

# Testimony

## A Pamphlet from Pax Christi San Antonio

Anticipating June 30, 2019

Pax Christi San Antonio does not solicit donations. Thoughtful comments, however, may be sent to the editor at [j6anthonyblasi@yahoo.com](mailto:j6anthonyblasi@yahoo.com), with the understanding that permission to publish them is implied. Pax Christi International was founded in 1945 with the encouragement of Bishop Pierre Marie Théas of Montauban, France, by Marthe Dortel Claudot, as a Christian lay organization dedicated to preventing a repetition of the savagery of the twentieth century's world wars.

### Editorial

After the calendar, the Liturgical Reading reflections are based on readings for the Thirteenth Sunday in Ordinary Time. The Easter Season ended with Pentecost, and the following two Sundays complete the frame around it, as it were, with the feasts of Trinity Sunday and the Body Blood of Christ. The Sundays that are counted with ordinal numbers, "ordinary time," resume with the thirteenth Sunday.

Tom Keene's poem is *Beliefs and Faith*. For more of Tom's poems, see <http://www.tomkeeneandthemuse.com/index.php>.

A few weeks ago, in a consideration of the ethics of a city excluding vendors from a food court in a publicly-owned property whose corporate owners supported religious organizations that were critical of same-sex marriage and homosexuality in general, I had referred to biblical passages often cited by those organizations as mistranslations and misinterpretations. That essay, I said, was not the place for an exegetical analysis. Below in a new essay that follows the poem, I engage official Roman Catholic statements on the subject of homosexuality and subject their theology and use of scripture to a critique.

### Calendar

#### In El Paso

**Fridays**, 12:00pm-1:00pm, Pax Christi El Paso joins Border Peace Presence in front of the Federal Courthouse (corner of Campbell and San Antonio).

#### In San Antonio

**Wednesday July 10**, 6:00pm-7:30pm, film, *In the Light of Reverence* (about sacred spaces of Native Americans). Sinkin Eco Centro, 1802 N. Main.

**Saturday August 3**, 10:00am, Pax Christi San Antonio meeting. Residence of Tom Wakely, 16406 Ledge Point St.

### **Second Reading (Galatians 5:1, 13-18)**

Most of the authentic letters of Paul had been collected and disseminated in the churches of Greece; Luke was able to use them as primary sources for his second book, *The Acts of the Apostles*. The letter Paul sent to the Galatian churches that he had started in what is now south central Turkey, had not yet been added to the collection. At least Luke did not have a copy, since some of his history contradicts what Paul wrote in that letter.

Paul wrote *Galatians* in something of an emergency; some of the early Christians began thinking that the ethnic practices of the Judeans, which were included in the Law, or Torah, were necessary for salvation. Judging from the letter, others began to place less emphasis on ethical living. In contrast, Paul wrote of freedom from any law of observances and a spiritual freedom from any way of life that drives one to “prostitution, uncleanness, licentiousness, idolatry, sorcery, hatred, strife, jealousy, anger, factions, dissension, sects, grudges, drunkenness, carousal, and the like.” “Sorcery,” in the Greek, refers to the use of drugs, potions, and spells in poisoning people. The focus, instead, should be on the great commandment: “You shall love your neighbor as yourself.”

### **Third Reading (Luke 9.51-62)**

“And it happened as the days before his being taken up (to heaven) were being completed he also set his face for going to Jerusalem.” Luke speaks of Jesus’ destiny as a “being taken up,” with Jerusalem as a merely incidental destination. It was obvious that Jesus would face death in Jerusalem, but he had another destination in mind. Ironically, people in a Samaritan village would not welcome him because he was on the way to the city whose rulers were as hostile to Jesus as to the villagers themselves. Turning away a traveler, much as self-proclaimed patriots turn away refugees and immigrants today, violated—and violates—a serious norm of hospitality in the Middle East.

“Lord, do you wish for us to call down fire from heaven and consume them?” No. Not even a parable was necessary here.

