

Does the Bible Regard Same-Sex Intercourse
As Intrinsically Sinful?
An Evaluation of Mark Powell's Essay in *Faithful Conversation*
(Sections I-III)

Robert A. J. Gagnon
Associate Professor of New Testament
Pittsburgh Theological Seminary, Pittsburgh, PA 15206-2596
gagnon@pts.edu

A note to readers: This article contains the first three sections of an essay, under the same title, published in a collection of essays entitled Christian Sexuality: Normative and Pastoral Principles (ed. Russell E. Saltzman; Minneapolis: Kirk House, 2003), 106-55. The original essay was too long to be incorporated in its entirety in the Christian Sexuality volume. Consequently, the first three sections of the seven-section essay were summarized briefly for the print edition, while the unabridged original for sections I-III was moved online.

Does the Bible regard same-sex intercourse as intrinsically sinful?¹ An important recent article by a Lutheran New Testament scholar answers “no” and makes an overall presentation that will be perceived as supporting some homosexual unions. The purpose of my essay is to make the case for a “yes” answer and to show that acceptance of *any* homosexual activity constitutes a significant departure from the biblical witness—even in view of alleged “new knowledge” claims.

The article to which I refer is “The Bible and Homosexuality,” written by Mark Allan Powell, professor of New Testament at Trinity Lutheran Seminary. It appears in a book that may play a critical role in Lutheran (ELCA) discussions on homosexuality: *Faithful Conversations: Christian Perspectives on Homosexuality* (ed. James M. Childs, Jr.; Fortress Press, 2003). As the back cover indicates, this book “was initiated by the

¹ This article was completed on July 19, 2003. For fuller discussion of some points and extensive interaction with other scholars, readers may want to consult my books, *The Bible and Homosexual Practice: Texts and Hermeneutics* (Nashville: Abingdon, 2001; hereafter *B&HP*); and, with Dan O. Via, *Homosexuality and the Bible: Two Views* (Minneapolis: Fortress, 2003). In addition to these, see the following articles of mine: “A Comprehensive and Critical Review Essay of *Homosexuality, Science, and the ‘Plain Sense’ of Scripture*, Part 1,” *Horizons in Biblical Theology* 22 (2000): 174-243 (Part 2 forthcoming in 2003); “The Bible and Homosexual Practice: Theology, Analogies, and Genes,” *Theology Matters* 7, no. 6 (Nov/Dec 2001): 1-13 (also available online at <http://www.theologymatters.com/TMIssues/NovDec01.PDF>); “Gays and the Bible: A Response to Walter Wink,” *Christian Century* 119, no. 17 (Aug. 14-27, 2002): 40-43 (for a fuller version see “A Response to Walter Wink’s *Christian Century* Review” at <http://www.pts.edu/gagnonr.html>); a letter printed in *Christian Century* 119, no. 21 (Oct. 9-22, 2002): 67 (for a much fuller version see “A Rejoinder to Walter Wink’s Views on the Bible and Homosexual Practice” at <http://www.pts.edu/gagnonr.html>); “Are There Universally Valid Sex Precepts? A Critique of Walter Wink’s Views on the Bible and Homosexuality,” *Horizons in Biblical Theology* 24 (2002): 72-125.

ELCA seminary presidents in response to a churchwide mandate” to study the feasibility of blessing homosexual unions. The book is being promoted as a study guide for ELCA churches. Powell’s article, which leads off (pp. 19-40), is probably the most important essay in the book. For one thing, Powell is the only biblical scholar contributing to the book and it is widely acknowledged that the most important obstacle to ecclesiastical approval of homosexual practice is the Bible. For another, Powell is a well-published scholar who generally has high regard for the authority of Scripture in the life of the church.

Despite some attempts at being evenhanded and holding a number of views congenial to a *pro-complementarity* stance, Powell inclines his presentation in favor of a modified *pro-homosex* position.² As expressed in his article, Powell believes that, perhaps for “thousands” of homosexual Christians, the church *can*—and, in his opinion, *should*—make *exceptions* to the Bible’s stance against homosexual practice. He claims that the church can make “exceptions” and still remain within a spectrum of “biblically consistent views.” Scripture, Powell contends, regards homosexual activity as “normally” sinful but not “intrinsically” so. A male-female prerequisite for a sexual union is no more than “the normal state of affairs” intended by God at creation (pp. 21-22, 29, 32). Undoubtedly, *pro-homosex* advocates will cite Powell as an example of a moderate biblical scholar who recognizes that Scripture is not an insuperable obstacle to the church’s acceptance of at least some homosexual unions and thus the deliberate ordination of at least some “PSA homosexuals” (practicing, self-affirming homosexuals).³

So far as *pro-homosex* treatments by biblical scholars are concerned, Powell’s is one of the better ones. It is certainly more cautious and concerned about Scripture than most such treatments. Nevertheless, it is unfortunate that the editor chose as the *only* contributor with expertise in biblical studies someone who writes that the Bible *can* be made amenable to the acceptance of some homosexual unions. This slants the presentation of the biblical witness in this book—the most important witness for *pro-complementarity* advocates—toward one perspective.⁴ It raises questions about fairness

² Some advocates of homosexual behavior have coined the compound word *homosex*, playing off of the use of the simple word *sex* as both noun and adjective. It helpfully focuses dialogue on the pros and cons of homosexual *practice* rather than on the pros and cons of homosexual *persons* (by the latter I mean persons who experience exclusive or predominant impulses for same-sex intercourse *at a given segment of life*). The term *pro-homosexual* confuses the distinction between practice and persons. Proponents of homosexual practice do not love those who engage in such practice more than those who uphold man-woman intercourse as the exclusive norm. Indeed, from the standpoint of Scripture, they love them less, insofar as they condone a form of behavior displeasing to God and harmful to the participants. To describe my own position, I prefer the expression *pro-complementarity* or, for short, *pro-comp*, because it stresses what is missing in homosexual behavior and essential for God’s blessing: the sex complementarity of the participants. Given the Bible’s strong and uncompromising witness against all same-sex intercourse and the similarly strong witness of the church for nearly two millennia, it seems reasonable to place under the rubric *pro-homosex* any position that entertains the legitimacy or acceptability of some homosexual behavior, even if only as “exceptions” or as the lesser of two evils.

³ I have personally encountered this in some ELCA presentations.

⁴ The same problem has developed in the selection of the ELCA Task Force for Studies on Sexuality, where the *only* biblical scholar serving, Terence Fretheim, is on record as strongly endorsing a change in the church’s historic stance against all homosexual practice. To comment on the roles given Powell and Fretheim is not to impugn their credentials; both are able scholars with a particular point of view. Rather, it is to criticize a process that has not given adequate representation, in key positions, to biblical scholars who regard Scripture as unequivocal and strong in its opposition to all forms of same-sex intercourse. To be

and balance.⁵ The imbalance cannot be undone by the article that I am writing here, simply because this article does not appear in a volume published by the official Lutheran publishing house, with all its resources and connections within the ELCA. Nor does it appear in a book that carries the imprimatur of the ELCA seminary presidents as an important study guide of the church. However, I do hope to show, for those who read this article, that a “biblically consistent view” does not permit “exceptions” to a normative stance against homosexual practice. Rather, the gospel of the grace and love of our Lord Jesus Christ calls for maintaining an exception-less stance against homosexual practice in the context of an outreach of love to those violating such a standard.

I. Does Powell Advocate Exceptions?

A. Powell’s stance on “exceptions” and Genesis 2:18

Powell understands his article as not so much taking a position on the Bible and homosexual practice as merely delineating two plausible ends of “a spectrum of ‘biblically consistent views’” and indicating what sort of arguments would have to be made to support the view on each end. The two views are: (1) “the biblical texts are so uniform in their condemnation of homosexual acts as to make the granting of any exception for any reason almost unthinkable”; and (2) “the biblical texts that condemn homosexual acts are so geared toward regulating sexual preferences” that the Church

sure, the Task Force has read literature from biblical scholars on both sides of the debate. Also, in April 2003 the Task Force listened to a panel consisting of two biblical scholars, as well as two ethicists, representing different perspectives. However, in terms of power and influence, oral presentations before the Task Force—which, at any rate, include full representation from the pro-homosex side—are an altogether different thing from being the lone biblical studies expert sitting on the Task Force or writing in a book commissioned by the ELCA seminary presidents to serve as an important study guide for the ELCA. One can also see bias in the reporting of the aforementioned panel by *The Lutheran* (David L. Miller, “Sex task force struggles diverse science, theology,” June 2003, pp. 44-45). The biblical scholar endorsing committed homosexual unions, Ralph Klein, was given 25 lines in the article. The biblical scholar upholding the church’s historic stance against homosexual unions, Craig Koester, was given less than a fourth of that space, only six lines (p. 45).

⁵ As for the remainder of the volume, one article is pro-“comp” (James Nestingen) and another is pro-homosex (Martha Stortz). Readers may characterize two others as neutral or slightly pro-homosex (Richard Perry & José David Rodríguez; Daniel Olson); similarly, James Childs’ introduction (note, for example, his comments on Helmut Thielicke, p. 10). Nestingen and Stortz balance each other out, while the rest of the volume provides a neutral-to-pro-homosex tilt. Powell’s article tips the book as a whole in the pro-homosex direction, favoring “exceptions” to an otherwise “normal state of affairs.” Childs recommends to readers that they begin at the beginning: “The best way to work through the volume is to read from start to finish” because “there is a logical progression in the arrangement of the chapters” (p. 15). This recommendation underscores the importance of the placement of Powell’s article for the volume as a whole and for its influence on readers. One additional note on a possible criterion for selecting contributors: Each of the scholars writing an article hails from a different ELCA seminary, except for Perry and Rodríguez (but they collaborate on the same article) and Childs and Powell (but Childs writes the introduction). Three of the eight ELCA seminaries do not have a contributor in this book. Cf. Robert A. J. Gagnon, review of *Faithful Conversation: Christian Perspectives on Homosexuality* (ed. James M. Childs), online: <http://www.robagnon.net/articles/homoFaithConvReviewRBL.pdf>.

should “allow for the sanctioning of at least some gay and lesbian relationships” (p. 38). According to Powell, he is not yet convinced that either case can be made with certainty.⁶

I see two problems with this characterization.⁷ The first is that Powell does clearly inject his own stance in the second-to-last paragraph of the article. There he cites Jesus’ stance toward Sabbath law and concludes:

Personally, I . . . strive to avoid adoption of either extreme. . . . For me, the question becomes: *Do we require homosexual people to sacrifice the experience of sharing life intimately with a partner* in order to fulfill God’s standards of holiness as perfectly as possible? *Or do we allow a merciful exception to those standards in the belief that God would not want such sacrifices imposed on people in burdensome and harsh ways* (see Matt. 11:28-30; 23:4)? . . . The Bible . . . teaches that God *prefers* mercy to sacrifice. . . . ***I believe*** that the Church should not dismiss or ignore biblical teachings against homosexual relations but *that the Church should follow the lead of Jesus* [regarding his position toward Sabbath law] *in recognizing that **exceptions to the prohibited behavior must be granted** in some instances* to enable homosexual people to experience life as abundantly as possible. (38-39; emphases added, except for *prefers*)

Powell does not say: “I believe that the Church *could* grant exceptions.” He says: “I believe that the Church should . . . *must*” grant exceptions. The first two sentences of the extract establish clearly the circumstances that would justify exceptions: The alternative to “requir[ing] homosexual people to sacrifice the experience of sharing life intimately with a partner” is “allow[ing] a merciful exception to those standards in the belief that God would not want such sacrifices imposed.” In other words, the church should grant exceptions when the prohibition of same-sex intercourse would prevent homosexual persons from “sharing life intimately with a partner.” Powell also thinks it is possible to have such exceptions in the context of “not dismiss[ing] or ignor[ing] biblical teachings against homosexual relations.” From these remarks I suspect most readers will draw the conclusion that Powell, in weighing the two “ends” of the spectrum, comes down fairly strongly on a modified version of the second (i.e., granting exceptions).⁸ Even if Powell intended this next-to-last paragraph of his article as a parenthetical

⁶ This is the understanding that I have from my e-mail correspondence with Powell. I cannot say, though, that I derive this impression, at least the whole of it, from the article itself. Outside of the article, in the “Author’s Forum” located at the end of the book, he does comment: “I still do not know for sure what I believe about this [i.e., the homosexuality issue]” (p. 129). This kind of tentativeness does not always come across in a number of statements in the article. Childs, too, states in the introduction that Powell “is *more* interested in prompting us to consider (and reconsider) what the God of the Bible would have us *do than* he is in stumping for a particular position” (p. 5; emphasis mine). Yet, even he—a friend and colleague of Powell’s—speaks in terms of a comparison (more this than that), not a contrast (not this but that). Childs also summarizes Powell’s article as follows: “Powell’s analysis . . . *leads us to consider* the possibility that the church might recognize some exceptions” (p. 4; emphasis mine). Indeed it does that and more.

