

BIBLE EXEGESIS IN DUTCH ECCLESIAL DOCUMENTS ON HOMOSEXUALITY*

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Abstract

The use of the Bible in documents about homosexuality, produced by two Reformed churches in the Netherlands in the early 1980's (the "Nederlandse Hervormde Kerk" and the "Gereformeerde Kerken in Nederland"), serves as a case study within the project, entitled "The influence of different contexts of social transformation on biblical interpretation". In the first article on this topic (cf. Van der Kooij 2000) the focus was on the background (developments in the study of the Bible since the 18th century in Western Europe) and the setting (social and cultural dynamics in the last forty years in the Netherlands and abroad) of the biblical interpretation as presented in these documents. At the end of the first article, the two church documents were briefly described and characterized. This second article will concentrate on the biblical interpretation itself in the documents concerned. Particular attention will be paid to the exegesis of texts in the book of Leviticus. Furthermore, hermeneutical questions as raised in the documents will be discussed. Finally, the topic of the research project, the relationship between social transformation and biblical interpretation will be addressed.

1. Introduction

The focus of my first contribution to our project was on the background and the setting of the use of the Bible in the official documents of two Reformed churches in the Netherlands (the "Nederlandse Hervormde Kerk" and the "Gereformeerde Kerken in Nederland") on the issue of homosexuality (Van der Kooij 2000). In this paper I will concentrate on the biblical interpretation itself in the documents concerned. Particular attention will be paid to the exegesis of texts in the book of Leviticus. Furthermore, hermeneutical questions as raised in the documents will be discussed. Finally, the topic of the research project, the relationship between social transformation and biblical interpretation will be addressed.

2. The documents

The ecclesial documents are:

Rapport over gebruik van Schriftgegevens bij vragen rondom HOMOFILIE van deputaten Kerk en Theologie aan de Generale Synode van de Gereformeerde Kerken in Nederland van Bentheim, 1981. September 1982. (= GKN report)

Verwarring en Herkenning. Over gemeente en homoseksualiteit. 's-Gravenhage 1984. (= NHK report)

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As far as biblical passages are concerned, the well-known texts in Leviticus (18:22 and 20:13) play a crucial role in these reports. At the same time, however, both documents differ widely in the way the biblical interpretation of these passages is worked out.

The *GKN report* offers a rather detailed discussion of the passages in Leviticus (and of the one in the Letter to the Romans as well). Much attention is given, first of all, to the question of the meaning of these texts within the cultural-historical setting of their time. It is stated that Lev. 18:22 and 20:13 are about a strict condemnation of sexual relationships which were considered to be abnormal. For, as is claimed, the underlying idea of these texts is that the sexual relationship between a man and his wife is seen as normal and normative (cf. Gen. 1-2). It is argued that the strong emphasis on sexuality in Lev. 18 and 20 is best understood against the background of the Canaanite culture of the time. Thus, the primary reason of the listing of several sexual taboos has to do with practices of other peoples (gentiles). Further, it is pointed out that both chapters in Leviticus are part of the so-called Holiness Code (ch. 17-26) which is characterized by a great emphasis on holiness and purity of the people of Israel over against the other peoples in Canaan.

The next question is, of course, the issue of the significance of these passages for us, Christians in the Netherlands, today. It is stated in the GKN report that one cannot just apply any law from the Old Testament, i.e., without any reflection or discussion. This is the more so when one realizes that several Old Testament laws are not put in (our, modern West European) practice.

Although referring to more biblical texts than in the GKN report (Gen. 19:1-29; Lev. 18:22 and 20:13; Judges 19:1-30; Romans 1:26-27; 1 Corinthians 6:9-10, and 1 Timothy 1:3-11), the *NHK report* concentrates also on the passages in Leviticus (18:22 and 20:13). The exegetical approach, which is described briefly, is the same as in the GKN report, being also characterized by the distinction between the study of the meaning of the text in its own (literary and cultural-historical) context and the question regarding the significance and application of the texts for us today.

