

# Rituals and same-sex unions

Ragnhild Schanke\*

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## Rituals and homosexuality

### ***10 years with partnerships the Church will not bless***

On the third of April 1993, the Norwegian parliament passed the law that gave homosexual couples the legal right to form partnerships with the same obligations and rights as the homosexual marriage has, with two exceptions: The right to adopt children, and the right to have the partnership conducted in a church.

From Jan 1. 2002 it has however been possible to adopt the child of ones partner, which is particularly relevant when the biological fatherhood is anonymous.<sup>1</sup>

In Norway we have had 10 years of official acceptance of homosexual partnerships. The government's Minister of Finance, Per Kristian Foss formalised his partnership in 2002 with his partner after 20 years of cohabitation. Byrådsleder Erling Lae of Oslo City formalised his partnership with Jens Torstein Olsen, a minister in the Lutheran Church at Majorstua parish, in Oslo, after 17 years of cohabitation.

In Norway, most marriages are conducted in churches or other religious institutions. The ministers or priests are granted authority to deal with the legal formalities of marriages. It is their duty to make sure that bigamy does not occur, and each minister has the freedom to make their own theological decisions about marrying divorced candidates. The fact that many people prefer to get married in a church, may have something to do with the recognition and approval associated with religious institutions. This recognition however, is granted heterosexuals only.

The public debate about homosexual relations, has been very different from the debate concerning divorce and remarriage. Many churches and ministers believe that marriage should be heterosexual, monogamous and undissolved. However, divorced people are treated with respect, and opinions have been expressed in a moderate language, with no social stigma attached to the new family. In spite the fact, that both discussions are derived from the same, so-called sacred texts, the aggression in public debates have been considerably higher when samesex unions have been the topic. Why do theologians become so angry? Does samesex struck an irrational cord, that triggers aggression?

Professor Scheff has argued that "males are particularly socialized to cover over feelings of shame: the sense of being weak, powerless, helpless, impotent, or incompetent. Rather than experience these painful feelings, men usually go blank or get enraged."<sup>2</sup>

I assume it may be true that the very idea of samesex unions provokes shame and anger in many priests and ministers, especially those who have vowed to live in celibacy. And the hypothesis I shall try to argue in this paper is as following: The biblical texts about sexual

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\* Cand. Phil. M. Phil., Pastor of Oslo 3. Baptist Church.

<sup>1</sup> Homofili.no

<sup>2</sup> Thomas J. Scheff, Prof. Emeritus UCSB, Journal of Mundane Behavior SEPT 2001: MALE EMOTIONS AND VIOLENCE

deviance come from a context of cultic impurity connected with shame. The biblical term is “adomination”. The translation history suggests that certain texts have felt so difficult to deal with, that sexual deviance has actually been hidden in the translations.

If the very idea of sexual deviance is so impossible to cope with, even linguistically, it seems logically that it would be very difficult to offer rituals to anyone who provokes the very feelings of impurity and shame and as a result, anger.

In spite of the fact, that homosexual partnerships today enjoy broad public acceptance, the churches in Norway are still unwilling to grant same-sex couples a ceremonial blessing when partnerships are initiated. I shall, in this article, argue that the reasons presented for withholding a wedding ceremony from homosexuals are theologically inconsistent, and probably rooted in emotions such as shame. I shall analyse the arguments from the Bishop’s Meetings by showing how the churches are arguing in a circle: First the Bible Societies let 53 cases of sexual deviance disappear by translating them away, then the Bishops’ Meeting points to the lack of Biblical acceptance for deviant sexuality, then the Bishops welcome homosexual couples, whose partnership they will not bless, to participating in the Eucharist ritual and to be integrated in the churches, since homosexual partnerships are not defined as “living in sin”.

Is the reason for churches denying blessing of homosexuals living in partnership, a surviving feeling of cultic impurity? Since homosexuality now is understood as an identity and not just an immoral act one can decide not to do, does that mean that the same-sex orientation is de facto, understood as cultic impurity? Is the reason why the churches deny the partners the partnership ritual that one cannot bless what is impure?

### **“I will not let you go unless you bless me!”**

This is the heading of an article by Nils Jøran Riedl, where he explains why it is so important to Christian homosexuals to have a ceremonial blessing in church, when partnerships are formed.<sup>3</sup> He offers two main reasons: The belief in the meaning of receiving a blessing and the fact that it means something to be able to live one’s family-life openly in public. The heading is taken from the biblical narrative, Jacob struggling with God.<sup>4</sup> He refused to give up, and finally exclaimed; “I will not let you go unless you bless me!” The words could just as well have come from homosexuals and lesbians in their struggle to attain acceptance for their lives from the churches in which they are members, Riedl writes. And he should know, being a theologian, living in partnership, and having participated in the struggle for gay rights in The Norwegian Lutheran Church for many years. Saturday, August 2. 2003, he neglected the bishops by acting as liturgical priest when a homosexual couple formed their partnership in Tøyen Church in Oslo.

Linguistically, the meaning of the word “blessing” is: to speak well of, approve, to confer prosperity or happiness upon, protect, preserve, endow, favour, to invoke divine care. In a religious context it bears meaning from its etymology from old English *bletsian*, blood; from the use of blood in consecration. So in a church setting the blessing would be to hallow or consecrate by religious rites, symbols or words.

I believe this is the core of the problem. Protestant ministers may be willing to pronounce good wishes for a homosexual couple, but there is something with homosexuality that seems impossible to hallow. I believe it is something unsaid, it is what Riedl indirectly relates to, when he wants to change the focus from the theological obsession with

<sup>3</sup> Riedl, Nils Jøran, *Nytt Norsk kirkeblad*, “Velsignelse av homofile par” Nr 8/96

<sup>4</sup> (Gen 32: 26).

“homosexual practice” to the homosexual couple’s relation, built on mutual love and support. By focusing upon the relationship instead of sexuality he states that love has the same quality in a person’s life, regardless of sexual orientation. The ability to love someone means being serious about the general ethical commitment expressed by Løgstrup as “Holding each others lives in our hands”. It is this commitment homosexuals wish to bring into the church and acknowledge before God.

The liturgical blessing is usually pronounced at the end of the service, like it was phrased in the blessing Aaron was authorised by God to pronounce upon the Israelites: “The Lord bless you and keep you; the Lord make his face shine upon you and be gracious to you; the Lord turn his face toward you and give you peace.”<sup>5</sup> These words from the Old Testament, which have become part of the Christian liturgy, express God’s acceptance of each individual person. God’s will is to bless, and those who wish to receive the blessing show it by standing up. The content of the blessing belongs in the continuity, in maintenance of the created world, in the everyday-life; to be kept from all evil, which means everything that threatens life and life quality, granted from a gracious God, who empowers and liberates. It means that one is seen by God as a person with nothing to hide, and finally, there is the prayer for peace, in a wide sense, soteriologically, psychologically and physically. It is also part of the picture that the Aaronitic blessing finalises the service and introduces thereby the everyday-life where the effect of the blessing shall be experienced. The blessing links the holy sphere of the sacred context with the profane sphere of lived life.<sup>6</sup> A person is blessed, when “the Lord makes his face shine” upon one, as each interpersonal relationship starts in the blessing of seeing the other and being seen as the person one really is.<sup>7</sup> Being blessed means that one is seen by God and in our case: When God sees the homosexual person his face shines with joy and excitement and kindness.