⁷ Of course, the very fact that Powell places the position of “allowing for the sanctioning of at least some gay and lesbian relationships” on a spectrum of *biblically* consistent views is itself testimony to Powell’s leanings and bias.

⁸ Although Powell claims that he “strives to avoid adoption of either extreme,” the position that he adopts fits best with the second “extreme,” namely, the position that “favors some sort of Church action to allow for sanctioning of at least some gay and lesbian relationships” (p. 38).

afterthought or personal aside, it still stands in tension both with an objective of simply laying out the two main options and with a claim to personal uncertainty.⁹

There is something even more problematic for any claim to not advocating for a position. This brings us to the second point: The personal opinion expressed at the end of the article seems both to color significantly his exegetical analysis throughout the paper and to be mandated by that same analysis, at least in terms of broad strokes. In other words, his personal aside is inseparable from his exegetical analysis: each feeds on the other.¹⁰ This comes across unmistakably in the conclusion to the section entitled “Interpretation of the Bible for Today” (2-3 pages before he gives his personal opinion):

The Bible never says that it is God’s will for people to be able to gratify all of their sexual desires. . . . The Bible does indicate, however, that it is God’s will for individuals to have the opportunity to share their lives with intimate partners (Gen 2:18-25). The Church *may* set limits regarding such partnerships (prohibiting marriage to close relatives and discouraging marriage to unbelievers), *but to insist on limits* [to sexually intimate life partnerships] *that deny thousands of people the possibility of such relationships altogether is to fly in the face of Scripture*. Even while paying heed to the Bible’s prohibitions against same-sex intercourse, the Church also *must* recognize God’s clear declaration that it is not good for a person to have to live life alone. (p. 36; emphases added)

Powell does not say, in tentative manner: “*One wonders* whether insisting on limits . . . flies in the face of Scripture.” No, Powell is quite categorical: The church is definitely flying in the face of Scripture when it maintains an absolute policy barring all homosexual unions. Powell says that the church *may* set limits by excluding some types of “intimate partnerships” altogether—but only so long as other opportunities for such partnerships exist. For example, the church can maintain an exception-less policy on incest because persons involved in incestuous unions are not “so incest-oriented that a meaningful nonincestuous sexual relationship would be impossible for them” (p. 35). The use of a permissive *may* is followed by a clause with an adversative conjunction *but*, suggesting that the following specifies what must not be permitted. The church *may* have an exception-less policy on incest; *but* having the same sort of policy with respect to homosexual relations “flies in the face of Scripture.” Now, “to fly in the face of” means “to stand or act forthrightly or brazenly in defiance or contradiction of” (Webster).¹¹

⁹ He may have had some uncertainty about precisely *what* would constitute exceptions (but see p. 36, discussed below). Regardless, the wording of the penultimate paragraph does not communicate much doubt to readers about the fact *that* such exceptions should be granted.

¹⁰ Naturally, there is nothing shocking or scandalous about the fact that an author’s opinions and exegetical analysis are mutually interrelated. My point here is merely that readers must assess the degree to which the personal opinion expressed at the end of the paper is merely an “aside.”

¹¹ Also: “to act in direct opposition to” (Webster). If Powell meant by “flies in the face of Scripture” merely “holds a position that is problematic in relation to Scripture,” he has expressed himself badly.

(1) Something that is “problematic” is merely “difficult to solve or decide,” “questionable,” or “open to debate” (Webster). Such a meaning is a world away from that of “acting brazenly in defiance or contradiction of” something.

(2) It also does not fit the sentence structure well: The church may have an absolute prohibition of incest but to insist on an absolute prohibition of all homosexual relations is to hold a scripturally problematic position?

Readers will be hard-pressed not to draw the inference: Powell believes the church should not have an absolute or exception-less policy on homosexual unions. The church may have one on incest, but not one on same-sex intercourse.

We will discuss shortly in section I.B. below the exegetical and hermeneutical assumptions that Powell makes to justify his position on “exceptions.” It is convenient to introduce one of those assumptions now since it speaks to what Powell means by *Scripture* in the phrase “flies in the face of Scripture.”

- *Powell’s interpretation of Gen 2:18. Scripture* in the excerpt above is essentially a cipher for Genesis 2:18-25, the only text cited in the immediate context—particularly 2:18 (“It is not good for the human to be alone”), which is explicitly alluded to in the last sentence of the excerpt from p. 36, and, to a lesser extent, 2:24 (“and the two shall become one flesh”).¹² It is this scripture that dominates Powell’s discussion of a case for exceptions (pp. 30-36). It constantly reappears in the expressions “life partner(ship),” which Powell connects with Gen 2:18 (p. 22) and “becoming one,” which Powell obviously cites from Gen 2:24. From Gen 2:18 Powell concludes that a “celibacy requirement” imposed on a homosexual Christian, particularly a homosexual Christian who yearns intensely for a life partner, renders that person’s life “not good” and “displeasing to God” (pp. 30-

(3) Powell nowhere suggests in his article that the very concept of *exceptions* to the Bible’s stance against same-sex intercourse flies in the face of Scripture. To be sure, Powell does indicate in his article that the Bible’s prohibition of homosexual practice places a “heavy burden of proof” on anyone who wants to argue for exceptions (pp. 28, 35). However, that is not the same thing as saying that implementing exceptions would *necessarily* fly in the face of Scripture. In fact, Powell frequently points out in the first half of his article that, while “*all* references [in the Bible] to sexual activity between persons of the same-sex are negative” (p. 32), Scripture does not regard same-sex intercourse as *intrinsically* sinful. Consequently, exceptions are at least theoretically possible, even if difficult, and do not necessarily conflict with Scripture’s prohibitions. Yes, the sentence immediately following his remark about flying in Scripture’s face (p. 36) does refer to the importance of “paying heed to the Bible’s prohibitions against same-sex intercourse.” Yet it does so not as an alternative to making exceptions but rather as a concern that must be upheld while in the act of making exceptions.

(4) Powell’s message on p. 36 about not flying in Scripture’s face not only anticipates his personal aside at the end of the article; it is virtually identical to it: “I believe that the Church should not dismiss or ignore biblical teachings against homosexual relations but that the Church should . . . [recognize] that exceptions to the prohibited behavior must be granted.” To recognize that the church must grant exceptions to Scripture’s prohibition of homosexual behavior is not to dismiss or ignore, much less fly in the face of, the Bible’s prohibition of homosexual relations. To insist on an exception-less prohibition of homosexual relations *is* to fly in the face of Scripture.

In short, at least as Powell frames the matter in his article, having limited exceptions within a normative policy of prohibiting homoerotic unions is the best way to avert flying in the face of Scripture. Of course, it is always possible that Powell did not accurately communicate in his article what he intended to say. Readers, however, can only react to what Powell wrote; not to what Powell may have believed but did not communicate. Accordingly, I have to concentrate my critique on what is actually written in his article. My own view is the reverse of the one expressed by Powell on p. 36; namely, that a policy with exceptions—*not* an exception-less policy—flies in the face of Scripture.

¹² Genesis 2:24 is important for Powell because, in his mind, the reference to “becoming one” is a precise synonym for “not be alone” in 2:18. That is to say, to “be alone” in the sense of Gen 2:18 *is* to be lacking a “becoming-one” relationship. However, Gen 2:18 is more important to Powell than 2:24 because only in Gen 2:18 is the claim made that it is “not good” to be alone. For Powell this text implies that everyone who is not in an intimate “becoming-one” relationship is in a “not-good” condition in God’s eyes. Consequently, everyone must be given at least the opportunity to find a life partner.

32). In addition to Gen 2:18-25, Powell also makes an appeal to the two New Testament texts that speak of celibacy as a gift (Matt 19:11 and 1 Cor 7:9; p. 29) and to Hos 6:6 (God desires mercy and not sacrifice), which Matthew twice quotes (9:13; 12:7; p. 38). However, these texts play an ancillary role and only work in conjunction with Powell's particular reading of Gen 2:18-25. When Powell summarizes his exegetical conclusions, he contrasts the Bible's consistent proscription of homosexual relations with his interpretation of one scripture, Gen 2:18-25: On the one hand, "the Bible teaches that it is the will of God for all people to have the opportunity of sharing life with a partner, a person with whom they form an intimate bond so as to 'become one'"; on the other hand, the Bible consistently regards homosexual relations "as a departure from God's design" in creation (p. 32).¹³ In effect, Powell uses Gen 2:18—it is not good for a person to be alone—as a crowbar for prying exceptions from Scripture's absolute proscription of same-sex intercourse.¹⁴

The sentence that immediately precedes the remark about "flying in the face of Scripture" makes quite clear who these exceptions are: "thousands" of homosexual persons who would otherwise be denied "the opportunity to share their lives with intimate [life-] partners," in a manner approximating Gen 2:18-25. How might they be denied the opportunity? Two pages before drawing his conclusion about "flying in the face of Scripture" he discusses the fact that

the Church is left with *thousands of homosexual Christians for whom neither therapy nor celibacy appears viable*. They experience what Paul calls "burning" for a life-partner. . . . They want what most humans want—to fall in love and to form a family with one special person. . . . When they seek to obey what seems to be the teaching of the Bible (and of the Church), they discover that their lives nevertheless fit a pattern that God explicitly calls "not good" (Gen. 2:18). And so they turn to the Church again and ask, "What should we do?" (p. 34; emphasis added)

How are these "thousands of homosexual Christians" denied altogether "the opportunity of sharing their lives with intimate partners" (p. 36, 38)? They are denied it when "neither therapy nor celibacy appears viable" for them and the church makes no

¹³ It should be noted in fairness that Powell does not just set Gen 2:18-25 over against the explicit proscriptions of homosexual practice in the Bible; he also sees elements in Gen 2:18-25 that are in tension with any attempt at making exceptions to those proscriptions. Nevertheless, his primary use of Gen 2:18-25 is as a counterweight to the Bible's prohibitions of homosexual relations.

