

Discussion Document on Homosexuality - with particular emphasis on the question of employment of clergy

Compiled by the Theological Study Commission of ELCSA (N-T)
expanded to include UELCSA
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1 Introduction

1.1 The reason for this study

During the past decades many Churches have been discussing human sexuality in general and homosexuality¹ in particular. Opinions on the latter vary from total rejection to total acceptance.

1.2 Five positions on this topic

Various Churches and commissions have done research on the topic, and the findings can be summed up under five positions, as listed below:

1.2.1 Total rejection

The first position is the total rejection of Homosexuality as sin. This position takes biblical texts condemning homosexual practice as literal word of God for us today and sees no space for compromise or interpretation. Homosexually orientated people need to seek forgiveness for their sinful desires and thoughts and find healing in the Christian community. This position holds that through faith and prayer people can be changed to lead fulfilled, heterosexually married lives.

1.2.2 Person accepted but practice condemned

The second position accepts that many homosexuals cannot change their orientation and live fulfilled heterosexual lives. However it maintains that while the orientation cannot change, the practice is condemned in the Bible and therefore homosexuals need to accept that they are called to a celibate life if they want to be committed Christians. This may not be an easy calling, but it is one they can learn to accept for the sake of Christ. It is similar to the call to all Christians to abstain from overtly sinful behaviour however hard this may sometimes be. The church should “love the sinner but not the sin”, and should be accepting of homosexuals as long as they remain celibate.

1.2.3 Practice rejected but tolerated

The third position still sees homosexuality as a sin, but accepts that many homosexuals do not manage to live a celibate life. Living in a homosexual partnership may be a sin, but as we are all sinners, Christians should be tolerant and accepting of the couple, even though not approving of this life-style. This attitude is similar to the growing acceptance of people living together before marriage, or of the remarriage of divorcees, even if it is seen as “sinful”.

1.2.4 Practice is acceptable and should be respected

The fourth position questions whether homosexuality should be seen as a sin. It looks at the reasons for the rejection of homosexuality in biblical times and questions whether those are still valid for us. It takes seriously our human capacity for reason and the most recent scientific insights about homosexuality. It prefers to look at the quality of the relationship, the commitment, trust and care for one another. It recognises that many gay couples are committed Christians and live out their relationship in responsibility before God. It takes as its ethical base the commandment of love and Christian freedom. Christians have freedom to rethink old customs and laws from their faith in Christ, just as the apostolic council did in Acts 15. It advocates acceptance of homosexual relationships, but usually still stops short of advocating that they be regarded as equal to marriage and celebrated as such.

1.2.5 Same status before God as heterosexuality

The fifth position sees the differences in sexual orientation as a gift of God and as part of the wonderful diversity of creation, which should be celebrated rather than treated as a problem. It points to the fact that sexual ethics has shifted through the ages, from polygamous to monogamous, from male dominated to more egalitarian, and believes it should shift again. Many gays and lesbians believe that God has created them as they are and that they enrich the society by living out who they are, finding fulfilment and support in their relationship. They advocate that homosexual partnerships should be blessed and celebrated, just as heterosexual relationships are.

¹ The terminology in this paper is using the words that most people are familiar with. The gay and lesbian community usually does not use the term “homosexuality” but often speaks of the LGBTI community (Lesbian, Gay, Bisexual, Transsexual and Intersexed) or of Transgender people. We have decided not to use these terms which are unfamiliar to most of our congregants.

46 **1.3 The international Lutheran community**²

47 Although quite a few Churches have produced statements on the issue, many have chosen to deal with
48 it “silently”. The clear positions range from total acceptance, including the blessing of same sex unions,
49 to total rejection. In some churches there are gay and lesbian clergy. Many statements are open to
50 different opinions on the matter. A good example in this regard is the statement by the Evangelical
51 Lutheran Church in America (ELCA) which explains and gives five possible positions and allows for
52 all of them within the ELCA. Despite this openness to all positions the Church split after the acceptance
53 of the document.

