

The Methodist Church of Southern Africa and homosexuality: A re-reading of Leviticus 18:22

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Abstract

In recent times, the text of Leviticus 18:22, has attracted the attention of Old Testament scholars, clergy and the laity alike. In my view, such an attention has been inspired by the readers' quest to the possible light which the text can shed on the subject of homosexuality. The latter topic is one of the burning issues raised in present day South Africa. It thus comes as no surprise, that interpreting texts such as Leviticus 18:22 becomes pertinent in our context. This paper aims at coming up with a constructive dialogue between the Methodist Church of Southern Africa (hereafter referred to as MCSA)'s readings of this text and scholars' interpretation of the same. Through the use of methodologies such as the literary, textual, redaction criticism as well as socio-scientific criticism, Leviticus 18:22, will be brought to bear with its MCSA's readings with a view to making a necessary contribution to African biblical hermeneutics.

A INTRODUCTION

In recent times the text of Leviticus 18:22 has been approached by Old Testament academics, clergy and laity. In my view, such an attention has been inspired by the readers' quest to the possible light which the text can shed on the subject of homosexuality. The latter topic is one of the burning issues raised in present day South Africa. It thus comes as no surprise, that interpreting texts such as Leviticus 18:22 becomes pertinent in our context.

The aim of this paper is to come up with a constructive dialogue between the Methodist Church of Southern Africa readings of this text and scholars' interpretation of the same. Through the use of methodologies such as the historical and literary analysis, the text of Leviticus 18:22 will be brought to bear with the MCSA's readings of such with a view to making a necessary contribution to African biblical hermeneutics.

The discussion from the MCSA focuses on the mind of the Church as embedded in the doctrine and the mission imperatives with reference to homosexuality; the traditional method of approaching Scripture which is the Wesley Quadrilateral is critically studied and contributions from the Methodist academics are investigated. The historical context of Leviticus 18:22 is analysed with the usage of composition and redaction criticism and socio-scientific criticism. Literary criticism, syntactical analysis, textual criticism and intertextual investigation are paradigms used to analyse the literary context of Leviticus 18:22.

The hypothesis of the study is a dialogue between the findings from the Methodist discussions and literary and historical investigation constitutes a responsible ethics of interpreting Leviticus 18:22 in discussing homosexuality. This dialogue fosters a consultative, informative, non-bias and a healthy journey towards a common and/or compromise position and/or celebration of diversity.

B THE METHODIST CHURCH OF SOUTHERN AFRICA AND HOMOSEXUALITY

1 The position of the MCSA and its history.

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2001 MCSA conference made a commitment to being a community of love rather than rejection. 2005 conference invited Methodists to embrace many different and even opposing views on homosexuality to journey collectively. 2007 MCSA conference pursued a way forward that respected and held in tension differing views among the clergy and laity.

The resolution from the MCSA 2007 conference (2008 yearbook) in Cape Town is commendable. The resolution reflects the MCSA's quest to maintain unity in the Church, the pursuit to celebration of diversity and it ensures continued engagement on the issue of homosexuality. The statement; 'Recognising the authority of Scripture, and noting that in our quest for understanding, there is no one, monolithic and incontrovertible interpretation of it' is questionable. It ignores the fact that there are irresponsible interpretations and approaches to Scripture. The phrase 'agree to differ' in the statement; 'Acknowledging that there are therefore some issues upon which there may never be total unanimity within the church and upon which we must "agree to differ" without reducing our respect for, and trust of, one another' is problematic. The phrase closes doors of possible journey towards a common and consensus understanding that is conceived by responsible interpretation of Scripture and approach to the debate. The concept of upholding good moral fibre, themes of holiness and consecration are not alluded to in the resolution.

2 Wesley Quadrilateral in the same-sex relationship discussion document

2.1 Scripture

The dimension of Scripture is using Scripture to engage with biblical texts. The first approach on Scripture is reading Leviticus 18:22; 20:13 and Romans 1:26-27 literally as conveying objection on homosexuality. Literal approach to Scripture fails to recognise and to be aware of the historical and cultural distance between the 21st century and the times of text production. The fact that paradigms are shifting is ignored. The inconsistency in accepting and / or rejecting Biblical texts creates injustice in the interpretation of Scripture. Some sanctioned sexual mores in Scripture are not adhered to in modern times, which include punishment of adultery with stoning (Deut 22:22) and prohibited sexual intercourse during menstrual period (Lev 18:19, 29).¹

The second approach to Scripture is subjecting any biblical text to the wider witness of Scripture as a whole² and read texts in relation to other biblical text on thematic basis. Themes that recur throughout Scripture about God are that of inclusion and of intrinsic dignity and sacred worth of all people and the denunciation of all discrimination, oppression and injustice.³ Therefore the attitude of the Church is to be characterised by inclusion instead of dehumanisation, rejection and oppression. The themes of holiness, purity, morality and consecration are ignored in the DEWCOM Same Sex relationships document.

DEWCOM (2003:6) notes the third approach to Scripture as seeing the Bible as a living document in the life of the Church, which is enlivened by the activity of the Holy Spirit, who comes to interpret the words of Scripture and so lead the Church into all truth.⁴ The entrenched assumptions and traditional interpretations are challenged and the Church is

¹ DEWCOM (2003:4)

² DEWCOM (2003:5).

³ DEWCOM (2003:5).

⁴ John 16:12-14.

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ventured to new and fuller understanding of the Biblical witness and truth about God.⁵ The fact that the Holy Spirit can embrace traditional interpretation is ignored.

2. 2 Tradition

Tradition dimension studies the position of the Church over the ages and also the wider witness of the contemporary Church and address issues in line with such position.⁶ The objective sentiments and position towards homosexuality existed in the history of the Christian Church and was shaped by the rationale of Natural Law. Natural Law maintained that the purpose of the sexual intercourse was procreation and any intention contrary to that was unacceptable.⁷ Homosexuality was taken to be immoral and unnatural.

Denominations of the contemporary Church differ in their position on the issue of homosexuality. The positions ranges from the condemnation of homosexuality as a manifestation of a depraved nature and a perversion of divine principles; to a conditional acceptance of homosexual people as long as they do not engage in homosexual act; to conditional acceptance of homosexual people as long as they do not take leadership position; to a full acceptance of homosexuality as part of the diversity of God's good creation, which includes the blessing of same-sex unions and the ordination of homosexuals.⁸ The British Methodist Church⁹, United Methodist Church¹⁰ and the World Methodist Council¹¹ do not condone the practice of homosexuality and ministry of the homosexuals.

⁵ DEWCOM (2003:6) further makes reference to Apostle Peter's rejection of what was traditionally deemed as impure in Acts 15.

⁶ DEWCOM (2003:14) remarks that 'drawing from the resource of tradition is not be confused with a rigid and uncritical adherence to the things of the past, that assets that the way things have been is the way they always shall be'.

⁷ DEWCOM (2003:14).

⁸ DEWCOM (2003:15).

⁹ 1993 British Methodist Church annual conference passed a resolutions which affirmed the joy of sexuality as God's gift; declared that all practices of sexuality which are promiscuous, exploitative or demeaning in any way are unacceptable forms of behaviour and contradict God's purpose; stated that a person shall not be debarred from the Church on the grounds of sexual orientation in its self; re-affirmed the traditional teaching of the Church on sexuality, namely chastity for all outside marriage and fidelity within it and recognized, affirmed and celebrated the participation and ministry of lesbians and gay men in the Church.

¹⁰ The social principles from the United Methodist Church contains the following paragraph on homosexual people: "homosexual person no less than heterosexual persons are individuals of sacred worth; all persons need the ministry and guidance of the Church in their struggles for human fulfilment, as well as the spiritual and emotional care of a fellowship that enables reconciling relationships with God, with others and with self; although we do not condone the practice of homosexuality and consider this practice incompatible with Christian teaching, we affirm that God's grace is available to all; we implore families and churches not to reject or condemn their lesbian and gay members and friends; and we commit ourselves to be in ministry for and with all persons".

¹¹ The World Methodist Council asserts that Methodists believe that Methodists are the friends of all and the enemies of none; seeks to understand and respond to the context and situations in which Methodists live, so that their witness will have integrity and are to stand in solidarity with all people who seek freedom, peace and justice

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It is noted that in the history of the Church there are immense examples of the Church moving from attitudes and practices of exclusion and rejection to attitudes and practices of inclusion and acceptance in its approach and dealings with marginalised groupings.¹²

The contribution from DEWCOM (2003:18-20) predominantly makes reference to points argues for inclusion of homosexual people. This contribution is bias in a sense that reference is not made to instances where the Church was faced with heresies which challenged holy values, beliefs and practices of the Church. The standard of faithfulness in marriage and abstinence for the unmarried is maintained as the normative position of the Church.¹³ The implication of the understanding of marriage throughout the history of the Church is not explored and substantiated.