¹⁴ I do not see this "crowbar" metaphor as a caricature of Powell's argument. In context Powell is not just using Gen 2:18 as a text for raising *questions* about exceptions. He is using it to declare that exceptions must be made. He does not say on p. 36 (or on p. 38) merely that Gen 2:18 *moves us to wonder about* homosexual persons who cannot obtain "life-partners" from a heterosexual pairing. Nor does he say here just that *having a cavalier attitude* about the difficulties of "requiring" a celibate life from homosexuals flies in the face of Scripture. He says here that, while the church *may* retain an exception-less policy on incest, to insist on an exception-less policy as regards homosexual unions is to stand in brazen defiance of the teachings of Scripture, particularly of the declaration in Gen 2:18. It is true that elsewhere in his article Powell also brings into the discussion issues of fixed sexual orientation, intense yearning for an intimate life partner, and commitment. Yet, in Powell's paper, the main contact point between these issues and Scripture is Gen 2:18.

exceptions in its prohibition of same-sex intercourse (p. 34). In other words, when one inquires into Powell's criteria for discerning "exceptions," the only ones that he leaves readers with, and the ones that he presents as sufficient, are:

- (1) a deep personal dissatisfaction with celibacy coupled with a burning desire for an intimate partner (celibacy is not a viable option);¹⁵
- (2) a loving monogamous commitment to a "life-partnership";
- (3) a relatively exclusive and fixed homoerotic "orientation" (therapy is not a viable option).¹⁶

To refuse life partnerships to homosexual Christians who satisfy all three criteria—Powell estimates that there are thousands of them—is to "fly in the face of Scripture" (p. 36), impose sacrifices "in burdensome and harsh ways" (p. 38), and foreclose an opportunity "to experience life as abundantly as possible" (p. 39).

Powell may have changed his stance on this since the publication of his article; or he may not have worded his remarks in a manner that would clearly reflect his views.¹⁷

¹⁵ Powell notes: "[N]ot all who have been unable to find a partner in life are utterly miserable; some may experience the lack of a desired relationship as only a mild disappointment. In the latter case, the point may be simply that one *aspect* of the person's life is 'not good,' or at least not as good as it could be" (p. 31). The implied converse is: Some do find singleness to be an "utterly miserable" condition and experience the lack of a sexually intimate relationship as a major disappointment that makes their whole life seem "not good." It is such persons who are good candidates for exceptions.

¹⁶ Incidentally, these three criteria match up with the three things that Powell mentions at the end of his article that a person must believe in order to favor, faithfully, ecclesiastical "sanctioning of at least some gay and lesbian relationships" (p. 38).

¹⁷ My e-mail correspondence with Powell indicates that, for the moment at least, he does not regard exclusive orientation and a commitment to a lifelong and monogamous relationship as *sufficient* grounds for exceptional status, although he is open to changing that position in future ELCA discussion. Yet he remains uncomfortable, scripturally and pastorally, with insisting on lifelong celibacy for homosexuals for whom therapy does not appear to work. He thinks that the church must be open to allowing exceptions, though he does not know what those exceptions might be. I do not see any other consistent criteria for exceptions possible than the three suggested in his article. If these criteria, taken in combination, would not suffice, what would?

At one point the tentative suggestion was made that the most obvious candidates for exceptional status would be homosexual persons who not only met these three criteria but who also did not express intimacy through sex acts that the Bible expressly prohibits: penetration or orgasm. The image of two elderly lesbians who just like to cuddle came to mind. From a biblical standpoint, I do not see how this could qualify as an exception, for three reasons:

(1) This additional criterion for exceptional status has a legalistic air to it. It assumes that the Bible's prohibition is limited to physical stimulation of the genitalia—an assumption that does not correlate well with Jesus' sexual ethic. Jesus added an interior component to the prohibition of adultery with his statement about adultery of the heart. Does the prohibition of homosexual behavior get an exemption from an interior component (active homosexual desire), to say nothing of overt erotic kissing and fondling? To be consistent, one would have to maintain that the biblical prohibition of adultery does not preclude a married person from erotically kissing and fondling persons other than one's spouse. The same logic would also have to be applied to the biblical prohibitions of incest, prostitution, and bestiality. Clearly such actions would violate the spirit, and probably the letter, of the prohibitions.

(2) Practically speaking, the whole idea is unworkable. What homosexual persons, after receiving the church's blessing to engage in some erotic activity, would then seek to stave off orgasm for the duration of the "intimate partnership"? And how would the church have any idea whether two people, erotically attracted to one another and sharing the same accommodations, had stopped short of orgasmic activity?

However, Powell cannot blame his readers for gaining the impression that: (1) he advocates a position that favors exceptions to the Bible’s prohibition of same-sex intercourse; and (2) he views as exceptional cases “thousands of homosexual Christians for whom neither therapy nor celibacy appears viable.” Furthermore, readers will likely surmise that Powell makes these exceptions in the context of embracing the Bible’s prohibition of homosexual behavior as “the normal state of affairs.”

What other assumptions does Powell make that more or less mandate his stance on exceptions?

B. Three other assumptions by Powell necessary for “exceptions”

In addition to his particular interpretation of Gen 2:18, Powell makes three other assumptions—erroneous assumptions, in my view—that contribute to his “exceptions view” at the end of the article.

- *The Bible is unaware of homosexual orientation.* Powell assumes: “At the time the Bible was written, the concept of ‘sexual orientation’ was unknown” (p. 19). Powell believes that it never would have occurred to the biblical authors, including Paul, that some people would always be incapable of experiencing sexual fulfillment in heterosexual marriages.

What if [heterosexual] marriages are not a realistic option? The latter question never comes up in the Bible but is often asked today in light of a modern understanding of “sexual orientation.” (p. 29)¹⁸

The biblical texts that condemn homosexual acts are so geared toward regulating sexual *preferences* that their application to persons of homosexual *orientation* is a matter that merits special consideration. (p. 38)¹⁹

Wouldn’t the church be culpable for setting up a circumstance that made resistance to temptation high impossible?

(3) There seems to be going on in this example a muddling of the distinction between eroticism and the affection of friendship. It is important to underscore that the current church policy no more seeks to bar affection between two people of the same sex than it seeks to bar affection between close blood relations. It is only when that same-sex affection becomes erotic that it becomes problematic from a scriptural standpoint. Someone might ask: How do you know when that affection turns erotic? My answer: Any person who cannot tell the difference between erotic affection and non-erotic affection in dealings with a child is a candidate for criminal prosecution. People know what the difference is. Two people of the same sex can be as close as David and Jonathan were in their non-erotic friendship (cf. *B&HP* 146-54). So long as an erotic dimension is not introduced, the church rejoices. In the end, if Powell continues to believe that exceptions *must* be made, I do not see any alternative but for him to embrace the three combined criteria that he appears to lay out in his article.

¹⁸ “The Bible never mentions the phenomenon of homosexual *orientation* as such. . . . The Bible offers little counsel as to what homosexuals who believe in Jesus Christ ought to do if they are to live as God intends” (p. 32).

¹⁹ Although this statement appears at the end of his article, where Powell lays out one end of a spectrum of “biblically consistent views,” to me it seems a no-brainer that Powell, at least at the time of writing the article, had signed on to it. (1) He clearly states in the first paragraph of his article that the Bible had no concept of sexual orientation (p. 19). (2) He goes on to say that the existence of fixed homosexual orientations poses significant questions that biblical authors never contemplated. (3) Immediately following the statement about the Bible’s alleged awareness only of “sexual preferences” Powell states his view that

Raising uncertainty about what the Bible would say to persons with a relatively fixed “homosexual orientation” is crucial for Powell’s ultimate position on exceptions—the “thousands of homosexual Christians for whom neither therapy nor celibacy appears viable” (p.34). Powell follows this remark about “thousands” with a query:

When they seek to obey what seems to be the teaching of the Bible (and the Church), they discover that their lives nevertheless fit a pattern that God explicitly calls “not good” (Gen. 2:18). And so they turn to the Church again and ask, “What should we do?” *This is the context in which the Church must consider whether there may be any exceptions to the biblical prohibitions against homosexual behavior.* (p. 34; my emphasis)

It is the issue of orientation that distinguishes homosexual practice from incest and raises an acute problem for the church:

People involved in incestuous relationships do not usually maintain that they are so incest-oriented that a meaningful nonincestuous relationship would be impossible for them. *The pressing point for the Church with regard to homosexuality occurs over this issue.* (p. 35)

The concept of a relatively fixed homosexual orientation, alongside of a deep dissatisfaction with celibacy, is the context for considering exceptions inasmuch as persons exclusively attracted to the same sex are left unable to fulfill “their God-given desire for an intimate life-partner” (ibid.).²⁰

“exceptions must be granted” so that homosexual persons who otherwise would have to sacrifice intimate life partnerships—presumably because of their exclusive homosexual orientation—might have the opportunity to experience such. In an early e-mail communication Powell did in fact confirm my supposition; but in a later e-mail he stated that the view expressed on p. 38 about sexual preferences does not, in the end, hold up. However, if the latter is now Powell’s view, then there is no case for favoring exceptions (see next note), which in turn would necessitate a disavowal of Powell’s personal belief on pp. 38-39 and his flies-in-the-face-of-Scripture comment on p. 36. Readers can decide for themselves how to interpret what Powell wrote in his article.

²⁰ Accordingly, if Powell does *not* believe, or *no longer* believes, that the biblical condemnation of homosexual acts is in any significant way tied to an alleged unawareness of sexual orientation and its intractability (see the immediately preceding note), then I do not know how Powell can continue to maintain any kind of case for exceptions—or even for presenting exceptions as a “biblically consistent view.”

(1) If knowledge of a fixed sexual orientation would not have mattered, for example, to Paul’s strong condemnation of same-sex intercourse, then a contemporary appropriation of that rejection is utterly unaffected by knowledge that someone might not develop heterosexual desires. Then, too, the issue of the “viability” of therapy or celibacy for exclusive homosexuals is quite beside the point since that issue is directly dependent upon the special circumstance of an exclusive homoerotic orientation, which in turn has already been discounted as a relevant factor. Consequently, the prohibition is absolute, at least so far as matters of orientation and imposed celibacy are concerned.

(2) What about the consideration of a “committed and loving relationship” (p. 38)? Would that be enough to wring exceptions from the Bible’s prohibition? No. Powell already affirms that “The simple demonstration that same-sex couples are able to form loving, committed relationships is not sufficient” (p. 35). He then cites committed incestuous unions as a case in point. To be sure, he immediately points to a

- *The Bible is unaware of committed homosexual unions.* Powell also assumes that

no biblical text ever specifically comments on the morality of sexual relations between two men or two women who are in a *loving relationship characterized by life-long commitment*. Thus, when two Christian men or women ask the Church to bless a relationship in which they will become *romantic, spiritual, and probably sexual “life partners,”*²¹ the Church is presented with a situation that never comes up, as such, in scripture. (p. 19)

In consequence of this, Powell insists:

We cannot know for certain what Paul would have prescribed for the redeemed Christian who continues to have homosexual impulses or²² *to engage in homosexual activity that is neither promiscuous nor exploitative.* (p. 31; my emphasis)²³

Indeed, Powell goes so far as to say in the next sentence that *“no projection of what Paul ‘might have thought’ about this situation can be determinative for the Church’s deliberations”* since *“canonical authority extends only to what is actually written”* in Scripture (p. 31).²⁴ According to Powell, one of the three key

deficiency in using an analogy from incest by noting that incest usually does not arise out of exclusive sexual orientation toward close blood relations. However, once one concedes that allegedly new knowledge about sexual orientation does not merit special consideration, the alleged deficiency in the incest analogy is removed.

(3) What is left to enable one to use Gen 2:18 (not good to be alone) as a basis for prying exceptions from a biblical prohibition? Nothing. Certainly not the three “key points in the debate” identified by Powell at the end of his article: the price of imposed celibacy, the degree to which the relationship is committed and loving, and the extent to which biblical texts are unaware of sexual orientation (pp. 37-38). Certainly not a “mercy, not sacrifice” principle since Jesus, Matthew, Paul, and the whole early church operated with this principle without the slightest indication that this principle stood in tension with an absolute prohibition of all homosexual practice.