For pragmatic reasons, it may serve a purpose to do as Riedl does by stressing the point of the general characteristics of the blessing, as a prayer according to God’s will, for help and protection for all human beings, a theme clearly expressed in the New Testament; “Bless those who curse you, Do good to those who hate you, Bless those who persecute you”.<sup>8</sup> But even if the Christian church is obliged to bless all humans, even those who do wrong, this should not be the main argument in the debate on homosexual marriages in church. Entering a committing and loving relationship should never be seen as a something less than perfect. The argument is valid only in order to demonstrate the absurdity in the fact that the churches are ready to bless everyone except homosexuals. Church tradition has honoured saints who blessed their perpetrators who tortured and killed them. So what is it with homosexuals, that is so un-blessable? Why is the following prayer, designed for heterosexuals who wish a church blessing after having contracted a public valid marriage, denied homosexual couples? It says: “...we pray: Let your blessing rest upon these two who are kneeling here, before your face. Fill them with your love and build their home in peace. Look upon them with grace, and strengthen them with your spirit, so that they for better and for worse, trust you, as they live together faithfully, helping each other to reach the everlasting life.”<sup>9</sup>

When the bishops, in 1997 refused to give homosexuals this blessing, they based their arguments upon the conclusions of the Hygen-committee from 1977: “There is no biblical justification for blessing a partnership of different sexual nature.”<sup>10</sup>

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<sup>5</sup> Num 6: 24

<sup>6</sup> Riedl, Nils Jøran, *Nytt Norsk kirkeblad*, “Velsignelse av homofile par” Nr 8/96, 3

<sup>7</sup> Herbsmeier, Eberhard, Velsignelse, i Lars Ole Gjesing “Nogle bemærkelsesværdige træk ved velsignelsens teologi og praksis” i *Kritisk Forum for praktisk teologi*, Nr. 64 s 9

<sup>8</sup> Mat 5: 44, Luk 6: 28, Rom 12: 14

<sup>9</sup> My translation from the Norwegian liturgy.

<sup>10</sup> BM (Bishops’ meeting) 1997, 14-15, 11.Vi mangler bibelsk mandat. My translation.

The Bishops' Meeting seem to think that they are blessing a specific "sexual nature" in the marriage rites. This is not a necessary interpretation of the given prayer. When the "practicing heterosexual" couple is blessed, nothing is implied about the nature of their sexuality. The prayer is focused upon their relationship, personal and spiritual. So why do the bishops feel that the homosexual marriage is all about "different sexual nature"? There is not given any explanation why they feel they have a biblical justification for denying homosexuals their prayers, especially taking into consideration that we are dealing with members of the church, who are not excommunicated.

### Public Life

However, homosexuals do not want to be seen by God, only. They want to be seen by the Church. Secrecy is demeaning and suppressive. The legislation on partnership has provided a public arena, to which the Church has to relate. At deaths, the Church cannot avoid recognising the "widowed" partner. When accidents happen, the clergy has to inform the relative next of kin, who according to the public register is the homosexual partner. The partnership is registered as identical to a heterosexual marriage, with the same privileges and obligations.

In society as such as well as in the context of the church, cohabitation is not considered a private matter. Each home is seen as a unit by which the larger society is constructed. There are public witnesses to a partnership as well as to a marriage. The public dimension was an important factor for the gay organisations, which were involved with the preparations for the partnership legislation. As Riedl says: "This concern is about openness and honesty before God and our fellow citizens. Our wanting a ceremonial blessing expresses the need for recognition for our partnerships by society as well as the church."<sup>11</sup>

### Words and Symbols

A ritual can be defined as a repetitive symbolic action, which is part of a social context. By being part of a social context, the ritual- in this case the partnership rite, is strengthened. The community, or the congregation, which acknowledge the rituals are directly or indirectly, giving legitimacy to the rite when the rite is used. Withholding the partnership blessing, is communicating that homosexual couples are excluded from the congregation, and by offering the church blessing one is including the homosexual couple in the Church. When the Norwegian bishops say that homosexual couples are welcome in church, but denies them the ritual blessing, they are giving a double message, and hurt their own credibility. Hans Raun Iversen points out, that rituals are, as means for human communication just as elementary and powerful as verbal conversation. Unlike habits, rituals are symbolic acts, that both comprise and exceed the reality of the participants, by offering a larger context, - a context where the symbols belong. As a conversation presupposes a common understanding of the metaphors employed, the rituals presuppose a common understanding of the symbols.<sup>12</sup>

This raises the following question? What is the message that is communicated by respectively the Eucharist ritual and the partnership ritual? What does the church want to communicate? Are these rituals for blessing of individuals or for giving legitimacy for certain lifestyles? In order to investigate this, I shall analyse the principles in the bishops' statements, saying that homosexual couples are welcome to participate in Eucharist and in the life of the church, but they are refused the blessing of the church when they form their partnerships.<sup>13</sup>

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<sup>11</sup> Riedl s. 8-9.

<sup>12</sup> Iversen, Hans Raun, *Forkynd evangeliet for al skabning*.

<sup>13</sup> BM 1995

## Homosexual Cohabitation and Church Doctrine

The bishops in any church have a specific responsibility for the teaching of the church. The Bishops' Meeting have repeatedly discussed the question of homosexual's relationships as "a question of ethical principles, and as such a question about the teaching of the Church, which relate to important fundamental questions concerning church dogma. The Bishops' Meeting has, however, not wanted to define this question as a point upon which the Christian faith rests. It relates to crucial parts of church doctrine like biblical hermeneutics, creation theology and anthropology."<sup>14</sup>

This is an academic way of expressing a matter what causes a lot of disturbance to the people it directly concerns. When a Christian person realises that one is homosexual, there is one pressing question: Is a homosexual relationship sinful? The bishops do not define samesex partnerships as "living in sin", but as long as the church refuses to bless those who live in such relationship, the church is nevertheless communicating that there is something wrong with the situation or with the individuals involved. The bishops may, academically have a differentiated view on homosexuality, but for those it concerns it is a black/ white question. One cannot live together in a differentiated way, one is not a little married. In reality, in the life of the homosexual person, it is about sin and salvation, partnership or loneliness.

The bishops find, as theologians, that the question of homosexuality is a difficult one. While they solved the problem in 1977 by differentiating between orientation and practice, they could since 1995, no longer find this way of reasoning reasonable: "The homosexual orientation is more complicated than the term "orientation" expresses, and the boarder between homosexual orientation and homosexual acts are not easy to draw."<sup>15</sup> This vital change in interpreting homosexuality is explained by insight into new research. They no longer say that homosexuals are living in sin, only that they "disregard the guidance of the church", which is not more serious than that they "ought to be integrated in the Church and Christian fellowship".<sup>16</sup> The word used to describe same-sex relationships are considerably more moderate today than they were only a few years ago, but the use of symbols is exactly the same. Homosexual individuals will understand the rites as communicative acts (in Habermas' meaning), so even if the bishops and ministers talk friendly they are not easy to believe, as long as they refuse to offer a prayer of blessing when cohabitation is a fact. Symbols speak, loud and clear.

The Bishops' Meeting refers to so-called systematic reading of the creation myths, from which theologians have developed the concept of "created order",<sup>17</sup> indicating that there is a natural order in the universe, which must not be defied. God said that it is not good for the man to be alone,<sup>18</sup> which is understood as recognition of human need for and ability to intimacy and personal fellowship. This need was supposedly met when God created man gendered, fertile and heterosexual, and bid them procreate in life-lasting marriages away from the husband's parents.<sup>19</sup> The bishops do admit that at least some people live under other conditions than Adam and Eve, but they are advised to solve their problems by neglecting fundamental human needs and choose a life-style as single, despite that God himself, according to the created order, said it was not good. The texts

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<sup>14</sup> BM 1997, 14-15, 3

<sup>15</sup> BM 1995 "Homofile i Kirken", 1.

<sup>16</sup> Bm 1995, 6.

<sup>17</sup> Gagnon, Robert A.J., *The Bible and Homosexual Practice: Texts and Hermeneutics* (Abingdon Press 2001) p. 58

<sup>18</sup> Gen 2: 18 The Lord God said, "It is not good for the man to be alone. I will make a helper suitable for him."