2.3 Reason

Natural Law¹⁴ and the scientific age as major influences on moral-theological thought are raised and highlighted by DEWCOM (2003:10). The sexual intentions that are contrary to the purpose of procreation are deemed to be unnatural and therefore unaccepted. In modern times sexual intercourse does not only fulfil procreation purposes but also serves to enhance intimacy. The scientific age presents an unknown dimension to the ancient biblical world which is the concept of human sexual orientation.¹⁵ DEWCOM (2003:13) says that developments in the thinking within the natural and social sciences have lead to the conclusion that the evolving understanding of sexuality depicts the sexual orientation as not by choice, as in place early in life and that there are varieties¹⁶ of homosexual expression.

2.4 Experience

Reflections on experience depict that homosexual orientation is not chosen but discovered. On this ground DEWCOM (2003:21) argues that any suggestion, that a homosexual orientation is wilfully chosen is inconsistent with the weight of experience of homosexual people. Homosexual people within the Church have felt discriminated against; felt that Christian faith has caused an intense captivity rather than bringing liberation and have felt

¹² DEWCOM (2003:18-20). Reference is being made to the inclusive attitude towards gentiles; inclusion of people who were mentally handicapped in the Eucharist within the medieval Church; inclusion of black people in the South African apartheid regime and inclusion of women in ministry to a level to ordained ministry and bishopric.

¹³ DEWCOM (2003:20).

¹⁴ DEWCOM (2003:10) cites that the Natural Law of the cosmos is conceived by the Stoic school of philosophy, which believes that there is a purpose behind everything created. In the case of sexuality, the purpose of sex is procreation.

¹⁵ DEWCOM (2003:10).

¹⁶ Ruth Fuller is noted by DEWCOM (2003:12-13) to be identifying and describing varieties of homosexual expression, which include Pseudo-homosexuality (sexual activity in which people of the same sex reflects issues of dependence-independence and /or powerlessness rather than sexual desire); situational homosexuality (same-sex practice where people are isolated from people of the opposite sex, like in prison); exploitative homosexuality (complementary sexual activities in which a less powerful individual is exploited by a more powerful individual); variational homosexuality (prostitution); bisexuality (in which a homosexual person continues to have heterosexual relations); ambisexuality (a smaller group of people who experience equal sexual pleasure and performance with either sex) and preferential homosexuality (adults whose preference is for emotional and physical intimacy with persons of the same sex).

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like they are abnormal.¹⁷ It is evident that homosexual people have a relationship with God and it is within this context that they feel loved, special and being a unique creation.¹⁸ Some homosexual people are married to the opposite sex and remain in such relationship for the sake of their families and the vows they made.

3 Contribution from Methodist academics

3.1 Dave Morgan

Dave Morgan remarks that the findings of DEWCOM's Same-sex discussion guide are bias. With reference to Scripture, Tradition, Reason and Experience same-sex relationships are not in accordance with orthodox Christian theology (Morgan 2006: 3ff).

3.2 Sjadu Nkomonde

From the perspective of African culture (Xhosa culture) Sjadu Nkomonde (2006:1-7) remarks that ubuntu 'humanity' as a dimension in African spirituality calls people to belong to each other and therefore accept homosexuals.¹⁹ Ubuntu imply celebration of diversity. The other side, which is not mentioned by Nkomonde, is that if ubuntu is about collectiveness and belonging to one another, then it does imply that social values are collectively constructed by the community. Therefore a person is to subscribe to the social values which are collectively formulated by the community. Social values of purity, moral fibre²⁰, ancestors, marriage²¹ and reproductions can be regarded as normative and as basis for objecting homosexual behaviour.

3.3 Alistoun

The policy of the MCSA regards Holy Scripture as the supreme rule of faith and practice. Alistoun (2006:6) claims that where the bible mentions homosexual behaviour at all it clearly condemns it, including Leviticus 18:22. According to the fundamental doctrine of creation as embedded in Genesis 1 and 2 the sexual relationship of man and woman is the only designed intimate relationship meant to fulfil God's procreative and uniting purpose.²²

3.4 Andrews

Andrews (2006:2) remarks that the second creation story accounted for in Genesis 2: 24 has emphasis on companionship between Adam and Eve than in their procreative imperative.

¹⁷ DEWCOM (2003:21-24).

¹⁸ DEWCOM (2003:21).

¹⁹ Nkomonde (2006:2) adds by saying people belong to the soil, people belong to one another and people and the ancestors belong to each other.

²⁰ It is maintained that homosexuality in the African culture is deemed as unnatural, as an illegitimate sexual relationship and as a corruptor of the moral fibre of the society. Because of this position homosexual relationship is unacceptable

²¹ Through the education system that is in place in the African culture with reference to Xhosa tradition, sex outside marriage is not encouraged and young girl and boy are taught not to engage into sexual practices until they are married. It is within a context of marriage that reproduction is of importance and a relationship which does not prescribe to this value is unacceptable

²² Alistoun (2006:2) further says that the subject of marriage with reference to homosexuality needs to be studied, in giving guidance to the controversy around homosexuality.

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Andrews (2006:3) further notes the recognition of same-sex relationships as a matter of love and justice which is underpinned in conventional Christian theology's emphasis on Jesus' command to love God and ones' neighbour. Reasons for marriage with reference to Jesus interpreted quotation of Genesis 2:24 is companionship²³ and therefore demeans the value of family life. It is on these grounds that same-sex sexual relationship is advocated for.

Andrews (2006:1) questions the appropriateness of some biblical text for deciding Christian norms and with reference to Romans 1:26, argues that St Paul's selectiveness and inconsistency in using Leviticus laws²⁴ makes Romans 1:26 not to be normative.²⁵ An investigation on the historical context of the author of Romans is not conducted and therefore there is reluctance in valuing Andrews' interpretation and understanding of St Paul. Andrews (2006:3) approaches Scripture and the debate from the dimension of experience. Therefore personal prejudice and presuppositions which are rooted in experience are being read into the biblical texts and the debate.

3.5 Faan Myburgh

Myburgh (2008:2) supposes that homosexuality cannot be addressed if an ethic of interpretation is not engaged with. The thesis of Myburgh's contributions is that prejudices²⁶ constitute the link between the past text and current interpreter.²⁷ It is further suggested that responsible use of the Bible is possible only when prejudices are conformable to the ways in which responsibility should qualify Christian ethics in general.²⁸ This argument weakens the weight of experience²⁹ as an interpretive paradigm in the Wesley quadrilateral.

Myburgh (2008:9) argues that ethical interpretation is hermeneutics that merges the horizons of the text and that of the contemporary interpreter. The main point is that a responsible interpretation takes serious the context of the biblical texts and of the interpreter and in this process a dialogue between different historical times is to take place also in a sense of celebrating the distance between the text and the contemporary interpreter.

4 MCSA doctrines and mission

²³ Andrews (2006:3).

²⁴ Food laws and circumcision laws are ignored by St Paul.

²⁵ Andrews (2006:3) further suggest that St Paul's thinking was restricted within the confines of temple prostitutions, pederasty and paedophilia. This claim is not substantiated.

²⁶ Myburgh (2008:6) describe prejudice as including judgements, preferences, facts that people accept, values and aesthetic judgments and that it constitute a person's historical reality.

²⁷ Myburgh (2008:2) asks the question; 'which prejudices are to shape and influence hermeneutical work in the Christian ethical decision making and which not?'

²⁸ Myburgh (2008:4-5) also investigates different approaches to the use of the Bible in Christian ethics. In the prescriptive approach the interpreter see the law of God in an objective manner. In the second approach which is an ethic of principles, the Bible is taken as a written code with universal principles. The third approach focuses on an encounter with God and the interpreter receives ethical guidelines in the process of reading Scripture. The fourth way emphasises the interpreter's response to a situation encounter. It is supposed that historical and literary exegetical methods takes precedent to the approaches used in Christian ethics and that they complement each other.

²⁹ Experience constitutes an interpreter's historical reality and setting and therefore prejudice.

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The mission of God as understood by the MCSA is spelt out in the 4 mission imperatives. These are spirituality; evangelism and Church growth; justice and service; and human and economic development and empowerment. Over five years these imperatives have become the pillar of the MCSA and clearly depict the vision and the mind of the Church. The Methodists in the MCSA are called to practice these imperatives.

The outcome of the imperative of spirituality is for all people to have a relationship with God. If there can be evidence that homosexual people do not have faith and a relationship with God then same-sex relationship can be seen as sinful.

Rejection of homosexual persons without an informed diagnosis of homosexuality as sinful³⁰ contradicts the intention of the MCSA that is presented under the imperative of evangelism and Church growth as 'inviting people to personal faith in Christ and His gospel and to belong in the community'. The imperative of evangelism and Church growth seeks to establish a relationship between all people and God and to create a sense of belonging in the community and/or amongst all people.

The imperative of justice and service aims at promoting the values of justice, unity and reconciliation and the healing of national ills, physical, environmental and social. Homosexual person experience rejection, discrimination and prejudice in societies and in the Church. Rejection does not embrace and subscribe to the value of justice. The value of unity does not imply favouring one view or person over the other but includes a dimension of celebrating diversity.

Human and economic development and empowerment focuses on the care and growth of children, the plight of the poor, education, quality of life and nation building. Ideal human condition and the civilisation of societies are constructed by the community and its culture. An environment which is acceptable and conducive for care and the development of children is also constructed by the community. In some circles homosexual relationship are deemed not to be an ideal model of family structure and relations, which is to be portrayed to children. On the other side paradigms can shift and nation building can require an eradication of prejudice and rejection of homosexual persons.