Quite different from the latter, however, the *NHK report* does not offer a detailed treatment of the passages in Leviticus. (This may be due, among other things, to the fact that, in contrast to the GKN committee, there were no professional exegetes on the *NHK* committee.) The emphasis of the *NHK report* is more on the pastoral aspects and less on that of the study of the Bible. The *NHK report* lists several opinions, seven in number, about the significance of the Leviticus passages (pp. 48-52), followed by some comments on the underlying hermeneutical questions (pp. 53-57). These opinions mirror the great variety of viewpoints among the committee members. They represent a wide range from conservative (e.g., the texts of Leviticus are in line with the creative order and hence to be seen as normative) up to and including modern/liberal views (e.g., the texts in Leviticus attest a religious worldview, with a great stress on fertility and procreation, which is different from modern, West European ideas, and hence are not to be seen as normative).

A few years later, in 1989, a new report was produced, entitled *Rapport van de Commissie inzake Homoseksualiteit* (see *Homoseksualiteit* 1991, 18-52). It does not add anything new to the exegesis of biblical passages, but it was recognized that the exegetical and hermeneutical parts of the first report were not satisfactory. Therefore, the decision was taken by the Dutch Reformed Synod in 1989 (on 16 June and on 24 November) that the exegetical and hermeneutical questions concerning sexuality in general and homosexuality in particular should be studied in more detail (see *Homoseksualiteit* 1991, 14, 17). However, as far as I know, nothing happened since then.

The two documents reflect two different ways of dealing with the issue of homosexuality as far as the role of the Bible/biblical exegesis is concerned. The "Gereformeerden" took the exegetical part more seriously than the "Hervormden" did, at

least from a professional point of view; the latter preferred a more cautious approach by listing a variety of opinions, both exegetically and hermeneutically.

In order to stimulate the discussion about the texts in Leviticus and to contribute to a more detailed interpretation of these passages, I would like to make some exegetical comments on them.

3. Lev. 18:22 and 20:13: Some comments

The passages of Leviticus read (in translation) as follows:

18:22 You shall not lie with a male as with a woman; it is an abomination

20:13 If a man lies with a male as with a woman, both of them have committed an abomination; they shall be put to death, their blood is upon them

- Each passage is part of a list of sexual offences in both chapters, the difference being that ch. 20 names the punishments for the transgressions, in our case punishment by death. In ch. 18, verse 22 is one of the last items of a long list (vv. 6-23) which is primarily marked by a decalogue of prohibitions concerning sexual intercourse in the setting of family life (incest; vv. 6-17). Together with verse 23, which is about bestiality, our passage about homosexuality is characterized by the notion of “abomination”, *היטבה* and *הבל* respectively; see also 20:13).

In ch. 18 the list of prohibitions is prefaced by vv. 1-5 where it is said to the people of Israel that they should not do as the Egyptians do and as they do in the land of Canaan. The chapter ends with a warning that when the Israelites do all these sexual offences, the land will be defiled and it will “vomit” them out as was the case with the nations that were before them.

Ch. 20 is very similar to ch. 18. Together with ch. 19 these chapters form a trilogy: both chapters are framing the central one. As M. Douglas puts it: “Leviticus” scheme very deliberately puts the laws of righteous and honest dealings at the centre and the sexual sins at the periphery” (Douglas 1999, 236; as we say in Dutch, “De deugd in het midden”).

Lev. 18 and 20 belong to the law code which is called the Holiness Code (Lev. 17-26; H). In a recent publication by J Joosten, the conceptual framework of H is described thus:

The relationship between God and people is represented as a formal arrangement, a type of contract termed a *berit* (“covenant”), at the core of which lies the understanding that YHWH will dwell among the Israelites and be served by them in his sanctuary. As a direct result, the Israelites are called upon to be holy: since YHWH dwells among them, they need to attune their lives to his holy presence. The spatial nature of this conception is illustrated by the “concentric circles” of holiness around the divine dwelling place: the sanctuary, the priests and the common Israelites are like successive domains of diminishing holiness. The priests, who are closer and draw nearer to YHWH’s presence in the sanctuary, need to observe more stringent rules of holiness. ... But the common Israelites, too, are called to holiness (Joosten 1996, 197).

The Holiness Code stems from priestly circles and reflects what might be termed “priestly theology”. Its thought world is very similar to the ideology of temple cities and sacred regions (Joosten 1996, 200). Typical of H is the strong emphasis on holiness and purity vis-à-vis the surrounding nations.