<sup>19</sup> Gen 1: 28 "Be fruitful and increase in number; fill the earth and subdue it. Gen 2: 24 For this reason a man will leave his father and mother and be united to his wife, and they will become one flesh.

in the Bible do not offer a discussion about how “different” people should live, still, the bishops claim that it says: “To the extent marriage is not a possibility, the Biblical guidelines are, that one should live alone”.<sup>20</sup> In reality there are no such guidelines. On the contrary, there is scriptural foundation for bigamy: “If he marries another woman, he must not deprive the first one of her food, clothing and marital rights”.<sup>21</sup> The bishops are of course fully aware of the fact that the Law of Moses gives the right to have a sex-life priority over monogamy. And they know that they constantly choose scriptures in hermeneutical interaction with the insight and the opinion they have themselves from time to time. It is hard to find a consistent reasoning between their reference to “created order”, Biblical texts, and ethical guidelines applied by the Christian Church, when they refuse offering a homosexual couple a prayer of blessing.

In protestant churches there is not much motivation to force heterosexuals to live according to the Biblical texts with regard to gender roles. The text says clearly that women should not teach, since the husband is the head of the wife, he has nothing to learn from her. Women are ordained as ministers even though Paul said “women should remain silent in the churches. They are not allowed to speak, but must be in submission, as the Law says”,<sup>22</sup> and “..if he ignores this, he himself will be ignored”.<sup>23</sup> Heterosexuals have granted themselves birth-control, divorce, remarriage with a church ceremony, despite Jesus’ saying about remarriage being technically adultery. When heterosexuals do not want to live according to the Book, the protestant churches have been willing to construct new principles of interpretation, referring to love as a superior principle in ethics.

In the Catholic Church we find a different kind of logic predominant in sexual ethics. As I see it, it is based on questionable premises. But the Church is at least consequent, and equally strict and brutal with respect to homosexuals as well as heterosexuals. Experiencing sexual pleasure without the possibility of pregnancy is defined by tradition as one of the seven deadly sins: lust. So it is only consistent with Catholic ethics, that those who are living in sin are excommunicated and called to repent.

### Legitimacy through Rituals

In the Norwegian Church there are three types of rituals that may be offered adult members; Eucharist, marriage (or prayer after a civil contract is signed) and ordination. Homosexuals in partnership are only offered Eucharist, which is the ritual for union with Christ. Homosexuals cannot be excommunicated in the Norwegian Lutheran Church. The Bishops’ meeting in 1997 decided unanimously that homosexuals living in partnerships should be welcomed to participate in the Eucharist celebration. If a minister feels that samesex cohabitation is against his conscience, he may warn the person before the service, but if the communicant does not agree, it shall be a matter between that individual and God. So it was made clear, that including homosexuals in the ritual, does not mean acceptance of a lifestyle and should not be interpreted as giving legitimacy to samesex marriage.<sup>24</sup> It is interesting to see how the different rituals are treated differently. Not only The Norwegian Lutheran Church, but also some Baptist churches and Methodist churches in Norway have the same practice; homosexuals in partnership are welcome to participate in Eucharist, but they are denied a liturgical prayer when entering the partnership. So, what is it about the marriage ritual that causes reservation in the Bishops’ meeting? In The Norwegian Church, marriage is not understood to be a sacrament. It is a civil arrangement. The Homosexual couple is not understood to be living

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<sup>20</sup> BM 1995,7.

<sup>21</sup> Ex 21: 10

<sup>22</sup> 1Cor 14: 34

<sup>23</sup> 1Cor 14: 38

<sup>24</sup> BM 1997 sak 14-15, 6.

in sin, the church accept partnership as a civil arrangement. "The religious part of marriage consists of readings from scripture and prayer."<sup>25</sup>

So why are homosexuals denied such reading and prayer? The argument is that it would give legitimacy to same-sex partnerships, which the majority of the bishops cannot accept.<sup>26</sup> What does this mean? The partnership is not a sin but it can still not be accepted. The fact is: It is understood as a compromise, as the least of two evils, expressing the homosexual's immaturity! The majority of the bishops say it like this: "There are situations in life, when one has to take one step at the time, gradually growing able to fulfilling the Biblical ideals."<sup>27</sup>

The reason why the church is unwilling to offer the same prayer for homosexuals as for heterosexuals is that they do not have the same hopes for the two different unions. While the heterosexual union is ideal when it is lasting, the homosexual union is ideal when it breaks up! Heterosexuals live biblical correct when they are committed to each other for life, and decide to live faithfully together. The liturgist prays : "...strengthen them with your spirit, so that they for better and for worse, trust you, as they live together faithfully, helping each other to reach the everlasting life."<sup>28</sup> Homosexuals are considered to be living biblical correct when they consider their union a compromise and they plan to leave each other. So there is an inner theological logic in the practice of rituals: How shall a minister pray for a couple who is living together because of personal and spiritual immaturity? "Strengthen them with your spirit, so that they will leave each other, and thereby help each other to reach everlasting life"?

### Church Unity, Ethical Pluralism and Rituals

The bishops do not want the question of homosexuality to divide the church. "The Bishops' Meeting is aware of the existence of arguments and reasoning in this case, that may be contradictory to fundamental church doctrine, but opinions on homosexual cohabitation is not, in itself of such nature, that it needs to jeopardise the unity of the church."<sup>29</sup>

However, the bishops do not want each priest to follow his own conscience when asked to perform a partnership liturgy. There has been disagreements in the churches for decades, concerning practicing heterosexuals, but the unity of the church was secured by allowing each minister to choose whether he wanted to offer wedding rituals for divorced people or participate in the Eucharist together with a female liturgist. Many heterosexuals have been rejected as godfathers/mothers, simply because a specific minister disapproved of the person's lifestyle. Suddenly, the bishops view the value of this established policy differently and feel the need to "underline that the Church *cannot allow the principle of ethical pluralism*."<sup>30</sup> I find it sensational, that principles, which have been applied with great efficiency in theological controversies regarding heterosexuals' life-styles, are abandoned when they are applied to homosexuals. What is it about homosexuality that churches find so difficult to deal with?

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<sup>25</sup> Introduction to the ritual "prayer for civil contracted marriage", in the Norwegian Church.

<sup>26</sup> BM 1995, 6.

<sup>27</sup> BM 1995, 6.

<sup>28</sup> My translation from the Norwegian liturgy.

<sup>29</sup> BM 1997 sak 14-15, 3.

<sup>30</sup> BM 1995, majority statement, 8.

## *Sexual Deviance in a Sacred Text*

### **Deviance in Biblical Texts**

The reason for The Bishops' Meeting in 1995 refusing homosexuals a partnership ritual, was founded in a so-called "absence of commission,"<sup>31</sup> an argument from the Hygen-committee in 1977, concluding that "It lies safely within the commission of the church to bless the marriage between a man and a woman. There are solid biblical grounds for that. But there is no Biblical commission to bless any other way of living together, sexually."<sup>32</sup> The logic is: What is not directly commissioned is prohibited.

When the bishops argue that they commissioned to deal with sexuality different from heterosexuality, it is grounded in the fact that 48 deviant men have disappeared from the Bible during the process of the translation history. First the Bible was made heterosexual, than heterosexuality was made Biblical.

In the biblical languages, there were no terms for homosexual or heterosexual identity or orientation. There is however, an incident in the City of Sodom, about men wanted to rape other men, and Lot trying to protect the men, by offering them his two virgin daughters to rape instead. This has resulted in the linguistic curiosity that sodomy has become the term denoting homosexuality.<sup>33</sup> A similar story is told from Gibeah, about men who wanted to rape a man, but were allowed to gang-rape the host's daughter and the visitor's concubine instead.<sup>34</sup> This has however not led to Gibeah denoting heterosexuality. And similarly, in the famous vice-list in 1 Cor 6: 9; the word *arsenokoitai* (male bed-ers) is translated homosexuals<sup>35</sup> but *pornoi* (promiscuous males) is not translated heterosexuals.