The MCSA maintains that an authentic service is based on Scripture, tested in community, affirms life and seeks the peace of God's reign. The four mission imperative are based on Scripture and aims at affirming life in communities. The MCSA stand in solidarity with all people who seek freedom, peace and justice and homosexual persons at this juncture fall under this category of people.

The MCSA in her doctrine as reflected in paragraph 1.20 and 1.9.5³¹ believes in the universal conviction of the Methodist people and that the office of the Christian Ministry depends upon the call of God who bestows the gifts of the Spirit, the grace and the fruit of which indicate those whom God has chosen. Yet it objects the ministry of the homosexual.

The statement 'to ensure the continued witness of the Church to the realities of the Christian experience of salvation'³² can be interpreted in various ways. It does suppose that the

³⁰ If evidence beyond reasonable doubt can be presented that homosexuality is sinful then it would be categorised as immoral.

³¹ L & D (2008)

³² L & D (2008) paragraph 1.17

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historical witness of the Church as embedded in Scripture is not dynamic and cannot be reshaped by the changing experiences of Christian. The witness of the Church is to be applied to the realities of Christian experiences.

In accordance to paragraph 3.2³³ all people are welcomed to be members of the MCSA, who desire to be saved from their sins through faith in Jesus Christ and show the same in life and conduct; who seek to have communion with Christ and His people.

C SYNCHRONIC AND DIACHRONIC ANALYSIS OF LEVITICUS 18:22

1 Synchronic investigation of Leviticus 18: 22.

1.1 Literary Criticism

1.1.1 Introduction

Hayes and Holladay (2005:73-82) defines literary criticism as a study on the composition and rhetorical style of the text. A literary study on Leviticus 18 and 20 includes a composition structure. Within this composition structure, composition style and /or techniques are studied. The character of the text is also investigated and a morphological analysis of some significant verbs and noun is studied.

1.1.2 Foreign religious cults in Leviticus 18

Verses 1 to 5 serve as an introduction in Leviticus 18. Verse 3 is central to this introduction and projects prohibition on the acts of the Canaanites and Egyptians. The repeated phrase **אֲנִי יְהוָה אֱלֹהֵיכֶם** (I am Yahweh your God) in verses 2 and 4 which circles verse 3 seem to suggest an emphasis on religious purity and exclusive worship of **יְהוָה** amidst the worship of other gods. The verbs **דַּבֵּר** (speak) and **אָמַר** (say) connects verses 1 and 2. This connection depicts the source of the law in Leviticus 18 as **יְהוָה**. The laws that are introduced by Leviticus 18:1-5 pertains to religious purity and exclusive worship of **יְהוָה**. Sexual acts attached to and associated with a foreign religious cult are objected.

1.1.3 Enhancing family relationships in Leviticus 18

The phrase **לֹא תִגְלֶה** (you shall not uncover) closely links verses 6-17. Verses 6-17 are about sexual acts with the near of kin, which are labelled as wicked by the usage of a nominal sentence **זִמָּה הוּא** (it is wickedness) in verse 17. The preposition **לְ** (to) attached to **גִּלּוֹת** (uncover) is a piel infinitive construct verb, and connects verses 18 and 19. The verbs relate 18-19 to 6-17. This prohibition enhances the relationship within the family. The relation of Leviticus 18:22 to verses 6-17 discloses the motive of family orderliness behind Leviticus 18:22.

1.1.4 Violation of the natural and the orderly in Leviticus 18

לֹא תִתֵּן (not give or not let) associates verses 20 and 21. The feminine noun **אִשָּׁה** (woman) relates verse 22 (same-sex sexual intercourse) and 23 (sexual intercourse with an animal which is a violation of order) and are related by the usage of the nominal sentences **הוּא**

³³ L & D (2008)

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תועֵבָה (it is an abomination)³⁴ and תִּבְּלָה הוּא (it is perversion)³⁵. This association suggests that they are both concerned with confusion and violation of what is deemed to be natural and orderly. The root שָׁכַב (lie down) enables an connection between verses 20 and 22. Mackenzie (2006:137) remarks that the word תועֵבָה (translated as abomination) is a technical term used for anything associated with idolatry. Before this remark it is noted that Leviticus 18:22 follows immediately after a reference to Canaanite religion, which involved various forms of sexual activity.³⁶ Therefore the issue is not homosexual orientation.

1.1.5 The immediate context of Leviticus 18:22

Verses 20-23 then become a unit and an immediate context for Leviticus 18:22. Leviticus 18:22 is to be read in a context of verses 20-23 as relating to defilement in a sexual intercourse (Lev 18:20) cult to a foreign god (Lev 18:21) and violation of order (Lev 18:23). In the context of verses 6-23 Leviticus 18:22 is to be read as being a prohibition of sexual acts. Possibly, Leviticus 18:22, points to a cultic practice of foreign nations, violation of order and defilement obtained in the sexual act. The phrase תועֵבָה הוּא (it is an abomination) in Leviticus 18:22, is in a declaratory formulae that serves as a motivation against the act and expresses the defiling and immoral nature of these illicit practices (Hartley 1992:289). Verses 24-30 serve as a summary and conclusion of Leviticus 18. The negative sentence which is in a form of a command אַל-תִּטְמְאוּ בְּכָל-אֵלֶּה (do not defile yourselves with any of these things)³⁷ points to the sexual acts cited in verses 6-23. The phrase נִטְמְאוּ הַגּוֹיִם (the nations are defiled)³⁸ with the usage of the niph'al third person plural common perfect verb נִטְמְאוּ (defiled) shows that the prohibited sexual acts in Leviticus 18 have made Israelites' neighbouring countries unclean.

1.1.6 Conclusion

An emphasis on religious purity and exclusive worship of יְהוָה amidst the worship of other gods is depicted. Sexual acts attached to and associated with a foreign religious cult are objected. The relation of Leviticus 18:22 to verses 6-17 discloses the motive of family orderliness behind Leviticus 18:22. The association of Leviticus 18:22 (same sex intercourse) and Leviticus 18:23 (sexual intercourse with an animal) suggests a concern for a confusion and violation of what is believed to be natural and orderly. Leviticus 18:20-23 being an immediate context of Leviticus 18:22 project a possibility of Leviticus 18:22, pointing to a cultic practice of foreign nations, violation of order and defilement obtained in the sexual act.

1.2 Textual Criticism

1.2.1 Introduction

Hayes and Holladay (2005:33-44) defines textual criticism as a pursuit for the original wording; as exploring how ancient writings were composed, copied, preserved, transmitted, translated and quoted. Textual criticism also seeks to understand how and why variations in

³⁴ Leviticus 18:22

³⁵ Leviticus 18:23

³⁶ Mackenzie (2006:137)

³⁷ Leviticus 18:24

³⁸ This phrase is within a consequential sentence.

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the wording of a biblical passage resulted.³⁹ Textual criticism helps the exegete to locate the text within the broad context of its many versions and translations.⁴⁰

1.2.2 An instruction not to be influenced by other nations.

In the Samaritan Pentateuch יהִי־חַי is used instead of יִחַי as in Leviticus 18:5 (he shall live), which is the waw consecutive attached to a qal perfect verb in the third person masculine singular state in the BHS. יהִי־חַי is a Qal infinitive absolute verb meaning to 'stay alive'. The Samaritan Pentateuch raises the issue of a possibility of Israelites being influenced and changed in the process. In both translations the sentiment of faithfulness to יהוה and His legislature which brings and sustains life is kept. It presupposes that unfaithfulness bring death. Leviticus 18:22 is placed in this context and adhering to this law was deemed by Samaritan in the 4th century B.C as displaying faithfulness to יהוה and as means to live. An object marker אֵת attached to a particle ה and attached to a masculine singular absolute noun גוֹי (nation) to form אֵת־הַגּוֹיִם as in the BHS (Lev 18:28) is in a plural state in the Septuagint (LXX)⁴¹ and Targum according to A Sperber as compared to Leviticus 18:24. Reference to Israelites' neighbours is being made, of which Israelites are not to be influenced by their culture, beliefs and behaviour. Leviticus 18:22 points to the customs of Israelites' neighbouring nations.

1.2.3 The worship of Molech in the Septuagint (LXX), Samaritan Pentateuch and the BHS.

In the LXX according to the edition of Gottigen ὁ θεὸς ὑμῶν (that is your god)⁴² has been added after יהוה אֱנִי (I am Yahewh) in Leviticus 18:5. This Greek translation made for Jews living in Alexandria, which was made about 250 B.C presupposes that the existence of many gods and their worship is a context and background of Leviticus 18:22. לְהַעֲבִיר (to pass through) as in the BHS (Lev 18:21) is rendered as ending with יִד in the Samaritan Pentateuch. Comparing the phrase with what is cited in the LXX, λατρεύειν (worship or serve)⁴³ captures what is done to Molech. Leviticus 18:22 is located in a context of cultic practices to foreign gods.