“I will follow you wherever you will go.” Several people were embarrassed by the behavior of their fellow villagers. They stepped forward to visibly associate themselves with Jesus, as he walked on. That was admirable, but Jesus had to forewarn one of them that the sojourner Jesus was not welcome in either of the two nations that hated one another so much. He had nowhere to lay his head.

To another: “Follow me.” That person did not simply bury his father and join the traveling group, but, to justify going back, offered the excuse that he had to bury his father. “Let the dead bury the dead themselves, but you, leaving, proclaim the kingdom of God.” A pithy statement indeed! There was more than one kind of death and more than one kind of life, and the call was to proclaim the greater kind of life.

And another wanted to go home to take leave first. They were now well down the road. This third from among those who associated themselves with the traveler, who

had already left home, now wants to go back to take leave? “No one putting hand to plow and looking back is suitable for the kingdom of God.”

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## Poem

### *Beliefs and Faith*

What a difference.  
One is about what.  
What's out there?  
The other is about who.  
Who are we becoming?

One puts its trust in authority.  
The other in experience.

We believe in atoms  
not because we saw but  
that's what our teachers said.  
Like they told us in the army:  
*“There are three ways to do things.  
The right way, the wrong way, the army way.  
Do it the army way.”*

That worked.  
Saved us the fuss and bother  
of figuring it out for ourselves.  
Secure as oysters in their shells.

But faith. That is another matter.  
There we undergo happenings  
like hope and fear, love and hate,  
by living them.

Developments that envelop us,  
change us, so we can never go back  
to whatever we were before.

Now and then they make us deep.  
We feel a freedom to risk.

Even mistakes become

windows to see,  
doors for going through  
to brave out our becoming.

Tom Keene and Muse  
January 17, 2019

## **Critique of Magisterial Statements on Homosexuality**

Anthony J. Blasi

The critique proceeds in the reverse order from a chronological one, in the sense that it begins with the use magisterial statements have made of the thought categories that characterize Thomist thought, then their use of New Testament texts, and finally their use of passages in the Hebrew Bible. No attempt is being made here of a “new theology”; rather, there is a deliberate adherence to very traditional modes of theological analysis and to a close reading of the biblical passages in question.

### **Magisterial Use of Thomist Thought**

In 1975, the Sacred Congregation for the Doctrine of the Faith argued from Scripture and natural law that homosexual acts are objectively evil because they “lack an essential and indispensable finality.”<sup>1</sup> After citing scripture, the Congregation used language that has been much cited in the popular press in subsequent decades; it said that homosexual acts are *intrinsically disordered*. The view was that sexual acts are objectively ordered to procreation, and that since homosexual acts could not lead to procreation they were disordered from the plan of the Creator for the human race. The Congregation went out of its way not to condemn sweepingly; the objective judgment, they said, “...does not of course permit us to conclude that all those who suffer from this anomaly are personally responsible for it...”<sup>2</sup> That the Congregation was not in the business of condemning is to be credited to them, but in speaking of an “anomaly” they still seemed to be informed by a view that is no longer deemed to be scientifically valid.

Apart from speaking of homosexual acts as evidence of an anomaly, the general approach of the magisterium still maintains that some acts are intrinsically evil by virtue of their “very object, and quite apart from the ulterior intentions of the one acting and the circumstances.”<sup>3</sup> Citing the Second Vatican Council, Pope John Paul II cites other examples of what he terms intrinsically evil acts: homicide, genocide, abortion, euthanasia, voluntary suicide, mutilation, torture, coercion, subhuman living conditions, arbitrary imprisonment, deportation, slavery, prostitution, human trafficking, and degrading conditions of work. Such are hostile to life itself or violate the integrity of the

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<sup>1</sup> Congregation for the Doctrine of the Faith, *Persona Humana, Declaration on Certain Questions Concerning Sexual Ethics*, December 29, 1975, VIII.

<sup>2</sup> Congregation for the Doctrine of the Faith, *Persona Humana*, VIII.

<sup>3</sup> Pope John Paul II, *Veritas Splendor*, August 6, 1993, #80. The text cites the reasoning Pope Paul VI used in his encyclical *Humanae Vitae*, July 25, 1968, #14.

human person.<sup>4</sup> The general framework of moral thinking that distinguishes among the *objects* of an act, the *end* of an act, and the *circumstances* in which an act is performed comes from Thomas Aquinas. Unfortunately, the use the Congregation and popes make of that framework evinces considerable imprecision.