However, these texts are exceptions. Biblical texts do not usually deal with sexual deviance in a negative way. The greek term "*eunouchoi*" is found 53 times in Septuagint (Greek O.T.) and the New Testament. This is an overarching term denoting men, sexually deviant in different ways. In Mat 19: 12, Jesus deals with three categories of *eunouchoi*, and asks people to accept them:

eisin gar evnuchoi hoitines ek koilias mætros egennæthæsan hutås,  
kai eisin evnuchoi hoitines evnuchisthæsan hypo tân anthrâpân,  
kai eisin evnuchoi hoitines evnuchisan heavtus dia tæen basileian tân uranân.  
ho dynamenos chàrein chàreitå.

King James translation

For there are some eunuchs, which were so born from [their] mother's womb:  
and there are some eunuchs, which were made eunuchs of men:  
and there be eunuchs, which have made themselves eunuchs for the kingdom of heaven's sake. He that is able to receive [it], let him receive [it].

<sup>31</sup> Mangel på mandat, meaning, absence of commission, authorisation,

<sup>32</sup> BM 1995, majority statement, 11.

<sup>33</sup> Gen 19: 5-8

<sup>34</sup> Jud 19: 22-24

<sup>35</sup> Revised Standard Version 1971 translates the concept "sexual perverts", New Living Translation 1996 say "Homosexuals", New King James 1982 say "Sodomites", English Standard Version 2001 say "Men who practice homosexuality"

My translation of Mat 19: 12:<sup>36</sup>

For there are some men who are born unable to procreate in a heterosexual marriage  
Some have been emasculated by other people  
Some have sterilised themselves in order to serve the Kingdom of Heaven  
Those who can accept this, accept it.

48 *eunouchoi* are made invisible because translators have chosen to call them officers. This translation is obviously absurd when the term occurs in a context, and not only in a list. Mat 19: 12 is one such important scripture, since it is impossible to translate *eunouchoi* as officers. It demonstrates that the Bible is not as straight and narrow as many want to believe. Mat 19: 12 is important because it demonstrates how Jesus wanted people to relate to deviance. The topic that was discussed in Mat 19: 3-12 was marriage, divorce and how one should live together. The term "born *eunouchi*" has undergone the following translations:

*Vulgate* (400): sunt enim *eunouchosi* qui de matris utero sic nati sunt

*King James* (1611): for there are some eunuchs, which were so born from their mother's womb

*Basic English* (1964): for there are men who, from birth, were without sex,

*The New English Bible* (1961, 1970): for while some are incapable of marriage because they were born so,

*Die Gute Nachricht* (1967, 1971): Manche Menschen sind von Geburt an zeugungsunfähig<sup>37</sup>

*Die Lutherbibel* (1916, 1984): Denn es sind etliche verschnitten, die sind aus Mutterleibe also geboren<sup>38</sup>

*The Norwegian Bible Society* (1978, 85): Noen er født uskikket til ekteskap<sup>39</sup>

The Norwegian translation from 1930 offered the same ridiculous translation as the old Lutheran edition; that some were born castrated. So, in 1978, one year after the Bishop's Meeting had disintegrated homosexuality into orientation and practice, and thereby accepted homosexuality but not partnerships, a new translation was launched, saying that some people were born unfit for marriage. And suddenly, there was Biblical evidence for denying couples marriage rituals. Again: What is it about sexual deviance that churches find impossible to accept in a sacred context? Before I ponder that question further, I shall try to demonstrate that the term *ho eunouchos* as it was used in antiquity, indeed denoted a man who preferred a same-sex relation.

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<sup>36</sup> My M.Phil. thesis 2003, is called "Were homosexuals included in the concept "born *eunouchoi*" in Mat 19: 12. It is a linguistic analyses of the concept born "*eunouchoi*". My conclusion is that the concept reveals a consciousness of a third gender.

<sup>37</sup> "Some people are born sterile."

<sup>38</sup> "Some are born castrated"

<sup>39</sup> "Some are born unfit for marriage"

## Linguistic Analyses from Ancient Sources

### Roman Law

The terminology in Roman law texts reflects similar categories of sexual deviance that are mentioned in the Old Testament concerning ritual purity. Although the focus of interest is different, there were, in both languages and both cultures different categories that expressed different degrees of deviance. The main question was: is it visible? And if it was visible the next question was: has there been surgery? The overarching term in Greek is *eunouchos*, in Hebrew עֲבֻחִים and in Latin *evnuchus*.

In Roman law, we find the term "*Qui natura spadones sunt*", equivalent to the Greek "born *eunouchoi*", and the Hebrew "*Saris shammah*". *Shammah* means sun, indicating either that the baby was sexually different from the day he saw the sun, or it reflects an astrological belief, that the position of the gendered celestial body influenced the gender of the human body.

Another category in Roman law is *Thibiae*, one with pressed testicles. It could be done by tying a string around the testicles, in order to avoid pregnancy, as Elagabalus, emperor from 218-222 did, wanting sex but not children.<sup>40</sup> Or it could have happened due to an accident.

*Thadiace* was one with bruised testicles. Such a person is mentioned in the Law of Moses, as one who was not admitted into the sacred assembly.<sup>41</sup>

*Castratus* is one who has been surgically sterilised and emasculated, in more or less serious degree.<sup>42</sup>

*Evnuchi* is a term that included both *castratus* and *spadones*. *Spadones* included both *thibiae* and *thadiace*. *Spadones* are, in family law dealt with as men "who had difficulties procreating", which was impossible for a *castratus*.<sup>43</sup> Only those who were surgically sterilised were denied the right to leave a will. Slaves, who were *spadones*, were sold as being physically in tact.<sup>44</sup>

So the category "born *eunouchoi*" in the Gospel of Matthew, has its parallel both in Roman Law, and in Talmudic literature.

### Talmudic Sources

Even though the *saris* were excluded from the Temple, they were accepted in society and sometimes they even married. There was, according to Talmudic tradition, some discussion about how to deal with the legal rights of the different kinds of *saris*.<sup>45</sup> According to Deuteronomy 25: 5 -10, when a man died childless, it was his brother's duty to marry the widow.

"The first son she bears shall carry on the name of the dead brother so that his name will not be blotted out from Israel. However, if a man does not want to marry his brother's wife, she shall go to the elders at the town gate and say, "My husband's brother refuses to

<sup>40</sup> Rousselle, Aline, *Porneia On Desire and the Body in Antiquity* (Barnes & Noble Books 1996) 122 -5

<sup>41</sup> Deut 23: 1

<sup>42</sup> Digest of Justinian XXI 1.7.

<sup>43</sup> Digest of Justinian 28.2.6. in Walter Stevenson 1995, s 497

<sup>44</sup> Juristen Paulus (D 21.1.5)

<sup>45</sup> Strack und Billerbeck (1991) My translation from German.

carry on his brother's name in Israel. He will not fulfil the duty of a brother-in-law to me." Then the elders of his town shall summon him and talk to him. If he persists in saying, "I do not want to marry her," his brother's widow shall go up to him in the presence of the elders, take off one of his sandals, spit in his face and say, "This is what is done to the man who will not build up his brother's family line."

This ceremony was called "*calitsah*", and some confusion is recorded about the obligations of granting a *saris* this privilege.<sup>46</sup> Rabbi Joshua complains about the different opinions on the subject: "I have heard that a *saris* is granted *calitsah* and that *calitsah* is arranged for his wife, and also that a *saris* is not granted *calitsah* and that no *calitsah* is arranged for his wife, and I am unable to explain this."

The text continues with two conflicting explanations by the Tannaim. Rabbi Akibah said: "I will explain it: A *saris adam* is granted *calitsah* and *calitsah* is also arranged for his wife, because there was a time when he was in a state of fitness. A *saris shammah* is not granted *calitsah* nor is *calitsah* arranged for his wife, since there never was a time when he was fit."

The moral point was that a *saris shammah* had been made childless by God and should be left that way.<sup>47</sup> The *saris adam* was a victim of corruption by nature, and it was therefore the task of society to see to that the original plan of God was fulfilled by granting him an heir.