- Seen from a broader context within the Old Testament, H is one of the law codes in the Pentateuch; the other collections are the Book of Covenant (Exod. 21-23; BC), priestly laws (mainly in Lev. 1-16; P), and the laws in Deuteronomy (ch. 12-26; D). It has been argued, rightly so, that in comparison to these other codes H represents the latest one; it presupposes, to some extent, the earlier codes, in particular P and D, the latter being a reworking and elaboration of BC in many respects (cf. Otto 1999; for an overview of opinions, see Ruwe 1999, 5-33). It is to be noted that H is the only code that puts such a strong emphasis on sexual offences which is clearly related to its concept of holiness and purity (cf. above). It is also worthy mentioning that it is the only law code in the Old Testament that contains a prohibition of homosexuality.
- An even wider horizon concerns the ancient near eastern religious and cultural setting in which the Old Testament originated.

The Old Testament and its cultural milieu share the idea that sexual offences were held “a taboo violation bringing defilement” (Van der Toorn 1985, 17). As in Mesopotamia, “(t)he Old Testament attitude towards sexual licence, particularly so in sections reflecting the spirit of the priestly schools, is also largely dominated by the notions of purity and defilement, taboo and abomination” (ibid., 18).

It seems that it was part of the public morality in the ancient Near East to consider homosexuality a taboo. Just as in the Old Testament, homosexuality is not dealt with in all the law codes of Mesopotamia we know of; it is, for instance, not found in the famous law of Hammurabi. It is only mentioned in the Middle Assyrian laws, where it is stipulated that homosexuality should be punished by castration (§ 20; Cardascia 1969, 134). In comparison with these laws the Holiness Code strikes one because of its severe punishment (by death).

There is some evidence for a distinction to make between what may be regarded as public morality or the official view and private popular convictions in Mesopotamia. See Van der Toorn 1985, 18, and Kessler Guinan 1979, 75.

- To return to Lev. 18 and 20. As stated above, both chapters are marked by a strong emphasis on the danger of impurity and defilement as a result of violating sexual taboos of the time. Why is this so? Does it have to do with the Canaanite culture of the time, as is suggested in the GKN report? Contextually speaking, the clue for this concern is to be found in Lev. 18:26, 28:

You shall keep my statutes and my ordinances and do none of these abominations, [...], lest the land vomit you out, when you defile it, as it vomited out the nation that was before you.

H shares with Deuteronomy the basic conviction that, as a result of disobedience, the ultimate punishment will be the dispersion among the nations and the loss of the land (Lev. 26:33 and Deut. 28:63-68). The way it is stated in H is typical of the priestly theology of this document: the land, if “defiled” by the violation of sexual taboos will vomit you out. This serious consequence of disobedience in matters of purity and taboos may account for the severity of the punishments (by death) and for the listing of all kinds of sexual offences as well (first of all, in the setting of family life).

Just as Deuteronomy, H, therefore, is best understood as a law code made up in a period of drastic experiences, namely those of exile and dispersion. Both law codes seem to represent a response to dramatic social changes in the life of the community. Hence a great concern for the identity of the own people which in H,

due to its priestly theology, is characterized by a marked stress on purity (cf. Lev. 20:22-26). This fundamental issue is the more urgent when one as a "holy" people lives in the dispersion (cp. Lev. 26:33).

The fact that sexual taboos including homosexual acts, which presumably were part of the oral laws of the time, were included in H, and not in other law codes as well, fits well into its priestly theology with its great concern for purity and holiness. The severe punishments for sexual offences, such as homosexual acts, namely by death, may well be related, as suggested above, to the basic idea that the violation of these taboos will bring about, eventually, the most serious effect of the loss of the land.

It is often suggested that the laws of Lev. 18:22 and 20:13 are referring to cultic practices of the Canaanites, namely to cultic prostitution (see the GKN-report; see e.g. Douglas 1999, 238). However, there is nothing in the text nor in its immediate context that points into this direction (cf. Maarsingh 1971, 147-149). The notion of "abomination" in these passages does not convey a cultic meaning. It rather refers to something that was "not done" in ancient Israelite society. It carries an idea similar to the following statement: "Such things are not done in Israel; do not behave so infamously" (2 Sam. 13:12).

