

Statement to the Allegheny County Council in Opposition to the Homosexual “Non-Discrimination” Bill No. 4201-08

by Robert A. J. Gagnon, Ph.D.

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Dear Council members,

I speak in opposition to the “sexual orientation non-discrimination” Bill No. 4201-08. As a professor of New Testament at a seminary here in Pittsburgh, I have published about 1000 pages of material on the Bible and homosexuality and on related issues involving reason, science, and government policy (for references to books, articles, and encyclopedia entries, as well as online material, go to www.robagnon.net).

This “sexual orientation” bill not only promotes immoral behavior; it also does not protect people from being fined, fired, having their free-speech rights abridged, or otherwise discriminated against for not wanting to do anything that promotes immorality. Imagine what damage would be done to civil freedoms if an ordinance were passed “establishing a countywide nondiscrimination requirement in housing, employment, and other contexts” regarding persons with a self-affirmed *polysexual* orientation—a desire for sexual intercourse with more than one sexual partner concurrently—along with the establishment of a “human rights commission” to assign fines. The same kind of damage is being done with this bill. It assaults people’s consciences and ends up destroying, rather than furthering, basic civil liberties.

What Jesus Teaches Us

Many speakers for this bill have referred to Jesus’ outreach to sexual outcasts as a basis for support of homosexual unions. I can assure you that all the evidence indicates Jesus’ acceptance of the universal condemnation of homosexual practice that prevailed in early Judaism. True, Jesus did reach out in love to sexual sinners, as well as to economically exploitative tax collectors of his day. Yet he did so not to affirm their sinful behavior but rather to recover such persons for God’s kingdom by calling them out of such behavior. To the sinful woman caught in adultery he said, “Go and from now on no longer be sinning” (John 8:11). A similar remark in John 5:14 makes clear Jesus’ train of thought: “No longer be sinning *lest something worse happen to you.*”

Jesus based his view that marriage should be between two and only two persons, whether concurrently or serially, on the ‘twoness’ of the sexes, citing back-to-back Genesis 1:27 (“*male and female* he [God] made them”) and Gen 2:24 (“For this reason *a man shall ... be joined to his woman* [or: wife] and the two shall become one flesh”; Mark 10:5-9; Matthew 19:4-9). *According to Jesus, the fact that God designed humans for sexual union “male and female” is the foundation for limiting sexual unions to two persons.* The logic appears to be: Bringing together the two, and only two, primary sexes ordained by God at creation establishes a self-contained, holistic union on the sexual spectrum that

admits of no third party. We know that this was Jesus' rationale because a similar rationale was used by the Jewish sectarian group known as the Qumran Essenes.¹ Thus Jesus predicated his view of marital monogamy on the foundation of a male-female prerequisite for sexual unions. As we all know, the foundation (here a male-female prerequisite) is more important than the superstructure built upon it (here a limitation of sexual unions to two persons). Whereas most supporters of this bill view polygamous unions as worse than homosexual unions, Jesus held the reverse view inasmuch as an absolute (no-exceptions) opposition to polygamy can only be justified by an appeal to the complementary duality of "male and female" in sexual pairing.

The Best Analogies and What's Wrong with Homosexual Practice

Supporters of this bill compare homosexual orientation with ethnicity as an inherently benign condition. The analogy doesn't work. Ethnicity is a feature of human existence that is 100% heritable, absolutely immutable, primarily non-behavioral, and therefore inherently benign. Homosexual orientation is a sexual impulse—ethnicity is not an impulse—at a given period in a person's life. Unlike ethnicity it not 100% heritable (there may be congenital influences but it is far from a deterministic mechanism), open to some change (at least in its level of intensity and often also in its degree of exclusivity), primarily behavioral (it is a desire to do something), and therefore not inherently benign.

The logic of a "one flesh" heterosexual bond is clear: The two sexes unite to form a single sexual whole; one unites with what one isn't sexually, a male with a female, a female with a male. The logic of male homosexual bonds is that two half males unite to form a single whole male; and of female homosexual bonds that two half females unite to form a single whole female. In other words, those who participate in homosexual unions logically treat themselves not as half of a whole sexual spectrum but half of their own particular sex or gender.

This is why Paul in his letter to the Romans refers to homosexual practice as a "dishonoring" of the participants (1:24-27). Treating one's maleness (if male) as only half intact, needing not just social affirmation but structural supplementation by merging with another of the same sex, amounts to a *dishonoring of the sexual self*. Committing oneself to a long-term homosexual bond merely regularizes the misperception that someone of the same sex is a proper sexual complement to oneself.

This is partly *sexual self-deception* inasmuch as one's sex or gender is already intact. But it is also a form of *sexual narcissism*, inasmuch as the person is aroused by the distinctive features of his or her own sex: a male sexually aroused by the essence of maleness, a female sexually aroused by the essence of femaleness.

