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Homosexuality in Leviticus

A Historical-Literary-Critical Analysis

Ian Jarosz

Photo credit: "Hands of an unrecognizable woman with Bible praying" via Storyblocks

Abstract

The book of Leviticus from the Hebrew Bible is often referenced when discussing the LGBTQ+ community and related topics. This project offers historical, literary, and etymological analyses of Leviticus 18:22 and 20:13, exploring cultural and thematic similarities between Leviticus, the Avestan Vendidad of ancient Persia, and the Book of the Watchers in 1 Enoch. The influential views of other ancient Near Eastern cultures and the growing Persian culture during the time of the Exile establish a tolerant cultural background for the Levitical authors and for the Hebrew Bible. Moreover, the exilic priests who finalized the laws within Leviticus did not perceive gay orientations or identities as contemporary cultures often do. The paper argues that the verses are concerned with specific sexual acts between male-bodied individuals, in particular circumstances, rather than with a sweeping indictment of gay orientations and identities. More broadly, the paper suggests that enforcing secular laws based on singular, unintelligible religious laws and ignoring the historical context of the original texts has led to immeasurable violence condemned in other parts of the Bible.

The Hebrew Bible, or Old Testament, is an ancient collection of scriptures central to Judaism and Christianity, and many of its traditions are present in some form in the Qur'an of Islam. As such, it is still used as a foundation for both morals and laws in much of the world. Thus, when assuming its stance on topics related to contemporary social issues, such as LGBTQ+ rights, it is important to examine the text within its historical context (Flannery and Werline 12-13). This paper focuses on homosexuality in the Hebrew Bible, a topic mostly confined to the book of Leviticus. It examines Leviticus using historical criticism, literary criticism, and etymological analysis and explores cultural and thematic similarities among Leviticus, the Avestan Vendidad of ancient Persia, and the Book of the Watchers in 1 Enoch. Finally, it assesses contemporary reader-response interpretations of Levitical laws.¹

Examining the issues that concerned the Levitical authors may illuminate what they opposed in their writing, as well as why.

The analyses will show that the Hebrew Bible never condemns people for being gay as an orientation. While exactly two verses in Leviticus prohibit certain sex acts between male-bodied persons, there are no passages that clearly address homosexuality as contemporary cultures understand it. Indeed, the biblical authors had no concept of a gay identity or gay people belonging in a category of their own. The ancient Near Eastern view was that sexual activities between people of the same sex were merely acts in which people sometimes engaged (Jackson 97). Notably, the entire Hebrew Bible is silent about sexual activity between women or female-bodied people, such as those who might identify today as lesbians (Collins 97). While one can interpret the passages as condemning varying degrees of sexual activities, the stance that

¹ Leviticus 18:22—"Thou shalt not lie with mankind, as with womankind; it is abomination"—and Leviticus 20:13—"And if a man lie with mankind, as with womankind, both of them have committed abomination: they shall surely be put to death; their blood shall be upon them" (JPS).

the text takes is not at all against gay and lesbian identities or activities, nor does it reject the majority of the lifestyle activities of men or anyone in a gay relationship, including gay marriage.

Homosexuality in the Ancient Near East

When focusing on literary analysis, it is both important and helpful to understand the cultural and historical context of a text. Examining the issues that concerned the Levitical authors may illuminate what they opposed in their writing, as well as why. The Hebrew Bible was composed in many sections, only one of which seems to concern itself with same-sex sexual activities. The people who compiled and edited Leviticus into the form we know today were priests who likely lived during the exilic or post-exilic period of Judean history, approximately 600-430 BCE (Collins 42). The worldview reflected in the priests' writing and edits of earlier material, known today as the "Priestly source" or "P source," was informed by other ideologies and mythologies with which they were familiar. These influences included ancient Near Eastern texts such as the Egyptian Book of the Dead and the various law codes and practices of neighboring nations. Ancient Near Eastern cultures were very familiar with sexual activity between people of the same sex, so a prohibition like that in Leviticus seems to be unique. A number of law codes describe sexual situations involving people of the same sex. However, the codes center on the legality of other aspects of such situations while remaining silent on the same-sex aspect.

