

Biblical Pleas Against The Discrimination Of Homosexual People

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"Haven't You Read?"**Jesus' View Of A True Understanding Of Scriptures And Law**

Many discussions about lived homosexuality are brought to an end with the following argument: "Sin is always sin, no matter for what reason it is committed. The Scripture tells us – "and Scripture cannot be set aside" (Jn 10,35) - that homosexuality is a sin. Therefore, no exception is possible."

Most Christians associate with the term "exception" a direct attack on the authority of the biblical word as the revealed will of God. However, the previous chapter has shown that God's thinking was not all that "exceptionless".

Fundamentally should be the view of obedience and disobedience towards His Word that God Himself imparts. Below we want to look closely at the most "prominent" exemption clause of the Bible, which is brought in and justified by Jesus himself.

All three Synoptic Gospels tell of Jesus' dispute with the Pharisees, which unfolds around the Sabbath transgression (Mt 12,1f, Mk 2,23f; Lk 6,1f). Apart from the offensive Sabbath healings done by Jesus, the plucking of ears of corn by the disciples, who became hungry and ate the grains, is cause for a harsh dispute.

Plucking of grain is equivalent to work "what is unlawful on the Sabbath" (Mt 12,2). From today's perspective this assessment of the Pharisees may seem captious and exaggerated. We are inclined to regard this as a rule merely made by man, not binding for Jesus and his disciples.

But the sanctification of the Sabbath by resting from **all** work and activities was not an insignificant rule. As part of the Ten Commandments it must be counted to one of the central doctrines of the Old Testament, especially since its justification, too, is grounded in the sanctity of the creation order (e.g. Ex 20,8-11; 31,16f.). Sabbath was defined as a day of **complete** resting (Ex 31,15). It was so untouchable for pious Jews that they, even at war, initially refrained from self-defense and rather risked dying than desecrating the Sabbath (1 Macc 2,32f.) In fact, on the Sabbath the Mosaic Law even forbade to make a fire (Ex 35,3) and a man who was found gathering wood on a Sabbath had to be stoned to death (Num 15,32f.)

For Jesus' contemporaries the sanctification of the Sabbath was not a secondary, but a theological centrally relevant question. Several times the Gospels report that the intentions of the Pharisees to kill Jesus are especially sparked off by His handling of this commandment.

Being aware of these strict laws in the Old Testament, the indignation of the Pharisees doesn't appear that erroneous. It should be remarkable that Jesus himself does not consider plucking grain as a mere trifle. He also does not argue with the fact that a rule with these exact wordings can't be found in the Pentateuch, and therefore should be regarded only as one of the so-called "statutes of the elders" instead of a commandment.

(The many "statutes of the elders" often overrun the actual text of the Pentateuch, trying to apply the basic ideas of a commandment to all conceivable situations, and thus constitute an extremely dense and highly restrictive set of rules. Repeatedly Jesus vehemently opposes these statutes, which sometimes grotesquely disfigure the original meaning of the commandment. Regarding other issues Jesus differentiates this distinction between God's command and "tradition of men" very clearly (cf. Mk 7,1-23, concerning ritual purity and the so-called Corban vow).)

However, Jesus treats the issue of plucking corn as a discussion about violating a real commandment. He vehemently defends His disciples and ends with the opposite charge, the Pharisees would have "condemned the innocent" (Matthew 12,7). With the introductory question, "Haven't you read how ...?" he argues on the basis of a precedent set of transgressions in the Old Testament (1 Sam 21): On his hasty escape from King Saul, who wanted to kill him, David came into the city of priests named Nob. Since he had no opportunity to take supplies for himself or his companions, he asked the priest for food. Because of the absence of food supplies Ahimelech the priest allowed him and his men to eat the "shewbread".

This consecrated bread, exhibited on the altar in God's presence, was seen as something "most holy" (Lev 24,9), so it was strictly forbidden by law to non-priests to eat them. Their consumption was explicitly reserved for Aaron and his descendants. The howsoever explained desecration of the Holy bread by a priest (e.g. by letting non-priests eat it) incurred heavy guilt upon all the people (Lev 22,14 f.). The condition for the consumption of the loaves which the priest Ahimelech stated ("provided the men have kept themselves from women"; 1 Sam 21,5) is founded nowhere in the law and so by no means "scriptural".

To begin with: the commandments per se of the shewbread on one hand and the Sabbath on the other hand have nothing to do with each other. They regulate completely different life situations. One concerns the everyday life, the other is a provision of the ceremonial law. It would have been quite correct to reproach Jesus for his "invalid" reasoning since one item could not be used as criterion for the other. But Jesus doesn't mean a superficial analogy of both commandments. He is looking for the concept of the divine life-affirming will behind, which reveals itself in dealing with the laws. To search the Scriptures for an answer to a problem - such as Homosexuality - does not make it indispensable to refer on a completely identical biblical question. Much more essential is the question of the basic divine principles beneath it.