¹ The Qumran community also rejected "taking two wives in their lives" because "the foundation of creation is 'male and female he created them' [Gen 1:27]" and because "those who entered (Noah's) ark went in two by two into the ark [Gen 7:9]" (*The Damascus Covenant* 4.20-5.1). Jesus differed from the Qumran community only in extending the principle to negate not just polygamy—specifically, polygyny (husbands having multiple wives) since Israel never tolerated polyandry (wives having multiple husbands)—but also remarriage after divorce.

The disproportionately high rate of measurable problems that attend homosexual unions—higher numbers of sex partners over the course of life and higher rates of sexually transmitted infections, particularly for homosexual males; and lower rates of relational longevity and higher rates of mental health issues, particularly for homosexual females—are the result of the absence of a true sexual complement. In the homosexual union the extremes of a given sex are not moderated and the gaps in the sexual self are not filled. For public health and morality reasons this is not the kind of behavior that society should wish to promote.

Much closer analogies to homosexual relations than ethnicity are adult-committed forms of incest (say, between an adult child and parent or between two adult siblings) and polyamory (3 or more sex partners concurrently). The rule for prohibiting incest, even consensual and adult-committed forms, arises analogically from a rule for prohibiting homosexual practice; namely, too little structural or embodied complementarity among the participants. Excessive sameness is more keenly and clearly felt in the case of same sex or gender (same-sex intercourse); then, secondarily, in the case of kinship proximity (incest). In both cases *inherent* procreative difficulties—whether a structural incapacity to procreate in homosexual relationships or a higher risk for birth defects in incestuous relationships—manifest symptoms of the root problem of too much embodied sameness.

As noted above, polysexuality (polygamy) violates the principle of the twoness or duality of the sexes implicit in a male-female union. If the Council wants to be consistent it should equally protect from societal “discrimination” adults who want to be in a committed incestuous union or in a committed sexual union involving three or more persons, since neither of these offenses is as severe as the offense to the foundation itself, namely, the complementary male-female character of sexual relations.

The Moral Bankruptcy of a Born-That-Way Argument

The argument that “people are born that way” is irrelevant as a moral argument, not only because science has not demonstrated an inevitable, deterministic mechanism for homosexual development given at birth but also because all behavior, good and bad, is traceable at some level to human biology. As acknowledged even by two prominent researchers of genetic causation factors in homosexual development—researchers whom, I might add, are supportive of homosexual unions—“No clear conclusions about the morality of a behavior can be made from the mere fact of biological causation, because all behavior is biologically caused.”²

The Threat that This Bill Poses to Our Civil Liberties

By passing this so-called “nondiscrimination” bill you would actually increase discrimination and inhibit basic rights of speech and self-expression on the part of those who rightly and lovingly believe homosexual practice to be immoral. We have too much

² Brian S. Mustanski and J. Michael Bailey, “A therapist’s guide to the genetics of human sexual orientation,” *Sexual and Relationship Therapy* 18:4 (2003): 432.

evidence of how these “human rights commissions” operate in Canada, Europe, and even parts of the United States not to know that such commissions regularly and radically infringe on the civil liberties of others. Exemptions for “religious” institutions hardly address the issue since the vast preponderance of persons of faith operate in secular venues.

- The New Mexico Human Rights Commission just this past year ordered a female photographer to pay over \$6000 to a lesbian couple for declining to photograph their commitment ceremony on the grounds that it violated her Christian beliefs.
- Also this past year an African-American woman Crystal Dixon was removed from her position as associate vice president for human resources at the University of Toledo simply because she wrote an editorial in a newspaper saying that homosexual behavior should not be compared to being black.
- Rolf Szabo, Richard Peterson, Kenneth Gee, Annie Coffey-Montes, and Albert Buonanno were all fired from their corporate or government jobs in the United States for not wanting to “celebrate” at their work station “sexual orientation” diversity.
- A national Christian dating service (Harmony.com) was dragged into several years of litigation by the state of New Jersey for not providing services for homosexual partnering, until finally, out of financial desperation, the company capitulated to the state a couple of months ago.
- A Christian ministry in New Jersey has been subject to state investigation for refusing to allow a lesbian civil union ceremony to be conducted on its property.
- A community college professor in California, June Sheldon, was fired for leading a brief discussion on the nature vs. nurture debate as regards homosexuality.
- Also in California a doctor was sued for declining to artificially inseminate a woman in a lesbian relationship (or, for that matter, any non-married heterosexual).
- In Georgia a counselor was fired just for referring a lesbian woman to another counselor for relationship advice.
- The Boy Scouts in Boston were no longer allowed free use of city facilities as a result of their policy against having scout leaders attracted to the same sex; they now had to pay tens of thousands of dollars to use the same facilities that they previously paid not a cent for.
- Catholic Charities of Boston had to get out of the adoption business because it did not want to place children with persons engaged in a homosexual relationship.
- In New York City a school of medicine under Orthodox Jewish auspices was forced to rent married housing to homosexual couples under a “sexual orientation nondiscrimination” law, while in California a Lutheran high school was sued for expelling two girls in a lesbian relationship.
- In Canada a public school teacher, Chris Kempling, was suspended from his job and fined thousands of dollars by a Human Rights Commission (plus incurred tens of thousands of dollars of legal bills) for writing a letter to a newspaper saying that we should love homosexual persons but not provide state endorsement of their behavior. Kempling was hounded for years until he finally had to quit his position in the public school system, all for expressing views outside his place of

