. Applying an alternative definition to the passage gives a clear but different

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<sup>37</sup> In passages such as Genesis 34:1-4, Judges 16:4:15, Jeremiah 2:20-25, Jeremiah 2:33, Hosea 4:18 and Hosea 9:1, the word agape is used to describe acts of non-marital sexual love. Passages such as Genesis 24:67, Judges 14:16, 1 Samuel 18:20-21, and 1 Kings 11:1-3 deal with married sexual love. Genesis 29, Deuteronomy 21:15, 1 Samuel 1:4-5, 2 Chronicles 11:21 use the word to describe acts of sexual attraction. The Song of Solomon uses it to describe the outpouring of love in a sexual context. The same word is also used to describe the relationship between David and Jonathan, (see for example I Samuel 18), and between Jesus and the beloved disciple in the Gospel of John

<sup>38</sup> Gilchrist, S. 2011d. "Gender and Sexual Variation in the Bible". This is in preparation.

interpretation. Peter twice rejects any idea of a sexual element to his love before he very fully accepts the non sexual version in the third question that Jesus put.

These alternative interpretations are not mutually exclusive and this would be important for the writers of the Gospel of John, for it affirms the supremacy of Peter and the Church in Rome, while at the same time it enables the use of the term of "The disciple who Jesus loved" in John's Gospel. In the Septuagint agape is used to describe the love between David and Jonathan. The same word, agape, is used again in the New Testament to describe the relationship between Jesus and John. While both Peter and John both loved Jesus, this passage argues that they did so in different ways.

In the encyclical letter "Deus Caritas Est", Pope Benedict XVI describes the use of the word agape in relation to the "Song of Solomon" in these terms: "This word expresses the experience of a love which involves a real discovery of the other, moving beyond the selfish character that prevailed earlier. Love now becomes concern and care for the other. No longer is it self-seeking, a sinking in the intoxication of happiness; instead it seeks the good of the beloved: it becomes renunciation and it is ready, and even willing, for sacrifice". Pope Benedict defines agape as a more spiritually directed "Ascending love" and eros as a more earthly directed "Descending Love". The definitions he uses might be seen to attribute to the word eros the sexual context of the word agape. As Pope Benedict points out the Greek Old Testament uses the word eros only twice and it is never used in the New Testament - but the way the word agape is used throughout the Septuagint clearly implies that the outcomes of many of the loving relationships which it describes are expected to be expressed through sexual acts.

Agape cannot be defined in an exclusively non-sexual way. While the Bible at first may seem to be silent about the presence or absence of any physical actions between David and Jonathan and between Jesus and John there are no grounds for arguing that these did not take place.

### **6:3 Leviticus and Translation Drift**

This approach to the definition of agape is of concern. However there is a further crucial area where translation drift or re-interpretation has occurred. This applies to the most obvious passages in the bible which appear to condemn all same-sex relationships. They appear in Leviticus (18:22 and 20:13). For example the Living Bible for example translates Leviticus 18:22 and 20:13 as "Homosexuality is absolutely forbidden, for it is an enormous sin". The King James Bible translates Leviticus 18:22 and 20:13 as "Thou shalt not lie with mankind, as with womankind: it is abomination." Paul, in Romans 1:18-27, 1 Corinthians 6:9, and 1 Timothy 1:10, makes use of these verses in Leviticus as translated in the Greek Septuagint, when he coins the word "arsenokoitai", to describe people who are engaged in heterosexual and same-sex promiscuity and prostitution as "Abusers of themselves with mankind". By linking his invented word directly to Leviticus made it clear that the Jewish

rather than the Greek view should be understood<sup>39</sup>. However this is also a translation drift and it is necessary to go back to the Hebrew texts.

There is little controversy in the rabbinic tradition about the meaning of Leviticus 18:22 and 20:13. It is translated in various ways but the basic meaning has always appeared quite clear: “And with a male you shall not lie the lyings of a woman, it is an abomination.” A similar phrase, “The lying of a male”, appears in Numbers 31:18 and this is understood to mean what women experience in intercourse, i.e. penile penetration. The lyings of a woman are plural because she may be penetrated vaginally or anally but a man, missing the vagina, is singly penetrable anally. This interpretation makes it clear that the passages in Leviticus only prohibit the act of same sex anal intercourse. They do not prohibit any other expression of homosexual desires.

All other sexual acts are permissible and these include oral sex. There is no condemnation of lesbian sex whatever since penile penetration is not possible. This Hebrew interpretation takes a very specific view but it is quoted widely in the literature and the meaning of the text appears clear. For example it is cited in the Babylonian Talmud and it was reaffirmed in the Conservative Judaism's Committee on Jewish Law and Standards in America in December 2006. It is also cited by Josephus in “Against Apion”<sup>40</sup>; and by Philo in “Abraham”<sup>41</sup>. These latter two sources were contemporary with Jesus and Paul: This is what both would have known and this interpretation would almost certainly have guided the actions of the early Christian Church. These changes in meaning have brought enormous consequences. The original specific condemnation of one particular act, which was there to preserve social order in society, has been transformed without authority into the condemnation of every homosexual relationship and act.<sup>42</sup>

Other interpretations have been put forward but the same principles remain. One interpretation argues that the passages in Leviticus 18:22 and 20:13 were not written to address either homosexuals or homosexuality. They refer instead to a prohibition against imitating non-Israelite, foreign cultic sexual substitution fertility rituals, and they do not condemn anyone engaged in loving consensual same-sex acts.

## 7:0 Rabbinic Relationships

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<sup>39</sup> Paul's main condemnations are contained in Romans 1:18-27, 1 Corinthians 6:9, and 1 Timothy 1:10. In these passages Paul refers back to the Jewish interpretation of Leviticus 18:22 and 20:13 to give authority to his teaching. Therefore the extent of these condemnations is limited to what the prohibition contained in Leviticus meant to first century society. It is shown in this analysis that this prohibition related to anal penetration alone (by extension same-sex intercourse), and to no other same-sex act. Same-sex love could be expressed freely in these relationships provided that act was avoided. It is additionally shown that the reasons for the prohibitions in Leviticus were because of the abuses of power in individual relationships and also between subject and dominant societies. Paul also set his condemnations in the context of the worship of the creature rather than the creator and the resulting sexual abuse. As it is shown in this analysis, when issues of abuse of power and sex are absent, and within loving committed and faithful same-sex relationships, there should be no automatic prohibition of any same-sex act of sex. It is further shown that this is identical to the teaching of Jesus. However these matters are of strong contention amongst biblical scholars and more complete descriptions are given in other documents. See sections 7:14 and 8:12 of Gilchrist, S. (2015a): *Personality Development and Gender: Why We Should Re-think the Process* and Gilchrist, S. (2013a) *An Unfinished Reformation*: for more complete accounts.

<sup>40</sup> “Against Apion” 2.199

<sup>41</sup> “Abraham” 135

<sup>42</sup> The ancient rabbis must have had some sense of this problem when they ruled nearly two thousand years ago that any homosexual sexual activity short of anal intercourse is not included in the biblical prohibition (Babylonian Talmud, Yevamot 54a-56a; Sotah 26b; Niddah 13a; Maimonides, Perush L'Mishnayot on Sanhedrin 54a).

This analysis will be uncomfortable to many readers. However if the principles are accepted they clarify many of the bible texts. The identification of the beloved disciple as John in the Gospel of John and the relationship between Jesus and John is clarified by this, as is the way in which during the Last Supper John is described as the disciple who leant on Jesus' breast. This closeness may be the explanation of why Mary the mother of Jesus with some other women and only John were the people at the foot of the cross. It also adds to the poignancy of the words that Jesus then used (see John 19:26-27). The nature of this relationship would again explain why the disciples of John felt the need to create a new and independent written Gospel even though at least Mark of the Synoptic gospels should have been available to them. It is evident from reading it, that John had some special insights to give. The bible makes no attempt to hide these relationships and the tradition of depicting John as the only beardless disciple in early and medieval art; (and indeed in much later art), is also of significance. Perhaps the most provocative of these is found in Leonardo da Vinci's painting of the Last Supper, where John is made to look so feminine that some have interpreted the image to be that of Mary Magdalene instead. This would have been an effective protest about the changes in church dogma. It has been noted that In Greek Society the upper age limit at which it was acceptable to be involved in a pederastic liaison was determined by the age at which it became possible for the junior partner to grow a beard. It is not suggested that Jesus and John were in a pederastic relationship; however the imagery that is used suggests what the true nature of their relationship was.

Expressions of intense same-sex affection were very familiar to the rabbis at the time of Jesus, and in the early Christian era. Young men who were engaged in the study of the Torah were expected to seek deep and abiding affection among their fellow students. Throughout the Talmud there stories of famous rabbinic couples whose discussions in the study hall are interpreted as expressions of deep and intimate love. In the Avot de-Rabbi Hathan it is recommended that a friend should be someone with whom one can "eat and drink, read and study, sleep, and share secrets of the Torah and personal secrets"<sup>43</sup> Perhaps the most intriguing story is that of the relationship between the second century Rabbi Yochanan bar Nappacha who was noted for his beauty, and Resh Lakish, whose occupation when they first met, was fighting as a gladiator. However Resh had previously studied the Law. This story is given in the Talmud and in other Jewish literature <sup>44</sup>. Resh Lakish saw Yochanan bathing in the Jordan. Mistaking him for a woman, he was beside him in one bound. However Yochanan said to him "Your strength would be more appropriate for studying the Law", and Resh Lakish answered "Your beauty for women". Yochanan promised his sister's hand in marriage if Resh Lakish would return to his studies. He did so and this led to a partnership between the two of them which came to be described as that of the "Two Great Authorities". Rabbi Yochanan was inconsolable after the death of Resh Lakish and he died soon afterwards.

The account does not reveal anything about the nature of the physical relationship between Resh Lakish and Rabbi Yochanan but the degree of intimacy is clear. What is interesting is the freedom that is allowed in such relationships, the way in which the rabbis were able to describe them and how they could interpret what is permitted in the bible and in Jewish Law. Rabbinic partnerships were between two equals. The study environment was one which encouraged close companionship. It was also one in which social disruption did not

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<sup>43</sup> See Maimonide's commentary on the Mishnah, Avot 1:6 aseh lekha rav

<sup>44</sup> See Baba Metzia 84a

occur. The expression of same sex relationships was permissible provided they were given and received in love and they did not include anal penetrative sex.

This would have caused no problem in first century Greece, which was influenced by Platonic thought. Plato believed that the highest type of love, and the only real love, was the love between two men in which the bodily desires are suppressed to leave the soul free to search for knowledge and truth. However this was not to be considered the love of friendship (phileo) since Plato clearly associated it with the redirection of sexual love (eros) instead. It was the quality of the relationship that counted. Embracing such a relationship enabled two people to be free to express their love and care for each other without restriction or penalty. Provided the social and moral requirements were satisfied the Jewish and Greek cultures did not concern themselves with the presence or absence of such sexual acts.

Advocating these relationships was not always confined to antiquity. Writing around 1160, Aelred<sup>45</sup>, the Cistercian Abbot of Rievaulx, encouraged his monks to express their love for each other, not just generally, but individually and passionately. He cited the example of Jesus and John as guidance. He said; "Jesus himself, in everything like us, patient and compassionate with others in every matter, transfigured this sort of love through the expression of his own love. for he allowed only one - not all - to recline on his breast as a sign of his special love; and the closer they were, the more copiously did the secrets of their heavenly marriage impart the sweet smell of their spiritual chrism to their love"

Later Church teaching may make these precepts difficult to accept. However, rather than reacting with disapproval it is better to see the benefits instead. If the Gospel of John is the product of such a relationship then we have a unique and intimate account of the ministry of Jesus which has a depth which reaches far beyond that which any other relationship could bring. The evidence presented in this account does indeed suggest that Jesus and John had a special relationship, and the fact that Jesus was unmarried in a society where marriage was almost compulsory gives more strength to this argument. We cannot know what Jesus and John did together in private but the social intimacy of their behaviour is described in the Gospel texts<sup>46</sup>. There is no evidence whatever to suggest that they transgressed the moral standards of the time. Instead of reacting with condemnation or disapproval then perhaps the offer of thanks is more appropriate response.

## 8:0 Historical Perspectives

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<sup>45</sup> Aelred was also superior of all the Cistercians in England. He wrote several books on spirituality, among them *Speculum caritatis* ("The Mirror of Charity") and *De spiritali amicitia* ("On Spiritual Friendship"). Copies of these are available in translation. His public works encouraged virginity among the unmarried and chastity (not abstinence) in marriage and widowhood, and he warns against sexual activity outside marriage. In all his works he treats same-sex and opposite-sex attraction as equally possible, and equally dangerous to the oath to celibacy. Consistent with this outlook is the value he places on all such relationships when they are given and received in love.

<sup>46</sup> The suggestion of a homosexual Christ is not new. Boswell opened the field of lesbian and gay Christian history with the publication in 1980 of his book "Christianity, Social Tolerance and Homosexuality." First published in 1980 and republished in 2005 by the University Of Chicago Press. ISBN 0226067114 (ISBN13: 9780226067117). There have been many other publications since this work was first published. Boswell's work is commented on in the Church of England document "Some Issues in Human Sexuality" . The statement that "His controversial claim has not been widely accepted by historians" (Section 1.2.25) in this document is a challenge to these views, but it is not followed up.

## 8:1 Changing Views

The early Christian Church believed that the Second Coming was imminent, it had no agenda for reproduction and this perception is reflected in Paul's view on marriage in 1 Corinthians Chapter 7, where marriage is an encumbrance, only to be engaged in if passions could not be contained. In this respect Paul's philosophy reflected Platonic thought and the rejection of heterosexual, homosexual and transgender promiscuity and prostitution in the early Christian church, together with the reaction of the Greeks and Romans to excesses in their own society reinforced the drive towards the rejection of all sexual acts. Same-sex relationships given in love were not singled out for special condemnation. This view remained relevant until the early twelfth century, when the Church began to identify all aspects of homosexual and same-sex relationships with promiscuous or inappropriate acts. There was also a flowering of interest in same-sex behaviour around this time and the Church responded by using arguments based on natural law to develop doctrines which condemned all same-sex acts. These changes did not come in a single process. Different standards were set for the laity and clergy and in first century Jewish and Greek society efforts were made to distinguish between actions given in lust and those engaged in for love. An acquaintance with the history of these developments is essential for understanding the nature of present day attitudes. This account examines each of these relationships and discusses how same-sex relationships within chavruta-like partnerships could be expressed.

## 8:2 The First Millennium

From the beginning of Christianity the condemnation of fornication (porneia) is strongly expressed. Jesus for example clearly condemns it his reference to Sodom and Gomorrah in Matthew 10:1-15, Luke 10:1-12, Matthew 11:20-24 and Luke 17:28-30. At the Council of Jerusalem in AD 50, following advice offered by Simon Peter (Acts 15:7–11), James, the leader of the Jerusalem Church, gave the decision which was later known as the "Apostolic Decree". He said: "It is my judgment, therefore, that we should not make it difficult for the Gentiles who are turning to God. Instead we should write to them, telling them to abstain from food polluted by idols, from sexual immorality, from the meat of strangled animals and from blood. For the Law of Moses has been preached in every city from the earliest times and is read in the synagogues on every Sabbath." (Acts 15:19–21). This seems to have been the standard position for the first 200 years. The contributions of St Ambrose and Origen have already been quoted and in their era they did not link sodomy to homosexuality. It also seems clear from these quotations and the epistle of Jude that the condemnations of fornication and sexual immorality which are described as Sodomy or the sins of Sodom in the New Testament can be applied without distinction to heterosexual and homosexual alike.

Contemporary Jewish literature took a slightly different view. The Hellenistic Jewish philosopher Philo (20 BC – 50 AD) and the Jewish historian Josephus (37 - ca100) described the behaviour of the inhabitants of Sodom in accounts which included all manner of inappropriate activities. Many of these were non sexual in nature however Philo's description of their sins included men who "Lusted after one another" and who "Not only, as to effeminacy and delicacy, became like women in their persons, but they also made their souls most ignoble, corrupting in this way the whole race of men, as far as depended on

them"<sup>47</sup>. Josephus used the term "Sodomites" when he commented on the Genesis narrative. He wrote: "Now when the Sodomites saw the young men to be of beautiful countenances, and this to an extraordinary degree, and that they took up their lodgings with Lot, they resolved themselves to enjoy these beautiful boys by force and violence"<sup>48</sup>. Both of these accounts elaborate on the biblical texts. It is interesting to note how the interpretations of Philo and Josephus differ from those in the gospels and how the condemnation that Philo applies relates to the reduction of social status to that of women rather than sex. Josephus makes similar points elsewhere. In the bible Jude includes fornication in his list of the sins of Sodom but he also adds another one: which is "Going after strange flesh". Contemporary definitions of sodomy clearly included the condemnation of same-sex activities but these were set in the context of lust and gender inappropriate activity.