Aquinas spoke of the species of an act deriving from its *object*, the immediate result of an act. He gives the example of taking what belongs to another.<sup>5</sup> The moral character of an act can come from the species. He also spoke of accidental aspects of an action, *circumstances*, lending a good or evil moral character to an action. He does not give an example, but one can think of a hiker caught in a sudden mountain snow storm entering a cabin and using the absent owner's firewood to build a fire to keep from freezing; the value of the hiker's life outweighs the disvalue of taking the firewood that belongs to another and burning it up. The circumstances of the snow storm and the danger of freezing to death make the act benign despite its evil species. "So it is with action. For the plenitude of its goodness does not consist wholly in its species, but also in certain additions which accrue to it by reason of certain accidents: and such are its due circumstances."<sup>6</sup> Of course, it can work the other way around; a good species of action can be made evil by circumstances. For example, an intellectually stimulating conversation is a good activity in terms of its species, but made evil if carried on in a church during mass. Then Aquinas speaks of the *end* of an act, its intended purpose.<sup>7</sup> All this sounds simple, but it is possible for an action to have contrary moral qualities contained within the same act, as for example when someone takes what belongs to another to give alms. The problem is that the taking what belongs to another is not ordained to the good end (giving alms) but only related to it accidentally.<sup>8</sup> If, however, one were to work an extra hour in order to earn extra money to give away what is one's own as alms, that act would not have an evil character. The kind of analysis Aquinas makes is not completely persuasive because taking what belongs to another in order to give alms can be ordained to a good end; it is the genre of the act of taking that is objectionable, not a lack of an ordering what is taken to a good end. Moreover, the circumstantial fact that there are alternatives to the taking should be critical in the analysis. His treatment of the problem in his discussion of double effect is more persuasive; in the example of self-defense, there is the intended effect of preserving one's own life and the unintended effect of an assailant being killed.<sup>9</sup> Anything disproportionate from the intended effect—such as torturing the assailant as he lay dying—would be evil. Taking what belongs to another in order to give alms is not proportionate to giving alms since there are other ways of generating or acquiring something to give away. Unfortunately, Aquinas does not develop the concept of *proportionatus* very thoroughly. Its meaning does not refer to quantity, similar to its English cognate "proportion," but something like "tailor-made for."

As noted above, in *Veritas Splendor* Pope John Paul II speaks of "objects of the human act" that are by their nature incapable of being ordered to God. He then cites the

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<sup>4</sup> Vatican II, *Gaudium et Spes*, 27.

<sup>5</sup> Thomas Aquinas, *Summa Theologiae* I-II, 18, 2.

<sup>6</sup> Aquinas, *Summa Theologiae* I-II, 18, 3.

<sup>7</sup> Aquinas, *Summa Theologiae* I-II, 18, 4.

<sup>8</sup> Aquinas, *Summa Theologiae* I-II, 18, 7.

<sup>9</sup> Aquinas, *Summa Theologiae* II-II, 64, 7.

examples mentioned above, from the pastoral constitution *Gaudium et Spes* of Vatican II. He mentions, for example, homicide. In most cases of killing a human, the analysis is logical, but when a police officer heroically killed a gunman who was shooting at innocent people from the library tower of the University of Texas on August 1, 1966, the end or purpose of protecting people rather than the object of the act (killing someone) clearly lent a good moral character to the officer's action.<sup>10</sup> The text of *Veritas Splendor* would hold that the object of the officer's action made the act "incapable of being ordered to God." Another example Pope John Paul took from *Gaudium et Spes* was deportation; sometimes it is clearly evil, but not in all cases. Deportation in the circumstance of an extradition of a criminal for prosecution can take its moral character from the end. As Aquinas would have it, the homicide in the case of the officer shooting Charles Whitman in 1966 would be ordered to the good end of protecting innocent people, and a deportation in an extradition case would be similarly ordered to the good end of prosecuting criminals and thereby maintaining the wellbeing of the public.