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Anyhow, Jesus explicitly justifies the handing over of the holy bread. Accordingly, he argues in Luke concerning the question of Sabbath, it could not be right, to destroy life by the observance of the Sabbath (Luke 6,9). Hence he states his view that the principle of the commandment is the giving of life (Deut 32,47). In situations where the literal observance of the commandment leads to the detriment of people it loses its real meaning, and may be extended and modified for this situation under the guidance of God's Spirit. It is simply impossible to understand Jesus' argument differently!

In emergencies with danger to life the Pharisees also accepted exceptions to the law. So finally, during the wars of the Maccabees self-defense on the Sabbath became expressly allowed (1 Macc 2,41). But here - and even more so in the Sabbath healing stories - Jesus goes further than the Pharisees. The corn plucking disciples were by no means in an emergency corresponding to danger to life. Whether they actually suffered from hunger, or simply had an appetite - they would have been able to procure food in a nearby town. Also the danger in which David had been was not the lack of bread, but the persecution by Saul. Probably he could have asked for bread in another village.

Yet Jesus proves his disciples as well as David and his men as being right. The good law should help and protect man, not place a senseless burden on him. A decisive criterion for Jesus is not only the **danger** to life. As unusual as it may sound - apparently in these cases for him the restriction of a **qualitative aspect** of life, here in the practical conduct of life, is valid enough and possibly this would also include the restriction of the meaning of life, of a successful life plan, or the joy of life as well.

So we have to question the statement that an act, which according to the law is called a sin is always inevitably, in all circumstances and without exception a sin. None other than Jesus himself contradicts it. We read in Mark: the Sabbath - God's commandment - is not made for its own sake, but for man. The meaning and purpose of the commandment is to serve the people for good and salvation. But obviously Jesus does not assume that the good divine command automatically has a beneficial effect on the one who only follows it as closely and literally as possible, since no body of laws, however extensive its text might be, can cover every single possible situation. In case of doubt the last criterion cannot be the categorical observance of the commandment, because man was not made for the Sabbath, but vice versa. When the commandment which is normally used for life support turns to something against the welfare of people, new ways are allowed. Therefore John the Evangelist in a similar context even dares to formulate, that Jesus "breaks" the Sabbath (John 5,18, the literal translation of the Greek verb even is "dissolve" - surely without meaning a fundamental abolition of the Sabbath).

The controversy surrounding the meaningful observance of the Sabbath is representative for all those cases of doubt that people in our world and in real life situations can fall into. Maybe for these cases of doubt a biblical commandment or prohibition shows a clear direction or at least it seems to show it. To break the verbatim wording of the commandment for these people would mean to maintain their integrity or to attain happiness (without harming someone else). But to follow the order literally for these people would lead to a personal disaster (explicitly a calamity that benefits no one and also preserves no one else from misfortune). In this context Jesus' exclamation: "If you had understood what that means: I desire mercy, not sacrifice" (Mat 12,7) also challenges us with the question: Do we really believe God would let be broken people rather than commandments?

Jesus does not at all recommend selfish arbitrariness. But apparently the observance of the commandment at any price for Him is not worth the price to impede human life and to make it poor. Observing Christ's freedom in the perception of God's law the Pharisees however feel discomfort and a rage that reaches to homicidal ideation. This discomfort is quite understandable, because it seems to open a door to human highhandedness to concoct commandments "as desired". And yet Jesus' statement calls us to follow the *meaning* of the commandment, not only its *wording*, depending on the situation and in listening to God's Spirit.

But how to decide where in a concrete situation, the "staying in the word" means a literal following and where maybe not? Man cannot set himself up as judge of the divine commandment. Still, especially in unusual and extreme situations, people need assistance, according to which they can judge what is "allowed" or requested and what is not. If the literal interpretation, as the Pharisees used to apply, is **not** the only and correct interpretation, but may be in danger of losing sight of the essentials of the commandment - namely "justice, mercy and faithfulness" (Mat 23,23) - which biblical standards would be superior to it?

The Bible and especially the New Testament give pretty clear criteria for that and even claim them. First priority must have the one on which Jesus states that "all the Law and the Prophets hang on": the commandment of love of God and love of neighbor as "the first and greatest commandment" (Mat 22,37-40). For James love of Neighbor is "the royal law" (James 2,8) among all others. For John, love is "the commandment ... from the beginning" (2 Jn 5f.), the commandment par excellence. Paul also states the love that "does no harm to a neighbor," as ultimately decisive for the true "fulfillment of the law" (Romans 13,8-10). In all ethical and behavioral issues presented to the apostle, he always in his letters comes back to this love as a standard. And wherever Jesus and the apostles discover a false and misguided piety, they do it in the light of the violated love principle - as here regarding the Sabbath question. As a third criterion one might add according to Paul the injuring of one's life and one's own body as a member of the Body of Christ and Temple of the Holy Spirit (1 Cor 6,15.19).