Eventually the definition of sodomy became linked to homosexuality. However the process at least initially seems to have been slow. It also seems that Christian writers may have been slower than non-Christian writers to make the link. The Canons of the Council of Elvira (ca306) condemn sexual abuse but they do not refer to consensual same-sex acts<sup>49</sup>. Canon 71 for example states that "Those who sexually abuse boys may not commune even when death approaches". Another early condemnation of same sex acts is that by Saint Basil of Caesarea (330-379), who also wrote about the penalties to be applied to monks who interfered with young boys<sup>50</sup>. In the year 314 the 16th Canon of the Council of Ancyra<sup>51</sup> prescribed a penance of at least twenty year's duration for those who have engaged in bestial lusts. As well as the crime of bestiality some have taken this to refer also to homosexuality and to other same-sex acts<sup>52</sup>.

Saint Augustine (354-430) is categorical in the combat against sodomy. He writes: "Sins against nature, therefore, like the sin of Sodom, are abominable and deserve punishment whenever and wherever they are committed. If all nations committed them, all alike would be held guilty of the same charge in God's law, for our Maker did not prescribe that we should use each other in this way. In fact, the relationship that we ought to have with God is itself violated when our nature, of which He is Author, is desecrated by perverted lust." Further on he reiterates: "Your punishments are for sins which men commit against themselves, because, although they sin against you, they do wrong in their own souls and their malice is self-betrayed. They corrupt and pervert their own nature, which you made and for which, You shaped the rules, either by making wrong use of the things which You allow, or by becoming inflamed with passion to make unnatural use of things which You do not allow"<sup>53</sup>

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<sup>47</sup> Philo of Alexandria, Abraham 134-136.

<sup>48</sup> Josephus Antiquities 1.11.1,3 [2] — circa AD 96

<sup>49</sup> Accessed at: <http://faculty.cua.edu/pennington/canon%20law/elviracanon.htm> on the 21 August 2011.

<sup>50</sup> St. Basil of Caesarea, in St. Peter Damien, Liber Gomorrhianus, cols. 174f

<sup>51</sup> Let those who have been or who are guilty of bestial lusts, if they have sinned while under twenty years of age, be prostrators fifteen years, and afterwards communicate in prayers; then, having passed five years in this communion, let them have a share in the oblation. But let their life as prostrators be examined, and so let them receive indulgence; and if any have been insatiable in their crimes, then let their time of prostration be prolonged. And if any who have passed this age and had wives, have fallen into this sin, let them be prostrators twenty-five years, and then communicate in prayers; and, after they have been five years in the communion of prayers, let them share the oblation. And if any married men of more than fifty years of age have so sinned, let them be admitted to communion only at the point of death.

<sup>52</sup> See Derrick S. Bailey,(1955) *Homosexuality and the Western Christian Tradition*, (London: Longmans, Green, 1955

<sup>53</sup> St. Augustine, *Confessions*, Book III, chap. 8

Here the condemnation of “Making wrong use of the things which you allow” expresses the viewpoint held by St Augustine that sex within marriage is only permitted for the pursuit of procreation. The attitude that every other expression of sex is sinful then leads to the concern with the gender of one's partner which is not found in previous Greek or Roman views. It also placed strong restrictions on married sex. This means that same-sex activities are no longer condemned just because of unsuitable behaviour. For the first time the ability to make the distinctions between same-sex relationships given in love and those engaged in for lust is lost. This means that the interpretations which St Augustine applies to Romans 1:18-27, 1 Corinthians 6:9, and 1 Timothy 1:10, now forbid all homosexual acts.

St John Chrysostom (349-407) denounces both sodomy and homosexual acts as being contrary to nature. Commenting on the Epistle to the Romans (1: 26-27), he says that the pleasures of sodomy are an unpardonable offence to nature and are doubly destructive, since they threaten the species by deviating the sexual organs away from their primary procreative end and they sow disharmony between men and women, who no longer are inclined by physical desire to live together in peace. About same-sex relations he specifically says: “All passions are dishonourable, for the soul is even more prejudiced and degraded by sin than is the body by disease; but the worst of all passions is lust between men.... The sins against nature are more difficult and less rewarding, since true pleasure is only the one according to nature. But when God abandons a man, everything is turned upside down! Therefore, not only are their passions satanic, but their lives are diabolic... So I say to you that these are even worse than murderers, and that it would be better to die than to live in such dishonour. A murderer only separates the soul from the body, whereas these destroy the soul inside the body... There is nothing, absolutely nothing more mad or damaging than this perversity.”<sup>54</sup>

There can be little doubt about the extreme strength of these views. It is also worth noting that they were both writing at a time when a male citizen could penetrate a man of lesser status, without penalty, purely for the gratification of safe sex. A heterosexual orientation is usually presumed and the main focus of attraction is often young boys.

It is usually assumed that where the church leads, then society will follow. The first Christian Roman Emperor, Constantine the Great (272-337), would have been expected to take actions which favoured the Christian tradition. Constantine did indeed institute a great many changes, and his calling of the Council of Nicaea in 325 is one of the greatest events in church history. However as far as sexuality is concerned no action was taken. The first to be taken were later. These were during the lifetime of St Augustine and St John Chrysostom, when from the year 342 the Christian emperors Constantius II and Constans, declared the death penalty for a male who aped the role of a bride<sup>55</sup>. From the year 390, the Christian emperors Valentinian II, Theodosius I and Arcadius denounced males who were “acting the part of a woman”, condemning those who were guilty of such acts to be publicly

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<sup>54</sup>St. John Chrysostom, In Epistulam ad Romanos IV, in J. McNeill, pp. 89-90

<sup>55</sup>Theodosian Code 9.7.3: “When a man marries [a man] as a woman offering herself to men (quum vir nubit in feminam viris porrecturam), what can he be seeking, where gender has lost its place; when the crime is one which it is not profitable to know; when Venus is changed to another form; when love is sought and not found? We order the statutes to arise, the laws to be armed with an avenging sword, that those infamous persons who are now, or who hereafter may be, guilty may be subjected to exquisite punishment.

burned<sup>56</sup>. This was of little advance since these actions only increased the penalties for a submissive citizen and left the dominant citizen untouched. Slaves were still exempt, and a male Roman Citizen could still penetrate any man of lower status without penalty, as he wished.

Social resistance and the problem of legislating for intent rather than action may have delayed any change. However the extreme weather events of 535–536 caused major disruption and this may have created a situation in which changes could be made. The Roman Emperor Justinian (ca 488 - 565), in amendments to his Novels<sup>57</sup> No.77 (dating 538) and No.141 (dating 559), declared that the sin of Sodomy was specifically due to same-sex activities and the desire for them<sup>58</sup>. Justinian also decreed that the "famines, earthquakes, and pestilences" which had fallen upon cities had been due to "such crimes". This was the first Roman legal assignment of the term Sodomy to these activities. Therefore homosexuals and others who were engaged in same-sex activities were made the scapegoats for the disturbances.

However Justinian's religious policy also reflected the Imperial conviction that the unity of the Empire must unconditionally presuppose the unity of faith. His legal novels heralded a change in Roman legal precepts in that he introduced a concept of not only mundane but also divine punishment for same-sex behaviour. Individuals might ignore and escape mundane laws, but they could not do the same with divine laws. That is if Justinian declared his novels to be such. The Emperor engaged in a series of pogroms to ensure that uniformity was imposed. In his decree in 535 A.D. he outlawed both passive and active same-sex behaviour, when it was carried out between Roman Citizens, and he imposed the penalty of capital punishment on both partners. However in 538 A.D. he changed the penalty of death for this behaviour to penance instead. Writing around the same time, John Malalas<sup>59</sup> states: "In that year (A.D. 528) some of the bishops from various provinces were accused of living immorally in matters of the flesh and of homosexual practices. Amongst them was Isaiah, bishop of Rhodes, an ex-praefectus vigilum at Constantinople, and likewise the bishop from Diospolis in Thrace, named Alexander. In accordance with a sacred ordinance they were brought to Constantinople and were examined and condemned by Victor, the city prefect, who punished them: he tortured Isaiah severely and exiled him and he amputated Alexander's genitals and paraded him around on a litter. The emperor (Justinian) immediately decreed that those detected in pederasty should have their genitals amputated. At that time, many homosexuals were arrested and died after having their genitals amputated. From then on there was fear amongst those afflicted with homosexual lust."

In the West, Pope Gregory the Great (540 - 604) reinforced the attack by searching more deeply into the meaning of the fire and brimstone which God used to punish the Sodomites<sup>60</sup>: He wrote: "Brimstone calls to mind the foul odours of the flesh, as Sacred

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<sup>56</sup>Theodosian Code 9.7.6: All persons who have the shameful custom of condemning a man's body, acting the part of a woman's to the sufferance of alien sex (for they appear not to be different from women), shall expiate a crime of this kind in avenging flames in the sight of the people.

<sup>57</sup> Or New Laws

<sup>58</sup> Bailey argues the bestiality is the correct translation of the term. See Bailey, Derrick Sherwin; (1955), *Homosexuality and the Western Christian Tradition*, Longmans, Green, pp 73-74, London

<sup>59</sup> Jeffreys, Elizabeth; Jeffreys, Michael; Scott, Roger; et al. (1986). *The Chronicle of John Malalas: A Translation*, Byzantina Australiensia 4: Australian Association for Byzantine Studies, Melbourne. ISBN 0959362622

<sup>60</sup> St. Gregory the Great, *Commento morale a Giobbe*, XIV, 23, vol. II, p. 371, p. 7

Scripture itself confirms when it speaks of the rain of fire and brimstone poured by the Lord upon Sodom. He had decided to punish in it the crimes of the flesh, and the very type of punishment emphasized the shame of that crime, since brimstone exhales stench and fire burns. It was, therefore, just that the Sodomites, burning with perverse desires that originated from the foul odour of flesh, should perish at the same time by fire and brimstone so that through this just chastisement they might realize the evil perpetrated under the impulse of a perverse desire.”

The extremity of the condemnation of Sodomy in the Western church is beyond question, but this is only one strand in a complex pattern of events. In the east a more conciliatory approach seems to have been adopted. The contributions of St Augustine, St John Chrysostom and Justinian all occurred at times of change or disruption and they only met with limited success. The increasing tension between the Eastern and Western divisions of Christianity meant that different approaches began to be taken. In the East John IV, or “John the Faster”, (who died in 595) was the Patriarch of Constantinople from 582 until his death. He was a contemporary of Pope Gregory. John IV published a Canon which included punishments for same-sex behaviour and for other sexual demeanours<sup>61</sup>. The most relevant clauses for this discussion are: “(9). As for sexual intercourse of men with one another, such as practicing double masturbation, it received the stated penance of up to eighty days. (18). It has seemed advisable to exclude any man who has been so mad as to copulate with another man from Communion for three years, weeping and fasting, and towards evening confined to xerophagy, and doing two hundred metanies. But as for one who prefers to take it easy, let him fulfil the fifteen years<sup>62</sup>. (19). A boy who has been ruined in front of any man cannot come into holy orders. For although on account of his immature age he did not sin himself, yet his vessel was rent and became useless in connection with sacred services. If, however, he received the ejaculation between his thighs, after being suitably penanced he shall not be barred from preferment to holy orders”.

One extant manuscript describes additional penances. For example “If any man commit arsenocoetia with his brother-in-law, he is to be penanced four years, faring with xerophagy after the ninth hour and doing two hundred genuflections every day”. Xerophagy is the form of fasting in which vegetables cooked with water and salt are eaten, together with such things as fruit, nuts, bread and honey. The term may also be applied to a strict diet such as bread and water, particularly if it is used as a form of disciplinary punishment. Ejaculation between the thighs was commonly practiced in pederasty. Metanies are forms of prostration associated with approaching an icon or with prayer. The word arsenocoetia was coined by Saint Paul to condemn of certain types of same-sex activities. See the section in this document on “Leviticus and Translation Drift” for an interpretation.

John’s statement reflects none of the developments of the previous two hundred years and his conception of same-sex relationships seems to precede even that in the Canons of St. Augustine and St. Basil. In Canon 19 no punishment is prescribed for the behaviour and there is no discussion on the fault or sin of the ‘active’ partner. It merely considers whether

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<sup>61</sup> The Byzantine Nomocanon: Canons of St. John the Faster in A codification of Orthodox Canon law by St. Nicodemus of the Holy Mountain: Translated into English by D. Cummings, and published by the Orthodox Christian Educational Society in 1957 under the title of The Rudder. The book is out of print but (as at the 19 August 2011) this may be accessed at [http://www.holytrinitymission.org/books/english/canons\\_fathers\\_rudder.htm#\\_Toc78634065](http://www.holytrinitymission.org/books/english/canons_fathers_rudder.htm#_Toc78634065)

<sup>62</sup> This follows on, but with reduced penalty, from the 16th Canon of the Council of Ancyra, which met in 314. See the discussion on this Council earlier in this section.

a passive youth could become a priest. Not only is this approach reminiscent of the purity laws in Leviticus, but it also recalls earlier Roman attitudes about the political efficacy of condemnation. Here it appears that John is interested only in the practical implications of sexual passivity. A passive youth might prove to be a passive priest, one incapable of priestly function and lacking in power.

There are few innovations or even restatements of anti-homosexual legislation within the Church or in European law from the laws of Justinian until the twelfth century. Under the Augustinian doctrine, same-sex acts of any kind are prohibited but under the canons of the Council of Ancyra the prohibition is confined to anal penetrative sex. For the Clergy celibacy was an absolute requirement but for the laity different standards were applied and manuscripts with liturgies for a ceremony of Adelphopoiesis (which literally translates as "brother-making") which date from the 9<sup>th</sup> to the 15<sup>th</sup> Century are found in the archives of the Byzantine Church.<sup>63</sup> <sup>64</sup> There is evidence that this ceremony was practised in the Western Church as well.<sup>65</sup> <sup>66</sup> These were not institutions of same-sex marriage, since carnal knowledge was prohibited, but kinship relationships similar to marriage were applied<sup>67</sup>. During the Carolingian Dynasty (751 - 987) the Canons of Ancyra were republished by several of the Carolingian Kings and it is clear from the actions of the Carolingian Kings that the Canons of the Council of Ancyra were used as a guide. This would mean that up to the end of the first millennium the original range of standards for the clergy and the laity continued to be applied. Same-sex abuse as always was strongly condemned but same-sex relationships given in love could still be endorsed. Charlemagne, who was crowned Holy Roman Emperor by Pope Leo III at Rome in 800, had already endorsed the Canons of the Council of Ancyra in a capitulary of 789, in which he admonished bishops and priests to apply them to those "Who sin against nature with men". However a second capitulary of 802 struck a very different tone when he found that the freedom it gave was being abused. This led to a great deal of discussion about the penances for disobedience to be enforced and in 829 the Bishops attending the Council of Paris passed a resolution which demanded the death penalty for Sodomites.<sup>68</sup> Justinian had already made Sodomy the scapegoat for "Famines, earthquakes, and pestilences" and the Council of Paris added "Lack of success" in warfare to this list. The misbehaviour of the clergy and religious did not give the laity a good example to follow and the prohibition on anal penetration may have been honoured more by its breach. Confessions by lay people seem to have been rare and there is no record of any secular prosecution for "Sodomy" ever taking place. The liberty this gave led to a flowering in literature, poetry and the cultural arts. This continued until around 1050 when changing attitudes and circumstances began to bring a different approach. However the previous approach was still found at least as late as 1160. The comments made by Aelred, referred to earlier in this document, were perfectly acceptable under the Canons of

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<sup>63</sup> Viscuso, Patrick (1994) *New Oxford Review*. December 1994, Volume LXI, Number 10

<sup>64</sup> Mantzouneas, Fr. Evangelos K. (1982) Secretary of the Greek Synod Committee on Legal and Canonical Matters; "Report on Adelphopoiesis 1982: "Fraternalization from a Canonical Perspective" Athens 1982". English translation by Efthimios Mavrogeorgiadis. Accessed at: [http://www.qrd.org/qrd/religion/judeochristian/eastern\\_orthodox/Church.of.Greece.on.adelphopoiia](http://www.qrd.org/qrd/religion/judeochristian/eastern_orthodox/Church.of.Greece.on.adelphopoiia). Retrieved; 16 August 2011.

<sup>65</sup> Bray, Alan (2003) "The Friend" University of Chicago Press.

<sup>66</sup> Tulchin, A.A. (2007), "Same-Sex Couples Creating Households in Old Regime France: The Uses of the Affrèrement", *Journal of Modern History*, Vol 79, No.3 pp 613-647, University of Chicago Press. ISBN ISSN 0022-2801

<sup>67</sup> This is ceremony is discussed in more detail later in the text.

<sup>68</sup> Mitchell. James. Locating Homosexuality in Carolingian Monastic Life: Extracted from [http://issuu.com/plainfeather/docs/locating\\_homosexuality](http://issuu.com/plainfeather/docs/locating_homosexuality) on the 19 August 2011.

the Council of Ancyra but they could not have been endorsed if Augustinian legislation had been enforced.