54 **1.4 The discussion amongst African Lutheran Churches.**³

55 The doctrinal commission of the Lutheran Council of Africa issued its statement on “Marriage, Family
56 and Human sexuality” in May 2012. The short statement states that “the majority of African member
57 churches say “NO” to homosexual acts and regard them to be sinful”. Although it recognises the
58 existence of people with homosexual tendencies, it “regards same sex relations as contrary to shared
59 Christian and African values.” The document does not go into any theological or hermeneutical debate
60 on the issue. However also within the African churches there are voices urging further discussion on
61 the topic, and people who question the definition of “Christian” and “African”.

62 **1.5 Goal of this paper and the discussion in our church**

63 1.5.1 Existing UELCSA position

64 In 1996 ELCSA (N-T) published a study paper on the topic which situated itself somewhere between the
65 positions three and four above⁴. It gives an overview of the different positions on the topic and discusses
66 biblical texts dealing with the issue. It pleads for caring and careful accompaniment of gay and lesbian
67 people. However the document leaves many ambiguities. In some places it seems to adopt position four,
68 asking for openness towards people living in gay or lesbian relationships and giving them a home in the
69 congregation, in other places, particularly when it comes to pastors, it makes it clear that such
70 relationships are not acceptable. In some places it seems to allow congregations to take decisions on
71 accepting homosexual clergy, in other points in the document it makes the rule applicable to all, that
72 homosexual pastors need to be celibate.

73 This paper was never adopted as position paper of our church. It has become clear also, in the process
74 of investigations, that legally within UELCSA there have never been grounds for specific exclusion of
75 people of homosexual orientation from the ministry, just as there was never a prohibition on the
76 ordination of women. However, many people understood the above paper to have been the position of
77 the church. Because of the controversial nature of the issue, it has become important to investigate
78 whether there are indeed grounds to exclude practising homosexuals from the ministry.

79 The ELCSA (NT) Synod in 2011, and UELCSA Synod 2012 tasked the Study Commission to investigate
80 this issue specifically and to come up with recommendations based on a thorough theological and biblical
81 reflection. For this reason the paper focusses on homosexuality and the employment of pastors.

82 1.5.2. The goal of this paper

83 The goal of this paper is to investigate thoroughly the issue of homosexuality as it relates to the employment
84 of gay and lesbian clergy. This is part of an ongoing dialogue within the church, within the ecumenical
85 movement and the Lutheran family. It acknowledges that there has been a shift in the awareness and
86 understanding of this issue. The fact that there was no law excluding homosexuals did not change the fact

²The Lutheran World Federation deals with this topic in it’s “Emmaus conversations” available at
<https://www.lutheranworld.org/family-marriage-and-sexuality>

³Available at <http://www.lutheranforum.org/extras/statement-of-the-lutheran-communion-in-africa-on-marriage-family-and-human-sexuality/>

⁴Available at <http://www.elcsant.org.za/publications.html>. The statements follows closely a similar document published by the United
Evangelical Lutheran Churches in Germany of 1980

87 that they were de facto excluded and that any movement towards inclusion has been controversial and
88 contested.

89 Any position taken by the church needs to be based on a thorough study of the biblical texts, guided by the
90 principles of our Lutheran theology and way of understanding scriptures, and in dialogue with the scientific
91 insights about homosexuality.

92 This paper is part of a process that leads into informed discussion and finding a way together. This dialogue
93 has to happen on the basis of humility. No-one in this debate has the full and the only truth, and therefore no
94 one can afford to simply cut off others who come to a different conclusion.

95 Throughout the generations the church has struggled with matters of faith and ethics and has regularly shifted
96 its position on issues. Sometimes this has led the church to be more faithful to its calling, other times it has
97 led the church astray, and courageous people needed to call her back. We recognise that we can err in our
98 decisions, but that we do need to come to positions on matters which so deeply affect our people.