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Love in the sense of the Bible in this context means less the **feeling** of love. It manifests itself in an inner attitude and in action: in giving God the first place, in a selfless and attentive relation to the neighbor and in a careful treatment of one's own body and life.

Applying these three standards, it is by no means possible to "soon justify everything", as people fear will happen if a less restrictive approach is allowed. The love for God for example excludes idolatry or greed (cf. Eph 5,5). Adultery, theft or violent temper, to name just a few examples, clearly contradict the love to the neighbor. And the body as a temple of God is hardly compatible with addiction to drugs or excessive consumption of nicotine or alcohol.

If love in the Biblical sense in every case of doubt is the overarching criterion and superior to the blind literal fulfillment of the law, this actually does not mean to defy the Word of God from a position "**above**" it, but to bow **down** to the required criterion of love, to the commandment par excellence. Therefore an argument such as "whoever does not obey every commandment literally does not really love God" makes no sense, but moves in a circular argument in which not love is the criterion that reveals the meaning of a commandment, but where the wording decides on love. It would be an absurd thought that the Bible as the Word of God could be jeopardized by the criterion of love, seeing that God Himself is love and that every love comes from Him (1 John 4,7f.).

This all has not the least to do with the vague theology of "God surely will approve every sort of love" mentioned in the preliminary remarks. The homosexual love relationship itself is not even the true criterion here. For two people in a relationship, of course, the perceived love plays a major role. But our fundamental theological argument is less about the love which homosexuals feel for each other. The question is: will the royal law of love actually and specifically be injured at the roots by living a responsible practiced homosexual partnership? And the follow-up question: Does such a relationship bring as a fruit the hallmarks of true love in the same way, as one would expect from heterosexuals?

Under these criteria, it is just **not** true that the toleration of homosexual partnerships means "doing violence to the Bible" and therefore condones i.e. adultery or child abuse! Homosexuals living as a couple do not harm any third party by their life. An adulterer (who at first glance acts "out of love" to somebody as well) surely violates the deceived partner, and naturally child abuse hurts the children, who are forced to sexuality. Homosexual partners, who live together in faithfulness, do not hurt each other, neither regarding to health or in other ways. Why would two people be sentenced who - according to their own best inner feelings - live together in love and loyalty as a couple, love God, and want to serve together Him and other people?

It is always amazing how some Christians become almost tender-hearted and generous in reasoning in the above-discussed question of the Sabbath and the

shewbread. It does not seem reasonable to them that hardened men for the sake of legislation are to endure a few hours of hungriness. But in the same breath they require of a homosexual to endure a whole lifetime the hunger to be allowed to live as the person he is.

Differentiated thinking is by no means the opponent of an inspired interpretation of the Bible. The Bible expects from believers an evaluation of human action beyond the consideration of purely external facts. Thus already the Old Testament makes tools available how apparently same or similar acts can and must be differentiated. Concerning the killing of a man we find criteria by which homicide can be distinguished both from manslaughter and from accident (Ex 21,12-14.18f; Deut 19,4f.11). At the very strict commandments concerning every intercourse outside of marriage, the relevant distinction is whether it is a voluntary act, a case of seduction or a forced sex act (Ex 22,15; Deut 22,22.28f). Unlike several other cultural conceptions of the Orient the Bible declares a raped woman clearly innocent and this crime punishable. Not even prisoners of war were to be arbitrarily abused (Deut 21,10-14; 22,23-27).

Let us consider in more detail how the Bible differentiated in the case of suspected rape: If the non-marital sexual intercourse happened within a town, it was assumed (the former narrow housing conditions provided) that the woman in a rape could have screamed for help. If she did not do this, she apparently had voluntary intercourse with the man and was therefore complicit. But if the intercourse took place in an open field, and there was no confession, the verdict was "in doubt for the defendant": "the betrothed woman *may* have screamed, but there was no one to rescue her" (Deut 22,27). In order to avoid unjust punishment only the man was to be regarded as guilty.

It is a simple but ingenious criterion and, contrary to many prejudices against the Old Testament, it does emphasize the protection of women. Nevertheless, of course it leaves open more cases than it clarifies. What would be here a literal understanding of the biblical statement, and what an understanding full of meaning and God's Spirit? The former would actually allow no other criterion than the crime scene - city or open field - and perhaps even transfer it literally to today's situation, where now the anonymity of big cities and apartment houses would lead that distinction to absurdity. A Spirit-filled understanding, however, would try to grasp the meaning of the distinction, and to transfer it to other case scenarios. Accordingly within a city the woman could ask for impunity, for example, when festive noise would drown out any cries for help, or when the woman was knocked unconscious before, or no one was willing to help (as in Gibeah), etc.