What does it mean, that Jesus asked his audience to accept the *eunouchoi*? Who were these people? I shall give some examples of how the concept was used in Greek, during the first and second century, showing from ancient literature that *eunouchoi* were men who were not attracted to women.

## Litterature

Ovid (43 BC-18 AD) in *Amores*, doubt that the *eunouchos*'s "love had ever glowed warm for any female".<sup>48</sup>

Terence (190 -158 BC)

In a Roman play entitled "The Eunuch", lets his main character say: "From this moment, I erase all women from my mind. These vulgar beauties make me sick."<sup>49</sup> Interesting here is the fact that Terence should have firsthand knowledge about *eunouchoi* as slaves. He was himself born in Carthage, but grew up as a slave to a Roman patrician. His enormous popularity finally gave him his freedom. So when he lets the *eunouchos* express resentment towards beautiful women, there is reason to believe him. The *eunouchos* is portrayed as one who preferred men.

Marital (40-103 AD)

In his third Epigram 81, Martial ridiculed the case of a straight man castrating himself in order to become a priest of Cybele:

What is a woman's chasm to you, Baeticus Gallus?

This tongue is supposed to lick undecided men.

For what reason was your dick cut off by Samia with a potsherd

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<sup>46</sup> Yebamoth, ch.8 (folio 79b) cited in Faris Malik

<sup>47</sup> "Wie die unfruchtbare durch Gottes Hand, so auch der verschnittene durch Gottes Hand" Strack und Billerbeck (1991) My tr., p 806

<sup>48</sup> Ovid, *Amores*, II 3.5-6. Latin: "Mollis in obsequium facilisque rogantibus esses, si tuus in quamvis praetepuisset amor." cited in Faris Malek (1999).

<sup>49</sup> *Eunouchos*, II 3. 292-296 cited in Faris Malik (1999).

If the pussy was so satisfying to you, Baeticus?  
Your head should be castrated, for though you are accepted for a priest because of your groin, You still deceive the sanctuary of Cybele: in the mouth you are a male.<sup>50</sup>

Thus Martial confirms that being a real *eunouchos* entailed a lack of attraction to women, but that such a *eunouchos* could be available for sexual activity with "undecided men". Martial also tells a story about a *eunouchos* and an old man trying to have sex at the same time with a lusty young lady, but neither was able to follow it through:

"One was unable due to lack of male powers, the other due to having passed the age of potency." The frustrated woman was left "praying to you, Aphrodite, for help for herself and the two wretches, that you would make the one a youth, the other a male."<sup>51</sup>

A *eunouchos* is described as a person who is sexually active, but avoids women. How was that phenomenon understood in antiquity?

### Astrology

Analyses of astrological texts have been made by Brooten (1996) and I shall quote from these extensively.<sup>52</sup> Some texts are also referred to by Gleason (1995),<sup>53</sup> and in a thesis<sup>54</sup> by Faris Malik.<sup>55</sup> The importance of astrologers like Firmicus Maternus and Hephaestion of Thebes lies in their preserving earlier sources, often through lengthy quotations. From this, we can find a similar understanding of gender terms over a period of at least 500 years<sup>56</sup>, a period the New Testament authors lived in the middle of. So what were the characteristics of those who were born as *eunouchoi*? Why were they inclined towards men rather than women? Were they de facto homosexuals?

Astrological texts offer several discussions on born *eunouchoi*. The reason for analysing these is, of course, not to ponder whether the content was factual, but to study the terminology. Astrology offered an etiology for different kinds of sexual deviance and would, in that context, mention those who were determined to be *eunouchoi*. 'Natural *eunouchos*' was not a technical term for one specific condition, but the belief was that the influence of feminine gendered stars would prevent the full development of masculinity in the male. The lack of masculinity struck body and soul in different degrees, and the deviance was innate, as the fate of the individual was programmed by the influence of the gendered stars.

Dorotheos of Sidon writes about the same-sex sexual desires of both men and women. "When Venus and the moon are in a particular location, the female "will be a lesbian, desirous of women, and the male will be desirous of males."<sup>57</sup> This is not a bisexual lust. He specifically creates a parallel between lesbians and males who "will not do to women as they ought to".<sup>58</sup> This is an important piece of information about a society often

<sup>50</sup> Marital VI 67 cited in Faris Malik (1999).

<sup>51</sup> Martial XI 81 cited in Faris Malik (1999).

<sup>52</sup> Brooten, Bernadette J., *Love Between Women. Early Christian Responses to Female Homoeroticism*. (The University of Chicago Press 1996) pp 115 -141.

<sup>53</sup> Gleason, Maud W., *Making Men. Sophists and self-Presentation in ancient Rome* (Princeton University Press 1995) p.65 -67.

<sup>54</sup> Faris Malik (1999), Born Eunuch home page on internet.

<sup>55</sup> Faris Malek (1999) n 102, 103,104.

<sup>56</sup> Brooten (1996 ) p.132, 139

<sup>57</sup> Carmen Astrologicum 2.7.6 Ed. and trans. Pingree 206.

<sup>58</sup> Carmen Astrologicum 2.7.12 Ed. and trans. Pingree 207.

considered as thoroughly bisexual.<sup>59</sup> Astrologers had observed that some people had no desire for the opposite sex, but only for their own. This correlates to some degree with my definition of homosexuality.

Ptolemy states that the position of the sun, the moon, Mars and Venus forms the newborn's sexual inclination for life. Women, called *tribad*, might lust after unnatural<sup>60</sup> relations. Some would have a secret desire, while others, more masculine, would live openly in lifelong cohabitations, calling their partners "lawful wives"<sup>61</sup>. The equivalent male sexual disease is *malakoi*.<sup>62</sup> This makes a man feminine and unnatural. It may be a secret desire, but if both Venus and Mars become feminine, it will mean that he will live his life as a public *pathic*.<sup>63</sup> The couple will suffer abuse and assaults. A masculine woman becomes a public scandal just as a feminine man does. He is ridiculed; she is despised. This was all due to the order of the universe, according to Ptolemy. In his discussion of marriage, he places *tribas* in a group with *eunouchoi*.<sup>64</sup>

Brooten has observed that Hephaiston of Thebes, like other astrologers, "parallels *tribades* with male castrati and males who couple with men. One particular configuration yields on the male side a male castrato or a male who couples with men, and on the female side, a woman who is a *tribas* and who couples with women and who performs the deeds of men".<sup>65</sup>

One constellation of the stars results in people who manifest these diseases publicly. Another may result in hidden diseases and sterile women, and men with no aperture, or if Mars is present as well, castrati or *tribades*.<sup>66</sup> Again, we find many sorts of gender deviation, all resulting from the heavenly configurations. Nature itself had imposed a desire and behaviour that society did not accept.

According to Firmicus Maternus, *eunouchoi* were born when Mercury and Saturn were ascendant together in a feminine sign.<sup>67</sup> He obviously sees *eunouchoi* as a broader overarching term defined as follows:

1. Men without semen and
2. Those who are unable to have intercourse (*qui coire non possint*), obscene, disreputable, impure, lewd *cinaedos*

What is clear is that sterile men were called *eunouchoi*. The other group is not so specifically defined. The author describes a person who is sexually promiscuous with men, playing the passive role in these impure relations, because they are unable to have intercourse with women. This is further developed in the astrologer Firmicus Maternus. Here, impure denotes deviance, "unable to come to natural intercourse" but captured by the unnatural (*contra naturam*<sup>68</sup>). So a man who was unable to have intercourse with women, but lived promiscuously with men, was considered to have been born a

<sup>59</sup> Dover (1978) p.1 The Greeks were aware that individuals differ in their sexual preferences, but their language has no nouns corresponding to the English nouns 'a homosexual' and 'a heterosexual', since they assumed that virtually everyone responds at different times both to homosexual and to heterosexual stimuli, and virtually no male both penetrates other males and submits to penetration by other males at the same stage of his life. For discussion on Greek bisexuality, see Mark D Smith pp. 223-256.

<sup>60</sup> Being active was considered unnatural, *para physin* (the expression Paul uses in Rom 1).