99 **1.6 A Lutheran approach to controversial topics**

100 When Luther appeared before the emperor in Worms, he was challenged to rescind his writings. After a day's
101 time to consider he responded that he cannot simply withdraw everything. His conscience is bound by
102 scripture and reason. Therefore he is willing to be challenged on any of his writings based on scripture and
103 reason.

104 This is a helpful approach in dealing with controversial issues - a conscience bound by scripture and reason.
105 Very often it is conscience that first makes us aware of problematic convictions. This approach drives us to
106 look at scripture and reason to reconsider our standpoint.

107 Although some people claim that it should be scripture only, it is impossible to interpret scripture at the
108 exclusion of reason. As soon as we start to explain scripture, we are already employing reason. Thus it is
109 helpful to conscientiously apply this twofold criterion of scripture and reason rather than claiming to be
110 guided purely by scripture.

111 **2. Guided by scripture**

112 There are different ways of reading the Bible and consequently fundamental differences in its interpretation.
113 UELCSA in its foundational confessional documents is committed to a Lutheran approach to interpreting
114 scripture. A document detailing this approach has been formulated. Entitled "Understanding Scripture", it
115 was adopted at the 2009 ELCSA (NT) Synod⁵. The following is based on this position.

116 **2.1 The Lutheran understanding and interpretation of Scripture**

117 2.1.1 Luther's position on understanding Scripture

118 John's Gospel refers to Jesus Christ as the Word of God: "*the Word became flesh and dwelt among us*" (John
119 1:14) 1 Peter 1:25 "*That word is the good news which was preached to you.*" Luther treasured the Bible for
120 this very reason – because it had unlocked the gospel of Christ for him. That was the core of the matter and
121 still is for us today. Of course, this was nothing new. Luther simply rediscovered what was already there, but
122 got lost over the course of church history.

123 It is the gospel of Christ that is the Word of God. It means that to rely on the Word of God is to rely on Jesus
124 Christ. Faith in the Word is therefore not about accepting a certain idea or theory about the Bible. More
125 importantly, it is about a personal relationship with Christ. Saying that Jesus Christ himself is the primary
126 Word of God means that his life, teachings, suffering, death and resurrection are the central message that God
127 want to communicate to us humans. The biblical text is binding in as far as it witnesses to the redeeming and
128 transforming love of God in Christ. That is what Luther meant when he said that Christ is the ultimate
129 criterion for the relevance of particular texts. He called it "*was Christum treibet*", meaning, "That which
130 promotes Christ". This criterion determines whether a biblical text is binding or not.

131 The Word of God in the Bible comes to us as both law and gospel. Christians still need the law of God. It is
132 useful for maintaining order in society but has as its main function to make us aware of our sin and our need

⁵ Available at http://www.elcsant.org.za/uploads/8/8/3/9/8839616/etsc_-_understanding_scripture_final_-_english.pdf

133 for salvation. The law shows us our sinful nature and keeps evil at bay. The gospel creates faith, grants
 134 forgiveness and leads to a renewal of life in Christ. It therefore declares the grace and truth of God's mercy
 135 in Jesus Christ. So we see that the Word of God consists of both law and gospel each having its unique
 136 purpose.

137 Luther also emphasized the importance of common sense when reading the Bible. It helps us to distinguish
 138 between the historical context into which a text is written, and the message that it has for us today, in our
 139 context. This distinction helps that our faith is not shaken by the diversities of detail within the biblical texts.
 140 When we search the scriptures for answers to contemporary questions we do not look for proof texts which
 141 will give us definite instructions as to how to live. We will search the scriptures from our Christological
 142 understanding of scripture, and carefully examine individual texts for their meaning and message in the
 143 context of the questions and concerns during the time they were written. The message of a text then needs to
 144 be translated from its meaning at the time in question to its meaning for us today. This is not a direct one-to-
 145 one process but one which involves discernment, theological reflection and the prayerful seeking of the
 146 guidance of the Holy Spirit.