In *Persona Humana*, the Congregation for the Doctrine of the Faith speaks of a singular "finality" of sexual acts. One would suppose that this is meant to refer to the end (*finis*) of the act. However, the scriptural support given for the disapproval of homosexual act by Pope John Paul in *Veritas Splendor* is Paul's statement in Romans (3:8) that one should not do evil that good may come of it, which would be a matter of the intrinsic nature of the act, or its "object," rather than its end or "finality."<sup>11</sup> The Congregation would disapprove of homosexual acts because they do not have as an end ("finality") the begetting children, however benign other ends may be, while Pope John Paul would disapprove of them because of their intrinsic nature, their object. For clarity, the object, end, and circumstance of a homosexual act should be considered one at a time.

The *object* of a sexual act is a sexual stimulation with response; this combination is what gives the act its genre or species, to use the language of Aquinas; the genre is that of a sexual act. Considered in isolation, the act is morally neutral. As a good, it can be the matter of the sacrament of matrimony. As an evil, it can occur in a rape. Unlike torture, it is not inherently or intrinsically evil in such a manner that it is incapable of being ordered or ordained to a good or to God. When the Congregation or a pope have used such expressions as *intrinsically evil* or *incapable of being ordered to God* in this context, the expression actually weakens their argument by putting muddled reasoning on display. The typical reader of the Congregation's declaration and the pope's encyclical may lack a background in Thomist reasoning, but such a reader can sense that something is faulty in the argument and therefore not find it persuasive. A moral theologian who has a background in Thomist reasoning is left unable to explain the official teaching to the faithful, much less advocate it.

There can be more than one *end* of a sexual act, be it heterosexual or homosexual. When Pope Paul VI, in *Humanae Vitae*, said that every single sexual act within marriage must be open to the end of begetting children,<sup>12</sup> he was maintaining that

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<sup>10</sup> I was in Austin at the time; I knew of people whose lives were in danger because of the gunman.

<sup>11</sup> Congregation for the Doctrine of the Faith, *Persona Humana*, V; Pope John Paul II, *Veritas Splendor*, 80.

<sup>12</sup> Pope Paul VI, *Humanae Vitae*, 11; "ut *quilibet matrimonii usus* ad vitam humanam procreandam per se destinatus permaneat/that any use of matrimony as such remain destined to procreating human life."

one end of heterosexual acts within marriage should be the procreation of children. By its wording (*matrimonii usus*), the dictum does not actually address homosexual acts. Rather, Pope Paul was reiterating the teaching of Pope Pius XI, who was teaching against deliberately frustrating the power and purpose of the conjugal act.<sup>13</sup> What Pope Pius was teaching against was not the nature of a sexual act per se but the act of frustrating the conception of human offspring. In general, magisterial teachings have focused on marriage and limiting intercourse to the marital state, which would be a circumstance rather than an end; their rationale for the teaching pertains to the end of matrimony.<sup>14</sup>

In Thomist language, what distinguishes a homosexual act from a heterosexual act is the *circumstance* of the act. A circumstance, as something not giving an act its genre, cannot make an act intrinsically good or intrinsically evil. It can, however, lend an act a moral character. The theological issue is whether the same-sex circumstance of a sexual act imparts any particular moral character. The Congregation for the Doctrine of the Faith takes teachings about marriage and marital intercourse and broadens them to pertain to all sexual acts.<sup>15</sup> This kind of argument is more subterfuge than logic, probably undeliberate subterfuge but subterfuge just the same, since it switches the matter of discussion in the course of assigning a given moral evaluation. It is incumbent on someone who would argue that homosexual acts have any particular moral status to address the circumstance of its expression of a same-sex attraction rather than confounding it with heterosexual acts within or outside of matrimony. Matrimony is a circumstance ordained to specified ends, and an absence of matrimony for heterosexual acts is a circumstance that can have an evil moral quality because, for example, biological parents not married to each other may not have a commitment to the wellbeing of children or may not have a permanent, indissoluble commitment to one another.