²¹ Actually, statistically, they almost certainly will *not* become “life partners,” whatever the intent at the time of entering the union. The church should not be fooled into thinking otherwise.

²² Powell writes “or” but the context suggests that he means “and” (see below).

²³ As we shall see, these remarks stand in contradiction to what Powell admits elsewhere in his article.

²⁴ In context, what does “what Paul would/might have prescribed/thought” (p. 31) refer to? Does the context of Powell’s written remarks suggest uncertainty only over *what* specific expression of *disapproval* Paul might have chosen (as Powell has maintained to me in our correspondence)? Or is the uncertainty broader than that, extending to *whether* Paul would have disapproved at all? In my view, the wording of the paragraph dictates the latter: The church cannot know whether Paul would have approved or disapproved of a nonexploitative homosexual union between two persons of relatively fixed homosexual orientation.

The broader context (which begins on p. 29) starts with two operating assumptions: heterosexual marriage is “the normal state of affairs” and the idea of an exclusive “homosexual orientation” was unknown to the authors of Scripture. Powell then asks what persons with a homosexual orientation are to do “if they are unable to find sexual fulfillment in heterosexual marriage but are also prohibited from forming intimate relationships with same-sex partners?” (p. 29). He proceeds to discuss the pros and cons of “celibacy requirements” for a page-and-a-half.

Finally Powell inquires into “what Paul would have counseled a homosexual believer.” He quickly (and wrongly) discounts celibacy and suggests (as an alternative, though it is in fact a supplement) that Paul

“would have hoped” that the Spirit would “remove” homosexual desires and “replace” them with heterosexual ones. Then Powell asks: “But if that did not happen, then what?” I now quote the remainder of the paragraph, separating the sentences and labeling them with letters for easy structural reference. Again, the two operating premises of Powell’s discussion are: (1) heterosexual marriage is “the *normal* [but not *necessarily* sinful] state of affairs”; and (2) the concept of a relatively fixed and exclusive homosexual orientation was unknown to the Bible’s authors.

(a) *Some theologians argue* that Paul would not want his remarks about the disgraceful sexual antics of godless Romans to be used to force some Christians into a life where the familial blessings that God willed for all creation (Gen. 2:18) become unavailable to them.

(b) *Others insist* that Paul would never have “caved-in” on this matter; he would have favored excommunicating Christians who engage in homosexual activities just as he did believers who were involved in incestuous relationships (1 Cor. 5:1-5).

(c) *But all of this is speculation*: we cannot know for certain what Paul would have prescribed for the redeemed Christian who continues to have homosexual impulses or to engage in homosexual activity that is neither promiscuous nor exploitative. In any case, no projection of what Paul “might have thought” about this situation can be determinative for the Church’s deliberations. Canonical authority extends only to what is actually written in documents that the Church confesses to be Scripture, not to what thoughts the authors of those documents might have entertained but did not record. (p. 31; my emphasis)

It seems to me that the context makes absolutely clear what Powell is referring to when he says in (c) that we can neither know, nor make determinative, what Paul would/might have prescribed/thought; namely, whether Paul would have *permitted* such a relationship or would have *excommunicated* a Christian who engaged in such activity. The issue is not simply: We do not know the precise form of expression that Paul’s disapproval would take (e.g., excommunication, reproof with additional chances at repentance, recommending heterosexual marriage anyway). Rather: Given that Paul did not know about how intractable a “homosexual orientation” can be, it is futile to speculate whether Paul would have approved such a relationship or excommunicated the person who engaged in it. Nor can such speculation carry any canonical authority since only what is “actually written” carries “canonical authority.” The way Powell structures his comments indicates that point (a) constitutes one of the things that we allegedly cannot know for certain:

- (a) *Some theologians argue* that Paul would not have forbidden a homoerotic life partnership.
- (b) *Others insist* that he would have excommunicated someone who entered such a partnership.
- (c) *But all of this [(a) and (b)] is speculation*. We can’t know for certain what Paul would have prescribed had he known that the Spirit does not always replace homoerotic urges with heterosexual ones—whether ‘not forbidding’ (i.e., permitting) or excommunication. The concept of sexual orientation was unavailable in Paul’s day so it is futile to speculate what Paul would have done had he been aware of it. “The Bible offers little counsel on what homosexuals who believe in Jesus Christ ought to do if they are to live as God intends” (p. 32). The church has to forge a new path, using the Bible as a guide but recognizing that the Bible did not entirely anticipate the circumstances that we now face.

It is this uncertainty about whether Paul, and Scripture generally, would have forbidden or approved of loving, committed homosexual relationships for Christians with exclusive homosexual dispositions, that enables Powell to ask subsequently:

[I]f there are persons in the Church and in the world at large who cannot find fulfillment of their God-given desire for an intimate life-partner through heterosexual relationships, is it God’s will for them never to find such fulfillment at all? Or, would it be better for them to fulfill that yearning for a life-partner through a bond that might seem unnatural and even “degrading” to traditional Christians but is nevertheless satisfying to the couple themselves? (p. 35)

In sum, Powell’s presentation of a “biblically consistent view” that allows for ecclesiastical sanctioning of some homosexual relationships—and Powell’s own preference for “exceptions—is

issues in determining whether to sanction some homosexual relations is the degree to which “a committed and loving relationship between two same-sex partners” can approximate heterosexual marriage (p. 38).

- *The Bible does not regard same-sex intercourse as intrinsically sinful.* This is perhaps the most important assumption²⁵ that Powell makes, since he is concerned with “the relevance of the biblical perspective” (p.33).²⁶ Were Powell to concede that the Bible’s prohibition is absolute, his case for exceptions would fold. So he contends instead, “the Bible presents sexual activity between same-sex partners as intrinsically unnatural but not as intrinsically sinful.” (p. 35). By “not intrinsically sinful” Powell apparently means that *approval* of some homosexual activity is possible, at least hypothetically.²⁷ With respect to Rom 1:26-27, in particular, he states:

predicated on the assumption that we cannot know for certain whether Paul would have approved or disapproved of committed life partnerships for homosexual Christians with fixed sexual orientations who experienced a continuous “burning” for such partnerships. Nor would such theories carry any canonical weight because they do not belong to what is “actually written” in the canon of Scripture.

²⁵ This is not an assumption in the same sense that the previous two are. Nowhere does Powell argue that case that the biblical prohibitions do not take into account issues of intractable orientation and committed homoerotic unions; he simply assumes it. However, as regards his claim that the Bible does not view homosexual behavior as intrinsically sinful, he at least attempts an argument. At the same time, since (as I will argue) this claim appears to be imposed on the text at several key places it is not out of place to list it as an assumption. In fact, the two prior assumptions regarding orientation and exploitation necessitate this one.

²⁶ To say that this assumption may be the most important of the four is not a comment about existential priority for Powell but rather about logical necessity. There is a certain dialectical, or chicken-and-egg, relationship between the first three assumptions (Gen 2:18, sexual orientation, committed relationships) and the claim to a normative but non-absolute prohibition. It is possible that the latter arose as a response to the former, or that all four developed in Powell’s thinking from Powell’s knowledge of homosexuals and their relationships. Powell does not specifically comment on such acquaintances in his article but at many points it appears to be the subtext (e.g., in the final two paragraphs of the article).

²⁷ We should be clear about what Powell means when he says “not *intrinsically* sinful” (p. 35; cf. p. 22: “intrinsically derogatory”), an expression that he parallels with “not *necessarily* sinful” (p. 28, 29; cf. p. 24: “necessarily regarded as wrong”). That the two expressions are used synonymously by Powell is apparent when one compares the following statements: “The Bible presents sexual activity between same-sex partners as intrinsically unnatural but not as intrinsically sinful” (p.35); “What is unnatural is not necessarily sinful” (p. 28); “That which is contrary to the normal state of affairs is not *necessarily* sinful” (p. 29). When I disagree with Powell (as I will shortly) and say that the Bible treats same-sex intercourse as “intrinsically/necessarily sinful/wrong,” I obviously mean that the act is always sinful (wrong, bad) and that all persons who engage in the act with willful intent and in a sane frame of mind are held culpable for the sin committed. A person who is coerced is not charged with guilt, and a person who is mentally deranged has to be treated in a whole separate category.

Now suppose Powell, or someone in Powell’s defense, were to contend—I am not putting out a complete hypothetical here—that by making exceptions for rape and insanity I have already conceded the case that the Bible does not regard same-sex intercourse as intrinsically sinful? Powell or someone else might argue: you see, even Gagnon admits that motivation and intent matter. Powell might even claim: Gagnon and I both agree that, although same-sex intercourse is not intrinsically sinful, the Bible presents it as always sinful. What would I say to these things?

First, I mean by “intrinsically sinful” the same thing most people mean when they refer to sex with one’s mother, sex with a pre-pubescent child, rape, or racial injustice as intrinsically sinful. The act is always sin, always wrong, never something to be sanctioned by the church, no allowances for exceptions. The question of who gets charged with the sin is a separate matter. But the act is sin or sinful. Somebody

Paul seems to say that (1) *all* instances of homosexuality are unnatural; and that (2) the instances of homosexuality known to his Roman readers are *both* unnatural *and* wrong. This still leaves open the possibility of some instances (unlike what Paul describes) in which homosexual relations could be regarded *only* as unnatural but *not* as wrong. (p. 28)

To be sure, Powell contends that a “heavy burden of proof” rests on those who argue for exceptions since every reference to homosexual relations is negative.

Still, in the biblical writings themselves, sexual activity between same-sex partners is consistently regarded as both unnatural and sinful every time it is mentioned. In other words, while the *possibility* of some type of nonsinful sexual activity between same-sex partners is not ruled out, such a possibility remains completely hypothetical within the Bible itself. Thus, a heavy burden of proof rests on those who want to claim that

either sins the sin against others (and his own body) or is sinned against by the sin, but in any case the act is intrinsically sinful. Even an insane person who rapes and commits murder has committed sins against another. The question, if one exists, is only over personal culpability for the sins committed. There remains a perpetrator who has committed sin and a victim who has been sinned against. If a person holds a gun to a man’s head and says, “Rape this woman or I’ll kill you both and the woman’s children,” the issue of culpability becomes complex but a sinful act has still been committed. One might argue that the sinful act was essentially involuntary—to which I would say, “Yes, an involuntary sinful act.” That is what I mean by intrinsically sinful. Note that when Powell says, “the instances of homosexuality known to [Paul’s] Roman readers are *both* unnatural *and* wrong” (p. 28), Powell surely knows that Paul’s readers knew about homosexual rape of boys in the ancient world. Such acts are “wrong,” according to Powell, *intrinsically* wrong, not just “unnatural”—sins against the persons exploited.

This brings me to my second point. When Powell says that the Bible presents same-sex intercourse “as intrinsically unnatural but not as intrinsically sinful” he apparently means by “intrinsically (or necessarily) sinful” what I mean. He is not thinking of involuntary acts or acts committed by crazy people. How do I know this? Am I a mind reader? No, I just try to pay close attention to what Powell writes. For example: When Powell comments on the Levitical prohibitions of same-sex intercourse he states: “But while we indicated above that what is considered unnatural or non-normative is not *necessarily* regarded as wrong, the prohibitions here indicate that, in this case, it *is* regarded as wrong” (p. 24). So Powell is asserting (rightly, in my view) that the Levitical prohibitions regard male-male intercourse as necessarily (i.e., intrinsically) wrong (i.e., sinful). He is not saying that the authors of the Holiness Code believed that a male who was raped by a man should be put to death (at least, I hope he is not saying that). He is using the expression *necessarily wrong* in the same way that I would use it. He means that the authors of the Holiness Code do not make exceptions or allowances to a normative conviction that male-male intercourse is sinful and wrong—not for non-idolatrous acts, not for nonexploitative acts, not for any reason (pp. 23-24). They are, as Powell puts it, “unqualified and absolute” prohibitions (p. 23). There are no circumstances in which the behavior could be considered acceptable or in which permission to engage in the behavior could be granted, presuming willful intent. I leave readers (and Powell) to look up the other uses of the phrases *intrinsically sinful*, *necessarily sinful*, and *necessarily wrong* on pp. 22, 28, 29, and 35. It will be apparent that when Powell argues that the Bible does not present same-sex intercourse as intrinsically wrong, Powell means that, at least hypothetically, there may be exceptional circumstances in which same-sex intercourse can be permitted and accepted by the church. As it is, Powell writes in the article that such exceptions do, in fact, exist—exceptions not merely in cases where the act remains wrong but exceptions where willful intent is involved and the act is no longer treated as wrong.