147 Most Christians engage in this process in some or other way. For example, many do not literally follow the
 148 command "*sell all you have and give to the poor*" or the Old Testament prohibition on pork.

149 2.1.2 Application of the Lutheran Understanding of Scripture

150 Jesus never spoke about homosexuality; nowhere does he confront or relate to homosexuals, nor to
 151 homosexuality. Consequently we can only speak about Jesus and homosexuality indirectly, i.e. by applying
 152 his teachings, his life and how he related to people.

153 From the gospels we see that Jesus never rejected anybody, nor did he marginalise anybody. He accepted,
 154 loved and forgave. In fact, he focussed his love and attention on the weak, sick and helpless, the suffering and
 155 the rejected of society. We need to keep this attitude of Jesus in mind when dealing with this subject.

156 The fact that it has become fashionable (part of the "spirit of the times "or *Zeitgeist*) to fight for human rights
 157 and so also for the rights of homosexuals is not decisive in our argumentation but only the question whether
 158 it does correlate to or contradict the life and teachings of Jesus Christ. Not our emotions, nor our upbringing
 159 nor our tradition should ultimately determine our position, but Jesus' teaching and life.

160 Further guidance from the NT about how we should relate to one another, can be found in Matthew 22:37-40:
 161 "*The entire law is summed up in a single command: 'Love your neighbour as yourself.'*"

162 The very practical consequence of this understanding of love is found in Jesus' teaching in the Sermon on the
 163 Mount: Matthew 7:12: "*So in everything, do to others what you would have them do to you, for this sums up
 164 the Law and the Prophets.*"

165 In Romans 13:10 Paul states: "*Love does no harm to its neighbour. Therefore love is the fulfillment of the
 166 law.*"

167 It is clear that Love and Christ are at the centre of our interpretation of scripture, but what serves love best
 168 in a particular situation is not always clearly defined. Here our Lutheran understanding gives us the freedom
 169 to interpret, to discuss and debate different ethical standpoints, always remembering that decisions need to
 170 serve love and the good of the other, and not merely ourselves. In many issues the church and Christians
 171 throughout the ages have come to different conclusions, based on their reading of scripture and understanding
 172 of the message of Christ. Sometimes there have been shifts. Starting from the trust in God's grace, people
 173 may interpret and reinterpret scripture, knowing that they may be wrong and needing correction, but also not
 174 shying away from their responsibility to act on issues of their time.

175 **2.2 Shifts in biblical teaching through theological reflection within the Bible and in Church History**

176 Time and again the Church has been and still is severely challenged and has to take decisions on matters.
 177 Throughout history, guided by scripture and the interpretation thereof, this has led to shifts in positions and
 178 doctrines of the Church.

179 In all of the cases listed below there was compelling scriptural evidence that called for staying with the
 180 culturally accepted practice. However, based on Christ, his teachings, and the commandment of love,
 181 decisions were taken that led to the reinterpretation of particular biblical passages, and no longer accepting
 182 them as literally normative.

183 2.2.1 Food Laws (Leviticus 11, Deuteronomy 14, Acts 10-11, 1 Corinthians 8-10)

184 Throughout the Old Testament laws there are prohibitions on certain types of food and regulations on ways
 185 animals should be slaughtered and food prepared. There were “clean” and “unclean” animals, clearly specified.
 186 Unclean were amongst others pigs and any sea creatures without fins or scales (Dt 14:8-9). Because the purity
 187 laws involved strict separations, anything that came out of a gentile kitchen would have been unclean, even
 188 if it did not involve forbidden food. The food was also unclean if the right washing rituals had not been
 189 followed. Jesus gave quite a clear answer to this: “*Nothing outside a man can make him ‘unclean’ by going*
 190 *into him. Rather, it is what comes out of a man that makes him ‘unclean’*” (Mk 7:14). The apostolic council
 191 ruled in the spirit of these words of Jesus when it gave only a minimalist set of instructions to the Gentiles, to
 192 enable them to share in fellowship with the Jewish Christians. Today most Christians do not have a problem
 193 eating pork or many types of seafood. We generally do not even follow the food laws of Acts 15, as the reason
 194 for their suggestion is no longer relevant today. “*Everything God created is good, and nothing is to be*
 195 *rejected if it is received with thanksgiving*” (1 Tim 4:4).