<sup>61</sup> Tertrabiblos 3.14 §171f (Trans. Robbins p.370f), cited in Brooten (1996) p.124.

<sup>62</sup> *Malakoi*, the term Paul uses in Tim. 1: 10.

<sup>63</sup> This seems close to the modern differentiation in most churches between orientation and praxis.

<sup>64</sup> Tertrabiblos 4.5 § 187-89 (trans Robbins p. 404f).

<sup>65</sup> Brooten (1996) p.138.

<sup>66</sup> Hepsaiton, Apotelesmatica 2.21.19.

<sup>67</sup> Firmicus Maternus Mathesis III 9.1 cited in Faris Malik (1999) n. 102.

<sup>68</sup> Firmicus Maternus 5.2.11 cited in Brooten (1996) p.137.

*eunouchos*. This reading is strengthened by the fact that Firmicus Maternus also called female same-sex sexual relations impure.<sup>69</sup>

### Physiognomy

People often felt the need for help in finding trustworthy people, and help was certainly at hand. Physiognomy was the art of knowledge of human nature. I shall in the following rely heavily on Maud W. Gleason's study, *Making Men*.<sup>70</sup> In her study, I have found no specific definition of the born *eunouchos*, although she does present the *eunouchos* who was born with defect testicles. However, the variety of deviant traits discussed gives an insight into the conceptual structures of the gender-based categories. Our question in this context is to what degree were born *eunouchoi* perceived as feminised deviants of indeterminate gender?

Polemo's task in life was to reveal deviance, which could be rather tricky to detect. So the physiognomists, astrologers, and popular moralists of antiquity had to think in terms of degrees of gender conformity and gender deviance.<sup>71</sup> There were different kinds of *castrati*, *eunouchoi* and *pathici*. Moreover, even if a man tried to conceal such traits, the physiognomist had his way of detecting the true nature of the suspect. This was not an easy task, since they conceived of "male" and "female" as categories quite independent of anatomical sex<sup>72</sup>.

The work of Polemo is divided into three parts, according to the methodology of his investigation:

1. The study of the eyes, which were seen as the most important "mirror of the soul". For example, a drooping of the eyelid or a movement of the pupil would give away sexual deviance.
2. Zoological physiognomy. The animal kingdom consisted of masculine (leonine) and feminine (panther-like) kinds of animals.<sup>73</sup> This was reflected in human nature.
3. Ethnographic physiognomy. This started with skin and eye colour, moving on to body movements and voice, concluding with the dispositional physiognomy, listing signs that may detect different types, such as feminine men or brave men.

"Hence "masculine" and "feminine" (*arsenikos* and *thelukos*) function as physiognomic categories for both male and female subjects."<sup>74</sup>

### Philo of Alexandria

The relevance of Philo in this context is for language study. As a contemporary of the Greek author of *The Gospel of Matthew*, his use of terms denoting sexual deviance may throw some light upon the meaning of the term "born *eunouchoi*". The question is whether Philo would have seen a homosexual as a born *eunouchos*.

In commenting upon the fate of Joseph, Philo discusses the deviants at the court of Pharaoh. He reads the story as "figurative history".<sup>75</sup> As such, he comments on its factual content. Joseph worked in the house of a deviant. He recognises the possibility of this, even though "it seems the most unnatural thing" for a woman to be cohabiting with a

<sup>69</sup> Brooten (1996) p.137 who observes that this is the very same terminology we find in Rom 1: 24- 27; impure, unnatural and natural intercourse.

<sup>70</sup> Gleason (1995).

<sup>71</sup> Gleason (1995) p.80.

<sup>72</sup> Gleason (1995) pp 58, 60.

<sup>73</sup> This parallels Clement's description of the hyena as a gender deviant homosexual animal.

<sup>74</sup> Gleason (1995) p.59.

<sup>75</sup> On Joseph, XII.58.

*eunouchos*.<sup>76</sup> What is valuable for this study is what his allegorical interpretation of the *eunouchos* Potiphar reveals:

"...having in appearance, indeed, the organs of generation, but being deprived of all the powers requisite for generation; just as those persons who have a confused sight though they have eyes, are nevertheless deprived of the active use of them, inasmuch as they are not able to see clearly"<sup>77</sup>.

First of all, he does not believe that the court *eunouchos*, Potiphar, was castrated. The organs of generation were apparently intact. He writes in the plural, which means there were no physical abnormalities, which in itself qualified Potiphar as a *eunouchos*. However, he was given away by his confused use of his organs. Just as a person with eyes can have confused sight, a *eunouchos* can have a confused sex life, contrary to nature. The result was, of course, the lack of offspring.

This *eunouchos* lived with his wife in some confused and unnatural way. Still, there is a remarkable difference between the description of the sodomite and the *eunouchos*. Sodomites were seen as

"men, being unable to bear discreetly a satiety of these things, get restive like cattle, and become stiff-necked, and discard the laws of nature, pursuing a great and intemperate indulgence of gluttony, and drinking, and unlawful connections; for not only do they go mad after women, and defile the marriage bed of others, but also those who were men lusted after one another, doing unseemly things, and not regarding and respecting their common nature,"<sup>78</sup>

The sodomites are described as adulterous and promiscuous bisexuals. They are seen as men, being able to live in normal marriage. They were born as men, but they had developed habits which threatened their masculinity:

"and so, by degrees, the men became accustomed to be treated like women, and in this way engendered among themselves the disease of females, an intolerable evil, for they not only, as to effeminacy and delicacy, became like women in their persons, but they made also their souls most ignoble...."<sup>79</sup>

The important difference between *eunouchoi* and sodomites is the etiology for their behaviour. While sodomites were stiff-necked and evil, and engendered their vice willingly, the *eunouchoi* were victims of confusion with regard to procreation. They are compared with "those persons who have confused sight though they have eyes". They are deprived people, not evil, because they "are not able to see clearly". It is a point that they were not victims lacking sexual powers, as would have been the case with impotence, for they were sexually active, but behaved like women because they were sexually confused. Philo describes the *eunouchoi* of the OT as natural homosexuals. Potiphar could therefore be a natural *eunouchos*.

### Clement of Alexandria

Clement of Alexandria offers three different comments on *eunouchoi*. In The Paedagogus 3.4, he warns Christians against the vice of the *eunouchoi*, who are very much able to "indulge in lust", taking advantage of the reputation of being impotent. In Stromateis 3. 99, he gives a symbolic interpretation of Mat 19: 12 and, in Stromateis 3. 1-4, he discusses

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<sup>76</sup> On Joseph XII. 60.

<sup>77</sup> On Joseph XII. 58.

<sup>78</sup> On Abraham XXVI 135

<sup>79</sup> On Abraham XXVI 136

the followers of Basilides and their false understanding of Mat 19: 12. They operate with two different categories of *eunouchoi*, “*eunouchoi* from birth” and “*eunouchoi* from necessity”.<sup>80</sup> He is critical of their understanding of themselves as “*eunouchoi* of necessity”, saying they are lacking “any rational cause”,<sup>81</sup> as opposed to those who are “*eunouchoi* for the eternal kingdom, making a choice of reasoned principle in their view...”<sup>82</sup>

So after having dwelled upon the fact that the *eunouchoi* did have a sexual drive, Clement advises them not to marry, but for different reasons to those who are *eunouchoi* for the sake of the Kingdom. I believe that his comment about this category actually gives us his definition of who the born *eunouchoi* were: “Some men, from their birth, have a natural aversion in relations to women. And those who are naturally so constituted do well not to marry.”<sup>83</sup>

### Difficult to accept?

After having mentioned the three categories of *eunouchoi*, Jesus said: *ho dynamenos kjorein, kjoreito*, - He who is able to accept this, accept it!

Why was it not taken for granted that everybody could accept deviant people? Jesus knew that it would be difficult for the Jews to do that, because both homosexuals (whatever they were called), sterilised men and emasculated men were declared impure in the Law of Moses.