Hittite Law 189 condemns a man's violation of his son next to his violation of his daughter.² Thus, it acknowledges sexual activity between males but equates it with the same activity between a man and his daughter. This juxtaposition of prohibitions, one between a female and a male and the other between two males, points to an indifference to the same-sex aspect. Rather, the concern is with exploitation of children and, in this law specifically, the incestuous nature of the act (Wenham 361).

² "If a man violates his daughter, it is a capital crime. If a man violates his son, it is a capital crime" (qtd. in Wenham 361).

In Spell 125 of the Egyptian Book of the Dead, a man declares himself to be pure by listing vices he has not committed, among which is the line "I have not had sex with a boy," referring to a form of pederasty.³ This again references sexual activity between a man and a boy. Since the text does not specify that the boy is related to the man in any way, the meaning should be taken as a condemnation of male sexual activities with any boy. However, since the text does specify a boy rather than any male, one can infer that the issue here is the age of the boy (Wenham 361). When declaring himself worthy of a peaceful afterlife, it would be important that the man had not exploited a child.

Documents from Assyrian and Babylonian cultures would have been well known to post-exilic Judean priests compelled to live in Babylon.

Ancient Mesopotamian cultures seem to have had a relatively tolerant attitude toward homosexuality as well, as attested by a wealth of textual artifacts that indicates their views. These documents from Assyrian and Babylonian cultures would have been well known to post-exilic Judean priests compelled to live in Babylon after the destruction of their own cities by the Assyrian and Babylonian militaries. Pieces of Mesopotamian iconography, starting as early as around 3000 BCE, often depict sexual activity between men. Documents attest to same-sex activities occurring in private, in cults, and professionally in cases of male prostitutes (Bottéro and Petschow, section 16).

An example of legal views within those cultures is Middle Assyrian Law 18, which explicitly mentions sex between two males in a manner similar to the Hittite Law. According to this law, "If a man has intercourse with another and they in-

³ The Book of the Dead is an "ancient Egyptian collection of mortuary texts made up of spells or magic formulas, placed in tombs and believed to protect and aid the deceased in the hereafter" ("The Book").

dict him and prove him guilty, they will have intercourse with him and turn him into a eunuch" (qtd. in Wenham 360). Although the law sounds closer to a condemnation of homosexuality, it differs noticeably from Levitical law. Leviticus allots a punishment to both the active and passive participants, saying that both have committed an abhorrence. The Assyrian law, on the other hand, prescribes punishment for the active participant only, without legal consequence for the passive recipient. The parameters of the punishment imply a power imbalance between the participants. Considering the proliferation of homosexual depictions and male prostitutes in Assyria, the law was likely a prohibition of rape (Wenham 360). The fact that the active perpetrator is punished by becoming the unwilling recipient of the same act could also imply that the recipient of the original act was a victim, and the law enacted justice by reversing the rapist's role. Furthermore, because the law goes as far as to encourage male-male sex in the punishment without repercussion for the new active participant, it is clear that the Assyrians objected to the power difference, rather than to the same-sex nature of the act.

The sources available from the ancient Near East seem to agree that sex between individuals of the same sex was a common part of life at the time, often practiced in religious settings, such as in the cult of Ishtar (Bottéro and Petschow, section 1).⁴ This leaves the P source the exception within a tolerant cultural background, if indeed the P source claims that when a man lies with a man, both are guilty.

Homosexuality in Leviticus

What exactly did the authors of Leviticus mean when they prohibited men from lying with males? As many perceive Leviticus today, the authors simply wanted to stop homosexuality and declare it a sin. However, given the cultural understanding of the Judeans and surrounding nations, the authors would not have had a concept of a homosexual orientation, which ex-

⁴ Ishtar was a Mesopotamian goddess and fertile figurehead of sexual love and war. She was also the protector of prostitutes and the patron of taverns ("Ishtar").

presses itself in terms of a whole social-personal identity (Jackson 97). Thus, it could not have been the authors' intention to ban homosexuality, as readers might assume. The more interesting question here lies in the recognition that Leviticus 18:22 and Leviticus 20:13 are the only verses in the book of Leviticus that concern a single kind of same-sex act, with the latter verse differing only in specifying a punishment for offenses (JPS). Leviticus 18:22, infamous for its frequent invocation in arguments, says the following: *wē'et-zakar lo' tishkab mishkēbey 'ishah / to'ebah hw* (JPS). Jackson suggests the literal translation of this verse is "do not lie (with) male, the lyings/beds of woman / this is abhorrence" (91-92).