1.2.4 The concept of Purity and Holiness in the Hebrew Codex, Septuagint (LXX) and the BHS.

τὸ ἄγιον (the upright or the holy or the consecrated)⁴⁴ in the LXX (Lev 18:21) is used to categorise the name of the Lord. This is comparable and identical in Leviticus 20:3; 22:2, 32.

³⁹ Hayes J and Holladay (2005:33-44)

⁴⁰ Hayes J and Holladay C (2005:35) adds by saying Textual criticism also explains textual variants within the manuscripts of the original biblical language that are due to intentional and unintentional corruptions of the text.

⁴¹ The Septuagint (LXX) is a Greek translation that is probably made by Jews for Jews living in Alexandria. The Pentateuch section was made at about 250 B.C.; the Prophets at about 200 B.C. and the majority of other book at about 100 B.C. this translation became the authoritative version for Christians.

⁴² BibleWorks 4

⁴³ BibleWorks 4

⁴⁴ BibleWorks 4

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The concept of purity is captured and emphasised. וְהִתְקַדְּשִׁיתֶם (consecrate yourselves therefore) in the BHS (Lev 20:7) which is a waw consecutive attached to a hithpael perfect second person masculine plural, lacks in the Samaritan Pentateuch and in the original Greek text. In the BHS the phrase emphasis the act of Israelites setting themselves apart from defiling customs for holiness purpose. Not engaging in a homosexual act is meant for holiness purpose.

1.2.7 Conclusion

The legislature in Leviticus 18 is addressed to Israelites and people from other nations who associates and identify themselves with Israelites and יִהְיֶה. In other translations the sentiment of faithfulness to יִהְיֶה and His legislature which brings and sustains life is kept. The LXX shows the existence of many gods and their worship is a context and background of Leviticus 18:22. Leviticus 18:22 is located in a context of cultic practices to foreign gods. Purity and holiness motifs underpin the intention of the composer and the redactor of Leviticus 18 and therefore Leviticus 18:22. Leviticus 18:22 points to the customs of Israelites' neighbouring nations. Reference to Israelites' neighbours is being made, of which they need not to be influenced by their culture, beliefs and behaviour. The violation of nature and the divine order in the sexual acts cited in Leviticus 18:23; 20:16 and therefore Leviticus 18:22 is picked up.

1.3 Canon Criticism/Intertextual Investigation.

1.3.1 Introduction

Brevard Childs (1979:69-83) advocates for the canonical exegetical approach that stresses the reading of each and every text in the bible should as part of the canon. Hayes and Holladay (2005:125) suggests that the importance of canonical criticism rest on the fundamental truth and challenge that the text is to be read as part of the bible in relation to other Scriptures and not in isolation. Leviticus 18:22 is studied in the light of other relative texts.

1.3.2 Genesis 19 and Judges 19

Carden (1999:83-96) suggests that Genesis 19 and Judges 19 are in relation to Leviticus 18:22. Steibert and Walsh (2001:119) define homosexuality as a sexual orientation and it has been argued that Hebrew Bible and explicitly Genesis 19 and Judges 19, does not make reference to and hence does not condemn homosexuality as a sexual orientation.

Some Old Testament academics⁴⁵ contend that Genesis 19 and Judges 19 are about the ill-treatment and humiliation of foreigners and not about homosexual orientation. Lot's offering of his daughters in place of his male guest as being a prerogative act of protecting the male honour of his guests according to the law of hospitality, supports the interpretation of Genesis 19 as not talking about homosexuality or homosexual orientation. Intertextual investigation reads and appropriates this understanding into Leviticus 18:22. On these grounds the act of sexual abuse of foreigners is condoned in Leviticus 18:22 and not homosexuality. This ill-

⁴⁵ Steibert and Walsh (2001:129); Dover (1978:104) says that male rape was also employed to signify the victory over foreign enemies in wars; Carden (1999:95); Wink (1999:34) and Snyman (2007:20).

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treatment was therefore intended to demean and disgrace man's masculinity and honour by placing them in a feminised role.

Sodomites' behaviour in Genesis 19 is also interpreted as Sodomites' attempt to challenge Lot's honour by challenging his control over his household and threatening to penetrate both his house and guests.⁴⁶ According to the honour and shame theory, White (1995:20) seems to be of the opinion that Genesis 19 displays an intention to demonstrate power over foreigner. If the men acted in a way that was proper to their kind and it was right for them to demonstrate their power, authority and honour by penetrating the foreigners then they would have been granted the honour by being allowed to penetrate the visitors.

The literary context of Genesis 19 depicts instances of hospitality⁴⁷ and this context support the association of Genesis 19 with hospitality. Genesis 19 and Judges 19 are both preceded by stories of hospitality⁴⁸: Abraham's hospitality towards the visitors in Genesis 18 and the concubines' father's hospitality in Judge 19:3-10 (Steibert and Walsh 2001:133). This literary context of Genesis 19 and Judges 19 presupposes that the issue in these texts is hospitality and humiliation of foreign men by placing them in a position of sexual object and not homosexuality.

1.3.3 Leviticus 10:10

The theme of holiness relates Leviticus 10:10 to Leviticus 18. From Leviticus 10:10 it is evident that קֹדֶשׁ (holy) is linked to הֵל (profane) and written parallel to טְהוֹרָה (clean) and טִמְאָה (unclean).⁴⁹ קֹדֶשׁ often has a linguistic and theological emphasis which is lacking in הֵל but which it shares with טִמְאָה. Chiastically structured, holiness is akin to cleanness and profane to uncleanness. Profane הֵל implies impurity טִמְאוּת. Laws in Leviticus 18 embrace the theme of holiness.

1.3.4 Deuteronomy 7:25-26

Deuteronomy 7:25-26 displays the usage of the word abomination in a context of referring to foreign culture and religion. Abomination seems to be a concept eminent in an honour-oriented and purity-conscious culture in the Ancient Near Eastern communities and this is supported by the observation of its usage in Genesis 43: 32 and 46:34 with reference to foreign cultures.

⁴⁶ White (1995:20). Dickson (2002:357) also agrees that the honour of a leading member in the community that is Lot is being challenged.

⁴⁷ Genesis 18 display Abraham's hospitality on the divine visitors; Gen 20 shows King Abimelech's realisation of his duty of hospitality to Abraham.

⁴⁸ The suggestion of hospitality image that precedes Genesis 19 is owned by Mr J Walsh and what preceded Judges 19 is owned by Nissinen (Nissinen, Martti, 1998. Homoeroticism in the Biblical World. Minneapolis: Fortress Press). These observations mushroom from the depicted thematic style that is underscored by verbal and structural parallels.

⁴⁹ To distinguish between the holy and the profane ולהבדיל בין הקדש ובין ההל
And between the unclean and the clean. ובין הטמא ובין הטהור

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1.3.5 Romans 1:26-27

Romans 1:27 depicts an objection on a man committing a shameless act with another man. St Paul's usage of the word 'shameless' reflects Mediterranean preoccupation with honour and shame.⁵⁰ Mackenzie (2006:137) notes St Paul's denouncement of homosexual acts as unnatural as following a reference to non-Christian worship and raises a possibility that Romans 1:26-27 was meant to condemn sexual practices associated with non-Christian religion.⁵¹ St Paul argues that heterosexual oriented people should maintain natural sexual intercourse. Unnatural (Romans 1:26) seem to be understood as being anatomical and as being a denial of procreative complementarity of male and female.⁵² At one level the word 'natural' implies the insertion of a penis into a vagina and mutual and pleasurable stimulation motives are deemed to be unnatural. St Paul's theology of same-sex intercourse seems to be shaped by the Genesis 1 and 2 procreation ideology and the legislation in Leviticus 20:13.

1.3.6 Matthew 10:14-15

Matthew (Matt 10:14-15) alludes to Genesis' Sodom and Gomorrah story in saying; 'if anyone will not welcome you or listen to your words, shake off the dust from your feet as you leave that house. Truly I tell you, it will be more tolerable for the land of Sodom and Gomorrah on the day of judgment than them'. Matthew seems to be interpreting Genesis 19 as concerned with hospitality in his allusion to Sodom and Gomorrah. Mackenzie (2006:135) labels the attempt of the men in Sodom to have sexual intercourse with Lot's visitors as an intention of assaulting the strangers.

1.3.7 Luke 10:12 and Romans 9:29

Allusion to Sodom is also noted in Luke 10:12 in Jesus' prediction of the punishment due to towns which refuse to give hospitality to the disciples he sent out on mission.⁵³ St Paul alludes to the punishment of Sodom in Romans 9:29 in the issues of Jesus' rejection by his own people, the Jews and the issue seem to be the lack of hospitality.

1.3.8 Conclusion

Genesis 19 and Judges 19, does not make reference to and hence does not condemn homosexuality as a sexual orientation but about the ill-treatment and humiliation of foreigners and not about homosexual orientation. Genesis 19 displays an intention to demonstrate power over foreigner. The issue in these texts is hospitality and humiliation of foreign men by placing them in a position of sexual object. The theme of holiness relates Leviticus 10:10 to Leviticus 18 and reference to foreign culture and religion is made. St Paul's theology of same-sex intercourse seems to be shaped by the Genesis 1 and 2 procreation ideology and the legislation in Leviticus 20:13. Genesis 19 was interpreted as concerned with hospitality in his allusion to Sodom and Gomorrah. Allusion to Sodom is also noted in Luke 10:12 in Jesus' prediction of the punishment due to towns which refuse to give

⁵⁰ White (1995:16)

⁵¹ There is no sufficient evidence supporting Mackenzie's argument. He argues that Romans 1:18-3:20 is concern with activities which contrast the sinfulness of non-Christians in the Greek and Roman society with behaviours expected of Christians.