In conclusion, my disagreement with Powell is not a mere semantic one. We agree on the meaning of the phrase *intrinsically* (or *necessarily*) *sinful*. Where we disagree is over the question whether the Bible presents same-sex intercourse as intrinsically sinful or only as normally so.

certain instances of homosexual behavior in the modern world qualify for such exceptional status. (p. 35)²⁸

Given the conclusions that Powell reaches on pp. 36 and 38-39 (the first two block quotations cited in I.A. above), Powell apparently thinks that he has met this “heavy” burden of proof. In Powell’s view, “the Bible regards the instances of same-sex intercourse *to which it refers* as shameful and degrading acts, unacceptable conduct for God’s people” (p. 37; emphasis added)—but only the instances “to which it refers,” not necessarily to same-sex intercourse *per se*. Similarly, in his discussion of the terms *malakoi* (literally, “soft men”) and *arsenokoitai* (literally, “men lying with males”) in the vice list of 1 Cor 6:9-10 he states:

a *general* repudiation of homosexual acts [does not] preclude the possibility of exceptions. . . . the question remains: must all homosexual acts must be considered sinful just because the acts associated with the first-century people known as *arsenokoitai* and *malakoi* were regarded as such? (p. 26)

The flipside to Powell’s view that the Bible treats same-sex intercourse as intrinsically unnatural but not as intrinsically sinful is: “*The Bible consistently presents heterosexual relations as ‘the normal state of affairs’* in keeping with the original design of God at creation; homosexual relations are regarded as a departure from God’s design” (p. 32, my emphasis). The second half of that quotation makes clear that, for Powell, “calling heterosexual unions ‘the normal state of affairs’ does not just acknowledge heterosexuality as a dominant biological or cultural phenomenon but identifies heterosexuality as demonstrative of the original intent of God” (p. 21). In other words, heterosexual relationships are not just common; they are normative. Yet, Powell hastens to add: “That which is contrary to the normal state of affairs is not *necessarily* sinful” (p. 29; cf. pp. 21-22). Even given that caveat, though, the phrase “normal state of affairs” is an unfortunate expression for what Powell wants to communicate because it does not convey a strong prescriptive aspect.²⁹

²⁸ Similarly: “the overwhelmingly negative portrayal of homosexual activity in the Bible places a heavy burden of proof on anyone who wishes to argue for exceptions to what appears to be a unanimous judgment of scripture” (p. 28).

²⁹ Powell interchanges the terms “normal” and “normative” in his characterization of the creation paradigm of male-female relations.” For example (all emphases mine): The Bible depicts an “intimate (*normally* heterosexual) bond that God willed” (p. 37). “The Bible indicates that God’s intention at creation was for heterosexual relationships to constitute the ‘*normal state of affairs*’ in human society” (p. 29). According to the creation story, “male-female intercourse is the *normative* expression of sexuality intended by God” (p. 24). Why use the word *normal* at all? Powell’s explanation for this is only partially satisfactory. He is wary of *normative*, apparently because it suggests to some an exception-less quality (p. 21). Still, I think that it would have been less misleading to readers if Powell had limited himself to the word *normative*, since something that is *normative* can still have exceptions (as Powell himself says). The terms “normally” and “normal state of affairs” do not connote the prescriptive aspect of something that is “demonstrative of the original intent of God.” Moreover, why stay with the weak expression “normal state of affairs” even after concluding from his exegesis of Lev 18:22 and 20:13, Rom 1:24-27, and 1 Cor 6:9 that the Bible gives an “overwhelmingly negative portrayal of homosexual activity” (p. 28)?

C. Powell's slanting of arguments toward "exceptions"

For someone who is not stumping for a position, who is in dialogue mode, or whose thinking on the matter is still in process, Powell comes across *in his article* as surprisingly confident about key aspects of "the Bible and homosexuality":

- (1) Powell knows that, while the Bible depicts homosexual practice as "normally contrary to God's will," it does not view such behavior as *intrinsically* sinful.
- (2) Powell knows that no one can "know for certain" whether Paul would have approved or disapproved of a Christian with (a) a relatively fixed homosexual orientation entering into (b) a loving and committed homosexual "life partnership." Moreover, he knows that "speculation" on this point, in either direction, cannot be "determinative for the Church's deliberations."
- (3) Powell knows that to insist on an absolute ban of all homosexual relationships is to "fly in the face of Scripture" because: (a) Gen 2:18 allegedly tells us that it is God's will "for all people to have the opportunity of sharing life with a partner"; and (b) there are "thousands of homosexual Christians for whom neither therapy nor celibacy appears viable."

To be sure, Powell makes other points in his article that, if accepted, would at least give the pro-homosex agenda some pause about an unrestricted embrace of homosexual unions. In addition to statements already quoted we can cite the following examples:

- "The argument that God creates or intends some people to be homosexual . . . finds no warrant in Scripture." Yet Powell then diminishes the significance of this observation: "The Bible does not, however, automatically identify what is contrary to the 'normal state of affairs' as evil or immoral" (p. 21).
- The Levitical prohibitions of male-male intercourse regard such intercourse as "*necessarily . . . wrong*" (p. 24). Yet this important observation goes nowhere in Powell's larger discussion (see discussion below).
- Some are opposed to "requiring" celibacy of homosexuals because, without the gift of celibacy, "they will yield to temptation and fall into sexual sin." Powell dismisses this as "ultimately only a minor concern. Jesus calls all people to practice self-denial, and Paul promises that self-control is a fruit of the Spirit." But Powell immediately deflates the significance of this point by referring to "a wider concern": a celibacy requirement forces persons "to devote an inordinate amount of spiritual energy to managing" lustful passions. Worse still, Powell says, a celibacy "requirement" makes the lives of homosexuals "displeasing to God" by denying them "the fullness of life experienced by becoming one with another" (p. 30; cf. p. 35).
- "The simple demonstration that same-sex couples are able to form loving, committed relationships is not sufficient," citing the example of caring incestuous unions. Yet "not sufficient" differs from irrelevant. The ability to form loving,

committed relationships is *a* factor in ascribing legitimacy to homoerotic unions, when coupled with the consideration of an exclusively homosexual orientation. The latter is “the pressing point for the Church” (p. 35).

The bulleted points provide a good illustration of how Powell’s rhetoric operates in his article. Even when he makes a point for the pro-complementarity side, he usually responds immediately that this point is not decisive for overturning a modified pro-homosex position favoring exceptions.³⁰

The bottom line: Readers who accept the validity of the three key assumptions/points that Powell “knows” would undoubtedly arrive at the position of “exceptions” that Powell does at the conclusion of his article—or something even more extreme. I myself would feel compelled to embrace this conclusion if I agreed with the key assumptions.

In view of this, it is hard to cast Powell’s personal view of what the Church “should” do, found at the end of the article, as a mere parenthetical afterthought or personal aside. The gist of what is said leading up to this personal view more or less requires this personal view. Powell, consciously or not, is advocating in favor of thousands of exceptions to a “normal” or “normative” biblical stance against homosexual activity.

II. What Powell Claims the Church Would *Not* Be Doing in Granting Exceptions

Powell begins the last section of his article by “clarifying what the Church would *not* be doing” if it sanctioned “some relationships between some homosexual persons who meet certain criteria defined by the Church (for instance, public commitment to a lifelong, monogamous union)” (p. 36). Given the tilt of the presentation leading up to this point, as well as the personal opinion favoring exceptions that soon follows, this part of Powell’s article comes across as an attempt at reassuring the pro-complementarity side that things will not be so bad if the ELCA decides to make “allowances.” Powell makes four points, all of which, I believe, are incorrect.

A. Not endorsing homosexual behavior?

Powell claims:

The Church would not be endorsing homosexuality as *an alternative lifestyle that Christians may or may not engage in as they wish*. The Church could continue to *respect* the biblical perspective that regards homosexuality as a departure from God’s original design and that presents homosexual behavior as activity that is *normally* contrary to God’s will. It is not necessary for the Church to question such propositions to recognize that certain circumstances may justify *exceptions to the usual policy*. (p. 36; my emphases)

³⁰ Powell’s arguments sometimes move in the opposite direction; that is, he follows a point in favor of affirming homosexual unions with a point that makes such affirmation difficult. But this is not the dominant trend of the article. Moreover, at no time does he raise an argument for the traditional position that precludes exceptions.

For the moment we will leave aside the claim that a policy of exceptions would “continue to respect the biblical perspective”—an assurance that is predicated on the erroneous view that the Bible regards same-sex intercourse only as normally sinful, but not as intrinsically so. If the church adopts the view that homosexual relations are not contrary to God’s will in certain circumstances, then how would the church not be “endorsing” homosexual relations “as an alternative lifestyle” for *some*? To add the qualifier “that Christians may or may not engage in as they wish” is meaningless since the church does not even endorse every form of *heterosexual* behavior. In what sense, then, would the biblical perspective on same-sex intercourse be treated as functionally different from that regarding heterosexual practice? I suppose that self-professed bisexuals could be asked to stay with opposite-sex unions but, apart from that consideration—which at any rate is utterly unrealistic—expectations for homosexual and heterosexual unions would be the same. If some sexually intimate partnerships fulfill the biblical provision of enabling two to “become one,” as Powell thinks, then why shouldn’t the church fully endorse such partnerships? If it is “not good” for a person to be without a lifetime sex partner and a person of the same sex can qualify as such, then a homoerotic lifetime partnership must be at least a second-order “good”—hence, a valid “alternative lifestyle.”

The term *exceptions* would become meaningless. The “usual policy” of forbidding homosexual behavior would apply only to those not particularly “oriented” toward violating it. It would not apply to any persons who professed a predominant homosexual orientation, claimed that they found an unpartnered existence unbearable, and were willing to commit publicly to “a lifelong monogamous union.” Such persons would not be required to confess their sexual relationship as sin, nor would they desist from further participation in it (i.e., repent).

A practical problem here, probably unsolvable, is: *How would the church know when a given individual has a fixed and unalterable, “exclusive” orientation?* As regards an allegedly fixed and unalterable orientation, the overwhelming majority of homosexuals, even so-called exclusive homosexuals, make at least one shift along the Kinsey spectrum of 0 (exclusively heterosexual) to 6 (exclusively homosexual) at some point during the course of life (e.g., from exclusively homosexual [6] to predominantly homosexual [5] or to more homosexual than heterosexual [4]). This can happen, sometimes quite unexpectedly, through changing experiences and encounters at any time in one’s life, with or without therapeutic intervention. It is impossible for any self-identified homosexual, to say nothing of the church, to know in advance of the final moment preceding death whether his or her sexual “orientation”—which is nothing more than a term for the directedness of one’s sexual desire at a given moment in life—is fixed and unalterable. Not even Powell is recommending an ecclesiastically *mandated* period of therapeutic intervention before the church makes such assumptions—which intervention would still not guarantee that the orientation would never shift in the future.³¹

And what would count as an exclusive orientation toward members of the same sex? A little over a year ago I met a homosexual minister-scholar who had been married for twenty years and had several children from the marriage. With his wife’s “blessing” he divorced her and moved in with a homosexual lover. I asked him: “During all the time of

³¹ *B&HP*, 416-29.

courtship and marriage did you ever feel the slightest sexual attraction for your wife?” He responded: “Yes, I felt some sexual attraction. But as with most gays, it was like playing tennis left-handed when one is really right-handed.” Does that count as an exclusive orientation? He had experienced a limited amount of heterosexual attraction but ultimately felt dissatisfied with his sexual life. He and his wife are still close today: would that count as a lifetime sex partner? There are no clear answers to questions like these, not even for those experiencing homoerotic impulses. Moreover, the church would have nothing to go on beside the self-testimony of people who feel some level of attraction for the same sex, which testimony can be easily manipulated to achieve the desired ends. Any attempt at limiting approval of homosexual unions to homosexuals with a relatively fixed and exclusive homosexual orientation would be an exercise in utter futility.