Beyond that there are hundreds of cases in which the criterion of "free field or city" offers no help at all; cases in which the question of voluntariness or use of force or the use of power relations is hard to sort through. Or - where even within a marriage does the "duty" (1 Cor 7,3) cease towards the spouse and where does the violent forcing of sexual intercourse begin?

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Although the wording allowed no other option, the differentiation "city or free field" was not meant to be the one and only and stubborn followed criterion, but to open our eyes to "the most important thing in the law... justice and mercy "(Mt 23,23). It's the prophet Nathan who on behalf of God shows us this form of interpretation concerning the adultery of David with Bathsheba. This adultery had taken place in the middle of Jerusalem. According to a literal interpretation therefore Bathsheba would have been complicit. But in Nathan's little parable Bathsheba gets the role of the innocent lamb (in the truest sense of the word) being raped and slaughtered. It is David, however, who is brought to justice as guilty with a "You are the man!" (2 Sam 12,1-7).

Seen through the eyes of "justice and mercy" (in the end just another paraphrase of "love") the situation is like this: Bathsheba as a simple woman in the social system of her time had no realistic possibility to resist an oriental monarch. Moreover God did obviously not expect any superhuman heroic act of her in order to escape David's command. At the time of Nathan's rebuke Bathsheba had already become David's wife. Therefore she is involved in the consequences resulting from his guilt, but - contrary to the wording of the law –the juridical question ends with an acquittal for her.

To many questions like this the Bible gives no clear differentiating message. Just the fact, that the Bible does not equalize all sexual intercourse as the same sexual intercourse, but leads to an individual und just approach to each personal case, should be invitation enough to render justice in our judgment and to allow individual solutions as well - and possibly also to think of "the benefit of the doubt."

The Bible does not differentiate either between promiscuous and faithfully lived homosexual partnerships or between freely chosen sexual "extra pleasure" and biological disposition. Therefore a distinction must be based on general principles of Scripture as discussed above, on the three criteria of God's love, of love of neighbor and of respect for the body as a temple of God. Is that unbiblical?

Back to the Sabbath question. In Jesus' statement we did illuminate the factual and legal aspects of Christ's interpretation of the law. But yet here shows up another principle of Jesus, which can easily be read over. The introduction of His argument is: "Haven't you read?" The fully formulated question is: "Haven't you read what the Scripture says?" These and similar-sounding statements we often find as an accusation and inquiry as well in the conflict between Jesus and the scribes, Pharisees and priests (e.g. Mt 12,5.26; 21,13.16, Mk 12,26; Jn 10,34). Paradoxically, Jesus accuses of all people just the scribes and law enforcers of not having read the scriptures properly, of not knowing and not understanding them.

According to the Jewish understanding of scripture the Old Testament is divided in the Torah (the law books of Moses), the Prophets (which also include Joshua through Kings) and the "other scriptures". There were at least some trends to evaluate the laws of the Torah as most important, and the narrative writings as secondary. Even today, we naturally tend to understand all those biblical statements that formulate "thou shalt" or "thou shalt not" as especially binding in an evident – or at least seemingly evident way. Jesus shakes this premise with His question: "Haven't you read?"

In this way He begins an argument based on a lived example. What the Scripture says is not **solely** the formulated commandment, which is supposed to lay out a good and holy framework, but cannot do justice to all of life's situations. Haven't you read what is the binding word of the Scripture **as well**? What the Scripture says, is as well the lived life of the faithful and God's action towards the faithful attested in the biblical stories.

"Haven't you read?" Jesus asks the narrow-minded, letter-believing Pharisees who for the sake of obedience to the law are ready to harass people, to get them in trouble and to depress them. Herein Jesus' statement, that he did not come to abolish the Law but to fulfill it (Matt. 5,17), gets its life-affirming and life-giving meaning. Exactly **because** Jesus wants to teach reverence for the Holy Scripture, he also wants to teach it for the whole Scripture, which must be understood in the spirit - not in the letter (cf. 2 Cor 3,6). This can be the hope of a homosexual Christian, to whom nothing is further than wanting to despise the Word of God, but to whom the formulated commandment is no life support but brings depression and suffering.

In this hopelessness (which is much more existential than the hunger of the disciples on the Sabbath) Jesus' question "Haven't you read?" may mean that exemptions are not all **"against** Scripture", but very well have their scriptural basis. Jesus declared lived deviations of formulated commandments to legally binding statement of Scripture too, and defended their transfer to current life circumstances.

Who wants to deny homosexuals principally the hope based on these examples - the hope of getting right in their cause, or at least to encounter grace and mercy? Who wants to accuse them to trifle with the word of God when they refer to an understanding of Scripture that Jesus Himself used in special situations?