⁵² Snyman (2007:23)

⁵³ Mackenzie (2006:136)

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hospitality to the disciples he sent out on mission. The findings from other texts are related to Leviticus 18:22.

2 Diachronic study of Leviticus 18: 22.

2.1 Composition and Redaction Criticism

2.1.1 Introduction

Composition criticism studies the initial production of the text which focuses on the composer and his or her perspectives (Hayes and Holladay 2005:101-109). Redaction criticism is investigating the final view point and theology focuses in the editorial stage/s that led towards and produced the final written form and composition of a passage, the final stage/s of the tradition, as it was that has become crystallised in written form (Hayes and Holladay 2005:101-109) A study on the composer and/or the redactor of Leviticus 18:22 and 20:13 will be conducted in this chapter.

2.1.2 About the composer and redactor

According to Wenham (1990:359), P is noted as the composer of Leviticus 18:22.⁵⁴ The dating of P shapes the understanding of the theology of the writer. Anderson (1988:22) dates P's work at 650 BCE and/or later and mostly prevalent at the time of Josiah's reform (621 BCE). On the other side it is contended that P wrote its work in the late exilic or early restoration period in 550-450 BCE (Gottwald 1987:139). Babylonians were in power when the P writers rendered their work and later Persians after the end of exile. Van Seters (1999:43) maintains that P worked during the time when Babylonians destroyed the Temple in 586 BCE (2 Kgs 25:9). During this time the P theologians needed to construct a theology to sustain and renew the people who had lost the Temple and the land and the king.⁵⁵ It is against this background that P lays theological emphasis on cultic life. God is approached from a cultic perspective. The P writer(s) pioneered institutional and ritual constitutions (Gottwald 1987:140). The priestly system was primarily a product of the theoretical zeal of the Babylonian priest in the post-exilic period. Olyan (1994:179) maintains that Leviticus 17-26⁵⁶ is attributed to the Holiness School and that H was the editor of the P materials. Traditions that are embedded in the Holiness Code and Priestly Document found their literary and legislative form in the Babylonian exile. Therefore, P interpreted ancient tradition to address challenges faced in exile.

2.1.3 Exilic texts and the context of P

Scripture paints the context of the P writers and the background of Leviticus 18:22. 2 Kings 24:9 alluding to 23:35-37 shows relations with the Egyptian. Among the evil that was done

⁵⁴ Wenham (1990:359) also notes that the condemnation of homosexuality act has developed over the time. This suggestion is based on the observation that the earlier laws do not discuss homosexuality, while the later (P) texts demands the death sentence for it as reflected in Leviticus 18: 22 and 20: 13.⁵⁴

⁵⁵ The reason for the emphasis on land and nation in the exile is that the land was lost and the exilic preachers proclaimed Yahweh's supremacy over all the nations and even the Empire of Babylon (Massey 2002:1)

⁵⁶ The unit as a whole is called Holiness Code or Source (H).

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during the reign of Jehoiachin is the worship of the foreign gods. Jews were carried into captivity by the Babylonians (Daniel 1:2; 2 Kgs 24:11-18) around 597 BC and lived in Tel-Abid probably South East of Babylon (Ezekiel 3:15). The implication of this is bowing down to the Babylonian authorities and adopting their worship of gods. In Ezekiel the sinfulness in Israel (Ezekiel 2:3-7; 8:9, 10) and other nations (Ezekiel 25-32) is stressed. Ezekiel 5:6 bears a resemblance to Leviticus 18:4-5, 26 and Leviticus 20:22. Defiling abominations and relations to other countries and their customs in Ezekiel 5:5, 7 define the context of Ezekiel and P writers. To live according to the priestly standards was to function in a society and in worship with a proper knowledge of order and disorder, clean and unclean, holy and defiled.⁵⁷ The word 'abomination', which in Leviticus 18:22 and 20:13 labels a homosexual act, is attached to the act of playing harlot after idols in Ezekiel 6:9; 8:10. Leviticus 18:22 is within the context and frame work of Leviticus 18:24-30. The word 'abomination' is attached to the violation of dietary laws, violation of sexual laws and involvement in pagan worship. In Leviticus 18:24-30 the violation of sexual laws are said to be an abomination. Walsh (2001:206) remarks that the identification of male-male intercourse as abomination formed part of the earlier formulation of the laws in Leviticus 18:22 and that it was extended to all the laws of Leviticus 18 by the later redactors who created the framing in Leviticus 18:24-30.

2.1.4 Priestly creation ideology

Although there are no explicit allusion made to the creation story in Genesis 1:1-2:4a,⁵⁸ a priestly creation idea that is grounded on the statement 'be fruitful and multiply' cannot be divorced from the contribution of P in the development of Leviticus 18:22. Olyan (1994:198) sees the wasting of male seed in non-procreative sexual act as being the reason for condoning male-male intercourse on ground of creation ideology.

2.1.5 Association with alien gods.

The prohibition of child sacrifice to an alleged god Molech⁵⁹ in Leviticus 18:21, is redactionally located at the centre of sexual acts prohibitions in Leviticus 18:19-20 and 22-23. Because of this redaction location Olyan (1994:199) notes that same-sex sexual intercourse prohibition is as a result of its association with the worship of alien gods.⁶⁰ This redaction location of Leviticus 18:21 does not provide sound and convincing evidence. and Leviticus 18:22 cannot be associated with idolatry and worship of alien god.⁶¹ Contrary, the notion of value for creation that lies underneath Leviticus 18:21 and 18:22 is not noticed and it connects these prohibitions. This connection probably adds value to the reason of forbidding male-male intercourse on the bases of its association with the alien gods and this might be the intention of the redactor.

2.1.6 Holiness motifs behind P and H

Leviticus 18:1-5 as an introduction of the sexual laws displays holiness motif. The negative particle **אִלֵּן** in Leviticus 18:3 restricts Israelites from associating themselves with alien

⁵⁷ Ezekiel 5:5, 7:68

⁵⁸ Olyan (1994:188)

⁵⁹ Olyan (1994:198)

⁶⁰ Douglas (1999:347) shares the same sentiments.

⁶¹ Olyan (1994: 199); Walsh (2001:204) also affirms this position.

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nation (Egypt and Canaan). The depended statement וְשָׁמַרְתֶּם אֶת־חֻקֹּתַי (you shall therefore keep my statutes) in Leviticus 18:5 supports the existence of holiness motif in the redactor's mind. Holiness seems to be intended to urge and encourage an ethical and moral upright life. Mohrmann (2004:64) agrees cites that in H, holiness is depicted a as the final aim of all the commandments. The nouns חֻקָּה (statute) and מִשְׁפָּט (judgement) emerging from the priestly tradition,⁶² are both cultic and social in nature based on their literary context and the H redactor uses them to define the sexual laws of Leviticus 18 that are introduced by verse 1-5 which pertains to cultic and social life of people.

2.1.7 Concerns for family order

Leviticus 18:6-7 focuses on the life of the extended family and violation of these laws jeopardizes the family structure constructed by the society. The redaction shift in Leviticus 18:18 is evident in that it concerns the family from which the wife originated, that is, another family in the clan or in another tribe or nation.⁶³ Leviticus 18:18-20 is concerned with family order. The law against sacrificing children to Molech in Leviticus 18: 21 displays disregard for the significance of procreation and also pertains to violation of family order. Violation of family order is detected in the laws against homosexuality and bestiality in Leviticus 18:22-23. Sexual laws in Leviticus 18:6-23 depicts the prohibited violation of family order. The framework of Leviticus 18: 1-5 and 24-30 as redactionally located suggests that sexual laws in Leviticus 18:6-23 were intended to separate Israel from Egyptian and Canaanite custom. This framework presupposes that the prohibited sexual acts in Leviticus 18: 7-23 were Egyptian and Canaanite and not originating from Israelites.

2.1.8 Conclusion

The composer and redactor of Leviticus 18:22 are located in the exilic context. Scripture paints the context of the P writers and the background of Leviticus 18:22. 2 Kings 24:9 alluding to 23:35-37 shows relations with the Egyptian. There is evidence of bowing down to the Babylonian authorities and adopting their worship of gods. To live according to the priestly standards was to function in a society and in worship with a proper knowledge of order and disorder, clean and unclean, holy and defiled. Priestly creation idea that is grounded on the statement 'be fruitful and multiply' cannot be divorced from the contribution of P in the development of Leviticus 18:22. Association with alien gods is picked up as behind Leviticus 18:22. Holiness motifs behind P and H are detected in Leviticus 18:22. Concerns for family order are raised in Leviticus 18 and probably in Leviticus 18:22.