### **Magisterial Use of Biblical Evidence**

Turning from the natural law approach of the magisterium and Thomist moral theology, we can take up the biblical evidence used in magisterial statements. In *Veritas Splendor*, #80, Pope John Paul II cites the citation made by Pope Paul VI of Romans 3:8, in making the argument that intrinsically evil acts must be judged unworthy, whatever end they serve. As noted above, the genre of action under consideration,

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<sup>13</sup> Pope Pius XI, *Casti Connubii*, December 31, 1930, #54. Pope Paul was actually making the teaching more explicitly about marriage; Pope Pius had used the expression *actus coniugii*, which simply means a union, especially marriage but not expressly only marriage.

<sup>14</sup> It is possible to force a reading of *Casti Connubii* to make it apply to homosexual acts: "...every use of the faculty given by God for the procreation of new life is the right and privilege of the married state alone...." However, placing the wording within its context makes it clear that it is about heterosexual acts: "Nor must We omit to remark, in fine, that since the duty entrusted to parents for the good of their children is of such high dignity and of such great importance, every use of the faculty given by God for the procreation of new life is the right and privilege of the married state alone, by the law of God and of nature, and must be confined absolutely within the sacred limits of that state"—Pope Pius XI, *Casti Connubii*, 18. The Congregation for the Doctrine of the Faith, *Persona Humana*, makes this forced reading at the end of section V.

<sup>15</sup> Congregation for the Doctrine of the Faith, *Persona Humana* V does this by citing Vatican II, *Gaudium et Spes* 49 and 50, sections about marriage, when speaking about "the finality of the sexual act and on the principal criterion of its morality."

sexual stimulation and response, is not intrinsically evil, and it is incumbent on those who would argue that homosexual acts have either a good or evil moral status to argue from the circumstance, not the genre of action. In any event, the passage in Romans has nothing to do with an act being evil in its very genre but doing evil to bring about a manifestation of God's judgment. The evil done could be so by virtue of its circumstances, for example, rather than the species of the act. The Pauline passage reads as follows:

<sup>5</sup>But if our injustice demonstrates the justice of God, what shall we say? Wouldn't God be unjust when bringing wrath? I am speaking humanly. <sup>6</sup>Certainly not. How then would God judge the world? <sup>7</sup>But if God's truthfulness abounds to His glory through my falsehood, why am I still judged as a sinner? <sup>8</sup>and why not, as we are slandered and as some imagine we say: Let us do evil so that good may come?<sup>16</sup>

The clause about doing evil so that good may come about has no particular bearing on an intrinsically evil act performed because of an otherwise good intention. It pertains to the paradox of God's revelation coming through sinful humans.

*Veritas Splendor*, #81, goes on to cite a passage that is much more relevant to the question of homosexuality. First Corinthians 6:9-10 reads as follows:

<sup>9</sup>Do you not know that the unjust will not inherit the kingdom of God? Do not be deceived: Neither the sexually immoral, idolaters, adulterers, easy men, pederasts, <sup>10</sup>thieves, nor the greedy, not drunks, not abusive people, and not robbers will inherit the kingdom of God.<sup>17</sup>

To understand this passage, it is necessary to understand what the Greek behind it meant in the ancient Roman Empire. The sexually immoral, πόρνοι, would be elite Roman men who attended banquets without their wives and enjoyed low status pleasure women. The non-Christian Romans did not consider this adultery. Idolaters, εἰδωλολάτραι, would be men who frequented temples that were in effect brothels. Adulterers, μοιχοῖ, would be high status men who had sexual relations with a high status woman outside of marriage. Easy men, μαλακοῖ, would be youths making themselves available as passive homosexual companions in order to establish a patron-client relationship with an elite man. Pederasts, ἀρσενοκοῖται, would be active performers of homosexual acts who typically penetrated young male slaves. The ancients did not have a concept of sexual orientation;<sup>18</sup> males, especially elite males, abused slaves of either gender, had "easy men" for purposes of building up a network of clients, and had wives, similarly for purposes of political alliances. Paul, and the Christians in general, disapproved of all this. What they would have thought of consensual homosexual relations between equals is not known simply because that kind of relationship was not generally known. For a man to use another man was to either use a slave or other lower status male, or to demote someone to a low status, and from the Christians' perspective

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<sup>16</sup> My translation, of Rom. 3:5-8, following the Greek closely: Anthony J. Blasi, *Social Science and the Christian Scriptures*, vol. 1. Eugene Oregon: Wipf & Stock, 2017, p. 129.