Jews were used to discussing details in interpretation of the Law, but in this case they would nullify a basic structure in their religious understanding. *Eunouchoi* were not allowed into the temple, which meant that they could not participate in the ritual life, which again meant that they were cultic impure. Which again meant that they should be avoided, since impurity was understood as a destructive, contaminating power, leaving people infertile. It was certainly not easy for a Jew living in the first century to accept deviance.

It is more noteworthy that the Christian Church in the 21st century has a problem with allowing people perceived as deviant to participate in the holy rituals. Is it the old ghost of impurity that is haunting the cathedrals?

### Homosexuality and ritual impurity

Homosexuals living in partnership may, according to the Bishops' Meeting 1995, receive Eucharist, but they may not be ordained to officiate Eucharist. The difference is that the one who officiates the rite act as an intermediary between God and the communicant while the communicant only receives the presence of Jesus.

The same Bishops' Meeting said that homosexuals living in partnerships should be respected for their opinion, since “They have reached their conviction through serious work with the Biblical material”. So why can homosexuals not officiate rituals?

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<sup>80</sup> Stromateis III 3. 1

<sup>81</sup> Stromateis III 3. 3

<sup>82</sup> Stromateis III 3.4

<sup>83</sup> Stromateis III 1.2.

## Holy Rituals and Impure People

I believe there is reason to suspect, that we are actually dealing with a subconscious legacy from the Law of Moses. Impurity was a dangerous force, antagonistic to holiness, so impure individuals had to be kept away from the sanctuary, or the whole country would be polluted.<sup>84</sup> Impurity was not necessarily a result of sinful behaviour. But it was mandatory that one be cleansed after having attracted impurity, for example after menstruation, child birth, sexual intercourse, taking care of the dead, etc. Cleansing rituals were performed in order to maintain fertility and growth in the population. The principle was: when life was at stake or in danger the forces of death were in play. Some people, however, could never be cleansed and thereby made cultic capable. These would not procreate, and were thereby chronic impure: like women with hormone disorder who were bleeding at any time, and sexual deviants. The cleansing rituals were available only after the person was procreative again. So there was no cleansing rituals for a *saris adam* who was sterilised or for a *saris shammah* who was born sexually different. His situation was much discussed amongst the old Rabbies: How should they detect a *saris shammah* who had no physical flaws, were there hidden signs of femininity that could be revealed? Should he get married? Could he be cured?<sup>85</sup>

It may be more than coincidental, that the criteria for being worthy of church rituals are so consistent with the Mosaic purity thinking.<sup>86</sup> Menstruating women were impure,<sup>87</sup> women after giving birth,<sup>88</sup> divorced women were impure to the degree that they could not marry a priest without polluting the whole priesthood,<sup>89</sup> sexual deviants were impure, but they had to live with their fate. Others were in even bigger trouble: Those who attracted impurity by choice. Men who lies with men as one lies with a women, should be killed<sup>90</sup>, and a man who laid with his wife during menstruation should also be killed<sup>91</sup>. Both actions involved the wasting of seed,<sup>92</sup> a deed that would pollute the entire population if it were tolerated. Lesbians did not wasted seed, so they were still in a state of purity even eligible for marrying priests. The Rabbi Hillel, defined them as virgins, since there had been no penetration.<sup>93</sup>

This was the religious system Jesus fought against, and was eventually killed for fighting against. It seems to me, that the Christian church has not fully appreciated this paradigm shift.

The terminology of impurity has been in active use through the entire church- history. As late as in 2000 there was a movie produced about, Bjørn Erik, a young man who committed suicide because he could not accept himself as a Christian and homosexual. Tellingly, the film is called "Pray - dirty sinful me!"

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<sup>84</sup> Jacob Milgrom; The dynamics of purity in the priestly system, in Poorthuis and Schwartz eds, *Purity and Holyness* Brill Leiden 1999 p 29 - 32

<sup>85</sup> Strack und Billerbeck 1991

<sup>86</sup> Gerhard Rouhorst, Leviticus 12 - 15 in early Christianity, in Purity and Holyness ed Poorthuis and Schwartz, Brill Leiden 1999 p 182 -184

<sup>87</sup> Fonrobert, Charlotte Elisabeth, *Menstrual Purity, Rabbinic and Christian reconstructions of Gender*, Stanford University press 2000

<sup>88</sup> Charles Caspers, Leviticus 12, Mary and Wax: Purification and Churing in Late Medieval Christianity in Purity and Holyness ed Poorthuis and Schwartz, p Brill Leiden 1999 p 295 - 313

<sup>89</sup> Lev 21: 7 They must not marry women defiled by prostitution or divorced from their husbands, because priests are holy to their God. 21:14 He must not marry a widow, a divorced woman, or a woman defiled by prostitution, but only a virgin from his own people,

<sup>90</sup> Lev 20: 13 If a man lies with a man as one lies with a woman, both of them have done what is detestable. They must be put to death; their blood will be on their own heads.

<sup>91</sup> Lev 20: 18 If a man lies with a woman during her monthly period and has sexual relations with her, he has exposed the source of her flow, and she has also uncovered it. Both of them must be cut off from their people.

<sup>92</sup> Jacob Milgrom, Leviticus 17-22 The anchor Bible Doubleday 2000 p. 1787.

<sup>93</sup> Brooten p. 66.

The reason why impurity thinking has been so heavily in play in the Christian church is probably explained better in terms of cultural anthropology<sup>94</sup> than theology. The Book of Leviticus was actually not much read in the early church. It was regarded as a Jewish document about the Jewish cult. Never the less, the Christian church still seem to be practising Mosaic Law, going to great pain to prevent the sacred from being polluted by impurity. The Catholic liturgist Franz Kohlschein argues that the concept of women's cultic impurity is still extant in the Catholic Church. He points to striking contradictions in the regulations the church has adopted concerning the involvement of lay people in the liturgy.<sup>95</sup> At certain occasions, lay people may administer Holy Communion, but when a woman is participating, she may not step unto the altar, while there is no such restriction for men.<sup>96</sup> The Old Testament ideal that women contracted impurity from bearing children has more or less been in effect during the entire church- history. Origenes explains the phenomenon by referring to his belief of original sin; the woman had born a sinful being into this world.<sup>97</sup> The child could be cleansed from its inborn impurity by the baptism rite, and the mother by a rite specially designed for that purpose, today called "churching".

### Cleansing Impurity by Fire

On May 14, 390,<sup>98</sup> an imperial decree was posted at the Roman hall of Minerva, a gathering place for actors, writers and artists,<sup>99</sup> which criminalized for the first time the sexual practice of those whom we call "homosexual" men -- this had never happened before in the history of law. The prescribed penalty was death by burning. This law was promulgated by an emperor who at the time was under a penance set by St. Ambrose, the bishop of Milan,<sup>100</sup> and the law was issued in the context of a persecution of heresies. Homosexual men at the imperial court had been powerful opponents of Catholic doctrine during the fourth-century conflicts over the nature of Jesus Christ, known as the Arian controversies.

This law targeted all men who were involved in a same-sex relationship. This indicates in itself a new categorising of gender. Eunuchs are disappearing from the scene. Prior to 390, both religious and secular laws had targeted only one particular form of homosexuality: when a free man or youth who otherwise exhibited a virile attraction toward women nonetheless agreed to or was forced to play a female role in intercourse with other men. Augustus Caesar's law against adultery likewise prohibited intercourse with "males,"<sup>101</sup> and may well have provided the impetus for a widely-attested wave of

<sup>94</sup> Mary Douglas, *Purity and danger: An analysis of concepts of pollution and Taboo*. London 1966. *Natural Symbols*, London 1970.

<sup>95</sup> Franz Kohlschein, "Die Vorstellung von der kultische Unreinheit der Frau: Das Weiterwirkende Motiv für eine Zwiespältige Situation?" i Tessa Berger og Albert Gerhards (eds), *Liturgie und Frauenfrage: Ein Beitrag zur Frauenforschung aus Liturgiewissenschaftlicher Sicht*. Pietas Liturgica 7, (St Ottilien: EOS-Verlag Erzabtei St. Ottilien, 1990), s 269-288.