Another practical problem is Powell’s example of the church sanctioning homosexual relationships with a “public commitment to a *lifelong, monogamous* union.” Unofficial blessing ceremonies for homosexuals today normally do not involve such a precise commitment. Indeed, it would be absurd for the church to require it, given that data to date suggests that no more than 5% of homosexual unions will turn out to be *both* lifelong *and* monogamous—unless, of course, the union is entered into late in life or one of the partners dies prematurely because of non-natural causes such as AIDS. To ask for a “public commitment to a lifelong, monogamous union” from a homosexual relationship that almost certainly will not be both is to make a mockery of the terms of the commitment. To be sure, heterosexual unions are themselves far from perfect. Yet even in American society today half of heterosexual marriages do not end in divorce. According to the 1992 National Health and Social Life Survey (Laumann et al.), 75% of all men and 85% of all women have never had an extramarital affair.

At most, given the statistics for homosexual unions to date, the church might realistically ask for a *ten*-year monogamous commitment on the part of lesbians or a *twenty*-year *semi*-monogamous commitment on the part of male homosexuals (say, with less than five occasional outside partners). Even with these significantly lowered expectations, a “success rate” of no higher than 25% could be anticipated. Probably a better course of action would be to ask for a public commitment to “do the best you can” in keeping the relationship long-term (as opposed to lifelong) with the fewest outside partners possible. Or, because such a charge would be embarrassingly honest, the church could simply ask for a commitment of some sort between the two parties. A significant culprit for the non-lifelong and/or non-monogamous character of nearly all homosexual unions is the discomplementarity of a male-male or female-female union. Male-female differences contribute markedly to the stability of sexual unions, particularly in moderating the unhealthy excesses of each sex (see section IV. below).

Moreover, it is politically naïve not to recognize that even a very limited acceptance of some homosexual unions would merely serve as a transitional stage to full acceptance. No special gift in clairvoyance is needed to forecast the consequences. The difference between sanctioning no homosexual unions and sanctioning a small number is like the difference between sanctioning no adulterous relationships and sanctioning a few; or sanctioning no adult incestuous unions and sanctioning a few; or rejecting all sex with prepubescent children and allowing it in certain well-defined circumstances. It is analogous to the difference between bolting all doors and windows to prevent a thief

from entering and leaving one window open for a breath of fresh air. To give approval to even a small minority of cases is to set in motion the gradual erosion of ecclesiastical resistance to the conduct, eventually eliminating altogether the social stigma, shame, and revulsion attached to it.³²

The homosex lobby in church and society has been about nothing if not about transition—not in their own views but in manipulating the views of society.³³ The aim of homosex-advocacy groups is to move people from one transitional phase to the next by means of guilt-producing claims of victimization, injustice, and intolerance.³⁴ They solidify their gains each step of the way by incremental coercion. In the secular sphere we see the homosexual agenda at work in the movement from propaganda that falsely places “sexual orientation” on a par with race and gender, to hate-crime legislation (starting with

³² There is a nice discussion of this point already in Plato’s *Laws* 838A-C (quoted in *B&HP*, 127-28).

³³ Cf. Alan Sears and Craig Osten, *The Homosexual Agenda: Exposing the Principle Threat to Religious Freedom Today* (Nashville: Broadman & Holman, 2003).

³⁴ This is not to deny the fact that actual cases of victimization do occur; nor is it a matter of being unsympathetic. Rather, it is to say that such instances are often exaggerated in magnitude and number and always used politically by homosexual activists to advance an agenda well beyond the problem at hand. The end result is at once a loss of societal freedoms (speech, press, association) and sexual restraint. And for what? There are already laws on the books to cover genuine cases of violence and harassment. Furthermore, societal approval of homosexual behavior will lead to a *greater* level of victimization, insofar as it promotes behavior that leads to a disproportionately high rate of sexually transmitted disease, domestic violence, sadomasochism, and even “pick-up murders.” And critics of homosexual behavior, especially those who have participated in political efforts to roll back a coercive homosexual agenda or who have testified to transformation out of a homosexual lifestyle, have become the targets of death threats, drive-by shooting into their homes, arson, and other forms of harassment. The situation is only going to get worse. On Nov. 19, 2002, Mary Stachowicz, a 51-year-old wife, mother of four, and devout Catholic, was murdered by a 19-year-old homosexual man when she asked him, “Why do you [have sex with] boys instead of girls?” In a fit of rage, Nicholas Gutierrez punched, kicked, stabbed, and strangled Mrs. Stachowicz; then stuffed her body into a crawl space under the floor of his apartment, where it remained for two days until he confessed to police. Not surprisingly, the news outlets gave this story very little attention—the same course of action that they followed in 1999 when 13-year-old Jesse Durkhising was sodomized and killed by a sadomasochistic homosexual couple.

An even greater threat to the safety of those who regard homosexual behavior as sin is the co-opting of federal and state government authority and resources to mandate affirmation of homosexual behavior and to criminalize opposition to it. In the corporate world, too, workers have been fired for expressing their disagreement with a pro-homosex agenda. It takes only one or two Orwellian cases from “*Fortune 500*” companies to spread fear to the workplace nationally. In 1998 Annie Coffey-Montes, a New York Bell Atlantic employee for 20 years, was fired for attempting to remove herself from the e-mail list of GLOBE (Gay and Lesbians of Bell Atlantic), which advertised “gay pride” parades, “coming out” parties, and homosexual dances. After a year of petitioning to her supervisor to have her name removed, she responded to one GLOBE e-mail with: “Please take me off this email. I find it morally offensive. God bless you.” She ended by citing Romans 1:27. Coffey-Montes was then fired for “creating a hostile work environment.” She appealed to the New York State Department of Health. The Department of Health dropped the case against New York Bell even though New York Bell failed to show for all three hearings. The decision to drop the case was not all that surprising, considering that Coffey-Montes’ caseworker had pro-homosex posters on her office wall. In October 2002, Rolf Szabo, a 23-year employee of The Eastman Kodak Co., was fired when he responded to an e-mail requiring supervisors to promote a “Coming Out Day” for gay, lesbian, bisexual, and transgender employees with the following: “Please do not send this type of information to me anymore, as I find it disgusting and offensive. Thank you.” So we have reached a point where even to refer to pro-homosex e-mail bombardments in the workplace as offensive is to risk termination. Indeed, employees are now being forced to affirm homosexual behavior. Wanting to be left alone to do one’s job is not good enough.

violent acts and transitioning to speech that refers to homosexual behavior as sinful), to mandatory pro-homosex indoctrination in schools and businesses, to employment non-discrimination and affirmative action legislation (phased in first in the secular business sector and then against religious organizations), to “coming out” celebrations (first permitted, then required in the workplace and in schools), to domestic partner benefits, and finally to full-blown marriage. All one need do is look at recent developments in the Scandinavian countries, in Canada, and in the United States (particularly California, Vermont, and Massachusetts) to see the writing on the wall. Or, on the ecclesiastical scene, look at what has happened to the United Church of Christ at the national level. Powell’s analysis, if embraced, provides a way station that will inevitably lead to the coerced celebration and full normalization of homosexual behavior in the church—all to the detriment of our children.

B. Not redefining marriage?

Powell’s second claim regarding what the church would not be doing in granting exceptions fares no better than the first:

The Church would not be redefining marriage as a partnership that may be constituted by same-sex couples as well as by heterosexual ones. The Church could continue to affirm its traditional understanding of marriage and recognize certain homosexual relationships as something other than marriage—as relationships that have value in their own right but that do not constitute actual marriages. (p. 36)

Note Powell’s formulation: “as something other than marriage.” What is this something other than marriage? A definition would be in order but Powell does not stop to offer the reader one that distinguishes this “something other than marriage” from marriage. Instead, what one finds elsewhere in Powell’s article is an attempt at describing the essence of what heterosexual marriage offers, which Powell in turn thinks should be made available to some homosexuals in a homoerotic relationship.³⁵ So Powell is really setting up a quasi-marriage of sorts, whether he admits it or not. This comes across clearly in the fact that Powell, when making his case, repeatedly alludes to Gen 2:18-24—the key marriage story in the Bible. He refers to “the basic human yearning for an intimate, lifelong relationship through which two persons may be said to ‘become one’ (Gen. 2:21-24)” (p. 30); and declares, “God does not want homosexual persons (or anyone else) to have to live alone, denied the opportunity of ‘becoming one’ with a life-partner through an intimate bond of love and devotion” (p. 37).³⁶ One cannot have it both ways: appealing to the Bible’s key marriage text to say that what heterosexuals have in marriage should be made available to some homosexual relationships, while at the same

³⁵ Cf. p. 30: “When a person is told, ‘You must remain celibate,’ he or she is not simply being told, ‘You cannot have sex with anyone.’ The requirement implies much more than that. It implies, ‘You cannot have a spouse—a lifetime partner with whom to share your life and “become one.”’ It implies, ‘You cannot experience the joys of marriage and all the attendant blessings of married life.’ It may even imply, ‘You cannot know the thrill of romance and the joy of romantic love.’”

³⁶ Cf. p. 21: “sex fosters intimacy, allowing two people to ‘become one’ in a profound and mysterious way.”

time denying that the Church would be redefining marriage to include same-sex couples.³⁷

Powell also gets trapped in a “catch 22.” For not to call these sanctioned homoerotic unions marriages, and yet to bless them, is to institutionalize sex outside of marriage. From the vantage point of Jesus and the early church, this is to sanction sin. And yet to call them marriages is to fundamentally transform marriage as something other than a one-flesh re-merger of complementary sexual others.

In addition, most homosexual believers who seek a blessing ceremony from the church publicly proclaim that they interpret the relationship as a marriage. They often draw on marriage imagery, liturgy, and ritual in these ceremonies, even when the intent is to radically revamp marriage as an institution. The secular culture is also pushing in the direction of defining homosexual unions as marriages, or at least the institutional equivalent, with all the rights and benefits awarded married couples (medical benefits, adoption, etc.). In such a context it is untenable to argue that the church would not be re-defining marriage by sanctioning some homosexual relationships.

C. Not condoning certain sex acts?

The third assurance that Powell gives is: “The Church would not be endorsing or even condoning any specific sex acts that might be performed by same-sex couples” (p. 36). I think that the distinction will be lost on most people. If the church is going to sanction some relationships between some homosexual persons, it will inevitably have to turn a blind eye to the practices that typify homosexual relationships. What is the church going to say? We will bless this male homosexual union but we do not want you to ever penetrate your partner? The church is not going to say that and, in any case, most male homosexuals are not going to stop doing it. Furthermore, when the overwhelming majority of all homosexual relationships that are sanctioned year after year by the church turn out not to be both lifelong and monogamous, ecclesiastical claims to valuing permanence and monogamy among sexual unions will surely ring hollow.