The phrasing of Leviticus 18:22 is not much clearer in Hebrew than it is in English, and translators naturally run into difficulty.

There are important factors to consider when translating the passage, starting with the context of the verse and its unique wording. Leviticus 18 begins with God commanding Moses: "Speak to the Israelite people and tell them." The rest of the chapter, which mostly consists of laws, can be thought of as being inside quotation marks, worded exactly the way God is telling Moses to tell the Israelites. Most of the laws in Leviticus 18 forbid certain sexual acts with certain people. A large portion of the chapter contains laws against what is often translated as "uncovering the nakedness of" various family members. In Hebrew, these laws contain forms of *lo' tēgaleh 'erwat*, or "do not uncover the nakedness (of)." The phrase in Hebrew is usually understood as implying sexual activity with the person whose nakedness is uncovered (Gnuse 69). The "do not uncover the nakedness (of)" wording does not appear after Leviticus 18:19, just as the laws against incest conclude, and what follows is a handful of other laws that use different wording, including Verse 22. Verses 20 and 23 use *lo' titen shkabtēka*, which translates as "do not have carnal relations with," making Verse 22 the only

one in the chapter that uses the phrase *lo' tishkab mishkēbey* (JPS).

Because *lo' tishkab mishkēbey* appears only once in Leviticus, a more exact meaning must be constructed from other attestations of the words that appear in the verse. The word *tishkab* is an imperative conjugation of the verb "to lie (down)," which often implies lying with someone in a sexual context (Olyan 180). The same root gives the later noun *mishkēbey*, which literally denotes the action of lying and can also be used to refer to one's bed ("Mishkab"). In Verse 22, it is, interestingly, written in the plural number rather than the singular, translating better as "lyings" instead of "lying," or "beds" instead of "bed." In apparent disagreement, the following word for "woman" is singular: "a/the woman." The phrasing of Leviticus 18:22 is not much clearer in Hebrew than it is in English, and translators naturally run into difficulty (Olyan 197). This vagueness does not mean, however, that one could acceptably interpret Verse 22 any way to fit their ends; the wording simply could have a number of possible meanings.

Because "the lyings/beds of a/the woman" is vague and unattested elsewhere in the chapter, scholars have looked beyond the immediate context for other uses of the same words. In his 1994 article in *Journal of the History of Sexuality*, Saul Olyan notes that a similar phrase—*mishkab zakar*—which translates as the "lying of a male"—is used to define virginity in Judges 21:12 (185). Olyan then suggests that "lying" in this context requires penetration by a male body (185). Applied to Leviticus, the interpretation suggests that the Hebrew Bible prohibits anal intercourse between males. The implication is that the P source priests—knowing that anal intercourse is an act males might engage in—included the verse as a prohibition of this sex act and nothing more or less. This understanding of the verse suggests that the Hebrew Bible takes no stance against gay identities, gay relationships, and even most sexual activities in which same-sex partners today might engage. The interpretation allows for more freedom than is often given to LGBTQ+ people seeking guid-

ance or information from the Hebrew Bible. As Jonathan Jackson points out in "Culture Wars, Homosexuality, and the Bible," Orthodox Jews who identify as gay males do harmonize their religion with their identities and relationships: they follow Leviticus in refraining from anal intercourse, but otherwise express their identities as they see fit (93).

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In "On the Beds of a Woman: The Leviticus Texts on Same-Sex Relations Reconsidered," Bruce Wells offers an alternative interpretation using the meaning of "beds" for *mishkēbey*, building on the work of religious scholar David Tabb Stewart (137). Central to Wells' argument is an analysis of the unusual use of the plural *mishkēbey*. He points out that, aside from the repetition of the law in Leviticus 20:13, the word *mishkēbey* in the plural appears only one other time in the Hebrew Bible, in Genesis 49:4. In this narrative, Jacob condemns his son, Reuben, for going onto his father's *mishkēbey*, since he had slept with Bilhah, Jacob's concubine and the mother of two of Reuben's brothers (Wells 140). In Genesis 49:4, *mishkēbey* has been translated as "bed."