### 8:3 Celibacy

Celibacy of the priesthood was not practiced or required in the earliest years of the church. One qualification mentioned by Paul for those seeking the office of bishop is that "The bishop therefore must be without reproach, the husband of one wife" (See I Timothy 3:2). Paul, who makes it clear that he is speaking within the context of having "No command from the Lord" (1 Corinthians 7:25), recommends celibacy, but acknowledges that it is "not God's gift to all within the church". In 1 Corinthians 7:8–9, he states "Now to the unmarried and the widows I say: It is good for them to stay unmarried, as I do. But if they cannot control themselves, they should marry, for it is better to marry than to burn with passion".

From as early as the years 306 and 314, bishops in the Christian Church had enacted legislation in the Councils of Elvira and Ancyra which imposed the rule of celibacy on all who served as religious or priests. Canon 10 of the Council of Ancyra states that "They who have been made deacons, declaring when they were ordained that they must marry, because they were not able to abide so, and who afterwards have married, shall continue in their ministry, because it was conceded to them by the bishop. But if any were silent on this matter, undertaking at their ordination to abide as they were, and afterwards proceeded to marriage, these shall cease from the diaconate." Canon 27 of the Council of Elvira states: "A bishop or other cleric may have only a sister or a daughter who is a virgin consecrated to God living with him. No other woman who is unrelated to him may remain." And Canon 31 of the same Council declares "Bishops, presbyters, deacons, and others with a position in the ministry are to abstain completely from sexual intercourse with their wives and from the procreation of children. If anyone disobeys, he shall be removed from the clerical office". These requirements were further affirmed by the Directa Decretal of Pope Siricius (385) and the Council of Carthage (390). The latter two claim that the command of celibacy is apostolic in origin<sup>69</sup> and celibacy of the priesthood has been an established discipline of the Roman Catholic Church ever since<sup>70</sup> Ancyra was in present day Turkey and Elvira in Spain so it may be presumed that these policies were already widespread in the church. The enforcement of the discipline of celibacy of the priesthood as a rule rather than as a calling would come to cause particular difficulty, and one of the problems would come from the zeal with which it was expressed.

The biblical arguments which were used to justify celibacy came from a range of texts. For example in Luke 9: 59-62 and Matthew 8: 21- 22 it is written that Jesus: "Said to another man, "Follow me." But he replied, "Lord, first let me go and bury my father." Jesus said to him, "Let the dead bury their own dead, but you go and proclaim the kingdom of God." Still another said, "I will follow you, Lord; but first let me go back and say goodbye to my family." Jesus replied, "No one who puts a hand to the plough and looks back is fit for service in the kingdom of God." And in Mark 3 31-35 it is written "Then Jesus' mother and brothers arrived. Standing outside, they sent someone in to call him. A crowd was sitting around him, and they told him, "Your mother and brothers are outside looking for you." "Who are my

<sup>69</sup> Cochini, Christian S.J (1990)., "Apostolic Origins of Priestly Celibacy", San Francisco: Ignatius Press

<sup>70</sup> McGovern, Thomas (1988). Priestly Celibacy Today, Dublin, Four Courts Press. ISBN 1851823522.

mother and my brothers?" he asked. Then he looked at those seated in a circle around him and said, "Here are my mother and my brothers! Whoever does God's will is my brother and sister and mother". And in Matthew 19:27 where Peter said "See, we have left everything and followed you. What then will we have?" And Jesus, in Luke 14:26.says: "If anyone comes to me and does not hate father and mother, wife and children, brothers and sisters, yes, even their own life, such a person cannot be my disciple". And in Matthew 10:34-37 and Luke 12:51-53 it is also written. "Do not suppose that I have come to bring peace to the earth. I did not come to bring peace, but a sword. For I have come to turn a man against his father, a daughter against her mother, a daughter-in-law against her mother-in-law, a man's enemies will be the members of his own household. Anyone who loves their father or mother more than me is not worthy of me; anyone who loves their son or daughter more than me is not worthy of me". These passages and the fact that Jesus was unmarried seem to make it very clear that Peter and the Apostles were required to abandon their marriages as well and this is what the Councils of Elvira and Ancyra demanded.

Despite the strength of these demands they were not supported in practice. Peter was already married (Matthew. 8:14–17) (Mark. 1:29–31) (Luke. 4:38) (1 Corinthians 9:5) at the beginning of Christ's public ministry, and Peter and other apostles were all in committed relationships with their wives when Paul was writing the first Epistle to the Corinthians between 53 and 57 AD. In 1 Corinthians 9:5, Paul wrote "Don't we have the right to take a believing wife along with us, as do the other apostles and the Lord's brothers and Cephas." According to Clement of Alexandria<sup>71</sup>, Peter and Philip were married and had children. Clement also reported that Peter's wife was martyred before him, and the apostle encouraged her as she was led to her death<sup>72</sup>. Eusebius writes of the relationship between Peter and his wife in these words, "Such as the marriage of these blessed ones, and such was their perfect affection."<sup>73</sup> There is an underlying presumption that all of the Apostles apart from John were married, however in most cases nothing is known about their wives.

The high degree of contrast between this teaching and the practice suggests that, while total commitment to the Gospel is required, there is nothing to stop wives and other loved ones, from being helpers and supporters on the missionary journeys. According to Clement of Alexandria, their wives travelled with the apostles "Not as wives, but as sisters, in order to minister to housewives"<sup>74</sup>. The Early Church leaders also spoke out against those who preached against marriage<sup>75</sup>. Paul's comments on marriage in 1 Corinthians 7 may reflect his personal understanding rather than the attitude of the early Church. There is a further passage which may illuminate further what Jesus meant. This is during the crucifixion when John and the women were at the foot of the cross. John 19:26-27 reads "When Jesus saw his mother there, and the disciple whom he loved standing nearby, he said to his mother,

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<sup>71</sup> Clement of Alexandria, Stromata, III, vi, ed. Dindorf, II, 276. Accessed at <http://www.earlychristianwritings.com/text/clement-stromata-book3-english.html>

<sup>72</sup> Clement of Alexandria, Ante-Nicene Fathers. 2.541 (c. 195). Accessed at:<http://www.biblestudytools.com/history/early-church-fathers/ante-nicene/>.

<sup>73</sup> Eusebius, Ecclesiastical History, Book III, Chapter XXX. This excerpt was found in Ante-Nicene Fathers, Volume 4, p. 49. Accessed at:<http://www.biblestudytools.com/history/early-church-fathers/ante-nicene/>.

<sup>74</sup> Clement of Alexandria Ante-Nicene Fathers 2.390, 391 (c. 195). Accessed at:<http://www.biblestudytools.com/history/early-church-fathers/ante-nicene/>.

<sup>75</sup> See for example Ante-Nicene Fathers 1:349, Irenaeus Against Heresies, chap. 24 also Ante-Nicene Fathers 1:353, Irenaeus Against Heresies, [Book I,] Chap. 28,. Accessed at:<http://www.biblestudytools.com/history/early-church-fathers/ante-nicene/>.

"Dear woman, here is your son," and to the disciple, "Here is your mother." From that time on, this disciple took her into his home". This passage, together with the presence of John alone of the apostles at the foot of the cross, may not have a meaning which is deeper than that which appears on the surface. However, given the description of John as the beloved disciple and the degree of intimacy in the relationships between Jesus and John which are expressed elsewhere in this Gospel, this may measure how deep their relationship was. In first century Jewish society a widow or widowed mother would need to be looked after by her own family and one wonders why this was taken on by John, rather than by another of her surviving sons.

From the outset the Church had spoken out forcefully to condemn all sexual abuse but the repeated condemnations of Sodomy and sexual abuse amongst the clergy and religious throughout the first millennium is a measure of the repeated failure to maintain this approach and the continuing harm that it caused. Failures in this discipline of celibacy should come as no surprise. The power of a professionally celibate and all-male minority to define the morality of love and to control the sex lives of the lay majority provided a climate where the sexual abuse of children by some bishops, priests and religious could flourish, and be covered up. Church authorities made constant efforts to reform clerical customs. Penitential books and the Capitularies of the Frankish bishops expressed the need to conserve established discipline<sup>76</sup>, as did the rulings of regional councils and diocesan synods, including the interventions of the Popes. The Council of Metz (888)<sup>77</sup> and the Council of Mainz (888), continued to pass resolutions which added the prohibition of cohabitation with a wife even when living in continence. Previous canons had already prohibited all sexual relationships with the wife. These draconian prohibitions were known to have led to the abuse of authority, to sexual misconduct with adults and to the abuse of the minors<sup>78</sup>.

The Penitential Books, which were in use from the mid 6<sup>th</sup> century to the mid 12<sup>th</sup> century, provide another glimpse into this darker side of Christian life<sup>79</sup>. It is not known exactly how many penitential books were written, but the more prominent ones have been preserved, studied and translated. Several of these refer to sexual crimes committed by clerics against young boys and girls. The Penitential of Bede (England, 8<sup>th</sup> century - although probably not by Bede) advises that clerics who commit sodomy with young boys be given increasingly severe penances commensurate with their rank, the higher ranking bishops receiving harsher penalties. The clergy and religious who committed these acts were treated more severely than laymen. The regularity with which mention is made of clergy sex crimes shows that the problem was not isolated and it was also known in the community<sup>80</sup>.

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<sup>76</sup> Mitchell, James. Locating Homosexuality in Carolingian Monastic Life: Extracted from [http://issuu.com/plainfeather/docs/locating\\_homosexuality](http://issuu.com/plainfeather/docs/locating_homosexuality) on the 19 August 2011.

<sup>77</sup> Mitchell, James. Locating Homosexuality in Carolingian Monastic Life: Extracted from [http://issuu.com/plainfeather/docs/locating\\_homosexuality](http://issuu.com/plainfeather/docs/locating_homosexuality) on the 19 August 2011

<sup>78</sup> Thomas P. Doyle, A.W.R. Sipe and Patrick J. Wall. (2006) Sex, Priests and Secret Codes, The Catholic Church's 2,000-Year paper Trail of Sexual Abuse, by; Volt Press, Los Angeles, CA. ISBN: 1-56625-265-2

<sup>79</sup> McCann, Christine: Transgressing the Boundaries of Holiness: Sexual Deviance in the Early Medieval Penitential Handbooks of Ireland, England and France 500-1000 [http://domapp01.shu.edu/depts/uc/apps/libraryrepository.nsf/resourceid/DDC0281AAA687D3085257749004905E6/\\$File/McCann-Christine\\_Masters.PDF?Open](http://domapp01.shu.edu/depts/uc/apps/libraryrepository.nsf/resourceid/DDC0281AAA687D3085257749004905E6/$File/McCann-Christine_Masters.PDF?Open)

<sup>80</sup> Doyle, Thomas, J.C.D., C.A.D.C. A Very Short History of Clerical Sexual Abuse in the Catholic Church. <http://www.crusadeagainstclergyabuse.com/html/AShortHistory.htm> Accessed on the 24 August 2011

In 1051 the book by Peter Damian (1007-1072), "Liber Gomorrhianus [Book of Gomorra]<sup>81</sup>" was presented to Pope Leo IX. It is a treatise on the vices of the clergy, and was dedicated to the Pope. In it St. Peter Damian attacks same-sex practices, mutual masturbation, ejaculating between the thighs, anal copulation and solitary masturbation as subversive disruptions against moral order. He identifies these with madness associated with excesses of lust. He was especially indignant about priests having sexual relationships with adolescent boys. He singles out superiors who, due to excessive and misplaced piety, have been lax in their duty to uphold church discipline. He opposes the ordination of those who are given to "unclean acts" and wants those already ordained dismissed from Holy Orders. Those who misuse the sacraments to defile boys are treated with particular contempt. In his description he writes: "This vice strives to destroy the walls of one's heavenly motherland and rebuild those of devastated Sodom. Indeed, it violates temperance, kills purity, stifles chastity and annihilates virginity ... It infects, stains and pollutes everything; it leaves nothing pure, there is nothing but filth ... This vice expels one from the choir of the ecclesiastical host and obliges one to join the energumens and those who work in league with the devil; it separates the soul from God and links it with the demons... What else shall I say? It expels all the forces of virtue from the temple of the human heart and, pulling the door from its hinges, introduces into it all the barbarity of vice ... In effect, the one whom ... this atrocious beast has swallowed down its bloody throat is prevented, by the weight of his chains, from practicing all good works and is precipitated into the very abysses of its uttermost wickedness. Thus, as soon as someone has fallen into this chasm of extreme perdition, he is exiled from the heavenly motherland, separated from the Body of Christ, confounded by the authority of the whole Church, condemned by the judgment of all the Holy Fathers, despised by men on earth, and reprovved by the society of heavenly citizens"<sup>82</sup>. The author also provides a refutation of the canonical sources used by offending clerics to justify their behaviour. He also provides chapters which assess the damage done to the church by offending clerics. His final chapter is an appeal to the reigning pope (Leo IX) to take action. The book caused considerable controversy and it aroused some enmity against its author. Even Pope Leo IX, who had at first praised the work, came to conclude that it was exaggerated. He softened Peter Damian's suggestions by excluding only the clergy who had offended repeatedly for a long period of time<sup>8384</sup> ..... and this did little for the reputation of the Church.

The legal codes of Justinian had held prominence in the Empire for many centuries and they were to act as a textbook for later legal codes. In 1120 Justinian's Novels 77 and 141, were used as the foundation of Canon law. The first ecumenical council to condemn same-sex acts was Lateran III of 1179. Canon 11 states: "Clergy in holy orders, who maintain their wives incontinently in their homes should either expel them, and live continently, or be deprived of ecclesiastical office and benefice. Whoever is caught involved in that incontinence which is against nature, and because of which "the wrath of God came upon the sons of disobedience" (Eph. 5:6), and five cities were consumed by fire (Gen 14:24-35), if they are clerics, they should be deposed from clerical office and placed in a

<sup>81</sup> Pierre J. Payer (ed.): (1982) Book of Gomorra: An eleventh century treatise against clerical homosexual practise, Waterloo, Ont. Wilfrid Laurier University Press.

<sup>82</sup> Liber Gomorrhianus, PL 145, col. 159-178

<sup>83</sup> Doyle, Thomas P. (2003): "Roman Catholic Clericalism, Religious Duress, and Clergy Sexual Abuse," in Pastoral Psychology, Vol. 51, No 3, January 2003.

<sup>84</sup> Doyle, Thomas, J.C.D., C.A.D.C. A Very Short History of Clerical Sexual Abuse in the Catholic Church. Accessed at <http://www.crusadeagainstclergyabuse.com/html/AShortHistory.htm> on the 24 August 2011

monastery to do penance; if they are laymen, they are to be excommunicated and completely isolated from contact with believers. If any cleric, without clear and necessary cause, should especially frequent nunneries, he should be restrained by the bishop, and if he does not cease, he should be deposed from his ecclesiastical benefice" <sup>85</sup>

The response of the Church was to increase the penalties against those who broke the vows of celibacy, rather than to question the policy of celibacy itself. Pope Gregory VII (1073–85) took up the struggle with greater energy than his predecessors. In 1074 he published an encyclical, absolving the people from their obedience to bishops who allowed married priests. The next year he enjoined them to take action against these clerics and he deprived them of their revenues. In addition he imposed extra disciplines on the church. Up to that time there was limited central authority. Now the Pope was to be the absolute head of the church. According to the *Dictatus Papae*<sup>86</sup>, the Pope was to be judged by no one, it stated that the Roman Church had never been, and would never be, wrong and it declared the Pope's authority to depose emperors. The success of these reforms was largely due to the uninhibited exercise of papal authority by Gregory VII and his successors. However the campaign against these introductions provoked widespread resistance.

The importance of maintaining the universal rule of celibacy should not be underestimated. During the time of the Jewish Exile the problems it brought was dealt with by castration, and this allowed individual Jews to rise to high places in the Assyrian Empire. The practice of physical castration for this purpose is well known from antiquity and it was a necessary sacrifice for advancement in the Chinese Civil Service<sup>87</sup>. It was also practiced in the Babylonian Empire at the time of the Exile, as the Book of Esther and other literature attests<sup>88</sup>. This was not available to the Christian Church but by adopting a metaphorical castration the Church could establish hierarchies and structures which were complementary to, and which did not threaten, the hereditary dynasties. Progression was on the grounds of ability and the role of the Church as a social and welfare organisation became essential to society. There was no separation of secular and sacred duties and this meant that the church could develop a power and authority which was the equivalent of the civil service of a state. Amending or relaxing the rule of celibacy had the potential for destroying all of this, and this is probably one reason why it could not have been contemplated in the social structures of the time. From a pragmatic point of view that was probably the right decision, but it left the problem of how to deal with sexual abuse.