<sup>17</sup> First Corinthians 6:9-10, translated in Blasi, *Social Sciences and the Christian Scriptures* vol. 1, p. 60. The Congregation for the Doctrine of the Faith, *Letter to the Bishops of the Catholic Church on the Pastoral Care of Homosexual Persons*, October 1, 1986, #6, also cites the passage.

<sup>18</sup> See Jeremy Townsley, Paul, the Goddess Religions, and Queer Sects: Romans 1:23-28. *Journal of Biblical Literature* 130 (2011): 707-28, at p. 708.

that sort of use of people was unjust.<sup>19</sup> In this passage, Paul even sees injustice toward oneself, voluntarily becoming an “easy man,” as immoral. None of this really has a direct bearing on modern homosexuality, with consensual acts among equals.

The letter of the Congregation for the Doctrine of the Faith on the pastoral care of homosexual persons begins its considerations from scripture with Genesis 19:1-11.<sup>20</sup> The biblical passage is not squarely on topic. Genesis 18:20 already made it clear that Sodom and Gomorrah were considered evil, that there was an outcry against them, and that the Lord was ready to destroy them if he found that the outcry was warranted. Chapter 19, which the Congregation cites, reports that two angels from the Lord came to Sodom and were given hospitality by Lot. The men of Sodom, egged on by all the inhabitants, demanded that Lot turn the two angels over to them so they can rape them. The angels miraculously blinded the men and led Lot and Lot’s household out before the Lord destroyed the city. The legend is not about homosexuality as much as about wickedness in general and raping sojourners in particular. In fact, given the context that the compositor of Genesis created, with the protagonists offering extravagant hospitality to sojourners who turn out to be from the Lord, the legend of Sodom is one of a series whose theme is hospitality to the stranger.

A second biblical passage used by the Congregation is Leviticus 18:22: “You shall not lie with a male as with a woman; it is an abomination.” Leviticus 20:13 prescribes the death penalty for the offense. Chapter 18 makes a series of proscriptions, associating the offenses with other nations. As the Congregation puts it, the proscriptions are given “...in the course of describing the conditions necessary for belonging to the Chosen People....” A fair reading would conclude that the Congregation has a point. This is not only a matter of national identity, which is for sure a theme in that part of Leviticus; the proscription is accompanied by others against incest, bigamy with a wife’s sister, and bestiality. The rationale in the passage will be taken up below, after reviewing the other passages cited by the Congregation.

The Congregation’s reading of Romans 1:18-32 is accurate insofar as no proscription of homosexuality is read into the text. Nevertheless, the Congregation describes homosexuality as a “moral excess,” which the text of Romans does not do. The Congregation betrays no awareness of the status system of the Roman Empire, where a male homosexual act expresses a low status for the passive boy or man, either making the status of, for example, a would-be client subordinate to a patron, or taking advantage of a slave.<sup>21</sup> Nor does the Congregation express any awareness of the absence of any concept of sexual orientation in the Roman world and hence any concept of a fully consensual expression of a homosexual orientation.

Finally, the Congregation cites First Timothy 1:10, which provides a list of varieties of lawless people:

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<sup>19</sup> Demote or lower in status is usually translated as “dishonor”; see Romans 1:24 and 26, as translated in most Bibles.

<sup>20</sup> Congregation for the Doctrine of the Faith, *Pastoral Care of Homosexual Persons*, October 1, 1986, #6.

<sup>21</sup> Translators of Romans usually employ the expression “dishonor,” when translating this passage; the meaning is closer to “lower someone in status.” It should be noted that soon after Paul provides a list of sins (Rom 1:29-43) and does not include “unnatural” sexual relations among them. It should also be noted that “unnatural” (Rom 1:26-27) means non-natal, i.e. not leading up to birth; it does not mean “against nature,” which presupposes a more modern concept of nature.