Because the word connecting Leviticus 18:22 and 20:13 with Genesis 49:4 has been translated in two different ways, scholars rarely compare the verses. However, a comparison reveals striking similarities. Both are admonitions against what the ancient Israelites viewed as immoral sexual activity. Both verses use the word *mishkēbey* in the plural, which is followed by a possessor. In both texts, the possessor is an absent partner of the opposite sex. It follows that both situations may also require the same translation: "beds" rather than "lyings."

Wells therefore suggests a very precise under-

standing of the word *mishkēbey* when it appears before a possessor (143). That is, *mishkēbey* is the pre-possessive form of the abstract plural noun, *mishkabym*, which etymologically denotes beds but abstractly refers to the zone of a person's lyings, their "sexual domain" (Wells 129). Although the absolute form *mishkabym* is never attested in known sources, there are comparable words in Hebrew. For example, the word *hatzer* has a different meaning in each of the two plural forms, *-ym* and *-ot*, just as the proposed *mishkabym* would be semantically distinct from the basic word for "beds," *mishkabet*. At the same time, *meisharym*, which translates as "justice," provides an example of a noun in the plural *-ym* form that stands for a singular, abstract concept (Wells 142).

Wells also notes that both Leviticus 18:22 and 20:13 are missing a particle for "like," "as," or "just as," which one should expect if they read the verses as "do not lie with a man as with a woman." Rather than the manner in which the addressee lies, Wells posits that *mishkēbey 'ishah* describes location using an accusative of location construction, which would not require any additional words or particles. Similar constructions provide strong evidence of this possibility. In this particular construction, the verb *tishkab* accompanies an accusative noun, *mishkēbey*. In eight out of eleven other instances of the verb "to lie" that appear with accusatives in the Hebrew Bible, the accusative conveys location. Several of these eight are in sexual contexts, such as Ruth lying at the feet (accusative) of Boaz and a woman lying in one's lap (accusative). All three instances that do not use the accusative of location use the accusative word *zera'*, or "seed," and they specifically indicate the emission of sperm. Since Leviticus 18:22 does not use *zera'*, from a statistical standpoint, an accusative of location is likely (Wells 130).

In the context of the chapter, the laws leading up to Leviticus 18:22 prohibit sexual activity with certain people in certain situations, such as family members or the wife of a neighbor. On the other hand, Verse 23 expands its language to prohibit relations with any animal, marking the

transition from situationally illicit to more generally illicit partners. This may suggest that Verse 22, which lacks a word for “any,” is part of the first category of laws and expects a qualifier to specify the conditions under which the law applies. According to Wells, *mishkēbey 'ishah* provides that qualifier in the same way as “the wife of a neighbor” in Verse 20.

The most straightforward interpretation of Leviticus 18:22 is as a law forbidding sex between a man and a married man.

The broader argument here is that Leviticus 18 and 20 proscribe behaviors similar to those of Reuben’s transgression in Genesis. Reuben invaded Jacob’s *mishkēbey*, his sexual domain, by sleeping with a woman who was considered to be Jacob’s. If one was to lie with a male in the *mishkēbey*, the sexual domain, of a woman, he would be breaking the Levitical law (Wells 144). Wells’ reading thus suggests that Leviticus 18:22 is another property law like Leviticus 18:20 or the commandment not to covet a neighbor’s house, wife, animals, or “anything that is your neighbor’s” (*JPS*). Even the incest laws that make up a majority of Chapter 18 frequently mention that the nakedness of one relative is the nakedness of another, showing a concern with others’ sexual domains throughout. Although it is plausible that the priests responsible for the P source uniquely forbade males from lying with males despite surrounding cultures’ tolerance of the act, it is more likely that they prohibited sexual activities that violated others’ domains. The most straightforward interpretation of Leviticus 18:22 is as a law forbidding sex between a man and a married man, which makes sense as a law within the chapter as a whole.