4. Concluding remarks

Biblical interpretation and social transformation is the theme of the project. This case study concerns the way two protestant churches in the Netherlands use biblical interpretation in their response to social and cultural transformation, particularly the change of opinion, in the last thirty years, regarding sexuality in general and homosexuality in particular.

As noted above, the documents concerned (NHK and GKN) share the method of interpretation which is characterized by the distinction between the study of biblical texts within their own cultural-historical setting, on the one hand, and the question of the significance and application to our own situation, on the other. In this regard the church documents reflect the influence of modern biblical research. But both reports differ greatly as far as the exegetical part is concerned. Different from the GKN report, the NHK document does not provide a detailed treatment of texts such as Lev 18:22 and 20:13. The underlying strategy of this report is clear: it is meant - and this applies to some extent also to the GKN report - to stimulate an open discussion about the meaning and significance of the Bible regarding the sensitive matter of homosexuality. Preference has been given, for pastoral and church political reasons, to a cautious approach which leaves room for a variety of opinions.

This cautious approach has its value, but it also means that the biblical part of the matter is not given due attention. This was recognized by the Dutch Reformed Synod of 1989 as is clear from the decision taken that more study of the exegetical and hermeneutical questions concerning (homo)sexuality is needed. It could be a joint venture of the three churches of "Samen op weg" together. In order to stimulate this study, some exegetical comments on the passages in the book of Leviticus were made above.

Again, both ecclesial reports do respond to social and cultural transformations in modern, West-European societies. As far as interpretative strategies and heuristic keys are concerned (Jonker 2000, 9-12) both documents reflect a different policy. The GKN-report testifies to a strategy which is aimed at a positive view of the homosexual neighbour including his or her sexuality. The following hermeneutical considerations are put forward:

- one can not apply the OT laws without any discussion;

- one has to consider the role of the central message of the Bible as a whole, particularly the commandment of love;
- one has to realize the difference between our modern, West-European/Dutch culture and the culture of the time in which the biblical books were written and which they reflect.

In view of (c) it is also stated in the GKN-report that the passages in the Bible make clear that one did not know the phenomenon of homosexuality or homophilia as we know it today.

Here we touch upon the important exegetical question of whether passages such as in Lev. 18 and 20 presuppose our, modern idea of homosexuality. H. Maccoby states: "what Leviticus forbids is not homosexuality as understood today (in other words, a permanent orientation), but homosexual acts performed by heterosexuals (for example, the molestation described in Genesis 19:4-5)." (Maccoby 1998, 17; see also Ruwe 1999, 181).

The NHK-report reflects a different policy which allows for a variety of opinions on the exegesis and significance of biblical texts regarding homosexuality. Roughly speaking, it contains "conservative" and "modern" / "liberal" views. According to the former, the prohibition of homosexuality in Leviticus should be seen as still being valid because it is in line with the "creative order" (cf. Gen. 1-2). According to the latter view, however, one has to take seriously the differences of world view between past (biblical times) and present (the modern view of homosexuality is different from that of the Old Testament, the latter of which is characterized by a great emphasis on fertility and procreation, and by the danger of cultic prostitution as well).

It is realistic to allow for different opinions in a pluriform society in which we (in the Netherlands) live. And yet, as was realized by the NHK Synod, it is also in line with modern, West European culture to take issues seriously by studying them seriously, that is to say in the case of our subject, by dealing in more detail with biblical passages, both exegetically and hermeneutically. To make just another, and last comment in order to contribute to the discussion I would like to raise the question of whether the prohibition in Lev. 18 and 20 is related to the "creative order". It is a well known argument that the passages in Lev. 18 and 20 should be read in the light of Gen. 1-2. However, there is no clear indication in both chapters of Leviticus for this idea. On the contrary, the central issue, which is expressed clearly, is about purity and impurity. The notion that homosexual acts are against the creative order, in the sense of "the law of nature", is not an Old Testament concept, nor a Semitic one, but a Greek one (see Van der Horst 1978, 237f.).

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