196 2.2.2 Fellowship with the Gentiles (3 Maccabees, Jub 22,16, Acts 10,11)

197 For law-abiding Jews, any kind of table fellowship with Gentiles was impossible as they were ritually unclean
 198 and would not prepare the food in the right way. Peter was rebuked by the church leadership in Jerusalem for
 199 sharing a meal with Cornelius, an uncircumcised Gentile (Acts 11:2-3). He had done so after receiving a vision
 200 from God, who showed him a whole lot of "unclean" animals and told him to eat: "Do not declare unclean
 201 what God has declared clean " (Acts 10). This vision is not ultimately about food, but about fellowship with
 202 Cornelius, the "unclean " gentile. This marked a permanent shift in early Christianity. Fellowship between
 203 Jewish and Gentile Christians became possible.

204 2.2.3 Circumcision (Genesis 17,10; Leviticus 12, 2&3, Acts 15, Galatians 5)

205 This was one of the first major challenges threatening to split the early Church.

206 In addition to the keeping of kosher laws and feast days, circumcision was a main marker for Jewish
 207 exclusivity. While this was non-negotiable in Judea, Jews (and Jewish Christians) in the Diaspora who lived
 208 as minority among Gentiles practised circumcision to a much lesser degree, if at all. Among some
 209 communities, particularly in Galatia, "Judaizer" groups emerged who promoted and even demanded
 210 compliance with Jewish basic practices, such as circumcision.

211 Paul opposed the insistence on certain aspects of the Jewish Law in his letter to the churches in Galatia: "*I*
 212 *declare to every man who lets himself be circumcised that he is obligated to obey the whole law.*" (Galatians
 213 5:3) People cannot claim salvation in Christ and combine it with a choice of laws that also have to be followed
 214 in order to be justified. Either you follow the whole law and reject Christ, or you follow Christ and his law of
 215 love, meaning a faith expressing itself in love (5:6, 6:15).

216 The dispute around circumcision required the leadership of the early church to meet as council at Jerusalem.
 217 The account in the Acts of the Apostles (15:1-21) reflects a much more reconciliatory tone than the one
 218 rendered in Galatians (2:1-10). Rather than the long discussions on the matter, it was the personal witness of
 219 Peter (Acts 15:7-11), Barnabas and Paul (15:12) that led James , who was the strongest proponent of
 220 circumcision, to the judgment "*not to make it difficult for Gentiles who are turning to God*" (15:19). Based on
 221 these witnesses, with a stroke of a penned letter to the churches in Antioch, Syria and Cilicia, circumcision
 222 ceased to be obligatory for diaspora members of the early Church.

223 2.2.4 Slavery (Exodus 21,2&7, Leviticus 25, 44, Ephesians 6, 5-6; Colossians 3, 22-23, 1 Corinthians 7:20-22 224 and Philemon).

225 The phenomenon of slavery was not only taken for granted, but its morality was never questioned during the
 226 whole of Antiquity, the Middle Ages as well as the better part of the Modern Era. The abolition of slavery itself
 227 was a lengthy political process which took more than 30 years in Britain before the Slave Trade Act of 1807
 228 was passed. While some Christians, like William Wilberforce, made this their life project, there were other
 229 Christians who advocated the continuation of legal slavery until the mid 19th century, claiming the "God of the
 230 Bible" to be on their side. Quoting texts such as Paul sending Philemon back to his master or "*Slaves, be*
 231 *obedient to your masters,* " (Ephesians 6,5), they argued that slavery was part of the God-given order of
 232 nature.