Since Leviticus 18 and 22 are part of the Holiness Code, the controversial command in Leviticus 18:22 and the ensuing punishment in 20:13 are all the more frustrating. The Holiness Code is the name given to Leviticus 17-26, which is believed to have originated as a separate “H source”

closely related to the P source. The Holiness Code’s style combines the ritual, priestly laws which traditionally had no explicit ethical justification with the ethical reasoning found in other law codes such as the Ten Commandments and the Deuteronomic laws (Collins 95). However, an explanation for this apparent conflict may in fact be present in 18:22. The verse ends with “this is an abhorrence,” using the Hebrew word *to’ebah* (*JPS*). The roots of the word have to do with abhorrence or hatred, and the word itself denotes something that is hated (“*Tow’ebah*”). While it is often assumed that the inclusion of *to’ebah* in 18:22 means the act is hated by God, the text does not explicitly give an agent for the hate. The ethical justification may just be that the specified act is hated. *To’ebah* could refer to the hatred of the act by family members of those involved, especially the *'ishah* who shares the *mishkabym* with her husband. The justification is in the familial issues and drama that would arise should a man lie with a married man, especially in the bed of the wife. This interpretation better aligns the verse with the larger theme of preserving family dynamics and order, and it supports the idea that a man should not lie with a married man.

Persian Influences

Leviticus 18:22 appears between two laws against activities that the Israelites may have attributed to cults. While Verse 21 forbids the sacrifice of children to Moloch, long interpreted by translators as a Canaanite god, the cultic significance of Verse 23 is less clear. Nevertheless, the explicit prohibition of women offering themselves to mate with animals, among a sea of laws that mainly apply to men, indicates an activity that would have been practiced by priestesses of other cults. In addition, Verse 23 is immediately followed by a section commanding the Israelites not to do as the previous inhabitants of Canaan had done and defile the land. Surrounded by commands against the cultic practices of the Canaanites, the positioning of Verse 22 suggests that this law also describes some form of cultic activity (Gnuse 76). Further evidence is the description of the lying in Verse 22 as *to’ebah*, a word often ascribed to foreign activities, and especially cultic foreign activities (Gnuse 76).

Based on this context, it is possible that Leviticus 18:22 is a prohibition of cultic sexual activity.

The Persian Vendidad also contains parallels that may shed some light on Leviticus. The Vendidad, part the Zend-Avesta, is a central text in Zoroastrianism.⁵ Although it is difficult for scholars to pinpoint a date for its written form, which may start around the second century BCE, they generally agree that like the Hebrew Bible, the Vendidad contains a much older verbal tradition spanning centuries (Boyce 2). As such, its verses may illuminate another attitude toward homosexuality that entered ancient Near Eastern thought as Persia's influence grew in the middle of the first millennium BCE.

In Fargard 8, Verse 32, the Vendidad states that a "man that lies with mankind as man lies with womankind, or as woman lies with mankind" is a Daeva. Daevas, whom the Vendidad considers evil beings, are similar to demons, and thus the Vendidad claims that someone who has done this act has engaged in sexual activity with demons:

This one is the man that is a worshiper of the Daevas, that is a male paramour of the Daevas, that is a female paramour of the Daevas, that is a wife to the Daeva; this is the man that is as bad as a Daeva, that is in his whole being a Daeva; this is the man that is a Daeva before he dies, and becomes one of the unseen Daevas after death: so is he, whether he has lain with mankind as mankind, or as womankind (Darmesteter 102).

As evident from ancient cults like that of Ishtar, sex between people of the same sex was common in religious ceremonies (Bottéro and Pet-schow, section 2). The Vendidad's connection of such activities with the concept of sex with demons may have informed the P source authors: males lying with males, an activity with cultic significance, is inherently demonic. Whereas the ancient Near Eastern cultural

backdrop was generally accepting of male-male sex, provided that it occurred between consenting adults (Wenham 360), the Persian antipathy toward cults may inform the negative view of some male same-sex acts in Leviticus 18:22. While Leviticus makes no comparison between males having sex with males and males having sex with demons, the idea of sex with demons, attested in the Vendidad, does enter Jewish circles in the post-exilic period. By the period of Hellenistic Judaism, belief in sex with demons is clearly attested.