D. Not rejecting celibacy or therapy as “first options”?

The fourth assurance is perhaps the most far-fetched of all. Powell claims: “The Church would not be rejecting or discrediting the views or efforts of those who encourage celibacy or therapy as ‘first-options’ for gay and lesbian persons.” Nor would it be rejecting the views of homosexual activists who wanted to “celebrate homosexual partnerships with the same enthusiasm that attends heterosexual marriages. . . . The Church could acknowledge such diversity without any official ruling as to who is right and who is wrong” (p. 37).

³⁷ Curiously, Powell truncates the full phrase in Gen 2:24, writing “become one” rather than “become one flesh.” Is this a tacit admission on Powell’s part that two homosexuals committed to a lifelong monogamous union can never become “one flesh”? Powell has communicated to me that it was just an oversight. But it may be a telling one since it points to the disconnection between the problem as stated in Gen 2:18 (it is good for the human not to be alone) and his reading of the solution in Gen 2:21-24. For Gen 2:24 is the only *sexual* solution given to the problem enunciated in 2:18 and this solution clearly presupposes a man and woman, involves a marriage, and effects a “one flesh” bond. Powell starts with the problem enunciated in 2:18, rightly sees the solution in 2:24 but alters the solution so that it does not necessarily presuppose two complementary sexual others and does not involve a marriage. Powell wants to have his cake and eat it too; in this case, he cannot.

The homosexual lobby in the church is not renowned for its tolerance of people who regard homoerotic impulses as sinful or just undesirable. With the church's blessing upon at least some homosexual unions, homosexual activists will smell blood in the water and will go after any pastors or denominational officials who dare to suggest celibacy and therapy for homosexuals. It will not be long before:

- Candidates for ordination who dare to recommend therapy or celibacy for homosexuals, even if only as a "first option," will be denied ordination.
- Pastors who declare it from the pulpits will be brought up on charges of discrimination, homophobia, intolerance, and hate.
- Denominational seminaries, already largely in the grip of the pro-homosex agenda, will *officially* refuse to hire or tenure professors who give the slightest indication of not signing on to that agenda. Christian colleges and seminaries that cannot demonstrate affirmative action hiring practices for self-professed gays and lesbians will risk losing accreditation, federal loans, and tax-exempt status.
- From day one on, seminary students will be thoroughly indoctrinated about the broad meaning of sexual orientation harassment and will learn to be silent about their reservations or face dismissal.
- Denominational structures will become further radicalized to hard-left positions, not just in the area of sexuality but also as regards Christology and the authority of Scripture (or lack thereof) in the life of the church.
- Denominational publishing houses, already providing inadequate representation of the pro-comp position, will surely cease publishing anything that is less than a full endorsement of "gay rights" in all its abrasive manifestations.
- When the church capitulates on this issue, society at large will become more draconian in ferreting out alleged "homophobia," even to the point of implementing criminal prosecution for "hate speech" and "discrimination," broadly interpreted.

The people that I am most concerned about are thirty-year olds and under, especially our children. They will be the recipients of massive indoctrination and intimidation. If they decide to maintain a scriptural position, they will be treated as the moral equivalent of racists. In addition, with ecclesiastical incentives in place for "exploring" one's "sexual orientation," the numbers of those who develop homoerotic impulses and identify as homosexual will increase. Along with that increase will come disproportionately high, negative side effects to health, relational stability and monogamy, and gender identity formation.³⁸

I meet many persons on the "pro-comp" side of the sexuality debate who are already tired of all the talk about sex and tired of the intimidation and name-calling. If they cave in to the pro-homosex agenda, all I can say to them is: You haven't seen anything yet. And our children will suffer far more if we put our head in the sand and ask to be left alone.

³⁸ For the effect of macrocultural sanctions on the incidence of homosexual orientation, practice, and self-identification, see *B&HP*, 413-18.

III. Interpretative Issues: Core Values, Structural Complementarity, and Burden of Proof

A. On core values

At the start of his essay Powell lists five principles for interpretation of Scripture that constitute “a Lutheran approach” (p. 20). I have no quarrel with any of these principles *in principle*. In fact, none of them can be characterized as creating a peculiarly “Lutheran approach” (as Powell himself seems to admit). Where we differ is over the application of these principles.

An example of this is his application of his own fourth principle: Some things in Scripture are more important than others. That he could suggest reinterpretation of Sabbath law by Jesus and the early church as a comparable analogue to the issue of homosexual practice (pp. 38-39) shows just how much he underestimates the importance Scripture attaches to the male-female prerequisite for valid sexual unions. Certainly Paul did not regard Sabbath and sex as comparable issues. Paul viewed all days as alike (Rom 14:5-6) while staunchly upholding a series of category sex proscriptions (e.g., on incest, same-sex intercourse, adultery, prostitution, fornication).³⁹ Jesus too put the issue of sex on an entirely different plane from particular interpretations of what it meant to rest on the Sabbath. Jesus intensified God’s ethical demand in the area of human sexuality even as he aggressively reached out to lost sexual sinners. To see this one need only compare Jesus’ handling of Sabbath law with his views on adultery of the heart and on divorce and remarriage: the wrong that one does in the sexual sphere of life, if not repented of, can get one’s “whole body” thrown into hell (Matt 5:27-32).

The closer a position gets to being a core value in Scripture the greater the burden of proof becomes for those who seek to modify it substantially or overturn it. The evidence adduced must be so strong and unambiguous that it makes the strong and unambiguous witness of Scripture pale by comparison. Otherwise Scripture ceases to have any meaningful authority in the life of the church. How does one determine proximity to a core value? Four related elements stand out.

- (1) The more *pervasively and consistently* a particular position is upheld across the landscape of the canon—at least implicitly and especially across the two Testaments—the greater the claim is to being a core value and the higher the burden of proof becomes.
- (2) The more *strongly* biblical authors hold to a particular position—that is, the more serious a moral issue it was to them, as measured by the intensity of the language employed to describe violators and the stakes or penalties assigned—the greater the claim is to being a core value and the higher the burden of proof becomes.

³⁹ See, for example: 1 Thess 4:2-8; 1 Corinthians 5-7; 2 Cor 12:21; Gal 5:19-21; Rom 1:24-27; 6:19; 13:13; Col 3:5-10; Eph 4:17-19; 5:3-6; 1 Tim 1:9-11. In Paul’s view, how one acts sexually can be a matter of life or death. This was true for the incestuous man in 1 Corinthians 5. His behavior put him at risk for being excluded from the kingdom of God and so required the extreme measure of temporary exclusion from the life of the community in order to bring him to his senses (5:5, 9-11; 6:9-10). That incident, in turn, led Paul to insist to the Corinthians that sex is not like food: what one does with the body sexually can have eternal repercussions (6:12-20).

- (3) The more *absolutely* biblical authors maintained a particular view—that is, the more unlikely it was that they would have permitted any exceptions—the greater the claim is to being a core value and the higher the burden of proof becomes.
- (4) The more the authors of Scripture maintain a position *in opposition to broader cultural trends*—and thus the greater likelihood that they were not uncritically imbibing from the conventional cultural well—the greater the claim is to being a core value and the higher the burden of proof becomes.

When these four elements all exist for a given position, the bar for deviating from this position in contemporary practice has to be set extraordinarily high. As it happens, all four elements are in place for the biblical proscription of homosexual practice. This constellation justifies the application of the label *core value* or foundational value, certainly within the sphere of sexual ethics, to the principle that complementary sexual others, male and female, are an essential prerequisite for legitimate sexual relationships.⁴⁰ To be sure, it is not the sole and sufficient prerequisite—other prerequisites are needed too (e.g., that the relationship be between humans and non-incestuous, with a commitment to a lifelong and monogamous union—in that order); but it is a necessary one, an essential starting point for all other sex rules. As regards consensual sexual relationships, probably only the intra-human (non-bestial) aspect was regarded as more significant by biblical authors. Sex between a man and his mother would be a comparable offense, slightly or slightly less offensive depending on the author.⁴¹ To allow for

⁴⁰ According to the Merriam-Webster dictionary, a *value* in this sense refers to “something (as a principle or quality) intrinsically valuable or desirable” and *core* to “a basic, essential, or enduring part.”

⁴¹ There are at least four arguments that one can employ here to demonstrate this point. For example: (1) Both ancient Israel and early Judaism exhibited extreme repugnance for same-sex intercourse. Such repugnance, of course, is conveyed in the Levitical proscriptions, which specifically tag man-male intercourse as a *to'evah* (an abomination; something particularly abhorrent, detestable, loathsome, repugnant, disgusting). Abhorrence for same-sex intercourse *per se* also factors prominently in three important “kitchen sink stories” of massive human depravity (Ham, Sodom, the Levite at Gibeah) and in the references to the *qedeshim* (male cult prostitutes) in Deuteronomic law and in the Deuteronomistic History (Joshua through 2 Kings; here too labeled a *to'evah*). The fact that Ezekiel could describe it only by metonymy in 16:50 and 18:12 (as *to'evah*) also points in this direction, as does the absence of a specific recorded case of same-sex intercourse in early Judaism (from the Second Temple period on) prior to ca. A.D. 300. Regarding the possibility of Jews engaging in this abhorrent behavior, a text from the rabbinic Tosefta comments simply: “Israel is not suspected” (*Qiddushin* 5:10). Jews in the Greco-Roman period regarded man-male intercourse as the prime example, or at least one of the top examples, of Gentile impiety (e.g., *Sibylline Oracles* 3; *Letter of Aristeas* 152). In a lengthy description of sex laws, Philo (ca. 10 B.C.-A.D. 45) characterizes man-male intercourse as a “much greater evil than that which was mentioned [above],” referring minimally to sex with a menstruous and barren women and possibly as well to the preceding discussion of adultery and incest (*Special Laws* 3.7-42; though cf. 3.14: “What form of unholiness could be more impious than [marrying one’s mother]?”). Philo follows his discussion of man-male intercourse with one about bestiality (3.43-50), introduced with the words *alla gar* (literally, “but really, certainly”), whose sense may be correctly captured in F. Colson’s translation for the Loeb Classical Library edition: “Even worse than this,” i.e., even worse than man-male intercourse). When Josephus (ca. A.D. 37-100) discusses marriage laws, his very first point, before he even mentions incest and adultery, is: “The Law recognizes only intercourse according to nature, that which is with a woman. . . . That of males with males it abhors and, if anyone attempts it, death is the penalty” (*Against Apion* 2.199-200). At another place, though, he singles out sexual intercourse with one’s mother as “the greatest evil” before citing (in no particular order of priority) other forms of incest, sex with a menstruous woman, bestiality, and male-male intercourse (*Jewish Antiquities* 3.274-75). (2) The marriage text in Gen 2:24 marks as the one essential prerequisite of a

exceptions to the prohibition of homosexual unions is, obviously, to assert that some considerations are more important than male-female complementarity; for example, the intensity of one's yearning for a mate, one's peculiar "orientation," the level of commitment, the monogamous quality, and/or the longevity of the relationship. However, that is to get matters backwards from a biblical perspective.