233 By the 20th century, however, Christians had by and large distanced themselves from a biblical justification
 234 of slavery. Again, the decisive motivation to do away with slavery from a Christian point of view was Christ -

235 his life, death and the essence of his teachings.

236 2.2.5 Ordination of women (Genesis 3,16, 1 Corinthians 14,34, 1 Timothy 2,11-15)

237 In most societies where Christianity existed and expanded, women had a subdued role. Biblical justifications
238 of the subservience of women included blaming Eve for the fall, and quoting “*Wives submit to your husbands*”
239 (Ephesians 5) and “*I permit no woman to teach, she is to keep silent*” (1Timothy 2:12). It was only when
240 Christians took seriously the many other references in Old and New Testament which show women in leading
241 and leadership roles, that they challenged this. Subsequently many Churches revised their position and allowed
242 women into leadership positions, even challenging social society in the process. Already in 1750 Count Nicolas
243 von Zinzendorf, leader of the Herrnhuter Brüdergemeinde (today known as the Moravian church), ordained
244 women, and appointed a woman as his successor to lead the movement.

245 **2.3 Biblical passages on the subject of Homosexuality**

246 2.3.1 Old Testament

247 2.3.1.1 Genesis 1 and 2

248 *So God created the human in his own image... male and female he created them. God blessed them and said*
249 *to them, “Be fruitful and increase in number....” Gen 1: 27-28*

250 *For this reason a man will leave his father and mother and be united to his wife, and they will become one*
251 *flesh. Gen 2: 24*

252

253 One of the main reasons people reject homosexuality is that they say it is against the order of creation. In
254 the creation story in Genesis 1 God creates man and woman, both in his image and gives them the
255 commandment to be fruitful and multiply and fill the earth. This account is the foundation for human dignity
256 of all people, created by God. The blessing of God rests on the union of man and woman, which also results
257 in procreation.

258 In Genesis 2 God creates *adam* (adam means: the human being), and then looks for an appropriate helper
259 and companion. The reason is that it is not good for *adam* to be alone. Amongst the animals no suitable
260 companion is found. This results in the dividing of the human being into male and female. Thus human
261 community, sexuality and companionship are created. A man will leave his father and mother, commit/cling
262 to his wife and become "one flesh" with his wife. This shows that sexuality is a good creation of God,
263 intended for more than just procreation. The images here are of mutual support, commitment and belonging
264 together.

265 In these stories sexuality is described as good and God-given and carrying the blessing of God. The
266 depiction here is of a monogamous heterosexual relationship. Other forms of sexuality, such as polygamy
267 (Jacob) and celibacy (Samuel) were accepted or in some cases even recommended in biblical times, but are
268 not referred to in Genesis 1 and 2 at all.

269 These texts can therefore not be used to judge or reject other forms of sexuality, because they do not refer
270 to them. It would be wrong to imply from Genesis 1 and 2 that single people are not blessed, nor couples
271 who cannot have children. It would be just as wrong to conclude from these texts that homosexuality is
272 condemned.

273 Undoubtedly sexuality is a powerful force in society without which there would not be life. This carries
274 God’s blessing. Human beings have been created by God as sexual beings in need of a committed
275 relationship and companionship. However Genesis 1 and 2 do not make normative statements about how
276 human sexuality is to be lived out.