The Hellenistic Jewish text in the pseudepigrapha known as The Book of the Watchers, 1 Enoch 1-36, develops a mysterious passage in Genesis 6:1-4 in which angels take human wives.⁶ The Book of the Watchers details how a group of angels described as the "watchers" and as the "sons of heaven" notices the beauty of the daughters of the "sons of men," humans, and come down from heaven to take them as wives on earth. The heavenly beings choose earthly wives and "defile themselves with them," and the wives give birth to giants (Nickelsburg and VanderKam 27). The language here clearly means that the watchers have sex with the women and that this act corrupts them. At this point, as corrupted heavenly beings, the watchers are functionally demons or malevolent angels, very similar to Daevas. In *The Satan: How God's Executioner Became the Enemy*, Ryan Stokes suggests that the word "demons" in The Book of the Watchers refers to the watchers themselves, the fallen angels who took human wives (138-141). In addition, the demons teach their wives sorcery and give them knowledge in many fields of magic and science. The giants born of the unions of watchers and their wives kill and eat humans and sin against nature (Nickelsburg and VanderKam 25). Overall, then, the sexual activity

⁶ The Book of the Watchers is the name of a section within the larger book of 1 Enoch. 1 Enoch is a work of Judean literature from the last centuries before the Common Era and is one of three pseudepigraphic Books of Enoch. *Pseudepigraphic* is used to describe a text that tradition attributes to a famous figure, in this case Enoch, where scholarly evidence points to multiple authors over a period of years. The Books of Enoch are non-canonical, meaning they are not usually included in the Hebrew Bible or Old Testament. 1 Enoch details supernatural figures such as angels and demons (Collins 50-51).

⁵ Zoroastrianism is an monotheistic Iranian religion that likely influenced the Abrahamic religions (Duchesne-Guillemin).

between humans and demons entails negative consequences.

The influence of Persian demonology on Judean demonology has been well studied, but confined mostly to the similarities between the Iranian Gathas⁷ and the Two Spirits discourse in the Dead Sea Scrolls,⁸ as well as a possible influence of the Aeshma Daeva⁹ on the demon from the book of Tobit, Asmodeus (Stokes, "The Question" 358-360). The profound similarities within the Vendidad and the Watchers tradition provide another point for exploring the influence of Persian demonology. Specifically, the idea of demons having sex with humans could illuminate one early entrance of Persian thought into early Jewish demonology, a connection deserving further study.

Modern Interpretations

As important as the text and the historical contexts of the authors are, readers' understandings of Leviticus 18:22 play the final role in how the text manifests itself in society, an approach in biblical studies known as reader-response theory. Lesleigh Stahlberg, professor of Jewish Studies at Colgate University, identifies three different reader responses to Leviticus and the Bible as a whole: the secularist, the religious conservative, and the religious liberal (444).

Laws that cannot be understood cannot be enforced. The secularist would argue that it is all the more ridiculous to enforce secular laws based on singular, unintelligible religious laws.

The secularist begins by being "skeptical about

⁷ The Gathas, like the Vendidad, are Zoroastrian texts. They are significant for being among the oldest of the Zoroastrian scriptures.

⁸ The Dead Sea Scrolls include texts not widely accepted enough to be Hebrew Bible canon, including the Book of Tobit and the Book of Enoch (Collins 6-7).

⁹ The Aeshma Daeva is the demon of "violence, fury, or the aggressive impulse" (Fredericksen).

the Bible having any discernible meaning at all" (452). Taken a step further, because the wording of Leviticus 18:22 and 20:13 is so unclear, the verses should not inform today's society at all. Beyond the general secular point that modern laws should not be based on religious texts to begin with, laws that cannot be understood cannot be enforced. The secularist would argue that it is all the more ridiculous to enforce secular laws based on a singular, unintelligible religious laws against behavior that many view today as harmless.

The religious liberal tends to stress a prevailing theme of embracing "the other," which in this case means advocating for justice for gay people, especially the right to marry. Rather than holding the entire Bible to be universal law, religious liberals understand the Bible as belonging within its historical context, with real but limited application to today's world. Religious liberals who believe it is possible to interpret Leviticus 18:22—and that it should be followed once understood—explain the law as applying only to males in ancient Israelite society, or only to issues of ritual purity, reproduction, or or Israelite identity (Stahlberg 459).