<sup>8</sup>But we know the law is good if someone applies it legitimately, <sup>9</sup>knowing that the law is not set down for the just person but for the lawless, the undisciplined, the impious, sinners, the unholy, the godless, those who kill fathers and mothers, murderers, <sup>10</sup>male prostitutes, pederasts, kidnappers, liars, perjurers, and anything else that is opposed to the teaching that is wholesome according to the good news....

Male prostitutes, πόρνοις, could also be simply fornicators. As noted above, pederasts, ἀρσενικοῖται, would be active performers of homosexual acts who typically penetrated young male slaves. Kidnappers, ἀνδραποδισταῖς, sold their victims as slaves, sometimes subjecting young males to cosmetic makeovers to market them as sex objects.<sup>22</sup> The author of First Timothy does not have in mind the expression of a homosexual orientation (unknown in antiquity) in consensual sex acts between equals. What is being condemned is exploitation.

### **Leviticus: A Direct Biblical Treatment of Homosexual Acts**

Though misapplying a number of these biblical passages, which are not really about homosexual relations as we understand them today, the Congregation gives an accurate reading of Leviticus 18:22 and 20:13, which not only proscribe homosexual relations but prescribe the death penalty for them. However, the Congregation seems conflicted about its readings of these passages:

It is deplorable that homosexual persons have been and are the object of violent malice in speech or in action. Such treatment deserves condemnation from the Church's pastors wherever it occurs. It reveals a kind of disregard for others which endangers the most fundamental principles of a healthy society. The intrinsic dignity of each person must always be respected in word, in action and in law.

Thus if Leviticus 18:22 is to be taken as normative, Leviticus 20:13, which prescribes the death penalty for homosexual relations, is not. One must ask what the criterion is for accepting one verse of Leviticus as normative and another as not normative. The ancient writer may have lacked knowledge of the reality of natural divinely-created sexual orientations; in that case, neither of the verses in Leviticus should be taken to be normative.

It may be useful to examine what rationale was at work in the composition of Leviticus 18:22. There is no trace of a specific theory that every sexual act must be ordained to the creation of new life; so the twentieth century magisterial rationale should not be read into it. In part, Leviticus frames its list of proscriptions by condemning what was found among Egyptians and Canaanites; the Egyptians practiced homosexuality on enemies defeated in battle, while disapproving of pederasty, and in Canaan homosexuality was an aspect of the religious cultus.<sup>23</sup> Beyond Hebrew identity and nationalism the language in Leviticus reflects ritual concerns. The immediate context prohibits intercourse during a woman's menstrual "uncleanness" (Lev 18:19). It prohibits adultery (Lev 18:20). It prohibits profaning the name of the Lord by sacrificing children to

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<sup>22</sup> J. Albert Harrill, *The Vice of Slave Dealers in Greco-Roman Society: The Use of a Topos in 1 Timothy 1:10*. *Journal of Biblical Literature* 118 (1999): 97-122.

<sup>23</sup> R.K. Harrison, *Leviticus. An Introduction and Commentary*. Downers Grove, Illinois: Intervarsity Press, 1980, pp. 191-92.

Molech (Lev 18:21). To lie with a male as with a woman is described as an abomination (Lev 18:22). Bestiality is described as a perversion (Lev 18:23). Hence in succession the underlying issues are ritual purity, adultery, idolatry, performing abominations, and perversions. Hence there is a juxtaposition of ritual and sexual ethics: ritual (verse 19), sexual ethics (verse 20), ritual (verse 21), sexual ethics (verse 22), and sexual ethics (verse 23). In verse 22, to lie with a male as with a woman is an “abomination,” (*tow'ēbah*), which could be either a ritual or sexual ethical violation.<sup>24</sup> We moderns, who think in our modern languages, have a much more precise language to think with than ancient Hebrew; this is especially true of those of us who think in English, a particularly precise language. We want to know whether it is a ritual violation or a sexual ethical violation. Neither the text of Leviticus 18:22 nor its context tells us. Commentators say that the term *abomination* (*tow'ēbah*) has “usually” to do with idolatrous actions and that the Hebrew stem is “chiefly” connected with idolatry.<sup>25</sup> The Septuagint translators into Greek used the expression βδέλυγμα, which means anything that must not be brought before God because it arouses his wrath, everything associated with idolatry.<sup>26</sup> “Bringing before” is to be taken especially in a physical sense, as in the Temple in Jerusalem. It appears that at least the ancient Greek translators who were responsible for the Septuagint translation of the Hebrew Scriptures thought the passage meant homosexual acts were a ritual problem.