2.2 Social-scientific criticism

2.2.1 Introduction

Elliott (1993:72-74) suggests that the purpose of social-scientific criticism is to investigate and seek to comprehend the text in terms of its genre, content and rhetorical strategy as a medium of meaningful, persuasive interaction in a particular historical, social and cultural context. This investigation studies the social, geographic, cultural context of the original listeners or reader and the ideology of the author.

2.2.2 Socio-Geographic context

⁶² Mohrmann (2004:65)

⁶³ Mohrmann (2004:71)

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Composition and redaction criticism located Leviticus 18:22 to the exilic and post-exilic period and context. The study on the geographical context of the text enables a depiction of the surrounding nations, their civilisation and presupposes cultural, social and religious influences or adaptations.

2.2.2.1 Pre-exilic context

Israelite civilisation was mixed with sorts of alien influences. A probability for a Canaanite influence on the religion of Israel is raised on the grounds of gradual and incomplete manner in which the conquest of Canaan was affected by the Hebrews⁶⁴ and of adoption of Canaanite civilisation by Hebrews.⁶⁵ Egyptian influence in Israelites as evident from the result of excavations for the period of 2000-1200 BC is a probability and Assyrian influence began about 850 BC.

2.2.2.2 Exilic context

The Jews up to and during the exilic period⁶⁶ came across the Egyptians⁶⁷, Syrians, Assyrians, Mesopotamians⁶⁸ and the Babylonians⁶⁹. In this context cultural adaptation took place in a sense that the Jews were influence by other cultures and civilisation and the law on homosexual acts emerged from this geographic and historical context.

2.2.2.3 Post exilic context

⁶⁴ Paton (1914:205) notes that J and E agree that Canaanites were not wiped out, but continued to stay in the midst of Israel till date. The prohibition of marriage with the Canaanite that is reflected in Exodus 23:33; 34:11-16; Deuteronomy 7:1-4 depicts that Canaanites lived among Hebrews even after their invasion.

⁶⁵ Forms of City life, institution of city government, ancient manner and customs and the worship of Canaanite gods was gradually adopted by Israelites (Paton 1914:205).

⁶⁶ During the exilic period the Babylonian empire was established and it included Judah, Edom, Moab, Syria, Assyria, Elam and the cities were Jerusalem, Samaria, Caerchemish, Nineveh, Babylon and Susa. The Assyrian capital was captured by the Babylonians in 612 BC. After the death of King Josiah Judah became subject to Egypt (2 Kings 23:29) in 609 BC. Egypt was defeated in 605 BC and became subject to Babylon and Jehoikim of Judah paying tribute to Nebuchadnezzar, the Babylonian. In 597 Jerusalem (Judah) was forced to surrender to Nebuchadnezzar after Judah tried to enlist the help of Egypt against Babylon in 601 following the battle between Pharaoh Neco and King Nebuchadnezzar and the leading citizens of Judah were exiled to Babylon

⁶⁷ During exile some Jews founded communities in Egypt (Jer 43:1-7; 44:26).

⁶⁸ Some exiled Jews were in Mesopotamia and they became a part of the land and the culture of Mesopotamia.

⁶⁹ Paton (1914:221) contends that Israelite laws have Babylonian imprint. The theory behind this is that Babylonian traditions migrated to Canaan before the Israelite conquest and were adopted by the Israelite from Canaanites as they settled in the land. Canaan was under the influence of Babylonian civilisation. ⁶⁹ Carrier (1889:294); Paton (1914:221) says the Babylonian records testify that for nearly 2000 years prior to 1700 BC Canaan stood under the influence of Babylonian civilisation and this testimony is confirmed by the discovery at Taanach of a seal of Canaanite workmanship with a Babylonian inscription and at Gezer of the so-called Zodiacal Tablet. Luckenbill (1910:378-379) agrees that the Babylonian influence in and after Exile was evident.

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Cyrus the Persian conquered Babylon and took over the whole Babylonian empire. Persians also took over Egypt. The Persian Empire in the post-exilic period included Macedonian, Lydia, Cyprus, Egypt, Judah, Cappadocia Assyria, Babylonia, Persia, Parthia, India, Susiana, Media, Phoenicia, Moab, Edom and Ammon. Persians were totally in control of Palestine with their empire stretching from Egypt to India. Cyrus in 538 issued a policy that Jews could go to Jerusalem and rebuild the temple of Yahweh and by this time there was a sense of religious and social freedom even though Jews civilisation was influenced.

2.2.3 Social and cultural context

The social and cultural dimension of the Israelites was influenced by countries from Ancient Near East. Hartley (1992:283) remarks that תועבה depicts ritualistic and moral behaviour that repugnant of Israel's neighbours.⁷⁰

2.2.3.1 Egypt

The usage of anal rape to humiliate conquered enemy soldiers in wars is likely in ancient Egypt and Greece.⁷¹ Departing from the background of Ancient Near East world with regard to homosexuality, Leviticus 18:22 and 20:13 as prohibiting every type of homosexual intercourse not just forcible as the Assyrians did or with youth as the Egyptians⁷²

2.2.3.2 Middle Assyrian

Wenham (1990:360) says; amongst the laws in the Middle Assyrian collection, the MAL A 20, depicts that if a man has intercourse with another and they indict him and prove him guilty they will have intercourse with him and turn him into a eunuch⁷³. In comparison with Leviticus 20:13 in MAL A 20, only the active male partner is punished⁷⁴ and this leads Wenham to purport that MAL A 20 as dealing with homosexual rape (coerced sexual intercourse) rather than an act between consenting adults.⁷⁵ This argument highlights that homosexuality was known and was an integral part of people's holistic life. The occurrence of MAL A 19-20 in the context of offenses committed against married women as noted by Olyan (1994:193) has led Cardascia and Bottero to interpret MAL A 19-20 as suggesting that the receptive partner in the male-male intercourse was deemed to be equalled to a woman.

2.2.3.3 Mesopotamia

From iconographic evidence dating from 3000 BC to the Christianity era it is clear that homosexual practice was an accepted part of the Mesopotamian scene.⁷⁶ An astrological text

⁷⁰ Male homosexuality is identified as תועבה in Leviticus 20:13 translating 'something detestable and repugnant' and this act carries the death penalty (Hartley 1992:339).

⁷¹ Walsh (2001:208) further see a certainty of male anal rape in Greek in observation of a mid-fifth-century wine jar commemorating an Athenian victory over the Persians at the Eurymedon river shows a Persian bent over and about to be penetrated by a Greek

⁷² Wenham (1990:362). Leviticus 20:13 states that both parties are at fault and this propounds that not only the deemed rapist is at fault. Wenham's interpretation focuses on the terminology utilised by the author of Leviticus 18:22 and 20:13.

⁷³ An eunuch is a man who has been castrated

⁷⁴ Olyan (1994:193) also notes this.

⁷⁵ Wenham (1990:360).

⁷⁶ Wenham (1990:360) further maintain that some neighbouring cultures are adjacent to ancient Israel.

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of the New-Babylonian period (6th century B.C.) which probably is traced back to early Sumerian times demonstrate the existence of heterosexuality, male homosexuality and the nonexistence of reference to female homosexuality in ancient Mesopotamian culture.⁷⁷ The earliest builders of the Mesopotamian culture were the Sumerians.⁷⁸ Bullough (1971:191) says anal intercourse between males is evident in Mesopotamia and that there is no evidence that it was deemed to be a taboo.

Gender role can be constructed by the examination of the images of musical performance in ancient Israel and Burgh (2004:128) focuses on the material evidence from the Iron Age.⁷⁹ In some iconographic depictions in the Near East it is difficult to define sex and gender because of the lack of substantive evidence for identification.⁸⁰ Tel 'Iran figurine who is thought to have had a cultic connection is discovered and depicts a figure holding a musical instrument supposedly played mainly by women.⁸¹ The breasts which suggest a female physical feature are not clear in this find, it displays male genitalia and beard and this presupposes that the Tel 'Iran figurine is male. A possibility of the Tel 'Iran figurine holding the status or position of eunuchs as known from Mesopotamian texts, is raised.⁸² An intense investigation of Mesopotamian plaque figurines that date to the Middle Bronze 11A (2000-1750) propounds that they may precisely be men dressed as women associated with feminine role that is determined by the socio-cultural system in ancient Mesopotamia.⁸³ Burgh (2004:130) concedes that men using female classified musical instruments were common and not objected in Mesopotamia and Egypt, while in ancient Israel they were accepted in certain cultural contexts. Features of homosexuality are detected but more substantive evidence is needed for a conclusive position.

2.2.3.4 Hittites

⁷⁷ According to Bullough (1971:190) the text shows the effect of the stars on potency and love making and includes the signs of 'love of a man for a woman in the region of Libra'; 'love of a woman for a man in the region of Pisces'; 'love a man for a man in the region of Scorpio' and 'to have intercourse with a woman in the region of Aries'.