At the supra-national level celibacy also gave the Church enormous temporal power, for hereditary dynasties could also be loyal to the church without feeling under undue threat. The ability to raise armies for crusades is an example of what could be done. However In 1208 St Dominic encountered the papal legates attempting to subdue the Cathar revolt returning in pomp to Rome. To them Dominic administered his famous rebuke: "It is not by the display of power and pomp, cavalcades of retainers, and richly-housed palfreys, or by gorgeous apparel, that the heretics win proselytes; it is by zealous preaching, by apostolic humility, by austerity, by seeming, it is true, but by seeming holiness. Zeal must be met by

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<sup>85</sup> Extracted From <http://www.fordham.edu/halsall/pwh/lgbcathbib1.asp>

<sup>86</sup> See: <http://faculty.cua.edu/pennington/churchhistory220/topicfive/dictatuspapae.htm>

<sup>87</sup> Mote, Frederick W. Twitchett, Denis. Fairbank, John King. (1988). *The Cambridge history of China: The Ming dynasty, 1368-1644, Part 1*. Cambridge University Press. ISBN 0521243327

<sup>88</sup> Gerig, Bruce. (2010). *Homosexuality in the Bible. Eunuchs in the OT, Part 2. Castration in Ancient Assyria, Babylonia, and Persia* extracted from <http://epistle.us/hbarticles/eunuchs2.html> 26 August 2011.

zeal, humility by humility, false sanctity by real sanctity, preaching falsehood by preaching truth.”<sup>89</sup>

## 8:4 Heresy and Revolt

At the highest levels of the hierarchy, at the end of the first millennium the Church was regarded by many a corrupt institution and it is not surprising that the attempts by Pope Gregory to enforce supreme power would be resisted. Dissent came through the development of Catharism, which began in 1143. However the actual reason for the strength of the movement was most likely due to the discredit which the Church had brought on itself. Faced with the rapid spread of Catharism across the Languedoc region of France, the Church at first sought peaceful attempts at conversion. These were not very successful and after the murder on 15 January 1208 of the papal legate the Church called for a crusade. This was carried out by knights from northern France and Germany and was known as the Albigensian Crusade<sup>90</sup>. From May 1243 to March 1244, the Cathar fortress of Montségur was besieged by the troops of the seneschal of Carcassonne and the archbishop of Narbonne. On 16 March 1244, a large and symbolically important massacre took place in which over 200 Cathar Perfects were burnt in a large fire. After these events the movement declined, surviving in the Languedoc to around 1325.

The theology of the Cathars stood in almost direct opposition to the Roman Catholic Church, and in protest against what they perceived to be the moral, spiritual and political corruption of its clergy and of the institution. The Cathars identified two classes of people. The Perfecti were supposed to observe complete celibacy and eventual separation from a partner would be necessary for those who took up this role. For the Credentes however, sexual activity was not prohibited, but procreation was strongly discouraged. They argued that sexual intercourse and reproduction propagated the slavery of spirit to flesh. Therefore informal relationships were considered preferable to marriage. This resulted in the charge of sexual perversion by their opponents. The British insult "bugger" is derived from the notion that Cathars followed the "Bulgarian heresy" whose teaching included sexual activities which skirted procreation. Among their beliefs the Cathars also held that the God of the Old Testament was different from that of the New. Most of their writings were destroyed by the Papacy because of the perceived doctrinal threat, therefore much of the existing knowledge of the Cathars is derived from their opponents - and this is not likely to show the movement in a favourable light. Saint Dominic met and debated with the Cathars in 1203 during his mission to the Languedoc. He was impressed with their erudition and he concluded that only preachers who displayed real sanctity, humility and asceticism could win over convinced Cathar believers<sup>91</sup>. He considered that the official Church did not on the whole possess these spiritual qualities and this conviction led to the establishment of the Dominican Order in 1216. Saint Thomas Aquinas (1225-1274) was a member of the Dominican Order and this was the background against which he worked. Much of the current teaching in the Roman Catholic Church on sexual morality and homosexuality stems from Thomas Aquinas' work.

## 9:0 Natural Law and the Christian Church

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<sup>89</sup> <http://dictionary.editme.com/Dominicans>

<sup>90</sup> Oldenbourg, Zoe. Massacre at Montsegur: A History of the Albigensian Crusade,

<sup>91</sup> Tugwell, Simon. Early Dominicans. Paulist Press: New York. 1982.

## 9:1 Aquinas and Natural Law

Aquinas sought to combine the doctrines of the Christian Tradition with those of Natural Law by drawing on the philosophies of Plato, Aristotle, Cicero and the Stoics. Plato first described the principles of Natural Law but Aristotle, the Stoics and Cicero among others refined its demands. Plato believed that we live in an orderly universe at the basis of which are the “Forms”. The most fundamental is the “Form of the Good” which Plato describes as the “Brightest Region of Being”. Aristotle distinguished between the “Laws of Nature” on the one hand and the laws of “Custom and Convention” on the other. These are identified as primary and secondary concepts. He argued that what the law commended could vary from place to place but what was “By Nature” should be the same everywhere. The Stoics rejected the idea of some divine being as the source of all good. They argued that the logic of virtue was enough. These discussions led to the development of the concepts of “Natural Justice” or “Natural Right”, which determine the role that morality plays in establishing the legal norms. Cicero argued that both Justice and Law derive from God, and for Cicero, natural law obliges us to contribute to the good of society.

Some early Church Fathers sought to incorporate natural law into Christianity. The most notable among these was Augustine of Hippo, who equated natural law with man's state in the Garden of Eden before the “Fall”. After this a life according to nature was no longer possible and men needed instead to seek salvation through the divine law and grace of Jesus Christ. In the Twelfth Century, Gratian equated the Natural Law with divine law<sup>92</sup>. A century later, St. Thomas Aquinas in his *Summa Theologica*<sup>93</sup> restored it to its independent state by asserting that Natural Law is based on the rational creature's participation in the Eternal Law. Aquinas taught that all human or positive laws were to be judged by their conformity to the natural law. However since human reason could not fully comprehend the Eternal law it had to be supplemented by revealed Divine Law<sup>94</sup>. This reasoning reversed the flow of the argument. Instead of the principles of Natural Justice (or Natural Right) flowing from the interpretation of the Natural Law, the limits of Natural Law were now to be determined by the precepts of a Natural Justice which was controlled by the theology of the Church.

Aquinas argues that to know what is right, one must use one's reason and apply it. In its most abstract form his is understood to be embodied in just one primary precept: "Good is to be sought, evil avoided."<sup>95</sup> Aquinas makes it clear that sex is only right in a relationship which fosters reproduction. It should only be between a male and female in a monogamous relationship; all other forms are sinful. However, he brings up a very striking exception. Any

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<sup>92</sup> Winroth, Anders (2000). *The making of Gratian's Decretum*. Cambridge University Press. ISBN 9780521632645.

<sup>93</sup> *Summa Theologica* I-II qq. 90-106

<sup>94</sup> *Summa Theologica* I-II, questions 91 (articles 2 and 4) and 94 (articles 2, 4, and 5). Aquinas identified four types of law  
1. Eternal law, God governs the universe through physical laws, moral laws, and revealed religious laws. Eternal law includes all of the following.  
2. Natural law (moral law). This is the part of the eternal law that applies to human choices and can be known by our natural reason.  
3. Human law (civil law). We create our own laws, in order to apply the natural law to the specific circumstances of our society.  
4. Divine law (biblical law). In the Bible, God reveals a special law to guide us to our supernatural end of eternal happiness with Him.

<sup>95</sup> *Summa Theologica* I-II question 94, answer 2

act, which includes fornication, adultery or even rape is not considered a sin at all if it is performed under the command of God.<sup>96</sup>

Aquinas takes his arguments concerning sexuality even further. He condemns situations even where no sexual intercourse is involved. His reasoning is that, lustful kisses and caresses are mortal sins, because the purpose behind them can lead to fornication and inappropriate sex<sup>97</sup>. However these same cuddles and kisses are entirely appropriate when they are given in love, since the purpose behind them is the fulfilment of relationships and the primary precept: "Good is to be sought, evil avoided" is thereby fulfilled.

The wrongness of lust and rightness of love is a major theme in Aquinas' philosophy. It was a liberating development, for the previous interpretation that sexual behaviour in loving relationships should only be engaged in for procreative purposes no longer applied. For Aquinas, sexual activity within the bounds of marriage, which helped to further what he saw as the distinctive results of marriage, mainly love, companionship, and legitimate offspring, was not just permissible, it was good. Aquinas did not argue that procreation was a necessary part of moral or just sex; married couples could enjoy sex without the motive of having children. Sex in marriages where one or both partners is sterile (perhaps because the woman is postmenopausal) is also potentially just provided the relationships are given in love.

So far Aquinas' view need not rule out same-sex relationships, provided they are given in love. However when writing about sins against nature, Aquinas states: "The venereal act is rendered unbecoming through being contrary to right reason, and because, in addition, it is contrary to the natural order of the venereal act as becoming to the human race: and this is called the unnatural vice. This may happen by copulation with an undue sex, male with male, or female with female, as the Apostle states (Romans 1:27): and this is called the vice of sodomy<sup>98</sup>. His condemnation is also unequivocal: "Wherefore among sins against nature, the most grievous is the sin of bestiality, because use of the due species is not observed. After this comes the sin of sodomy, because use of the right sex is not observed."<sup>99</sup> Here it should be noted that Aquinas is only writing about the performing of acts which involve sexual intercourse - or as he describes them, the venereal acts. Aquinas makes the presumption that the motives for same-sex relationships are those of lust and not love. He also notes elsewhere that the correct end of venereal acts is human procreation which is directed toward the good of "The preservation of the whole human race."<sup>100</sup>

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<sup>96</sup>Summa Theologica I-II, question 94. Article 5, reply to objection 2. "All men alike, both guilty and innocent, die the death of nature: which death of nature is inflicted by the power of God on account of original sin, according to 1 Samuel 2:6: "The Lord killeth and maketh alive." Consequently, by the command of God, death can be inflicted on any man, guilty or innocent, without any injustice whatever. In like manner adultery is intercourse with another's wife; who is allotted to him by the law emanating from God. Consequently intercourse with any woman, by the command of God, is neither adultery nor fornication. The same applies to theft, which is the taking of another's property. For whatever is taken by the command of God, to Whom all things belong, is not taken against the will of its owner, whereas it is in this that theft consists. Nor is it only in human things, that whatever is commanded by God is right; but also in natural things, whatever is done by God, is, in some way, natural"....

<sup>97</sup> Summa Theologica II-II, 154, 4: Whether there can be mortal sin in touches and kisses?

<sup>98</sup> Summa Theologica, II-II, q. 154, a. 11.

<sup>99</sup> Summa Theologica, II-II, q. 154, a. 12

<sup>100</sup> Summa Theologica, II-II. q. 153, a. 2

Motives are crucial and Aquinas also writes: "There belongs to the natural law, first, certain most general precepts, that are known to all; and secondly, certain secondary and more detailed precepts, which are, as it were, conclusions following closely from first principles. As to those general principles, the natural law, in the abstract, can nowise be blotted out from men's hearts..... But as to the other, i.e., the secondary precepts, the natural law can be blotted out from the human heart, either by evil persuasions, just as in speculative matters errors occur in respect of necessary conclusions; or by vicious customs and corrupt habits....." Natural moral law is concerned with both exterior and interior acts. Both actions and motives must be right and simply doing the right thing is not enough; to be truly moral one's motive must be right as well. While the primary and immediate precepts cannot be "blotted out", the secondary precepts can be. This means that there can be a surprisingly large amount of flexibility in interpretation. Nevertheless, good intentions do not always lead to good actions and the motives must always coincide with the cardinal or theological virtues. Cardinal virtues are acquired through reason applied to nature and the theological virtues are determined by the doctrines of the Church.

The potential for conflict is always present. For Aquinas the primary precept of Natural Law is "Good is to be sought, evil avoided", a secondary principle states that the purpose of venereal acts must be directed towards "The preservation of the whole human race." The third and the immediate principle is that: "All sexual acts must be of a generative kind". With medical advances leading to overpopulation and poverty, the continued pursuit of reproduction in today's world no longer appears to lead to the greatest good. Abortion was prohibited in a decree which is included in the Canons of the Council of Ancyra in 314. However, although condoms for contraceptive purposes were not available in the first century, Judaism permitted the use of absorbents as the nearest equivalent. The Talmud spells out in detail the circumstances in which these should be used. For Judaism marriage and children were almost obligatory but Judaism did not embrace the attitude put forward by Augustine and other Church Fathers that sex was only permitted for the purpose of procreation. The primary precept can never be altered but secondary and subsidiary ones can be. Aquinas also makes the fundamental distinction between relationships engaged in for lust and those which are given in love. Thus if kisses and cuddles are acceptable in the fulfilment of relationships of love, then with proper precautions, the same logic should also be true for the venereal acts. The more these grow apart, the greater the tension becomes. There have been enormous social changes in the last 200 years. Aquinas brought the insights of reason and logic to his contemporaries. Without compromising on the true principles of morality, the same freedom of exploration is needed at the present time.

In his writings Aquinas expresses the same concerns as those of the early Church about sexual abuse and child sexual molestation, whether it is by heterosexual or homosexual means. Aquinas makes the same distinctions between his approval of relationships given in love and his condemnation of lustful acts. Aquinas also follows the contemporary doctrine of the Church by making the assumption that the only valid relationships that can be given in love are those which take place within a heterosexual marriage and that all types of sexual relationships which are outside it are invalid, and that these are entirely driven by lust. Instead of the understanding of the first Century Church that the passages in Leviticus prohibited only anal penetration he argued that that the texts that are given in Romans, Corinthians and Timothy prohibited every type of same-sex act. In this he was following the example of Saint Augustine and these views were entirely in line with the developing

theology of the church. However Aquinas was pursuing his ideas at a time when, on the one hand he needed to take account of the causes of the Cathar revolt, and on the other hand he also had to reassert the authority of the Church. This required a rebalancing of the Church teaching to give a much greater degree of freedom of sexual expression within marriage and to impose a much stronger condemnation of any such activity outside it.

The use by Aquinas of Aristotle was not uncontroversial. The writings of a number of medieval scholars were condemned in the condemnation issued by the provincial synod of Sens in 1210, in which it was stated that: "Neither the books of Aristotle on natural philosophy or their commentaries are to be read at Paris in public or in secret, and this we forbid under penalty of excommunication."<sup>101</sup> Aquinas had been sent to study in the University of Paris in 1245. In 1252 he returned to study for a Master's degree in Theology and from 1256 to 1259 he was regent master in theology at the university. However in 1270 the then Bishop of Paris, Étienne Tempier, convened a meeting of conservative theologians which banned the teaching of certain Aristotelian and Averroist doctrines. On 18 January 1277, Pope John XXI instructed Bishop Tempier to investigate the complaints of the theologians. Tempier issued a list containing 219 propositions for condemnation which included 20 of the ideas of Thomas Aquinas<sup>102103</sup>. These condemnations sought to stop the Master of Arts teachers in Paris from interpreting the works of Aristotle in ways that were contrary to the beliefs of the Church. This initially caused the Thomists (followers of Aquinas) great harm, but the censorship backfired, since the writings of Aristotle and the others who were condemned could still be studied elsewhere, and in a way that was now freed from the shackles of the Church. The condemnation of 1277 was later annulled because of its conflict with the teachings of Aquinas<sup>104</sup>. These events have been hailed as the birthplace of modern science for instead of imposing all of the rules the Church now had to take account of what others thought. Fifty years after the death of Thomas, on July 18, 1323, Pope John XXII, pronounced Thomas a saint and Aquinas' writings were accepted on his own terms despite the initial opposition of conservatives in the church.

In the encyclical of 4 August 1879, Pope Leo XIII stated that Thomas's theology was a definitive exposition of Roman Catholic doctrine and this has provided the foundation for the teaching on sexuality within the Roman Catholic Church ever since. Aquinas does not discuss or recognise what we today call homosexuality. However he very strongly condemns same-sex intercourse, which he refers to as the venereal act. In common with the church throughout the first millennium he repeats and reinforces the prohibition against anal penetrative sex that pre-dates Christianity itself. This is largely directed against priestly abuse and the failure of the church to impose the discipline of celibacy on those who serve as clergy or religious within the organisation. The extreme vehemence and the regularity with which these condemnations are repeated is a measure of the perpetual tensions within the church. In an all or mostly male celibate environment the consequences of heterosexual frustration may be expressed in same-sex acts.

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<sup>101</sup> Grant, Edward. (1974), p42 "A Source Book in Medieval Science". Cambridge, Massachusetts: Harvard University Press.

<sup>102</sup> Hans Thijssen (2003. "Condemnation of 1277". Stanford Encyclopedia of Philosophy. University of Stanford. <http://plato.stanford.edu/entries/condemnation/>.

<sup>103</sup> Grant, Edward. (1974), p42 "A Source Book in Medieval Science". Cambridge, Massachusetts: Harvard University Press.

<sup>104</sup> Grant, Edward. (1974), page 47. "A Source Book in Medieval Science". Cambridge, Massachusetts: Harvard University Press.

Same-sex relationships could be engaged in for two reasons. One of these is the natural expression of a sexual orientation. The second is for the purpose of sexual gratification, licentiousness and promiscuity, and as a way of having safe sex. Therefore the presumption by Aquinas that the only legitimate place for sexual relationships of any kind was within heterosexual marriage destroyed the validity of the first approach. Any sexual relationships outside marriage, in particular same-sex relationships, were condemned because they were presumed to be driven by lust. In the second approach a homosexual orientation need not be presumed. The church had already started to move in this direction as a consequence of the widespread abuses in the Carolingian era and the attitude of the Cathars to married and unmarried sex. The response to these concerns and the need for the church to reinstate its authority has led to the current Roman Catholic doctrine on homosexuality, which states that “While having homosexual desires is not in itself sinful, to act on them in any way whatever is a sinful act, and one which is of the gravest kind”. This refusal to acknowledge that any same-sex relationship could be entered into for the purpose of love and not lust has led the church to deny the legitimacy of any expression of homosexual affection, and this denial has had the consequence of making homosexuality the scapegoat for every type of illicit same-sex act.