## Conclusion

For all the emphasis the modern magisterium places on the evil character of homosexual acts, it has a notably weak foundation for that judgment. In the language of Thomist ethical reasoning, it needs to focus on the circumstances that lend a sexual act a particular moral character. Applying such terms as *objectively*, *inherently*, and *intrinsically* fail to distinguish a homosexual act from a heterosexual act, or a heterosexual act within marriage from one within a rape, extramarital affair, or a “one night stand.” Moreover, circumstances may distinguish a consensual sexual act expressing a same-sex attraction from one taking advantage of a child or degrading a conquered warrior. References to the end or purpose have yet to be fully justified by theological elaboration. Simply citing Genesis 1:28 (“Be fruitful and multiply, and fill the earth and subdue it....”) is hardly adequate. For example, it can be used to condemn celibacy. It can be used to justify cloning humans. Or it can be judged to have already been fulfilled since the earth is not lacking a human population of great size. It appears necessary to develop a typology of circumstances and to develop separate moral evaluations of each type.

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<sup>24</sup> Francis Brown, S.R. Driver, and Charles A. Briggs (eds.) *A Hebrew and English Lexicon of the Old Testament, Based on the Lexicon of William Gesenius*. Oxford: Clarendon, 1980, article on *tow'ēbah*.

<sup>25</sup> “Usually”: N.H. Snaith, *Leviticus and Numbers*. Camden, New Jersey: Thomas Nelson, 1967, p. 126. “Chiefly”: William Wilson, *Wilson's Old Testament Word Studies*. McLean, Virginia: MacDonald Publishing, 1981, p. 3.

<sup>26</sup> William F. Arndt and F. Wilbur Gingrich, *A Greek-English Lexicon of the Literature New Testament and Other Early Christian Literature. A translation and adaptation of the fourth revised and augmented edition of Walter Bauer's Griechisch-Deutsches Wörterbuch zu den Schriften des Neuen Testaments und der übrigen urchristlichen Literatur*, second edition revised. Chicago: University of Chicago Press, 1958, article on βδέλυγμα.

The modern magisterium also needs to work from a more accurate reading of scriptural passages. It is striking that the excellent record of contemporary biblical scholarship, including that of Catholic exegetes, has not been matched by the magisterial use of the scriptures. The concept of a sexual orientation was foreign to the cultures of the biblical societies; the condemnations found in the biblical passages pertain to acts that had victims, acts that would be closer to our categories of homosexual rape of children, development of clients and patrons in prison life, and abuse of enemies, not to consensual relationships among equals.

## Links

Pax Christi International

<http://www.paxchristi.net/>

Pax Christi U.S.A.

<http://www.paxchristiusa.org>

Pax Christi Texas

<http://www.paxchristitexas.org>

Pax Christi Dallas

<http://www.Paxchristidallastx.org>

Pax Christi San Antonio

<http://www.paxchristisa.org>

Marianist Social Justice Collaborative

[www.msjc.net](http://www.msjc.net)

Sisters of Charity of the Incarnate Word, International JPIC Committee

<http://saccvi.blogspot.com/>

San Antonio Peace Center

<http://www.sanantoniopeace.center>

Interfaith Radio, (*Interfaith Voices*)

<http://www.interfaithradio.org/>

Texas Catholic Campaign to End the Death Penalty

[www.txccedp.org](http://www.txccedp.org)

Dialogue Institute of San Antonio

[www.thedialoginstitute.org/san-antonio/](http://www.thedialoginstitute.org/san-antonio/)

Climate Change

[www.creation-care.com](http://www.creation-care.com)

NowCastSA

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