⁷⁸ Bullough (1971:185)

⁷⁹ Burgh (2004:128) also consults the works of Braun (2002:67-184)

⁸⁰ These includes finds at Tel el Far 'ah South (1150 BCE); a three-piece ensemble from a bowl found at Idalion, Cyprus, dating to the eighth century BCE; figure from Kuntillet 'Ajrud; a stamp seal from Tel Keisan on Iron Age seals and object from Megiddo that is presented with prisoners who are preceded in procession by a lyre player (Burgh, 2004:130-134). In Pritchard (1975:51) the discussion on sex and gender is not included analysing Tel el Far 'ah South. Braun (2002:95) categorises the figure in Tel el Far 'ah South as female. The dress of the figure in Tel el Far 'ah South is said to be an indicator of male gender (Bayer, 1982:30). The ensemble from a bowl found at Idalion is identified as a Canaanite orchestra. The figure seated with lyre from Kuntillet 'Ajrud as being a woman and states the possibility of her being Asherah, Yahweh' consort.

⁸¹ Burgh (2004:129); Keel (1978:336-338) classify the musical object (frame drum) as a woman instrument.

⁸² Ringrose (1993:86) defines eunuchs as not only castrated men but also may have included those born with sexual deformities and those who were gay men.

⁸³ Rashid (1984:134-135)

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In the Hittite Code sections 189 a death penalty is called for in addressing the issue of a man having a relation with his son.⁸⁴ Homosexual act at this level is objected.

2.2.3.5 Babylonia

Reference to a homosexual conduct is made in the later Babylonian law codes, particularly the Middle Assyrian Law Tablets which date from the time of Tilglath-pileser 1 but it is argued that deals with incest.⁸⁵

2.2.3.6 Greek and Rome

In Greek and Rome homosexuality was approved between the adult men and youth on educational dimension.⁸⁶ Academics⁸⁷ show that male homosexuality appeared in three main forms which are transgenerational⁸⁸, transgenderal⁸⁹ and egalitarian.⁹⁰ In Greece male-male sexual relationship between master and slave were deemed to be improper but in Rome it was accepted.⁹¹ Israel's legislation as evident in the Holiness Code differs from the Greek and Rome understanding and treatment of male-male sexual relations. In Greek and Rome the reasoning revolves around class, status and age whereas for Israelite around gender.⁹² For Greeks and Roman the object for social and legal harsh criticism was a passive partner and in Rome the active partner would be condemned if his partner was an adult male on the basis of age.⁹³ In Rome for a man to be penetrated was feminizing him, but this feminization principle was not applicable if the penetrated man was of inferior class or status⁹⁴

2.2.3.7 Athens

In Athens⁹⁵ male-male intercourse was only permissible on slave foreigners and young people, sex between adult males was forbidden and male accepting to be penetrated was

⁸⁴ Good (1967:960) further defines Leviticus 18:22 and 20:13 as a Hebrew Code and locates it to the Ancient Near Eastern laws.

⁸⁵ Bullough (1971:185) includes the statement that 189: If a man violates his own mother, it is a capital crime. If a man violates his daughter, it is a capital crime. If a man violates his son, it is capital crime.

⁸⁶ Wenham (1990:360); Walsh (2001:203). In this social and educational function a young boy is mentored by an adult male and is assisted to develop into an adult.

⁸⁷ Adam (1985:19-33); Carrier (1980:100-122); Herdt (1991:481-504, 1991:603-632); Murray (1992:3-23); Trumbach (1977:1-33), Trumbach (1989:1660-1750); Williams (1996:416-435).

⁸⁸ Rind (1998:399) cites that transgenerational homosexuality involves sexual relations between old males and young boys.

⁸⁹ According to Rind (1998:399) transgenderal homosexuality is about sexual relations between masculine male and a cross gendered male who take on a opposite gender role and act as the passive partner.

⁹⁰ Rind (1998:399) define egalitarian homosexuality as consisting sexual relations between males who do not change gender roles and are of similar age and social status.

⁹¹ Walsh (2001:203) cites that the rational behind Greeks' consideration is that male-male sexual relationship should involve males at same social class.

⁹² Walsh (2001:203)

⁹³ Walsh (2001:203) also notes that the underlining factor behind condemning male-male intercourse between an active young person and passive old person in the social value of honour and shame

⁹⁴ Olyan (1994:191)

⁹⁵ Athens was an intellectual capital of the European civilized world under Roman Empire.

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deemed to have classified himself with women.⁹⁶ Similar to Roman context for a man to be penetrated was feminizing him, but this feminization principle was not applicable if the penetrated man was of inferior class or status.⁹⁷ Leviticus 18:22 and 20:13 is related to Athen's reasoning on ground of class or status and it is suggested that male-male intercourse in Leviticus is forbidden because the receptive male does not conform to his class.⁹⁸

2.2.4 Kinship and marriage

The significance of kinship and marriage in the discussion of the role of sex and homosexuality in the Israelite community is raised.⁹⁹ Malina (1993:134-136) argues that in the first century Mediterranean societies sexual intercourse served the function of embedment in embedding the female to the male and to the male's family and society.¹⁰⁰ Distinction between men and women were of vitality in the cultic law.¹⁰¹ These distinctions manifest themselves within the marriage parameters. The final sign of submission to the husband and embeddedness in him, a wife had to share the husband's religion.¹⁰² Number 31:17-18, 35 and Judges 21:11-12 supports the idea of embedment. Malina (1993:137) shows in the remarks that in post-exilic period the focus of marriage is on offspring and the holy seed of which production becomes the reason for sexual intercourse. At the centre of the priestly worldview of men and women was a traditional belief that marriage and family are the basis for order of the society. In the light of the covenantal relationship Israelites had with YHWH, a deviation from the norm affected the stability and structure of Israelites' standing as a holy community. It is within the context of kinship and family unity that the ideology of procreation in the socio-cultural background of Lev 18 and 20 translates itself.

2.2.5 Procreation ideology

Kraeling (1928: 134) argues that concepts of creation were eminent in the religion of Ancient Israelites in that festivals of recreation were of significance. In the Ancient Near East the practice of homosexuality was well known and only condemned in certain cases where coercion by one party was implied and that the condemnation was rooted in the doctrine of creation and the command in Genesis 1: 28 (Wenham 1990:359-363). It is argued that to allow the legitimacy of homosexual act the world frustrates and disturbs the divine purpose and denies the perfection of God's provision of two sexes (Wenham 1990:363). It does seem that Israel's repudiation of homosexual act and orientation mushroomed from a point of having conceptualised the doctrine of creation with explicit regard for procreation or productivity.¹⁰³ Ellis (2003:313-323) maintains that homosexual behaviour is contrary to nature in that it involves an unnatural indulgence in pleasure, in that it does not involve

⁹⁶ Olyan (1994:190)

⁹⁷ Olyan (1994:191)

⁹⁸ Olyan (1994:198)

⁹⁹ Malina (1993:134-136); van Eck (1995:206-207) contributes by saying the role and the significance of sex is derived from its function in the honour-shame characterised society which is shaped by kinship and marriage ideologies.

¹⁰⁰ Dickson (2002:358)

¹⁰¹ Jenson (1992:142) adds by saying that the role differentiation of men and women in a society is a complex and many-sided phenomenon.

¹⁰² Dickson (2002:358)

¹⁰³ Wenham (1990:363) perceives the doctrine of creation in the discussion on homosexuality as having credibility and of importance.

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procreation and that it places the male partner in the role of female and thus demeaning and weakening the partner.

Wink (1999:34) in interpreting Leviticus 18: 22 and 20: 13 points to the Hebrew prescientific understanding that male semen contained the whole of nascent life. This rationale ventured to the perception that spilling of semen for a non procreative purpose (in coitus interruptus (Genesis 38: 1-11), male homosexual act or male masturbation) was considered equivalent to murder. The emerging question since male homosexuality was condemned on the basis of perseverance of creation could it be that female homosexuality is permitted. The Old Testament is silent on this regard.

It is observed that the Old Testament with regard to sexuality is first seen in its ancient Near Eastern context, where Yahwism's monotheism and close association of morals with religion set it in sharp contrast with the common fertility pattern.¹⁰⁴ Paton (1914:213) links the considerations for reproduction to a Canaanite associated god Ashtart and Astarte of the Greeks who is deemed to be a goddess of sexual love and reproduction. The worship of Ashtart by Israelites is proved by personal names and by occasional explicit statements and is certain from passages that state that Israel served the Be-alim and the Ashtaroth. Evidence supporting this is not provided by Paton (1914:213). Archaeological evidence depicts that Astarte figures found in the Israelite section at Lachish and Taanach¹⁰⁵

2.2.6 Honour and shame theory

Steibert and Walsh (2001:123) concedes that Biblical texts are shaped by their social and cultural context. The underlying system of social values within which Leviticus 18: 22 and 20: 13 must be construed as the gender construction of maleness in a society where honour and shame are fundamental social values (Steibert and Walsh 2001:145). According to Steibert and Walsh's perspective, honour and shame theory embodies a differentiation of masculinity and femininity.¹⁰⁶ In this theory masculinity is superior to femininity hence it was regarded shameful and unholy for a man to act like a woman. Heterosexual male is defined by being the penetrator and homosexual male (shame) is defined as being the penetrated one.¹⁰⁷ This description contradicts the understanding of sexuality on the grounds of orientation. White (1995:16) agrees with Malina and Neyrey¹⁰⁸ in that honour indicated a social standing and a rightful place in a society since values are culturally created.