The religious conservative, in stark contrast, asserts the Bible as Word directly from God, holy, perfect, and intended to apply to every aspect of life for all time. Many who value this perspective regard the verses in Leviticus as eternal laws against homosexuality that have just as much bearing today as they did for the ancient Israelites. Religious conservatives tend to stress the "plain-sense" understanding that the text considers homosexuality an "abomination" meriting the death penalty and call for a "Judeo-Christian tradition" of marriage.

As this investigation has demonstrated, the seriousness of the views of the authors of Leviticus must be understood against their cultural background, which likely associated same-sex activity with cultic practices as well as demonology. The "plain-sense" or "literal" meaning that conservatives tend to tout is objectively not so. The common English translation that one must not

“lie with a male as one lies with a woman” is “interpretive, not literal” (Olyan 184). Furthermore, the ban is not on an overall LGBTQ+ orientation, which is a social-personal identity (Jackson 97). Leviticus 18:22 and 20:13 certainly do not prohibit homosexuality as a concept, gay people, any gay or other identities, and most forms of gay sexuality. As for what the verses do prohibit, knowledge of the cultures influencing Leviticus must inform readers’ interpretations.

The reality is that marriage traditions and expectations have differed vastly between Jews and Christians, and even within both of these groups throughout history.

The common assumption of a “Judeo-Christian traditional marriage” between one man and one woman, which often fuels the claim that Leviticus bans homosexuality, has a number of issues as well. The reality is that marriage traditions and expectations have differed vastly between Jews and Christians, and even within both of these groups throughout history. The Bible often describes men with multiple wives without condemning the marriages or any of the parties involved. Historically, Christians in the United States have defined marriage as a “contract between two consenting non-African-American adults of opposite gender,” “mutual support between a man and one or more women (none of whom could be African-American),” and “a contract between two consenting adults of the same race and opposite gender” (Stahlberg 443). These distinctly different definitions show that the marriage ideal has evolved while intersecting with cultural concepts such as race and gender. Today, increasing acknowledgment of the non-equivalence of gender and sex further complicates these definitions. Lastly, the use of the Bible as an unchanging law, intended for us as much as others throughout time, comes with severe pitfalls. The Bible contains passages that by “plain-sense” reading advocate slavery, misogyny, the oppression of women, and even genocide. Cherry-picking passages of the Bible

to enforce in contemporary society—with no regard for the original texts’ historical context and linguistic uncertainty—has led to immeasurable violence condemned in other parts of the Bible.

Many today seek to reconcile the idea of a timeless Bible with a constantly evolving concept of sexual orientation. This conflict dominates discussion of religious homophobia, though textual and historical analysis suggests that Leviticus 18:22 does not ban homosexuality. When taking into account the rejection of people identifying as LGBTQ+ by their families and faith groups, the notion of a ban on homosexuality in Leviticus proves to be problematic. At a minimum, the ban of sexual activity between males, as well as representations of homosexuality, are contradictory to the Holiness Code and alienate all previously mentioned religious sects. If Leviticus preaches hate toward the lying of males with males, then the hatred toward gay males from their families would have subverted the goal of family harmony in the Holiness Code. As such, it is necessary to reexamine the law carefully in order to reconcile the issues in the text. The new avenues created by interpreting the verse with attention to its original linguistic and cultural contexts provide a positive future outlook for the LGBTQ+ community and all who hold a stake in understanding these laws.



Author's Note

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Ian Jarosz ('23) from Leesburg, Virginia, is an Anthropology major and a Music minor. His interests include foreign languages, linguistics, music of all kinds, and playing the clarinet and guitar. He