B. On the incest analogy and structural complementarity

The example of incest will help to make the point about the centrality of what I call "structural complementarity." Most would argue that a lifelong commitment is less important to a sexual union than the principle that sex be between people who are not, apart from a sexual union, already "the flesh of one's flesh" (Lev 18:6). An incestuous union characterized by a lifelong and monogamous commitment is not measurably improved. In fact, the goal is to end an incestuous union, not to prolong it—no matter how caring and committed the union is. So too with a homosexual union. The Bible's prohibition of incest, and particularly sex with one's mother, is by far the best analogue to the Bible's prohibition of same-sex intercourse. Both acts are:

- (1) Regarded with similar revulsion;
- (2) Capable of being conducted as an adult, consensual, long-term, and monogamous relationship;
- (3) Wrong partly because they involve two people who are too much alike (incest on the level of blood relations, homosexual behavior on the level of sex or gender);
- (4) Wrong partly because they are associated with a disproportionately high incidence of negative side effects.⁴²

There is an important interrelationship between points (3) and (4) on the matter of *why* the behavior is wrong. The argument from negative side effects (4) is easier to document in scientifically measurable ways than the argument from structural incompatibility (3). Yet, while these negative side effects occur at a disproportionately high rate, they do not affect all participants in all circumstances. They are, again, *side* effects. Not surprisingly, pro-homosex advocates counter that some homosexual unions

married union, beyond its intra-human character, that it involve a man and a woman. Incest itself must be ruled out of bounds on the basis of post-Fall developments. Same-sex intercourse is precluded already prior to the Fall. (3) The Old Testament makes limited accommodations to monogamy and longevity, and in the patriarchal period some relationships existed that were subsequently banned by Levitical legislation as incestuous. Yet the Old Testament makes no exceptions for same-sex intercourse. (4) In Rom 1:24-27 Paul highlights same-sex intercourse, alongside of idolatry, as "exhibit A" for egregious human suppression of the truth about God in creation. This, plus the charged terms with which Paul describes same-sex intercourse in 1:24-27, confirm that Paul's views on same-sex intercourse were as strong as those held by Jews generally of the period. That Paul employs the discussion in 1:18-32 to ensnare the righteous Jew in 2:1-3:8 in no way detracts from Paul's own vigorously negative assessment of same-sex intercourse (for which point see *B&HP*, 277-84).

⁴² They each generate their own set of negative side effects. Incest produces higher rates of procreative abnormalities and tends toward intergenerational (i.e., parent-child) sex. Homoerotic behavior is characterized by disproportionately high rates of sexually transmitted disease, mental health issues, high numbers of sex partners, noncommittal and short-term relationships, intergenerational sex, grotesque sexual practices, and extreme forms of gender identity disorder.

do appear to be healthy, monogamous, and lifelong. Of course, a counter-counterargument would be: Yes, but if society approves the rule for the sake of the exception, it will invariably do more harm than good for the greatest number. However, there is a deeper problem with incestuous and homoerotic unions. The argument from too much structural sameness (3), while more intuitive and less verifiable than the argument from negative side effects (4), discloses the real problem with these two behaviors. For a man to have sex with his mother, for example, is a grotesque wrong no matter how ‘well’ it is done. It is structurally wrong and, as such, all other factors, including issues of loving intent and commitment, are secondary.

Powell’s article does not fully grapple with the issue of gross structural incongruity for homoerotic unions. For example, early in his article Powell affirms that “the gift of sexuality” is, in the Bible’s perspective, about “at least” three things: (1) procreation (normally); (2) fostering a durable bond of intimacy; and (3) pleasure (p. 21). Now, if that were all sex was about, perhaps a case for some forms of same-sex intercourse might be possible, though only with the qualification “normally” for procreation.⁴³ Then, too, under these parameters, one could also make a case for some forms of adult incest, bestiality, pederasty, and various plural marriage arrangements. It is true that Powell says “at least” three things so he is not precluding additional elements. Nevertheless, given the number of prohibited sexual behaviors that are not excluded by Powell’s “biblical overview of sexuality,” it would seem that Powell has an obligation to formulate an additional descriptive element or two that could plug this gaping hole. In fact, it is precisely this additional factor that precludes any case for exceptions to the Bible’s prohibition of same-sex intercourse.

A sexual relationship is about much more than intimacy in the context of lifelong commitment.⁴⁴ It is about merging (interlocking, fusing) with another who is structurally complementary (congruous, compatible), “becoming one flesh” through a sexual relationship, and learning to integrate holistically with another who is neither too much like oneself, nor too much unlike *on a structural level*. Intimacy with one’s parent, child, circle of close fellow believers, or even beloved pet is a wonderful thing. Adding sex to the mix, however, changes completely the dynamics of the relationship. Intimacy turns into a desire to merge sexually. Explaining why introducing sex into such intimate relationships is wrong is not easy to do; it requires a certain intuitive and instinctive sense. We are arriving here at a “prime number” of human sexuality, a reality not easily “divisible” into logical, measurable, or scientific analysis.

Powell does cite the incest analogy to show that the capacity of some same-sex unions for love and commitment “is not sufficient” for meeting a “heavy burden of proof” for exceptions to the biblical norm. Yet he then goes on to say that the relevance of the incest analogy is limited significantly by the fact that

⁴³ I say *perhaps* because it depends on how one places the qualifier *normally*, whether with a class-based category or an individual-based category. If the former, then homosexuals as a class would not pass the test since two homosexuals can never procreate (let alone *not normally*). Homosexual unions are structurally incapable of producing offspring that is solely the genetic product of the union. By contrast, the capacity to procreate is structurally imbedded in heterosexual unions.

⁴⁴ Given the continuous refrain in Powell’s article concerning the value of an “intimate life partner(ship),” it is evident that by far the most important of these three aspects of human sexuality for Powell—procreation, fostering a durable bond of intimacy, pleasure—is the second. See especially pp. 30, 35-38; also pp. 19, 21-22, 31-32, 34.

people involved in incestuous relationships do not usually maintain that they are so incest-oriented that a meaningful nonincestuous sexual relationship would be impossible for them. The pressing point for the Church with regard to homosexuality occurs over this issue. (p. 35)

The flaw in this observation, however, is that “sexual orientation” does not take precedence over the issue of too much structural sameness. Even apart from the fact that homosexual acts are often—perhaps most often—conducted by people who are not “exclusive” homosexuals (category 6 in Kinsey’s terms), would Powell or anyone else want to sanction a man-mother union *even if* there were an “orientation” involved? Obviously not. It’s just too weird.

If issues of commitment, monogamy, and longevity take a back seat to the core value of non-incestuous unions, then the question of whether “yearning for a life-partner” can be satisfied through some other means is quite beside the point. For there are no guarantees that an individual engaged in incest will find another life-partner. Regardless of the person’s prospects for some other relationship, incest is too grave an offense to be warranted under any circumstances. It transcends all matters pertaining to life-partners. This is even more true of same-sex intercourse. Whether or not the individual develops an attraction later in life for members of the opposite sex—something that no one can predict in advance—is a secondary concern in relation to the self-idolatry of attraction to one’s own sex.⁴⁵

C. On the burden of proof

This leads us to another flaw in Powell’s approach. Any overturning or even significant modification of a biblical value must directly address the reasons for the Bible’s position. For example, it is not enough to prove that the sole expression of homosexuality in antiquity was an inherently exploitative form (pederasty or cult prostitution) or that the knowledge of an entrenched, innate, and exclusive homosexual orientation was inaccessible to the ancient mind—two claims that, at any rate, are false. One must also prove that the Bible condemned homosexual practice *primarily* on the grounds of the exploitative mismatch created by pederasty or on the grounds that all participants were capable of experiencing sexual satisfaction with the opposite-sex. Otherwise, even if these claims were valid (and they are not), they would still have little relevance for ascertaining the deficiencies in the Bible’s reasons for condemning homosexual behavior.

As noted early, Powell contends that anyone who wants to argue for exceptions to “what appears to be a unanimous judgment of scripture” has to meet a “heavy burden of proof” (pp. 28, 35). Unfortunately, Powell then proceeds at points to argue as if such

⁴⁵ It is interesting that in this context Powell refers only to a homosexual bond “that might *seem* unnatural and even ‘degrading’ to traditional Christians but is nevertheless satisfying to the couple themselves” (p. 35; emphasis added). Elsewhere Powell admits that the Scripture treats same-sex intercourse as “intrinsically unnatural.” Yet here he refers to it as only “seeming unnatural” to “traditional Christians.” Which is it? And is it not more apropos to connect the verb “seem” to the perception of homosexuals that their bond is “satisfying”? It “seems” to them to be a satisfying bond but Scripture is clear that it is not ultimately satisfying, for it does not provoke the participants to reach beyond their own sexual identities to a sexual other. It does not result in a re-merger of two complementary sexual halves.

were not the case. He believes that “we cannot know for certain what Paul would have prescribed for the redeemed Christian who continues to have homosexual impulses [and]⁴⁶ to engage in homosexual activity that is neither promiscuous nor exploitative”; nor can “speculation” over what Paul “might have thought” be “determinative for the Church’s deliberations” (p. 31). Wait a minute: When does “a heavy burden of proof on anyone who wishes to argue for exceptions” kick in, if not here? Doesn’t Powell’s burden-of-proof criterion require him to *assume* that Paul would not have made any exceptions for “the redeemed Christian who continues to have homosexual impulses [and] to engage in [nonexploitative] homosexual activity”—unless powerful and unambiguous historical evidence to the contrary can be adduced? To meet the “heavy burden of proof,” Powell would have to demonstrate, among other things, that:

- (1) Paul almost certainly could not have been aware of theories in the ancient world regarding a congenital basis for at least some forms of homoerotic attraction.
- (2) Paul did not think sin could be associated with entrenched and exclusive innate desires.
- (3) Paul’s primary reason for viewing same-sex intercourse as an egregious wrong had to do with an assumption about homoerotic desire as voluntary and nonexclusive, and homosexual relationships as inevitably exploitative, rather than with any notion about structural incongruity.

As it is, Powell never establishes a single one of these points. Indeed, the historical and literary contexts for Paul’s remarks about homosexual behavior do not permit any of these points to be established. Therefore, his position on exceptions, expressed at the end of the article, does not meet the “heavy burden of proof” that he himself sets up for all who contend for exceptions.

A note to readers: The rest of this article, sections IV-VII can be read in: Christian Sexuality: Papers from the American Lutheran Publicity Bureau Conference (ed. Russell Saltzman; Minneapolis: Kirk House), 100-50 (scheduled for publication in Dec. 2003). The following is a table of contents for the print version:

Introduction.....	100
Why this essay?.....	100
Do readers of this article have to be Lutheran or be familiar with Powell’s work?.....	102
I. Does Powell Advocate Exceptions? (Summary).....	103
II. What the Church Would Be Doing in Granting Exceptions (Summary).....	104
III. Interpretive Issues: Core Values, Structural Complementarity, and the Burden of Proof (Summary).....	105

⁴⁶ See n. 22.

IV. The Male-Female Prerequisite in the Genesis Creation Stories.....	106
A. Powell’s reading of Genesis 2:18-24.....	106
B. The male-female prerequisite in Genesis 1:26-28.....	106
C. The male-female prerequisite in Genesis 2:18-24.....	108
D. “Men are from Mars, Women are from Venus”.....	109
E. The Genesis prerequisite in canonical context.....	111
F. Implications for Powell’s view.....	115
1. A prerequisite, not just the “normal state of affairs”.....	115
2. A sexual complement, not just an “intimate life-partner”.....	118
3. A conditional opportunity for sexual intimacy, not an opportunity by right.....	119
V. The Rest of the Case for Regarding Same-Sex Intercourse as Intrinsically Sinful...	122
A. The Levitical prohibitions.....	122
B. The intertextual echo to Genesis 1:26-27 in Romans 1:23-27.....	124
C. The reference to nature in Romans 1:26-27.....	125
D. The evidence from 1 Corinthians 6:9.....	126
E. No great mystery: What Paul would have prescribed for the homosexual Christian in a committed homosexual union.....	129
VI. Why the Sexual Orientation Argument Doesn’t Work.....	136
A. Ancient theories of a biological basis for some homoerotic attraction.....	137
B. The wording of Romans 1:24-27.....	142
C. Why a “homosexual orientation” would not have mattered.....	143
VII. Concluding Observations.....	148