2.2.7 Religious context

Socio-scientific approach to Leviticus 18:22 depict a prohibition identified with the practice of alien religions within the socio-geographic parameters. In Israelites' socialisation homosexuality was considered alien behaviour, representing incursion of pagan civilisation into Israel's life (Wink 1999:35). Leviticus 18:1-5 locates the law in verse 22 in a Canaanite and Egyptian religious context. Israelites are forbidden to follow the statues of Canaan and

¹⁰⁴ Collins (1977:149-265). further investigates Old Testament sexual morality that includes marriage and family, homosexuality, fornication and procreation

¹⁰⁵ Luckenbill (1910:371) cites that a goddess of fertility and reproduction who was frequently also a warrior goddess was worshipped in Babylonia as Belit, Nana, and Inina; in Assyria as Ishtar; in Syria, Phoenicia and Palestine as Astarte.

¹⁰⁶ Steibert and Walsh (2001:125).

¹⁰⁷ Carden 1999:87).

¹⁰⁸ Malina and Neyrey (1991:26)

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Egypt.¹⁰⁹ The law of Leviticus 18:22 are deemed to be referring to male temple prostitution and this reading is in the context of Canaanite cults that had male temple prostitution as reflected in Deuteronomy 23:17.¹¹⁰

2.2.7.1 Pantheon

Human (1999:493) notes a conducted study on the appearance of Pantheon in Judah¹¹¹ shares light on the religious context of Leviticus 18:22 as reflected in the myths in Ugarit. The Pantheon in Judah in the study of Leviticus 18:22 serve to demonstrate the existence of different deities during when the text was written.

2.2.7.2 Monotheism

Monotheism¹¹² traces its origin in and during Babylonian exile and the Israelite religion up to the exile was polytheistic¹¹³ Human (1999:498-499) explains that during monarchical period a Yahweh-alone-movement originated and was characterised by an exclusive worship of Yahweh and the denial of the existence of other gods in order to repel Polytheism. Yahweh-alone-movement developed and also being influenced by reforms of Josiah resulted in the cult centralisation, cult purification and the establishment of Yahwism as a state religion.¹¹⁴ A pursuit for cultic purification is evident in Leviticus 18. Monotheism characterises Yahwism and was prominent in Babylonian exile. Human (1999:503) concludes that the history of Yahwism moved over a period of six centuries from monolatry¹¹⁵ in a polytheistic reference system to the absolute monotheism in and after the Babylonian exile

2.2.7.3 Polytheism

Human (1999:492) defines polytheism as meaning the faith and worship of many god. According to Scripture¹¹⁶ worshipping other gods other than Yahweh was prohibited. Exilic texts¹¹⁷ display the denial of the existence of other gods and this shapes monotheism. Advocacy for monotheism presupposes a polytheist world as being the religious context of the Israelite in which polytheism posed a challenge and was objected. Polytheist world is painted by the mention of other gods¹¹⁸ and the prohibition of worshipping other gods other than Yahweh. Human (1999:496) notes that the worship of Asheras and other gods of Canaan as well as pagan activities like sun veneration, the worship of heavenly host,¹¹⁹ human

¹⁰⁹ Douglas (1999:343) suggests that Leviticus 18 refer to the evil statues of the foreign gods, which are to be contrasted with the good statutes of Yahweh God of Israel.

¹¹⁰ Douglas (1999:345) adds by saying Male-male intercourse is objected because Israel was interring into idolatrous cults of foreign nations.

¹¹¹ Human (1999:493) says that several pantheons existed among Israel's Ancient Near eastern neighbours.

¹¹² Monotheism is having faith in one single God

¹¹³ Human (1999:298) notes Bernhard Lang's understanding that Yahweh was only worshipped as a national high god in the early stages of Israelite history and that at certain time during crises and wars wined he was elevated above other deities. Declaration of the non-existence of other deities only began with Jeremiah (Jeremiah 10:15; 14:22)

¹¹⁴ Human (1999:499)

¹¹⁵ Monolatry is the worship of one god without denying the existence of other gods (Human 1999:492).

¹¹⁶ Exodus 20:3, 23; 22:19 23:13;34:14; Deuteronomy 5:7

¹¹⁷ Isaiah 43: 9-10; 44: 6-8;45:5-6; 46:9)

¹¹⁸ Genesis 31:19; 35:1-4: Judges 11:24

¹¹⁹ Jeremiah 7:17

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sacrifice and cultic prostitution (Asa and Jehosaphath) were criticised and objected by the deuteronomic-deuteronomistic reformers as evident in Deuteronomy 12-13.

2.2.8 Conclusion

Israelite civilisation was mixed with sorts of alien influences in Pre-exilic, exilic and post exilic period. The usage of anal rape to humiliate conquered enemy soldiers in wars is likely in ancient Egypt and Greece is picked up. In Assyria homosexual act were evident and was an integral part of the community. Anal intercourse between males is evident in Mesopotamia and that there is no evidence that it was deemed to be a taboo. For Hittites feminine dress code on men was accepted. Reference to a homosexual conduct is made in the later Babylonian law codes. In Greek and Rome homosexuality was approved between the adult men and youth on educational dimension. Greeks and Roman the object for social and legal harsh criticism was a passive partner and in Rome the active partner would be condemned if his partner was an adult male on the basis of age. In Rome for a man to be penetrated was feminizing him, but this feminization principle was not applicable if the penetrated man was of inferior class or status. In Athens male-male intercourse was only permissible on slave foreigners and young people, sex between adult males was forbidden and male accepting to be penetrated was deemed to have classified himself with women. Homosexuality was objected on the basis that marriage and family were important. In this context of family procreation was regarded for family enhancement. According to the Honour and shame theory, homosexuality condemnation was on the basis that it guarded against shaming a penetrated man. Honour indicated a social standing and a rightful place in a society since values are culturally created. The Historical background of Leviticus 18:22 is within a context of a worship of many gods in the surrounding nations.

D CONCLUSION

A constructive dialogue between the MCSA's readings of Leviticus 18:22 and scholars' interpretation of the same is pertinent.

The rejection of homosexuality and the ministry of homosexual contradict the spirit behind and the essence of the MCSA policy and mission imperative. An interpretation of Leviticus 18:22 as condoning homosexuality does not harmonise with the policy of the MCSA and its mission imperatives.

The position of the MCSA as reflected in the 2007 Conference resolution embraces the idea of a consultative dialogue. It is bias in a sense that it is self protective and not prophetic at one level. The MCSA is in a quest to maintain unity. The MCSA pursue a state of celebrating diversity. MCSA resolution ignores the existence of irresponsible interpretations and approaches to Scripture.

Literal approach to Scripture is irresponsible interpretation of Scripture because it fails to recognise historical and cultural distance between the time of text production and the 21st century MCSA times.

Historical and literary investigation and its contribution to the study of Biblical texts is not taken into account and recommended in the DEWCOM document and in the contributions from MCSA clergy. This disregard devalues the supposed approach to the debate through the study on Scripture.

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Africanisation in a context of African hermeneutics sees the consistency in accepting and/or rejecting biblical texts as not creating injustice in interpreting texts but as justifiable. Reading Scripture in an African context poses a question of relevance and appropriateness of an ancient Jewish text in the modern context. Are the findings from the historical and literary study of Leviticus 18:22 relevant and applicable in the today MCSA context?

The Literary criticism projects an interpretation of Leviticus 18:22 as discloses the motive of family orderliness and therefore objection of homosexuality. This reading is irrelevant because the MCSA is within a society with alternatives and there are supportive structures available for children development for an environment with homosexuals. At the same token, it is relevant because it guards against non balanced gender role socialising environment.

Textual criticism shows that Leviticus 18:22 depicting reference to Israel's neighbours and cultic practices to foreign gods. Leviticus 18:22 seem to be fostering religious consecration and isolation. This reading is irrelevant in the today MCSA context because the MCSA lives in a global and interfaith world. Religious isolation is not commendable and an option.

An evolving understanding and practice of sexual intercourse shows that the purpose of an intercourse is not only procreation but also intimacy. An interpretation of Leviticus 18:22 as objecting homosexuality on ground of procreation purpose is inappropriate, inapplicable and irrelevant in the today South African and MCSA. Procreation purpose is not invalidated and sexual intercourse is not limited to production. Intertextual investigation depicts that Leviticus 18:22 was interpreted by St Paul in the New Testament world as condoning homosexuality on the basis that it does not fulfil procreation. This reading on the other side is relevant because it protects the natural order of thing and the divine command of procreation as recorded by the ancient composer and redactor.

Socio-scientific criticism and intertextual investigation shows shed light that Leviticus 18:22 with reference to other texts is about the ill-treatment and humiliation of foreigners; about hospitality and displays an intention to demonstrate power over foreigner and not homosexual orientation. This reading makes Leviticus 18:22 to be irrelevant and inapplicable in accepting and/or rejecting homosexuality.

A study on the Africana reading of Leviticus 20:13 is to be conducted for further unique contribution on the issue of homosexuality. In this Leviticus 20:13 is to be read in a context of South Africa with explicit focus on africanisation and inculturation.

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