Using Church history to find out the way in which first century Judaism and early Christianity thought about same-sex relationships is fraught with difficulty because of the tensions and conflicts caused by cultural clashes and abuse. Aquinas used the ideas of the Greek philosophers to formulate his concepts. In this approach we will first seek to examine the principles of natural law as understood in first century Greece, compare this with attitudes in the Jewish tradition and then consider what this meant for the early Christian Church.

## **9:2 First Century Views on Same-Sex Relationships and Natural Law**

Aquinas had used the principles of Natural Law derived, from Plato, Aristotle, Cicero and others to interpret the religious attitude to moral structures. During the first century the Greek, Jewish and Christian sages did exactly the same, but different conclusions to those put forward by Aquinas were reached. Plato did enunciate the principles of Natural Law although he did not codify its demands. In each of his writings Plato adopts a different approach. In the “Laws”<sup>105</sup>, Plato applies the idea of a fixed, natural law to sex, and he takes a much harsher line than he does in the “Symposium”<sup>106</sup> or the “Phaedrus”<sup>107</sup>. In Book One of the “Laws” Plato writes about how opposite-sex sex acts cause pleasure by nature, but same-sex activity is described as “unnatural” (636c). In Book Eight, his Athenian speaker considers how to make legislation banning homosexual acts, masturbation, and illegitimate procreative sex become widely accepted. Plato then states that a law which does this is according to nature (838-839d). This would seem to affirm Aquinas’ point of view.

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<sup>105</sup> Plato's Laws, translated by Benjamin Jowett. Available online at: <http://classics.mit.edu/Plato/laws.html>

<sup>106</sup> Plato's Symposium, translated by Benjamin Jowett. Available online at: <http://classics.mit.edu/Plato/symposium.html>

<sup>107</sup> Plato's Phaedrus translated by Benjamin Jowett (Project Gutenberg). Available online at: <http://www.gutenberg.org/dirs/1/6/3/1636/1636.txt>

Plato clearly believes that same-sex passions are especially strong, and particularly problematic. However this is not the only approach that Plato adopts. Maybe the best way of understanding his views is in the context of his overall concerns about the appetite of sexuality and how best to control it<sup>108</sup>. In three other dialogues, the “Lysis”<sup>109</sup>, the “Phaedrus”, and the “Symposium”, Plato describes how Socrates searches for the truth about love and friendship. In doing so, he also reveals how his Athenian contemporaries regarded homosexual love as an educative, aesthetic and social force. Aristotle did not write extensively about sexual issues, since he was less concerned with these appetites than Plato. Probably the best interpretation of Aristotle’s views places him in mainstream Greek society, where the main issue is that of active versus a passive role in same-sex relationships.<sup>110</sup> Only the passive role is problematic for those who either are or will become citizens. Some people were noted for their exclusive interest in people of the same gender. For example, Alexander the Great and the founder of Stoicism, Zeno of Citium, were known for their exclusive interest in boys and other men. This interest was noted by others but not condemned. Cicero (106-43), who was a later Stoic, was dismissive about sexuality in general. Nevertheless he made some harsh remarks towards same-sex pursuits<sup>111</sup>. Plutarch (ca. 46–120 AD), in his *Erotikos* or *Amatorius*<sup>112</sup> (or “Dialogue on Love”, which was also written as a commentary on Plato), saw heterosexual love between two equals as the ideal to pursue, however this did not negate the validity of same-sex love. Instead it was the incorporation of egalitarian love of both types into the common pursuit of Plato’s goal of the “Vision of the Beautiful”<sup>113</sup>. This means that it was the quality of love that was important and not the respective sexes of the partners. These attitudes were very different from those of today and it will be shown that in Greek and in Jewish societies the boundaries between acceptable and unacceptable behaviour were not determined by biological features. They were instead set by the noble pursuit of love and the carnal misuse of sex.

A character in Plutarch's *Erotikos* (Dialogue on Love) argues that “the noble lover of beauty engages in love wherever he sees excellence and splendid natural endowment without regard for any difference in physiological detail.” The issue of the gender one is attracted to is seen as an issue of taste or preference, rather than as a moral issue. Gender just becomes irrelevant “detail” and instead the excellence in character and beauty is what is most important. The *Symposium*, with its seven different speakers, gives a wide perspective on the theme of love in Athens and it is symptomatic of Greek society that these men assume that love as a serious emotion will ordinarily mean love between males. Their views should not be regarded as those of a narrow group. A host of other writers amply demonstrate that much of what they say was common not just in Athens but throughout the Greek world. However the dialectic of the *Symposium* leaves an important question unanswered. Though Socrates obviously regards the love of beautiful boys as the

<sup>108</sup> Reeve, C. D. C. (2011), "Plato on Friendship and Eros", *The Stanford Encyclopedia of Philosophy* (Spring 2011 Edition), Edward N. Zalta (ed.), URL = <http://plato.stanford.edu/archives/spr2011/entries/plato-friendship/>.

<sup>109</sup> Plato's *Lysis*, translated by Benjamin Jowett. Available online at: <http://classics.mit.edu/Plato/lysis.html>

<sup>110</sup> Pickett, Brent, (2011) "Homosexuality", *The Stanford Encyclopedia of Philosophy* (Spring 2011 Edition), Edward N. Zalta (ed.), URL = <http://plato.stanford.edu/archives/spr2011/entries/homosexuality/>.

<sup>111</sup> Cicero, 1966, *Tusculan Disputations*. Cambridge, MA: Harvard University Press. pp 407-415

<sup>112</sup> Rist, John M. (2001). Plutarch's "Amatorius": A Commentary on Plato's Theories of Love?

*The Classical Quarterly New Series*, Vol. 51, No. 2 (2001), pp. 557-575

Published by: Cambridge University Press on behalf of The Classical Association

<sup>113</sup> Brenk, Frederick E., S.J. 1988. Plutarch's *Erotikos*: The Drag Down Pulled Up. *Illinois Classical Studies* 13 (2): 457-471. ISSN 0363-1923 <http://www.ideals.illinois.edu/handle/2142/12245>

lowest step on the ladder of love, it is not clear if its physical manifestation is simply given a lower place in his moral scheme of things or is entirely forbidden. The Phaedrus focuses on this issue by showing Socrates a speech by the orator Lysias, which argues that a young man ought to yield his favours not to someone who is in love with him but to a non-lover since the latter will be less jealous, and less likely to betray him by boasting of the affair. Socrates reveals that he regards such an idea as a kind of blasphemy against the sacred idea of love. He presents the myth of the soul as a charioteer driving two horses. The ugly black horse is passion, the noble white horse reason and self-control. Though the beauty of the male beloved may lead the black horse to assault him, the lover must do everything he can to subdue and tame the animal. Only then will he grow the wings that will take the pair to heaven. The lover may touch, kiss, and embrace the beloved, but they must remain chaste.

Pausanias, the next speaker in the Phaedrus, tackles the ethical question that Phaedrus had ignored. He does this by introducing a famous distinction that has haunted Western moral thought for more than two thousand years: the distinction between "higher" and "lower" forms of love. Traditional myths had two different accounts of the birth of Aphrodite who was the goddess of love. In one account she was the daughter of Uranus (whose name meant "Heaven"), who sprung from the foam when his son Cronos castrated him and threw his member into the sea. In the other, she was the daughter of Cronos' son Zeus by the Titaness Dione. Pausanias connects these myths by using the argument that Aphrodite was also worshipped under different names--Aphrodite Urania (the "Heavenly" Aphrodite, daughter of Uranus) and Aphrodite Pandemos (the "Common," that is, promiscuous, Aphrodite). The lower kind of love is purely physical and includes the desire for women as well as boys. The higher love, on the other hand, has an ideal, spiritual component and is directed to young men who are beginning to develop beards and intellect. However Pausanias also counters this age restriction with an appeal to the moral ideal of fidelity, since only those men who love mature males will be capable of forming lasting attachments that will endure throughout a lifetime. So far it is not apparent whether Pausanias' higher love involves a sexual element. He clarifies this point in the second part of his speech when he looks at the subject geographically. In Thebes, Elis, and Sparta, he claims, there is no restraint on physical relations and youths may freely gratify their lovers. The Persians however discouraged same-sex love affairs among their Greek subjects since such relations might lead to political revolt.

This distinction between "higher" and "lower" forms of love is fundamental to these arguments: It is interesting note how close these concepts come to the ideas of "Ascending Love" and "Descending Love" described by Pope Benedict in the encyclical "Deus Caritas Est"<sup>114</sup>. Socrates presents the analogy of the soul as a charioteer who is driving the ugly black horse of passion and the noble white horse of reason and self-control. However In a chariot these two are harnessed together. Getting them to co-operate has always been a nightmare for society and for the Church. Plato's last work, the Laws, is cast in the form of a dialogue between an Athenian, a Cretan, and a Spartan. It is primarily a setting for defining a detailed law code for an ideal city. The Athenian speaker considers how to make legislation banning homosexual acts, masturbation, and illegitimate procreative sex become widely accepted. The primary concern here is about the disruption to social order when the ugly black horse of passion runs out of control. For the Greeks contravening these

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<sup>114</sup> encyclical letter "Deus Caritas Est" of Pope Benedict XVI, on Christian Love

boundaries was an issue of social status, since the pantheon of Greek Gods did not condemn the principle of same-sex acts. In the Jewish tradition the requirement that all sexual relationships should be given in love set different, and higher, standards which had to be met. Although both societies dealt with it in different ways, there was common ground on how the ugly black horse of passion should be kept under control.

It is the management of the noble white horse of reason and self-control that most concerns us here. For Plato the highest form of love and the only type of real love is the love between two men. He argues that homo-erotic love is related to education and gaining knowledge and that this makes it superior to other types of love. Physical sex detracts from this purpose. Platonic love is not love in the absence or in the denial of sexual attraction. Instead it relies on embracing it and its sublimation into higher forms. Plato took an extreme ascetic position but Xenophon (c.430-c.354), another student of Socrates, gives a more liberal view of their master than Plato. Both writers agree that Socrates believed that the contacts between the senior and junior partners in a pederastic relationship could not only be aimed at sexual love, but also at obtaining moral wisdom and strength. Plato's student, Aristotle, writing in the Politics, dismissed Plato's ideas about the abolition of same-sex acts<sup>115</sup>. He explains that barbarians like the Celts accorded it a special honour<sup>116</sup>, while the Cretans used it to regulate the population<sup>117</sup>. The analogy of the charioteer also remains relevant here. The goal of the charioteer is to win the race, and both horses must be made to work together since one cannot succeed without the other. When followers of the promiscuous Aphrodite fall in love they "adopt a lower way of living, not philosophical, but honour-loving"<sup>118</sup>. When they are drinking together, for example, or are careless in some other way, "the licentious horses in the two of them catch their souls off guard," and since the man's recollection of beauty is dimmer and is not rekindled by philosophical conversation, they end up having sex together - something "the masses regard as the happiest choice of all"<sup>119</sup>. Obtaining the correct balance was an essential requirement. This meant that any relationship between two adult male citizens had to be seen as a relationship between two equals, and any male citizen who submitted to anal penetration was condemned for the loss of status it incurred. Otherwise all other sexual activities were permitted. Such an approach was not perceived to contravene the principles of natural law. It was seen to support the "Brightest Region of Being" in the "Form of the Good", and the expression of same-sex love was encouraged for the educational and philosophical benefits it brought.

In ancient Greece there was no word to separate homosexual practices. They were simply part of the expression of love, which included men and women alike. There was no label which set a boundary between heterosexual and homosexual behaviour and accepted relationships between two male citizens could be those of strong heterosexual friendship on the one hand and homosexual love on the other. (The word "homosexual" and the concept are both modern inventions. They were introduced in 1869 by the Hungarian physician Karoly Maria Benkert). Nevertheless the differences were noted and homosexual relationships were preferred in a wide range of environments for the loyalty to others and depth of understanding they created.

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<sup>115</sup> (2.4)

<sup>116</sup> (2.6.6)

<sup>117</sup> (2.7.5), [127]

<sup>118</sup> (256b7-c1)

<sup>119</sup> (c1-5)

Chavruta is a traditional rabbinic approach to Talmudic study in which a pair of students work together to learn, discuss, and debate a shared text. It challenges the student to analyze and explain the material, point out the errors in his partner's reasoning, and question and sharpen each other's ideas, often arriving at entirely new insights into the meaning of the text. Chavruta is most associated with the Tannaim and Amoraim periods (0-500 AD) and it is almost certain that Jesus and John would have engaged in this didactic process. The nearest academy (Yeshiva) was in Zippori (Sepphoris) about four miles from Nazareth. Resh Lakish and Rabbi Yochanan were partners in a chavruta and Zippori is also the birthplace of Rabbi Yochanan. Prior to this the spiritual leadership of the Jewish people was in the hands of five successive generations of zugot ("pairs") of religious teachers. In the Avot de-Rabbi Hathan it is recommended that a friend should be someone with whom one can "eat and drink, read and study, sleep, and share secrets of the Torah and personal secrets"<sup>120</sup> The rabbis repeatedly urged their students to acquire a study partner and each chavruta fulfilled a social as well as an educational need. The choice of chavrutas seems to have been based on friendship or social proximity, they often developed into lasting friendships where the shared commitment to scholarship and intellectual growth has been said to create a close bond between study partners which is closer than that of many married couples<sup>121</sup>. The word chavruta, like marriage, came to be used in the singular to describe two people in a relationship. The Talmud (Yevamot 62b) states that 12,000 pairs (sic) of students of Rabbi Akiva ben Joseph (ca.50–ca.135 AD) died of plague between Passover and Shavuot, "because they did not treat one another with respect". The context of the passage indicates that each pair of students formed a chavruta. The text also implies that this plague was diphtheria, but this may be a disguise for sexual misbehaviour, and for the massacres that took place after the Jewish Revolt in 70 A.D. Within these boundaries, there seems to have been no restriction placed on same-sex relationships. The contemporary Jewish interpretation of Leviticus 18:22 and 20:13 prohibited only anal penetrative sex and the more intense the relationship was between Jesus and John, the more it would have been valued for the benefits it brought.

### 9:3 Cultural Differences and Relationships

By far the greatest differences between Greek and Jewish attitudes related to the practice of sexual intercourse, including anal penetration. For the Greeks and Romans the regulations were principally set to preserve the social status of citizens and to maintain good order in society. There were no religious requirements which demanded otherwise. Same-sex exploits were attributed to some of the Greek Gods but marriage and procreation were expected. A very different outlook is found within the Jewish tradition. Here, from the outset, Genesis 2:18-25 establishes that when God first created man and woman, he also established marriage as the family relationship on which society is built. Genesis 2:18-25 provides the blueprint for a Biblical marriage and it contains clear guidelines for the fulfilment of this relationship as God intended. It is often assumed that the scriptures denied the validity of any expression of loving same-sex relationships, but this is never stated, and it has also been shown that the interpretation of Leviticus 18:22 and 20:13 which Jesus and Paul would have understood prohibited only anal penetrative sex. This passage and others

<sup>120</sup> See Maimonide's commentary on the Mishnah, Avot 1:6 aseh lekha rav

<sup>121</sup> Graubart Levin, Michael (1986). Journey to Tradition: The odyssey of a born-again Jew. Ktav Publishing House. p. 33. ISBN 0881250937.

have led to the understanding that the scriptures sanctified sexual relationships only in the context of love and in Jewish society marriage and family relationships were given high very status. Any disruption of these was regarded as a major offence. The rabbis considered same-sex relationships to be particularly dangerous because of the potential for social disturbance and sexual abuse. Although different standards were set down the Greek and Roman philosophers were concerned about the same issues. All three societies applied sanctions against sexual misuse, and these did not differentiate in ways that are done today, between heterosexual and homosexual acts.

Attitudes to what is sexual misuse have varied greatly between cultures and over the centuries. A male Greek or Roman citizen was able to engage in sexual intercourse with any man or woman of lesser status without penalty or moral approbation, whereas Judaism demanded that all such relationships were given in love. These differences led to major cultural clashes between the two traditions. Pederasty would today be regarded with horror which is akin to paedophilia. However pederasty was an accepted practice in Greek society, it was highly regulated and the junior partner was required to take the initiative when any relationship was established, also emotion or sexual gratification was supposed not to be shown and anal penetration was to be avoided. However sexual stimulation could take place by any other means, including placing the penis between the thighs. Even though Jewish Law (surprisingly to present day attitudes) worked on the principle that the younger a child is the less serious the offence of sexual penetration becomes, the upper age limits were lower than the minimum the Greeks set for pederasty. Pederasty was not approved of within the Jewish tradition, which instead demanded that all such sexual relationships were given in intent of marriage or in love.