employment. Others fined thousands of dollars by ‘Inquisition’ commissions include: Scott Brockie, a printer who refused to print materials for a homosexual event that he regarded as immoral; Hugh Owens for putting an ad in a newspaper stating that homosexual practice was wrong; a Knights of Columbus chapter for not allowing their hall to be used as for a lesbian wedding reception; Father Alphonse de Valk and *Catholic Insight Magazine* for speaking against homosexual behavior; Bill Whatcott, a Catholic activist, for producing pamphlets that called homosexual practice immoral (Whatcott was also “banned for life” from criticizing homosexuality); Stephen Boisson, a pastor, for a letter to a newspaper denouncing homosexual practice as immoral (also ordered to desist from expressing his views on homosexual practice in any public forum). Moreover, an evangelical ministry to the disabled was fined \$23,000 for not hiring a homosexual employee and its management and employees ordered to undergo a homosexualist “human rights training program.”

- In England just this year Anthony Priddis, an Anglican Bishop, was fined the equivalent of nearly \$100,000 and ordered to undergo “equal opportunities training” for refusing to hire a practicing homosexual as a youth worker for the diocese. Also in England: Graham Cogman, a police officer, was fired this year for expressing his conviction that homosexual practice was immoral.

On and on one could go with such examples of abuse, with people losing jobs or being fined thousands of dollars for failing to endorse homosexual behavior. Employers would be compelled to subsidize homosexual behavior through marriage-like medical benefits. In order to avoid potential discrimination lawsuits employers would feel obligated to institute “affirmative action” programs for “GLBT” persons and promote events that celebrate “sexual orientation diversity” in the workplace, while effectively ostracizing, demoting, or firing any workers who in good conscience cannot acceptance the promotion of a homosexual lifestyle.

Since the proposed bill includes “gender identity or expression” companies could be sued for not allowing a man who believes that he is a woman from using a woman’s restroom. Moreover, any predator can claim that enter a woman’s restroom under the pretense that he identifies himself as a woman. Indeed, the whole idea of special protections for “gender identity” and “sexual orientation” is ripe for legal abuse since, unlike being black or a woman, these are not visibly identifiable traits but claimed self-perceptions that employers can only guess at or take the employee’s word for.

School children from kindergarten up also face mandatory indoctrination regarding the alleged acceptability of homosexual practice and transgenderism through mandatory “gay day” celebrations, required reading of homosexualist literature, classroom presentations by “GLBT” groups, and writing assignments that affect academic standing. These developments have already taken place in Massachusetts and California under “sexual orientation nondiscrimination law.” Children are impressionable. Some scientific studies, including the prestigious 1992 National Health and Social Life Survey put out mainly by University of Chicago researchers, which suggested that “an environment that provides

increased opportunities for and fewer negative sanctions against same-gender sexuality may both allow and even elicit expression of same-gender interest and sexual behavior.”³

In Conclusion...

This bill makes persecuted bigots of everyone who has moral, philosophical, sociological, or religious objections to homosexual practice. It creates an official state sanctioning of homosexual practice and is every bit as misguided, or more so, as passing a bill outlawing “discrimination” against persons in a polygamous union or persons in an adult-committed relationship with a close blood relation.

I urge you to refrain from instituting such an Inquisition here in Pittsburgh and instead to respect the rights of those who believe that homosexual practice is immoral. Thank you.

For further materials go to www.robagnon.net and see especially:

“More than Mutual Joy: Lisa Miller of *Newsweek* against Scripture and Jesus”
(<http://robagnon.net/NewsweekMillerHomosexResp.htm>)

A half hour video on “What the Bible Says about Homosexuality” at
<http://www.vimeo.com/2126309>

“An Open Letter to a University President regarding the Suspension of a Black Female Administrator Who Challenged a Comparison between Homosexual Practice and Being Black” (<http://robagnon.net/articles/homosexToledoPresident.pdf>)

“How Bad Is Homosexual Practice According to Scripture and Does Scripture’s Indictment Apply to Committed Homosexual Unions?”
(<http://robagnon.net/HowBadIsHomosexualPractice.htm>)

“Don’t ENDanger Your Liberties in the Workplace”
(<http://robagnon.net/ENDA.htm>)

“Letter to an Evangelical Leader on Exploring ‘Gay Rights’”
(<http://robagnon.net/GayRightsLetterToEvangLeader.htm>)

“Why the Disagreement over the Biblical Witness on Homosexual Practice?”
(http://www.westernsem.edu/files/westernsem/gagnon_autm05_0.pdf)

“The Threat of the Homosexual Agenda to Your Freedoms”
(<http://robagnon.net/HomosexualAgenda.htm>)

³ Edward O. Laumann, John H. Gagnon, Robert T. Michael, and Stuart Michaels, *The Social Organization of Sexuality: Sexual Practices in the United States* (Chicago: University of Chicago, 1994), 307-9.