<sup>96</sup> Korte, Anne Marie, *Reclaiming Ritual*, in in Poorthuis and Schwartz eds, *Purity and Holyness* Brill Leiden 1999 p 186.

<sup>97</sup> Origenes Hom in Lev VIII, 3 in Gerard Rouwhorst, *Leviticus 12-15 in early christianity*, in Poorthuis and Schwartz eds, *Purity and Holyness* Brill Leiden 1999 p 186.

<sup>98</sup> Rev. M. Hyamson, ed. and tr., *Mosaicarum et romanarum legum collatio*, London, 1913 (reprint Buffalo, 1997), pp. 82-83. (Coll. leg. mos. et rom. 5.3.1-2) in Malik, "Born Eunuch Homepage".

<sup>99</sup> *Columbia Encyclopedia*, 5th edition, New York, 1993, s.v. Minerva, p. 1782. in Malik, "Born Eunuch Homepage".

<sup>100</sup> Wilhelm Ensslin, *Die Religionspolitik des Kaisers Theodosius des Grossen*, Munich, 1953. In: *Sitzungsberichte der Bayerischen Akademie der Wissenschaften, Philosophisch-historische Klasse*, Year 1953, No. 2. in Malik, "Born Eunuch Homepage"

<sup>101</sup> *Institutes of Justinian* 4.18.4. in Malik, "Born Eunuch Homepage"

castrations in the early empire -- in order to supply sex partners who were not "males."<sup>102</sup> As late as 342, Constantius II issued a decree imposing an "exquisite punishment" for the crime which occurs "when a male gives himself in marriage to an *effeminate* and what he wants is for the effeminate to play the male role in sex, thus for himself to play the female role."<sup>103</sup>

The Christian world has eventually become straight and dichotomised. There is only one kind of eunuchs left: the symbolic eunuch who lives in celibacy. There is no more men perceived as androgynous, half-men, neither man nor woman, hybrid, manmade eunuchs and born eunuchs. Nature has been defined into conformity with the creation myths: there is only men and women. Shaun Tougher has observed this phenomenon, and offers an analyses in an article on the origin of the Byzantine *eunouchoi*. She agrees with Ringrose, that a discrepancy has developed between the secular and ecclesiastical perception of deviants. According to her, one consequence of this was that "the secular perception was that deviants did indeed form a distinct third sex, whilst the ecclesiastical view undermined the distinct gendering of deviants".<sup>104</sup> As Ringrose says: The term eunuch as used in late antiquity...its definition changed within Byzantine society between the third and the twelfth century.<sup>105</sup> By the twelfth century a eunuch was perceived as a singer in a church choir, castrated as a child in order to prohibit development of secondary gender traits, rendered as an asexual nature, appropriate for the Christian Church.

### The Marriage Rite as Symbol

According to the Law of Moses, impurity and holiness could not be united. The Catholic Church sees the marriage rite as a holy sacrament, and even the protestant churches seem to see the marriage rite as a holy event since one is giving a promise "before God and witnesses". It is only logical that impure people cannot vow to be living together in impurity, without creating a sense of blasphemy. The marriage rite is so filled with symbolism, that it will probably not be offered to homosexuals until homosexuality is truly accepted and homosexual marriages are accepted as an honourable and ethical valuable state.

As long as even so-called progressive bishops say that homosexual partnership is the least of two evils, and therefore acceptable, there is work that needs to be done.

Marriage symbolises the unity between Christ and the Church.<sup>106</sup> The Church is the pure bride, dressed in white, engaged to be marriage to Christ.<sup>107</sup> The male is the head of the female, as Christ is the head of the Church.<sup>108</sup> A homosexual couple cannot possibly symbolise the gendered and hierarchical structure given in Paul's metaphor. And it goes on: The word, which is preached in the service is symbolised with the seed the male

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<sup>102</sup> Seneca, *De ira* 1.21; Juvenal 6.371-373, 10.306; Martial 6.2, 9.6.4, 9.8.5; Statius, *Silvae* 4.3.16; Suetonius, *Nero* 28, *Domitian* 7. in Malik, "Born Eunuch Homepage"

<sup>103</sup> *Code of Theodosius* 9.7.3. in Malik, "Born Eunuch Homepage"

<sup>104</sup> Tougher (1997) p.169.

<sup>105</sup> Ringrose (1996) p.86.

<sup>106</sup> Eph 5: 31 - 32 For this reason a man will leave his father and mother and be united to his wife, and the two will become one flesh. This is a profound mystery - but I am talking about Christ and the church.

<sup>107</sup> 2 Cor 11: 2 I I promised you to one husband, to Christ, so that I might present you as a pure virgin to him.

<sup>108</sup> Eph 5:23 For the husband is the head of the wife as Christ is the head of the church, his body, of which he is the Savior.

priest sows.<sup>109</sup> The Church, as woman, is the receiving part, as she herself is the quiet congregation.<sup>110</sup> The apostle Paul sees himself as a Paterfamilias giving away his virgin daughter in an arranged marriage.<sup>111</sup>

But something happens with the symbolism. The spiritual man raises above the limitations of the gendered body. Paul says that he is in labour, bearing children<sup>112</sup>, and that he feeds them milk, because of their immaturity.<sup>113</sup> Women are allowed to pray in public, and to speak, as a vain for the spirit.<sup>114</sup> So, the androgynous church is the symbol of the body of Christ. The spiritual Christ is again incarnated into flesh, only this time, flesh is not a male individual, but the universal church, composed of all human beings, regardless of gender.

This was the very idea that Jesus was teaching according to Mat 19: 12. He informs both his disciples and the Pharisees that human nature is not always in conformity with the norms of the creation narrative: "For there are *eunouchoi*".

Matthew reported this incident, probably because he interpreted it as a fulfilment of Isaiah 56: 3-6.: The people had returned from captivity in Babylonia, and they wanted to re-establish their religious cultic life. They were aware of purity laws, and remembered that there were sexual deviant people who should not be allowed in the temple. But the prophet was looking into the future saying:

There shall be a day of salvation, when people shall "let no *Saris* complain; "I am only a dry tree". For this is what the Lord says: "To the *Saris* who keep my Sabbaths, who choose what pleases me and hold fast to my covenant - to them I will give within my temple and its walls a memorial and a name better than sons and daughters; I will give them an everlasting name that will not be cut off."

I believe that this means: Any gender variant person, who accepts the New Covenant rather than the old Mosaic Law, should be accepted into the Christian sanctuary, welcomed to the altar, and included in the rituals. Jesus acknowledged the *eunouchoi* and said nothing about celibacy.

So a relevant question to ask the next Bishops' Meeting would be: "How are you commissioned to force homosexuals to live in celibacy, as long as the "created order" says it is not good for men?" If this is not answered with the same willingness to find good solutions like heterosexual theologians have found for themselves, the credibility of the Church as an institution for ethical guidance is at stake. If purity is more relevant to the practice of rituals than ethics, the credibility of the Christian Church as such is endangered.

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<sup>109</sup> 1Pet 1: 23 For you have been born again, not of perishable seed, but of imperishable, through the living and enduring word of God.

<sup>110</sup> 1Cor 14: 34 ...women should remain silent in the churches. They are not allowed to speak, but must be in submission, as the Law says.

<sup>111</sup> 2Cor 11: 2 I promised you to one husband, to Christ, so that I might present you as a pure virgin to him.

<sup>112</sup> Gal 4: 19 My dear children, for whom I am again in the pains of childbirth until Christ is formed in you,

<sup>113</sup> 1Cor 3: 2 I gave you milk, not solid food, for you were not yet ready for it. Indeed, you are still not ready.

<sup>114</sup> 1Cor 11: 5 And every woman who prays or prophesies.....