Although attitudes to same-sex relationships were very different from those of today, the ethics of such relationships were of great concern in First Century Greek society. While most of the discussions of the philosophers concentrated on the nature of relationships with youths, the principles they developed also underpinned the conduct of adult relationships. In the *Phaedrus* Pausanias counters any age restriction with an appeal to the moral ideal of fidelity, since only those men who love mature males will be capable of forming lasting attachments that will endure throughout a lifetime. Plato argued that the highest form of love and the only type of real love is the love between two men. Therefore there was no boundary placed between strong heterosexual friendships on the one hand and on relationships which resulted from homosexual attraction on the other. Indeed the latter was preferred for the depth and intensity of the commitments it provided. Judaism took a similar approach. The rabbis in the academies repeatedly encouraged their students to adopt ever increasing degrees of intimacy in chavruta partnerships and the Jewish tradition is full of instances where high degrees of intimacy between two male rabbis were encountered. If there was to be any distinction which approved of engagement in strong heterosexual friendships on the one hand, and which disapproved of the expression of homosexual relationships on the other, there would have to be clear boundaries set down. No such boundaries are found. The *zugot* ("pairs") culture in the Jewish tradition, the intimacy of chavruta relationships and the understanding that Leviticus prohibited only anal penetrative sex makes it clear that, far from rejecting the expression of homosexual attraction, the Jews, like the Greeks and Romans, actively encouraged its expression for the depth of understanding, the robustness of discussion, the sense of purpose and the degrees of commitment it brought.

This leads to the obvious question to ask, which is “Were Jesus and John in a homosexual relationship”. The modern definition of homosexuality was not recognised in first century Greek and Jewish societies but the differences between this type of relationship and a strong heterosexual friendship would still be noted. The examples of Alexander the Great and Zeno of Citium in Greek society have already been described. In the instance of Jesus and John the evidence in the Bible suggests that this is also the case. The original Greek words that are used in the passage in the Gospel of John (John 21:15-17), where Jesus asks Peter if he loves him is one instance where the distinction seems to be made and the description of John as the disciple who Jesus loved in the same gospel is just one other example of this. What is of particular interest is that there does not seem to be any attempt by the Gospel writers to hide these relationships, when the Gospel texts are examined in the context of these arguments. Nor need there be, and it would also be important for first century readers to know what the relationships were. If Jesus and John were in such a relationship it would be highly valued in those societies and this may be one reason for the esteem which was given to the Gospel of John in the Early Church.

These arguments demonstrate that Greek, Roman and Jewish societies did not make any distinctions between heterosexuality and homosexuality in the same ways that are employed today. Biological sex was subservient to the relationship and instead the distinction between acceptable and unacceptable behaviour was made between relationships acted upon in love and those in lust. Despite the obsessive attention which is given to heterosexuality and homosexuality in today’s society it was only of peripheral interest in the bible. Maybe Jesus and John were in a homosexual relationship but, apart from its relevance to the provenance of the Gospel of John, why should this type of relationship be of concern? There is no evidence whatever to suggest that any impropriety occurred and the relationship would have been valued instead. To present day minds these are rather remarkable ideas and it is necessary to consider how this tradition was transmitted to the early Christian Church.

## 10:0 Christian Affirmations of Same-Sex Relationships

The ceremony of Adelphopoiesis, or Adelphopoiia, (which literally translates as "brother-making"), was practiced in previous centuries by various Christian churches. The purpose of the ceremony was to unite together two people of the same sex who were normally men. Manuscripts with liturgies for a ceremony of Adelphopoiesis which date from the 9<sup>th</sup> to the 15<sup>th</sup> Century are found in the archives of the Byzantine church, but it seems to have begun at a much earlier date<sup>122</sup>. John Boswell in his book “Same-sex unions in pre-modern Europe<sup>123</sup>, (published in Britain as “The Marriage of Likeness”), argues that the purpose of this ceremony was to unite two people of the same sex in a marriage-like union. However this interpretation is contradicted by the Greek Orthodox Church where the practice is interpreted as "fraternization" instead<sup>124</sup>. The ceremony was mainly but not exclusively

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<sup>122</sup> Viscuso, Patrick (1994) New Oxford Review. December 1994, Volume LXI, Number 10

<sup>123</sup> Boswell, John. (1995) Same-Sex Unions in Premodern Europe. Villard.

<sup>124</sup> Mantzouneas, Fr. Evangelos K. (1982) Secretary of the Greek Synod Committee on Legal and Canonical Matters; "Report on Adelphopoiesis 1982: "Fraternization from a Canonical Perspective" Athens 1982". English translation by Efthimios Mavrogeorgiadis. Accessed at:

practised in Eastern Christianity and the British historian Alan Bray, who also rejects Boswell's claims, in his book "The Friend"<sup>125</sup>, gives a Latin text and a translation of a Latin Catholic Rite of "Ordo ad Fratres Faciendum" which he saw as serving the same purpose in the Western Church. Allan Tulchin describes a variation of this type of relationship as was conferred in the ceremony of "Affrèrement", which took place in Old Regime France<sup>126</sup>.

It is clear that Boswell's analysis has been widely criticised. One such criticism is given by Patrick Viscuso, priest and canonist of the Greek Orthodox Archdiocese of North and South America<sup>127</sup> and a similar negative review is given by Kennedy and Kemp<sup>128</sup>. A response by Halsall to the criticisms of Kennedy and Kemp gives a measure of the controversy that has been aroused<sup>129</sup>. Bennison gives a critique from a gay perspective<sup>130</sup>. Viscuso writes "It is beyond dispute that there are rites for adelphopoiesis contained in Byzantine manuscripts which date from the ninth to the 15th century. The ceremony was conducted by a priest for two males in church, and contained symbols common to Byzantine marriage rites including holding candles, joining hands, receiving Communion, and processing three times around a table used in the celebration". Viscuso goes on to describe the five stages of a byzantine marriage. These stages are engagement, marriage contract, betrothal, and crowning. Engagement and the signing of the marriage contract were civil actions. Betrothal is the first religious step in the procedures of matrimony, nearly equivalent to marriage, but it is not the same as the completed union. Viscuso states that "After betrothal, spouses were required to exhibit fidelity, but could not enjoy the positive rights of marriage, such as nuptial relations." He also states that "The effects of betrothal on relations of kinship were similar to those of complete marriage". Viscuso examines the similarities and differences between betrothal and adelphopoiesis and he describes the ways in which adelphopoiesis imposed similar requirements. However he considers that neither set of commitments were as complete as those which were embraced in the final crowning ceremony. That was the final affirmation of marriage and Viscuso considers that this would have been for heterosexual couples alone, although Boswell cites instances where crowning did take place. He also argues that Adelphopoiesis established a different type of union from marriage, one perhaps closer to adoption. In his summing up Viscuso states that: "Simply put, adelphopoiesis was certainly a kind of union between two individuals, but to make this institution equivalent to matrimony necessitates a perspective and context foreign to the late Byzantine Church." While this is true it is also necessary to consider how the understanding of the purpose of the ceremony changed with the changing theology of the Church.

In Western Europe as well as in the Balkans the Church started from very early to recognize and bless fraternization with a special celebration, and in all or most of the surviving liturgies the relationship between the fourth century saints, St Sergius and St Bacchus is cited as an example of good practice to follow. This solemnization extended the

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[http://www.qrd.org/qrd/religion/judeochristian/eastern\\_orthodox/Church.of.Greece.on.adelphopoia](http://www.qrd.org/qrd/religion/judeochristian/eastern_orthodox/Church.of.Greece.on.adelphopoia). Retrieved; 16 August 2011.

<sup>125</sup> Bray, Alan (2003) "The Friend" University of Chicago Press.

<sup>126</sup> Tulchin, A.A, (2007), "Same-Sex Couples Creating Households in Old Regime France: The Uses of the Affrément", *Journal of Modern History*, Vol 79, No.3 pp 613-647, University of Chicago Press. ISBN ISSN 0022-2801

<sup>127</sup> Viscuso, Patrick (1994) *New Oxford Review*. December 1994, Volume LXI, Number 10

<sup>128</sup> Kennedy, Robert G & Kemp, Kenneth (1995) *History With A Bad Attitude*, CRISIS, Sep. 1995

<sup>129</sup> Halsall, Paul (1995) *Reviewing Boswell*, December 17 1995 accessed on the 18 October 2011 at

<http://www.fordham.edu/halsall/pwh/bosrevdisc-kennedy1.asp>

<sup>130</sup> Bennison, Charles (1995), *Anglican Theological Review*, 4 January 1995, Vol. 77 pp 256.

*Gilchrist, S. (2011). "Issues on the Sanctity of Same-Sex Relationships".*

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*Draft: Printed: 10/10/2015 14:39*

Access via: <http://www.tqdr.co.uk/articles/index.htm>

[sgen4144@gmail.com](mailto:sgen4144@gmail.com)

relationship to all the other members of the family and it included the creation of social and legal responsibilities, including hereditary demands. Father Evangelos Mantzouneas<sup>131</sup> notes that custom of fraternization was to become so well rooted that it was considered by the other members of the family as a bond equal to that of a blood relation. Marriages between members of the families of the blood-brothers were blocked. Because the blood-brothers were called "crossbrothers" it became a habit to address all the other relatives with the same prefix "cross" e.g. "crossmother", "crossfather", "crossbrother-in-law" etc.

However the use of the term blood-brother can refer to other things, including social relationships between two or more men not related by birth who have sworn loyalty to each other. The latter is usually done in a ceremony, known as a blood oath, where the blood of each man is mingled together. The process usually provides the participants with a heightened symbolic sense of attachment. It may be used for political purposes, enforcing loyalty or in situations of adversity. For example, whole companies of Greek soldiers would use it to become as one family. It was often used in the Balkan Peninsula during the Ottoman era to help the oppressed people to more effectively fight the enemy. Filiki Eteria was the name of a Greek Society whose aim was to work for independence from Turkish occupation. It had four levels of initiation: a) Brother or Vlamides b) the Recommended c) the Priests and d) the Shepherds. The Priests were charged with the duty of initiation in which a religious oath of brotherhood was affirmed. In an encyclical of 11 June 1859 The Church of Greece banned all fraternization. This ban was repeated with two more encyclicals of the Church in September 1862 and January 1863 (Tom. Egkykl. Giannopoulon 466-469). Fr. Evangelos Mantzouneas again notes that "Even today (1982) in some areas of the country, such as Epeirus fraternizations are taking place... Various persons still become "Vlamides" (Brothers) in front of the Priest... A special Service is read". However he also says that "The legislation did not oppose the custom of fraternization because it was deeply rooted in the people" and instead provisions were issued which decreed that fraternization was not banned as a custom but no legal consequence could flow from the act<sup>132</sup>

Modern interpretations deduce that the rite of Adelphopoiesis was used in many different ways, such as for the formation of permanent pacts between leaders of nations, or between religious brothers, or alternatively to formalise relationships for adoption purposes. Brent Shaw<sup>133</sup> has maintained that the unions were more akin to "blood-brotherhood", and that they had no sexual connotation. He completely rejects Boswell's claims that same-sex unions were approved of by the early Christian Church and he argues that this type of "brotherhood", although it is not of evil intent, is similar to the ritualized agreements struck between members of the Mafia or other "men of honour" in today's society.

The problem with these arguments is that they rely on the presumption that the Christian Church has always prohibited every type of homosexual act. This was not the case. The penalties applied by Justinian to both parties in a same-sex relationship were severe. Such a ceremony could play an important role when the purpose of the ceremony was on the one

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<sup>131</sup> Mantzouneas, Fr. Evangelos K. (1982) Secretary of the Greek Synod Committee on Legal and Canonical Matters; "Report on Adelphopoiesis 1982: "Fraternization from a Canonical Perspective" Athens 1982".

<sup>132</sup> Mantzouneas, Fr. Evangelos K. (1982) Secretary of the Greek Synod Committee on Legal and Canonical Matters; "Report on Adelphopoiesis 1982: "Fraternization from a Canonical Perspective" Athens 1982".

<sup>133</sup> Shaw, Brent (1994): A Groom of One's Own? The New Republic, July 18, 1994, pages 33–41 Accessed at <http://www.fordham.edu/halsall/pwh/bosrev-shaw.asp> 23 August 2011.

hand to affirm that these boundaries would not be crossed. On the other hand it blessed and enabled the bonds of relationship between two people of the same sex.

Clearly there are major problems of interpretation, but there appears to be two different types of ceremony in use. One type is represented by the ceremony of Adelpoiesis, while the other is that of a blood-brother commitment where loyalty for a specific purpose is required. Interpretations change but liturgies often do not. Copies of the liturgies the ceremony of Adelpoiesis still exist and they show how the vows, which are made between two equal people, both bless and affirm relationships which are given in love. Although the ceremony was not a marriage, symbols of the marriage service were used in the ceremony and the symbolism of these actions is clearly indicated. The kinship arrangements which the service established were also the same as those for a heterosexual marriage<sup>134</sup>. The problem with Boswell's analysis is that he overstates his case. This relationship was and could not be the same as marriage since the carnal knowledge which came from anal penetration was denied. This meant that the commitments were not as complete as those of heterosexual marriage, but they exactly match the ones which were required of same-sex relationships in chavruta partnerships at the time of Jesus and in first century Judaism more generally. Within these boundaries the love between two people of the same sex could freely be expressed. This means that the ceremony of Adelpoiesis now looks remarkably like the religious blessing of the equivalent of a modern day civil partnership instead.

In November 2003 the House of Bishops of the Church of England published a document "Some Issues in Human Sexuality"<sup>135</sup>. This was intended to set the framework for the debate on the attitude of the church to same-sex relationships. However it sets the terms using an approach which is based on the theology of St Thomas Aquinas. During the first millennium the Church permitted the expression of same-sex relationships among the laity within certain boundaries which prohibited anal intercourse, promiscuity and socially disruptive behaviour. It also demanded chastity in relationships which were given in love. If the debate is to be properly conducted all of the approaches to same-sex expression must be considered. Instead of basing the debate on doctrine which has had a thousand years to develop, should the terms of reference for the debate not be based on the attitudes of the early church?

## 11:0 Current Doctrines

The current Christian doctrine states that the possession of homosexual desires is not a sin, but to allow any expression of them whatever is a sinful act. This contrast between this and the previous view demonstrates how translation drift and reinterpretation has changed the message of the church from one which could celebrate the fulfilment of sexual relationships that are given and received in love to one which condemns any expression of every type of same-sex relationship and act. What the Church today regards as traditional teaching on homosexuality no longer follows what the founder intended and the consequences of this have had a devastating effect.

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<sup>134</sup> Viscuso, Patrick (1994) New Oxford Review. December 1994, Volume LXI, Number 10

<sup>135</sup> Church of England 4 November 2003 Some Issues in Human Sexuality: A Working Party of the House of Bishops. Church House, Westminster ISBN No: 9780715138687

*Gilchrist, S. (2011). "Issues on the Sanctity of Same-Sex Relationships".*

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Access via: <http://www.tgdr.co.uk/articles/index.htm>

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A problem with prohibition is that it cuts organisations off from the reality of what they are condemning. The draconian legal, social and religious penalties on homosexual behaviour have confined any relationships given in love to secret places. This has led to the fiction that all homosexuality is only associated with promiscuity and prostitution, and that it is a lifestyle choice. By equating homosexuality with promiscuity and immorality it can be used as the scapegoat to take the blame for the misbehaviour of all of society. That has happened in Uganda where the whole of society has been ravaged by aids. Here homosexuality has become the symbol to blame for the misbehaviour of the entire population and draconian penalties are being imposed. In order to maintain the role of the scapegoat it is necessary to reinforce the fictions that create it and the more an organisation needs to hide its past the more it needs to condemn. This condemnation by the church continues to the present day and the consequences of it have been enormous. How many homosexuals who have tried to live faithful lives in relationships expressed in love have been killed, tortured, mutilated, abused or have committed suicide over the centuries because the church has made homosexuality the scapegoat for all immoral sexual acts?

From the early 1960's there has been resurgence in the rehabilitation of homosexuality. The advent of contraception has meant that promiscuity without reproductive consequences is no longer a homosexual preserve and the equality of heterosexual, homosexual and transgender rights has become enshrined in equality law. So when people now meet others who are openly gay and lesbian they find that they too can live conscientious and respectable lives. Those who are themselves gay or lesbian have been greatly hurt by the rejection they face. These changes in society have forced people to come to terms with the reality and the breadth of the homosexual condition. This new situation returns the level of perception to what it was in New Testament times. More than anything, the awareness which it creates has exposed the ways in which the church has in the past, and still is, using homosexuality as a scapegoat to condemn all types of sexual immorality, and how it treats it as a lifestyle choice. This is why the church is no longer seen to be a responsible institution by those who are outside it, and the continuing pursuit of what is perceived as discredited dogma continues to destroy the credibility that remains.

### **11:1 Homosexuality in an Equal Society**

Jewish approaches to any text of the Torah can ascribe two or more meanings to it. One is the understanding of the original meaning of the text. The other is the understanding of the text as it applies to the current time. The mitzvah contains the 613 commands in the Torah which a faithful Jew is expected to follow. By present day standards many of these relate to situations which do not exist, or which no longer apply.