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Works Cited

- "The Book of the Dead." *Encyclopedia Britannica*, 22 Sep. 2017, <https://www.britannica.com/topic/Book-of-the-Dead-ancient-Egyptian-text>.
- Bottéro, J., and H. P. H. Petschow. "Homosexualität." In Book 4 of *Reallexikon der Assyriologie und Vorderasiatischen Archäologie* [*Encyclopaedia of Ancient Near Eastern Studies*], edited by Dietz Otto Edzard et al., De Gruyter, 1975, *Born Eunuchs Library*, <https://people.well.com/user/aquarius/botteropetschow.htm>.
- Boyce, Mary. Introduction. *Textual Sources for the Study of Zoroastrianism*. edited and translated by Boyce, U of Chicago P, 1984, pp. 1-27. <https://archive.org/details/TextualSourcesForTheStudyOfReligion/page/n9/mode/2up>.
- Collins, John J. *A Short Introduction to the Hebrew Bible*. 3rd ed., Fortress Press, 2014. <https://www.jstor.org/stable/j.ctt1w6tb3r>.
- Darmesteter James, translator. *The Zend-Avesta: Part 1: The Vendīdād*. 1880. Vol. 4 of *The Sacred Books of the East*, edited by F. Max Müller, Oxford UP, 1879-1910, <https://play.google.com/books/reader?id=F8Y4AQAAMAAJ&pg=GBS.PR2&hl=en>.
- Duchesne-Guillemin, Jacques. "Zoroastrianism." *Encyclopedia Britannica*, <https://www.britannica.com/topic/Zoroastrianism>.
- Flannery, Frances, and Rodney A. Werline, editors. *The Bible in Political Debate: What Does it Really Say?* Bloomsbury, 2016.
- Fredericksen, Linwood. "Angel and Demon." *Encyclopedia Britannica*, 1 Sep. 2021, <https://www.britannica.com/topic/angel-religion>.
- Gnuse, Robert K. "Seven Gay Texts: Biblical Passages Used to Condemn Homosexuality." *Biblical Theology Bulletin*, vol. 45, no. 2, May 2015, pp. 68-87, <https://www.doi.org/10.1177/0146107915577097>.
- "Ishtar." *Encyclopedia Britannica*, 28 Aug. 2019, <https://www.britannica.com/topic/Ishtar-Mesopotamian-goddess>.
- Jackson, Jonathan L. "Culture Wars, Homosexuality, and the Bible." *The Bible in Political Debate: What Does it Really Say?* edited by Frances Flannery and Rodney A Werline, Bloomsbury, 2016. pp. 87-100.
- JPS Hebrew-English Tanakh: The Traditional Hebrew Text and the New JPS Translation*. 2nd ed., The Jewish Publication Society, 1999.
- "Mishkab." *Bible Study Tools*. <https://www.biblestudytools.com/lexicons/hebrew/nas/mishkab.html>.
- Nickelsburg, George W. E., and James C. VanderKam, translators. *1 Enoch: The Hermeneia*. Fortress Press, 2012. <https://doi.org/10.2307/j.ctt22nm5vn>.
- Olyan, Saul M. "'And with a Male You Shall Not Lie the Lying down of a Woman': On the Meaning and Significance of Leviticus 18:22 and 20:13." *Journal of the History of Sexuality*, vol. 5, no. 2, Oct. 1994. pp. 179-206, JSTOR, <http://www.jstor.org/stable/3704197>.
- Stahlberg, Lesleigh Cushing. "Modern Day Moabites: The Bible and the Debate About Same-Sex Marriage." *Biblical Interpretation*, vol. 16, no. 5, Oct. 2008. pp. 442-75. <https://doi.org/10.1177/0146107908318888>.

org/10.1163/156851508X329683.

Stokes, Ryan E. "Demons, Evil Spirits, Fallen Angels, and Human Sin." *The Satan: How God's Executioner Became the Enemy*. William B. Eerdmans Publishing Company, 2019. *Scribd*. pp. 138-141.

Stokes, Ryan E. "The Question of Zoroastrian Influence." *The Satan: How God's Executioner Became the Enemy*. William B. Eerdmans Publishing Company, 2019. *Scribd*. pp. 358-360.

"Tow'ebah." *Bible Study Tools*. <https://www.biblestudytools.com/lexicons/hebrew/nas/towebah.html>.

Wells, Bruce. "On the Beds of a Woman: The Leviticus Texts on Same-Sex Relations Reconsidered." *Sexuality and Law in the Torah*, edited by Hilary Lipka and Bruce Wells, T&T Clark, 2020. pp. 123-58.

Wenham, G. J. "The Old Testament Attitude to Homosexuality." *Expository Times*, vol. 102, no. 12, 1991. pp. 359-363. <https://doi.org/10.1177/001452469110201203>.