Judaism made no distinction between the sacred and the secular and, like the other 611 commands in the mitzvah, the response to those in Leviticus 18:22 and 20:13 must be treated in the same way. The prohibition of anal same sex intercourse was made to preserve social order in societies where same-sex rape was considered an instrument of humiliation, where married women were treated as the property of their husbands and where women were not regarded as equals in their own right. With the equality of the sexes in today's society these biblical reasons of the prohibition of anal penetration in have

disappeared. In a society where men and women are treated equally and where the relations between the two people are given to each other in love and faithfulness, there should be no prohibition of anal penetrative sex.

It is this intertwining of sacred and secular values which continue to cause real difficulty. In societies and religions where men and woman are still treated differently or unequally the prohibitions of Leviticus 18:22 and 20:13 continue to have a strong point. This is a particular problem for churches that are surrounded by the other religious traditions and governments which have institutionalised inequality between the sexes<sup>136</sup>. In the Anglican Communion this division is most strongly seen in the divisions between the African and Western churches. Sensitivity is required. No one should be in the business of accusing the other. We each must start from where we are on the journey of finding in our own lives, and in bringing to others around us the true love of Christ.

There are very strong health and hygiene concerns which arise today from the misuse of all penetrative sex. Our response to these must be applied appropriately to both heterosexual and homosexual relationships. Our acceptance, care and concern for each other must always be paramount, for it is through this commitment that we can most fully reveal the Gospel of Christian Love.

## **11:2 Partnership and Marriage**

“Marriage is a gift of God in creation through which husband and wife may know the grace of God. It is given that, as man and woman grow together in love and trust, they shall be united with one another in heart, body and mind, as Christ is united with his bride, the Church.” This is how the marriage service in the Church of England begins after the introduction has been said. It is expected to be the foundation of family life in which children are born and nurtured. If this service were to be used to sanctify same-sex partnerships little of the wording would need to be changed, except perhaps the reference to the birth of children and the description of the sex of one of the partners. The issue is not the words, but the validity of the relationship and from the analysis which is given in this document that validity is difficult to deny.

Marriage today is regarded as an equal partnership between a man and a woman but that was not the case in the past. Attempts to justify the modern idea of same-sex marriages from history do not work since they require one partner to have dominance over the other. Ancient Rome only recognised marriages between male and female citizens, so the same-sex marriages of the emperors Nero and Elagabalus to their partners did not have true legal status. There is little reference to same-sex marriage in the Jewish literature, however the Talmud teaches against same-sex marriage in Chullin 92a, saying that the nations of the world, however sinful, corrupt or perverse, still have the merit of at least three behaviours, one of which is “they do not write a ketubah (marriage contract) for two males.” In a commentary on Genesis Rabbi Huna said in the name of Rabbi Joseph, “The generation of the Flood was not wiped out until they wrote marriage documents for the union of a man to

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<sup>136</sup> This is most dramatically seen in the attitude to homosexuality and transgender issues in present day Iran. Homosexuality and displays of cross gender activity are punished with extreme severity but transsexuality - when it is accompanied by physical gender reassignment is not. Transsexuals reinforce the social order when they engage in sexual activities which are appropriate to their new role. There is the danger that some homosexuals may undergo gender reassignment to escape from the penalties that they would otherwise face.

a male or to an animal.” (Genesis Rabbah 26:5; Leviticus Rabbah 23:9). There was opposition from other sources, which was often based on the Leviticus texts.

It is of interest to compare the oath made between David and Jonathan as described in 1 Samuel 18:1 and 1 Samuel 20:16, 42 with the statements Jesus made on marriage in Matthew 19:4-5 and Mark 10:6-7. In both there is the emphasis on the two becoming one. Because of this some people have regarded the relationship between David and Jonathan as a form of same-sex marriage. However Judaism regarded betrothal and the signing of the marriage contract as two separate acts. The marriage contract implied a property relationship which made one the dominant partner. Betrothal regulated matters of sex and it is the signing of a marriage contract that is strongly opposed in the two examples cited above. If David and Jonathan were indeed in a same-sex relationship they would have to be seen as equal partners. This could not be recognised as a marriage, and the vows they made to each other would have to be treated at most as a betrothal instead

First century Judaism had the same concerns over the misuse of same-sex relationships as people have in the present day. The rabbinic opposition on social grounds was strongly expressed. In male only situations, such as the Jewish or Greek study environments, or in military service, the same pressures did not exist. Both the Roman Catholic and Orthodox Churches are correct in stating that the ceremony of Adelphopoiesis could not be considered a marriage. Their total condemnation of homosexual activity led to the denial of all sexual involvement. However a ceremony of fraternisation bonds a relationship between two equals. In first century Judaism it is known that the only restriction of sexual activity between two men was that of anal penetration and in the bible there is no specific condemnation of pre marital-sex. However Judaism demanded that sexual intimacy is only permitted when it is given in love and a commitment of the type leading to marriage is expected. Therefore the ceremony of Adelphopoiesis begins to look like the religious affirmation of the ancient equivalent of a modern day civil partnership instead.

The emphasis given to zugot and chavruta relationships is a measure of the institutionalisation of male pair bonding within Jewish society. The main threat to chavruta relationships was considered to be the loss of respect for each other and not matters of sex. Given the freedom of sexual expression that Judaism then permitted it would seem that all of the current day arguments which oppose the ministry of priests, bishops and even archbishops, who are in openly faithful, loving, chaste and committed same-sex relationships, simply drop away.

### **11:3 Promiscuity, Predation, Recruitment and Homosexuality**

An extended review is given here because of the need to separate material which is used for campaigning purposes from that used for independent research. Often the same material is cited for both purposes and used in different ways. Claims are made that homosexuality is a lifestyle choice and that its expression is irretrievably linked to promiscuity and illicit acts. This is the stance which is taken by traditional Christian theology. These issues are examined in relation to the changes in contemporary society and the problems encountered when continuing support this traditional view are discussed.

Any internet search in which the keywords “homosexuality” and “promiscuity” are entered returns a large number of web pages which aim to demonstrate that homosexuals are wildly promiscuous, predatory and unable to sustain long term stable relationships. A large number of these refer to a 1978 study in San Francisco carried out by Bell and Weinberger<sup>137138</sup>. Bell and Weinberg reported evidence of widespread sexual promiscuity among homosexual men. 83% of the homosexual men surveyed estimated they had sex with 50 or more partners in their lifetime, 43% estimated they had sex with 500 or more partners and 28% with 1,000 or more partners. Only 1 percent of the sexually active men had had fewer than five lifetime partners. The study revealed that these homosexual men have to a great extent separated sexuality from relationships. 79% of the respondents said that over half of their sexual partners were strangers and 70% said that over half of their sexual partners were people with whom they had sex only once.

Bell and Weinberg, state: “Little credence can be given to the supposition that homosexual men’s ‘promiscuity’ has been overestimated”. The heterosexual comparison group was collected using census data etc to ensure a truly random sample. By contrast the homosexual sample was recruited from specific places. These were singles bars (22%), gay baths (9%), public places, (for example where people were hanging out in parks to find sex partners) (6%), private bars and/or sex clubs (5%), personal contacts from these and other sources (23%), public advertising, contact with organizations and mailing lists (29%)<sup>139</sup>.

In an a telephone survey study of the sexual profiles of 2,583 active homosexuals in Australia Paul Van de Ven et al. found that “the modal range for number of sexual partners ever (of homosexuals) was 101–500.” In addition, 10.2 to 15.7 % had between 501 and 1000 partners. A further 15.7% reported having had more than 1000 lifetime sexual partners<sup>140</sup>. The 2003-2004 Gay/Lesbian Consumer Online Census surveyed the lifestyles of 7,862 homosexuals. Of those involved in a "current relationship," only 15 percent described their current relationship as having lasted twelve years or longer, with five percent lasting more than twenty years<sup>141</sup>. Other studies argue that there is a significant difference between the negligible lifetime fidelity rate for homosexuals and the quoted 75 to 90 percent cited for married couples. Surveys conducted by the U.S. Department of Justice are referred to as confirmation that homosexual and lesbian relationships had a far greater incidence of domestic partner violence than opposite-sex relationships including cohabitation or marriage. It is further claimed that even "committed" homosexual relationships display a fundamental incapacity for the faithfulness and commitment that is axiomatic to the institution of marriage.<sup>142</sup>

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<sup>137</sup> Bell AP, and Weinberg MS (1978). *Homosexualities: a study of diversity among men & women*. Simon and Schuster, N.Y.

<sup>138</sup> Bell, A., Weinberg, M. (1981) *Sexual preference: Its development among men and women* Bloomington, Indiana University Press.

<sup>139</sup> Jeramy Townsley (1977) “Homosexuality is not a Pathology”. Available at: <http://www.jeramy.org/gay/gayhealth.html>. Last accessed 21 July 2011.

<sup>140</sup> Paul Van de Ven et al., A Comparative Demographic and Sexual Profile of Older Homosexually Active Men, *Journal of Sex Research* 34 (1997): 354.

<sup>141</sup> "Largest Gay Study Examines Relationships (2004)," *GayWire Latest Breaking Releases*, [www.glcensus.org](http://www.glcensus.org).

<sup>142</sup> Timothy J. Dailey, Ph.D (April 2004) “Comparing the Lifestyles of Homosexual Couples to Married Couples” Senior Fellow, Center for Marriage and Family Studies, Family Research Council. See the Marriage Resources For Clergy Website for the full article <http://www.marriageresourcesforclergy.com/site/Articles/articles011.htm>

Homosexuality is often claimed to be a lifestyle choice and there is a considerable body of literature which supports this view. Much of it pursues a religious opinion. A prominent organisation involved in this area is NARTH – National Association for Research and Therapy of Homosexuality. NARTH has no religious affiliations but it often works with religious groups. It describes itself as a professional and scientific organization which offers hope to those who struggle with unwanted homosexuality. It claims that homosexuality is an issue that has often been mishandled by therapists due to misinformation on the topic.

A wide range of literature is available on the NARTH website and the information given below is extracted from these documents. According to NARTH homosexuality is best understood as a symptom of underlying issues. In the small child, there exists an unconscious drive for bonding with the same-sex parent. Additionally, there is a basic fear of intimacy with someone of the opposite sex<sup>143</sup>. Another document claims that while environmental factors may include experiences of sexual abuse or other traumatic events, a common contributor to same-sex attractions is a disruption in the development of gender identity<sup>144</sup>. Douglas Abbott carried out an extended review of genetic research which is published on the NARTH website He concluded that the hypothetical evidence for genetic determinism of homosexuality is overstated and overrated<sup>145</sup>. Most people, he claims, do not have the knowledge to understand the research and are simply hoodwinked by the pro-gay activists. He states it is obvious to him, and many others, that environmental factors play the major role in same-sex behaviour. Abbott cites the example of Michael Glatze, founder of Young Gay American Magazine, previously a pro-gay lecturer and author, who at the age of 30 began to doubt what he was doing. Glatze explains: “Knowing no one who I could approach with my questions and my doubts, I turned to God...It became clear to me that homosexuality prevents us from finding our true selves I was leading a movement of sin and corruption... Now I know that homosexuality is lust and pornography wrapped into one”<sup>146</sup>. Abbot claims that it is the values and politics of homosexuals and their supporters that is driving the gay gene agenda, not good science. What Abbot does not do is to state the converse: To pursue the argument that homosexuality is a lifestyle choice because no gay gene can be found is not good science either.

These data require correct interpretation. The sample used by Bell and Weinberg represents those homosexuals who were cruising for partners in San Francisco before the Aids epidemic and it is not representative of the homosexual community as a whole. The Van de Ven study could only recruit those who were prepared to be open about their condition. The Bell and Weinberger data refers back to the 1970's when there was an explosion of heterosexual promiscuity, and the Van de Ven study on older homosexuals refers back to this period as well. The correlated data which was needed to compare heterosexual promiscuity with homosexual promiscuity was not provided. These studies are probably the most widely cited but regrettably the restrictions are rarely indicated.

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<sup>143</sup> Questions and Answers by David Leaman, Ed.D. Extracted from the NARTH website <http://www.narth.com/docs/leaman.html> on the 5<sup>th</sup> August 2011.

<sup>144</sup> What Every Therapist, Parent, And Homosexual Should Know. Julie Harren, Ph.D., LMFT Extracted from the NARTH website <http://narth.com/docs/hom101.html> 5<sup>th</sup> August 2011

<sup>145</sup> Myths and Misconceptions About Behavioral Genetics And Homosexuality Douglas A. Abbott Ph.D., Jul2007 Extracted from the NARTH website [http://narth.com/docs/080307Abbott\\_NARTH\\_article.pdf](http://narth.com/docs/080307Abbott_NARTH_article.pdf) on the 5<sup>th</sup> August 2011

<sup>146</sup> Moore, A. (2007). Gay-rights leader quits homosexuality. Posted on July 3, 2007 and available on-line at: <http://www.worldnetdaily.com>

Homosexuality was only legalised in the 1960's (in Britain in 1967) but discrimination still continued. For homosexuals who were coming out of religious and legal repression the two reactions of flaunting it or hiding it still had considerable force. There was little incentive to conform to the ethics presented by the religious and state institutions which had condemned them. The only sample data that could be collected was from those who were open about their condition and this restricted the group who could be surveyed. Attempts to compare the fidelity and behaviour of heterosexual and homosexual couples which fails to take account of the differing social environments of the two groups can only be used to mislead and cannot be given academic respect.

Since 1975, the American Psychological Association has called on psychologists to take the lead in removing the stigma of mental illness that has long been associated with lesbian, gay, and bisexual orientations. The International Classification of Diseases of the World Health Organisation followed suit in 1992. The APA states that several decades of research and clinical experience have led all mainstream medical and mental health organizations in the USA to conclude that these orientations represent normal forms of human experience. All major national mental health organizations have officially expressed concerns about therapies promoted to modify sexual orientation. There has been no scientifically adequate research to show that therapy aimed at changing sexual orientation is safe or effective - and the pursuit of it for incorrect reasons can cause a great deal of harm<sup>147</sup>.

In its submission to the Church of England's listening exercise the Royal Society of Psychiatrists concluded that despite almost a century of psychoanalytic and psychological speculation, there is no substantive evidence to support the suggestion that the nature of parenting or early childhood experiences play any role in the formation of a person's fundamental heterosexual or homosexual orientation<sup>148</sup>. It would appear that sexual orientation is biological in nature, determined by a complex interplay of genetic factors<sup>149</sup> and the early uterine environment<sup>150</sup>. It also states that sexual orientation is not a choice, though sexual behaviour clearly is.<sup>151</sup> The following is extracted from the document. "In 2007 the British Association for Counselling and Psychotherapy commissioned a systematic review of the world's literature on LGB people's experiences with psychotherapy<sup>152</sup>. This evidence shows that LGB people are open to seeking help for mental health problems. However, they may be misunderstood by therapists who regard their homosexuality as the root cause of any presenting problem such as depression or anxiety. Unfortunately, therapists who behave in this way are likely to cause considerable

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<sup>147</sup> American Psychological Association. (2008). Answers to your questions: For a better understanding of sexual orientation and homosexuality. Washington, DC: Office of Public and Member Communications 202.336.5700. Available on [www.apa.org/topics/orientation.pdf](http://www.apa.org/topics/orientation.pdf)

<sup>148</sup> Bell AP, Weinberg MS. Homosexualities: a study of diversity among men and women. New York: Simon and Schuster; 1978.

<sup>149</sup> Mustanski BS, DuPree MG, Nievergelt CM, Bocklandt S, Schork NJ, Hamer DH. A genomewide scan of male sexual orientation. *Human Genetics* 2005 March 17;116(4):272-8

<sup>150</sup> Blanchard R, Cantor JM, Bogaert AF, Breedlove SM, Ellis L. Interaction of fraternal birth order and handedness in the development of male homosexuality. *Hormones and Behavior* 2006 March;49(3):405-14.

<sup>151</sup> King, M. Royal College of Psychiatrists' Submission to the Church of England's listening Exercise on Human Sexuality. Special Interest Group in Gay and Lesbian Mental Health of the Royal College of Psychiatrists. 31 October 2007 [http://www.rcpsych.ac.uk/docs/SIG%20submission%20\(2\)xxxx.doc](http://www.rcpsych.ac.uk/docs/SIG%20submission%20(2)xxxx.doc)

<sup>152</sup> King M, Semlyen J, Killaspy H, Nazareth I, Osborn DP. A systematic review of research on counselling and psychotherapy for lesbian, gay, bisexual & transgender people. Lutterworth: BACP; 2007.

distress. A small minority of therapists will even go so far as to attempt to change their client's sexual orientation<sup>153</sup>. This can be deeply damaging. Although there is now a number of therapists and organisation in the USA and in the UK that claim that therapy can help homosexuals to become heterosexual, there is no evidence that such change is possible. The best evidence for efficacy of any treatment comes from randomised clinical trials and no such trial has been carried out in this field. However there are at least two studies which have followed up LGB people who have undergone therapy with the aim of becoming heterosexual. Neither attempted to assess the patients before receiving therapy and both relied on the subjective accounts of people, who were asked to volunteer by the therapy organisations themselves or who were recruited via the Internet. The first study claimed that change was possible for a small minority (13%) of LGB people, most of who could be regarded as bisexual at the outset of therapy<sup>154</sup>. The second showed little effect as well as considerable harm<sup>155</sup>. Meanwhile, we know from historical evidence that treatments to change sexual orientation that were common in the 1960s and 1970s were very damaging to those patients who underwent them and affected no change in their sexual orientation”.

A recent exercise by the internet dating agency OkCupid collated the data from its 4 million members<sup>156</sup>. The answers on promiscuity showed that there is only a one percentage point difference between heterosexuals and homosexuals: 98% of gay people have had 20 or fewer sexual partners and 99% of straight people have had the same number. If these figures seem high to the older generation it is probably a true reflection of present day attitudes to sex<sup>157</sup>. Gay people do not even appear to want sex with straight people, just 0.6% of gay men on the site have ever searched for straight "matches". And just 0.1% of lesbians have. There was not one single gay user of the website who predominantly searched for straight users. American Psychological Association<sup>158</sup> surveys conducted in California showed that 75 percent of lesbians and more than half of gay men were in a relationship with one person. Data also show that similar to heterosexuals, many lesbians and gay men date in their 20s, settle down into a relationship in their 30s and maintain it long-term.

A common misconception is that the goals and values of lesbian and gay couples are different from those of heterosexual couples. Instead, research has found that the factors that influence relationship satisfaction, commitment, and stability are remarkably similar for both same-sex cohabiting couples and heterosexual married couples. There is no reliable evidence which support allegations that homosexuals are promiscuous, predatory, or

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<sup>153</sup> Bartlett A, King M, Phillips P. Straight talking: an investigation of the attitudes and practice of psychoanalysts and psychotherapists in relation to gays and lesbians. *Br J Psychiatry* 2001 December;179:545-9.

<sup>154</sup> Spitzer RL. Can some gay men and lesbians change their sexual orientation? 200 participants reporting a change from homosexual to heterosexual orientation. *Arch Sex Behav* 2003 October;32(5):403-17.

<sup>155</sup> Shidlo A, Schroeder M. Changing sexual orientation: A consumers' report. *Professional Psychology: Research and Practice* 2002;33:249-59.

<sup>156</sup> www.okcupid.com. For a summary see: "So you think Gay Men are Promiscuous?" by Patrick Strudwick, Guardian Newspaper Tuesday 19 October 2010

<sup>157</sup> John S. Santelli, Nancy D. Brener, Richard Lowry, Amita Bhatt and Laurie S. Zabin (1998) Family Planning Perspectives, Volume 30, No. 6, November/December 1998

Multiple Sexual Partners among U.S. Adolescents And Young Adults.

<sup>158</sup> Christopher Munsey (2010) Psychology's case for same-sex marriage. *APA Monitor on Psychology* October 2010, Vol 41, No. 9

unable to sustain long term relationships<sup>159</sup>. However there is a small minority whose behaviour is used to justify the stereotypes that are applied. OkCupid found that just 2% of gay people are having 23% of the total reported gay sex. In a society which now treats homosexuals and heterosexuals equally people can also see this for themselves. This is not the attitude that is found within many Christian churches and that is why all of those people in loving caring and stable same-sex relationships who seek to have the church bless their relationship feel totally betrayed.

NARTH and other groups including “Ex Gay” groups make the claim that sexual orientation can be changed, but a study of the material on the NARTH website and independent reports suggest that the real issue is one of management instead. In a question and answer page on the website the following answer was provided. “Do not condemn yourself for having same-sex attractions or homosexual thoughts. Like the alcoholic who is vulnerable throughout his life, candidly admit that you also are susceptible to homosexual temptations. Periodically, you will have to face same-sex arousal, even though you have been free from it for a long time. That does not mean you are regressing. It only means you are human”<sup>160</sup>.

It is not enough to dismiss the views of such people on the grounds of repression or the improper use of research, since these are people who believe from their personal experience that a change in sexual orientation is possible.

The major difficulty in dealing with these issues comes from the absence of a commonly accepted explanation for the origins of homosexuality. However an indication of a possible way forward may come from parallel work being done on transgender issues and transsexuality<sup>161162163</sup>. Although the origins of sexual orientation and gender identity are independent of each other they both arise as a consequence of the foundation of self identity, this analysis sees the conflict with gender identity as the symptom of our failure to build a coherent sense of self identity rather than the cause<sup>164</sup>. Neither of the conditions is driven by the desire for action but by the need for people to be true to each other and to themselves and to manage them, similar techniques are required. The more the conflicts caused by these feelings are suppressed the stronger they become and continued attempts to fight them lead to a runaway drive, therefore an approach of transcendence is needed. The aim of help or assistance must be to enable people to find for themselves the right path. When that happens a threshold may be crossed beyond which the conflict may seem

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<sup>159</sup> American Psychological Association. (2008). Answers to your questions: *For a better understanding of sexual orientation and homosexuality*. Washington, DC: Office of Public and Member Communications 202.336.5700. Available on [www.apa.org/topics/orientation.pdf](http://www.apa.org/topics/orientation.pdf)

<sup>160</sup> Questions and Answers by David Leaman, Ed.D. Extracted from the NARTH website <http://www.narth.com/docs/leaman.html> on the 5<sup>th</sup> August 2011

<sup>161</sup> Gilchrist, S. 2011c. “Management Techniques for Gender Dysphoria with Particular Reference to Transsexuality”. This is in preparation

<sup>162</sup> Gilchrist, S. 2011a. “Gender Dysphoria and Personality Development”. This is in preparation.

<sup>163</sup> Gilchrist, S. 2011e. “LGB and T People: Labels and Faith”. This is in preparation.

<sup>164</sup> Research and clinical practice has shown that the core concept of gender, in the sense of being who one is, is one of the first, (if not the first) general concept of self to be formed. It develops from birth. Attempts to fight it or to suppress it invariably fail and methods similar to those which are used to manage addiction or depression must be employed. However addiction and depression are compulsions of mortido which lead to oblivion or death. The compulsions associated with the gender conflict lead towards fulfilment and life. They grow stronger with age and gender reassignment is generally considered to be the inevitable outcome of the condition. Once it has been correctly assessed current psychiatric approaches concentrate on enabling ways of enabling the most effective and least disruptive transition.

to disappear. There will be many reasons for choosing a particular path and not all of them may be sexually related. Whatever decision is come to it must be freely made.

This threshold can only exist if it is honestly believed that the value of life that can be achieved in the chosen role truly outweighs what the other can bring. The motivation that is required to succeed is crucially dependent on the ability to have and to rejoice in sufficiently strong relationships and mutual commitments with other people. For some, reaching this threshold may never be possible. It must come rather than be created. The enforcement of it leads to collapse and the ability to achieve or maintain it changes with time. This gives a limited window of opportunity during which the threshold can be reached. When that has passed the conflict must be managed in other ways.

The euphoria of certain types of religious belief can be used to suppress the dynamics of the conflict. When the threshold is crossed it may often be believed that a "cure" has been obtained. This may last for years. However the roots of the conflict still remain and these may erupt at a time of crisis or when the euphoria is lost. The problem with many groups is that anyone who does not conform to their rules of behaviour may be ejected from membership. These people may be told that God still loves them but to be practicing or non-practicing is not the real issue. The act of rejection becomes a personal attack of the self identity of that individual and not of their practice. The hurt, guilt and self loathing caused by this can be enormous. It is also extremely destructive since any attempt to fight or suppress the conflict drives people deeper into distress. Whatever opportunity there is to rejoin the group or to keep control of the conflict is either diminished or destroyed. I do not believe this to be biblical and it is not my understanding of the Gospel of Christian Love.

#### **11:4 Labels**

The effect of giving a label to anything is to put it into a box. The term homosexuality was only identified in the 19<sup>th</sup> Century and the effect was to link the act of anal penetration exclusively to sex. Anal penetration may of course be used for sexual gratification but this analysis shows that in New Testament times it was primarily considered to be an instrument of power and control. There is little point in arguing about whether David was bisexual and if Jonathan, Jesus and John were gay since they, and Jewish society, would not have recognised these terms. The transforming act of Jesus in the New Covenant was to change the whole emphasis of Jewish law from the protection of the righteous to the care of the dispossessed

Currently there is pressure amongst the gay and lesbian communities for the institution of same-sex marriage. In modern society this would be a legitimate term. However historically marriage was a contract which institutionalised an unequal relationship and the idea of same-sex marriage would have been an anathema to first century Judaism. The Jews found other ways of endorsing same-sex relationships and marriage may not be the best term to use. Whatever term is decided on it must affirm the value in the eyes both of God and man of same-sex relationships given in love.

#### **11:5 Interpretation**

*Gilchrist, S. (2011). "Issues on the Sanctity of Same-Sex Relationships".*

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*Access via: <http://www.tgdr.co.uk/articles/index.htm>*

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This account has shown that the church's understanding of specific aspects of human sexuality have been built on the gradual adoption of inaccurate cultural interpretations of specific Biblical narratives. At the end of the first millennium this culminated in what is now regarded as the traditional teaching on homosexuality by the Roman Catholic Church. The view that while it is permissible to have homosexual feelings is not sinful, but to act upon them in any way is a major sin makes it imperative to apply sinful behaviour to any such acts. For as long as homosexuality was considered a criminal activity this opinion could not be challenged. It is why homosexuality came to be defined entirely through promiscuity, prostitution and other illicit sexual acts.

Once the stigma of criminality was removed the pressure was on to try to interpret research in a way which continued to enforce this definition. However more substantive research and the growing understanding of homosexuality has made this outlook increasingly untenable. Enforcing the linkage between homosexuality and promiscuity can no longer be sustained. Despite this the reaction amongst some has been an increasing determination to impose this view. The pursuit of religious dogma has been presented as impartial scientific analysis and it has been pursued as a therapeutic tool. The damage this has caused through the manipulation of guilt and the imposition of campaigning views on homosexuals has been great. The damage it does to the reputation of the church within the medical profession, and in society outside it, is and will become increasingly severe if this view continues to be pursued.

There is ample evidence to show, both from a Jewish and a Christian perspective, that the interpretations of Leviticus 18:33 and 20:13 which are applied to justify the present prohibition of homosexuality are not ones that Jesus and the Apostles would have used. The changes of the last 50 years, with the coming of contraception, the legalisation of homosexuality and the recognition of gender equality have destroyed the framework of male supremacy on which these condemnations were based. The consequences of translation drift and selective interpretation for the benefit of the institution has destroyed the moral authority of the Church for many people who are not its members. Instead of shaping society the church is being shaped by it.

The statement issued by the House of Bishops of the Church of England on the 1<sup>st</sup> July 2011, in which it said it is reviewing its approach to same-sex relationships and to whether gay priests in civil partnerships should be allowed to become bishops<sup>165</sup>, is a welcome step. The document "Some Issues in Human Sexuality"<sup>166</sup> which was intended to act as guidance for the debate inadvertently perhaps made presumptions which have restricted its terms. We owe it to ourselves, as Anglicans and as Christians, to inform ourselves and to put before the world the clearest and most accurate understandings of the Biblical texts. The correct way forward must be found. That must include the acknowledgement of present and past actions. The challenge now faced is one of acknowledging and atoning for the ways that incorrect religious dogma has been used to manipulate the attitudes of society not just to homosexuality, but to all aspects of sex.

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<sup>165</sup> Church of England 1 July 2011. Civil Partnerships and Human Sexuality: Statement from the House of Bishops. GS Misc 997 Church House, Westminster

<sup>166</sup> Church of England 4 November 2003 Some Issues in Human Sexuality: A Working Party of the House of Bishops. Church House, Westminster ISBN No: 9780715138687

## 11:6 Moving Forward

There is an urgent need for greater understanding. This must address the consequences of reinterpretation and translation drift. From both sides there is the strong need to recognise the circumstances of the other. If same-sex relationships are to be fully accepted within the church the consequences of any culture of homosexual promiscuity must be addressed from within the gay and lesbian community.

The church must recognise the way in which it has made homosexuality the scapegoat for all illicit sexual acts and it must embrace the understanding that faithful and committed relationships which are expressed in love between two people of the same sex have been sanctified by Christ. The standards the church set for moral behaviour must be the same for everyone and nothing that is done should or need diminish these standards in any way. Others may agree or disagree with the values the church sets but hypocrisy and inequity must be destroyed.

There is so much capital invested in the traditional teaching on homosexuality that these changes may be difficult to make. Views on homosexuality in Islam, Judaism and other religions can vary as much as they do in the Christian tradition. Differences in culture between societies and religious traditions may cause schisms to occur. These issues must urgently be addressed and an effective listening process which results in action must be implemented. A conference on “Sexuality and Human Flourishing” held in Birmingham on the 6<sup>th</sup> February 2010 sought to address these issues. The proceedings of the event are available under the Events tab of the LGB&T Anglican Coalition website [www.lgbtac.org.uk](http://www.lgbtac.org.uk). A wide range of people attended and the outcome of this was to agree that all sexual relationships given and received in love should be acceptable to the Church<sup>167</sup>.

This account also demonstrates that the debate on homosexuality cannot be carried out in isolation, for it must also consider how and why homosexuality has been made a scapegoat for abusive same-sex acts. By imposing a rule of celibacy on the clergy and the religious the Church was able to create power structures which complemented those of the hereditary dynasties and in many cases it has put this capability to very good effect. In the context of those societies that decision was probably correct. However the potential for sexual abuse was always present and the scandals over priestly sexual abuse in today's society are nothing new. Even though they are strongly condemned they have often been followed up by inappropriate action and by attempts to hide their effects. In the past these could be concealed by using the influence of the church but in present day society that can no longer happen. The discipline of priestly celibacy has been questioned at various times and as a young priest, Pope Benedict put his name to a document which called for its examination, although this was because of the shortage of people offering themselves for ordination. Now the Roman Catholic Church is adopting an increasingly reactionary position and it is retreating into traditional values. The calling of celibacy is correctly given very high regard in the Roman Catholic Church, but the history of sexual abuse which is caused by the failure of the universal rule of celibacy appears to be one of the issues which it is unwilling to face. The changes in doctrine which Aquinas and the Church introduced at the

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<sup>167</sup>Gilchrist, S. (Ed) 2010. “Proceedings of a conference on Sexuality and Human Flourishing”, Stirchley, Birmingham, 6 February 2010. The proceedings are available under the Conferences tab of the LGBT Anglican Coalition Website [www.lgbtac.org.uk](http://www.lgbtac.org.uk)

end of the first millennium may on the surface appear minor, but the consequence of these has been centuries of persecution. If the arguments contained in this document are correct, the Church has also succeeded in condemning its founder for mortal sin and one of its most heinous acts. If the Roman Catholic Church is to establish any moral authority this is the major issue that must be addressed.

Celibacy is not an issue with the other denominations. However the doctrines of Aquinas on same-sex relationships come from a common history, and they are often shared in common today. Departures from these traditions within the contemporary churches continue to be reinforced through translation drift and the consequent reinterpretation of the biblical passages. This raises serious concerns about the behaviour and current doctrines which are now being promoted by the churches who believe in the literal truth of the biblical texts.

It is necessary to ask, what is the real division? Both sides can agree that to have homosexual feelings is not sinful and the question that needs to be asked is, "Can the relationships between homosexual couples who express their feelings in faithful, loving, chaste and committed lives be accepted by the church?" Answering yes to this question does not require a new dispensation. It returns to the truths of biblical texts.

Some recent theological developments make use of the theories developed by Rene Girard. One of Girard's precepts is that in situations of unresolved conflict the dynamics can take over and any awareness of the original cause becomes lost. The original point of difference may be minor but this can lead to a runaway situation. When all other methods of resolution fail a scapegoat is created and the scapegoat may gain enormous power. The conflicts in the Church over same-sex relationships have lasted for over two thousand years and today the issue of homosexuality has come to dominate much of religious life. Despite the disruption which these conflicts have brought the Church has never tried to resolve the conflict at source. The reaction has always been to hide or suppress their demands, but with the changes in attitude in present day society this will no longer work for secular society is no longer prepared to tolerate the abuses, prejudices and the inequities which it sees. The refusal of the churches to do listen and their continued failure to address these issues has already begun to destroy their reputation and it is taking the reputation of Christianity with it as well. The history and depth of the conflict means that this is not an easy step to take. Celibacy is a particular concern for the Roman Catholic Church. However Girard has also shown that once the role of the scapegoat is recognised the dynamics of the conflict can then be quelled. Instead of finding the things that divide, opponents then look for the things that unite and a true resolution of the conflict can bring great strength.

If the Christian Church is not prepared to, does not or cannot resolve these issues of homosexuality, celibacy and same-sex abuse which has affected it from its foundation it will continue to destroy its credibility in society at large. If this is never resolved there will be little point in discussing the sanctity of same-sex relationships with the church when there is nothing of relevance within it that is left.

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