277 2.3.1.2 Genesis 19 and Judges 19

278 *They shouted to the old man who owned the house, ‘Bring out the man who came to your house so we can*
279 *have sex with him.’ The owner of the house went outside and said to them, “Not, my friends, don’t be so*
280 *vile. Since this man is my guest, don’t do this disgraceful thing. Look, here is my virgin daughter, and his*
281 *concubine....” Judg 19:22-23*

282 A story that is often quoted in the debate around homosexuality, is Genesis 19, the story of Sodom and
 283 Gomorrah. Some believe that these cities were destroyed because of homosexual practice (Sodom is the
 284 root of the word "sodomy"). In this instance however the issue is not one of a different sexual orientation,
 285 but of violent rape and the attempted violation of someone who was a guest in the city. Lot sacrifices his
 286 daughters to protect his guest, because hospitality was the highest duty. The text refers to a society that has
 287 lost all regard for basic principles and care for fellow human beings.

288 A very similar story is told in Judges 19. Here too the issue is rape. The high duty to protect guests did not
 289 extend to concubines. In a patriarchal society, violating a man was a much greater evil than violating a
 290 woman. Today we condemn violence against women and men in equally strong terms. These texts thus
 291 cannot guide us in our discussion on same sex relationships.

292 2.3.1.3 Leviticus 18 and 20

293 *Do not lie with a man as one lies with a woman; that is detestable.* Lev 18:22

294 *If a man lies with a man as one lies with a woman, both of them have done what is detestable. They must*
 295 *be put to death; their blood will be on their own heads.* Lev 20: 13

296 To understand the laws in Leviticus, and to assess their relevance for Christians, it is important to
 297 understand them in their context. The laws were formulated at a time when the Israelites had lost the centre
 298 of their religion and faith, the temple in Jerusalem. A new way of relating to God had to be developed.
 299 In Jerusalem there were a whole set of rituals and laws as to how to enter God's presence. Only the priest
 300 could enter the presence of God in the Holy of Holies. Other people could only enter the outer circles of
 301 the Holy places. In Exile people realised that they could encounter God anywhere, anytime. But now it
 302 became important to be worthy of this encounter, by living a holy and pure life, separated from people who
 303 did not live such a holy life, so as not to become defiled. To maintain their faith and culture in the foreign
 304 land, they developed ways to set themselves apart with strong marks of identity and practice. In this
 305 context, the then existing laws, such as the Code of Covenant, were augmented and reformulated for this
 306 new time. The Holiness Code in Leviticus formulated exactly what constituted a holy lifestyle and
 307 acceptable and non-acceptable behaviour. Leviticus 19.2 states: "*Be holy because I, the LORD, your God,*
 308 *am holy!*"

309 The laws in Leviticus 18 and 20 define what is unacceptable sexual behaviour. Many of these practices are
 310 condemned because they are practised in "Egypt and Canaan", seen as sexually impure and oppressive
 311 nations. In the context, these were also code words for Babylon, the culture which was threatening to
 312 obliterate their faith and identity. The Israelites are to distance themselves from them and be set apart.
 313 They are laws which as a whole define the sphere of purity and holiness. In Leviticus 18 no punishment
 314 is threatened, in Leviticus 20 it is declared that transgressors will be "cut off" or "put to death".

315 The list includes on the one hand practices which are still considered unacceptable by most societies today,
 316 for example incest (18:6ff) and sacrificing children (20:1), and on the other hand practises which are
 317 considered part of personal choice, or reason for counselling but not the death penalty, such as intercourse
 318 during the monthly period of a woman (18:19), or broken relationships with parents (20:9). The rest of the
 319 Levitical holiness code also contains laws against practices which are either still unacceptable for example,
 320 spreading slander (19:16) or defrauding or robbing the neighbour (19:13) or which are today completely
 321 normal for example planting the field with two kinds of seed, or wearing clothing woven of two kinds of
 322 material (19:19) or clipping one's beard (19:27).

323 Taking them in context of the Holiness code, people needed to keep all these laws meticulously, to be set
 324 apart as people of God and to be holy and worthy enough to meet God. We need to ask whether the whole
 325 system of purity and holiness is still relevant for Christians. If one begins differentiating, one needs to ask
 326 individually what was the purpose and context of each law, and whether that purpose is still applicable
 327 today.

328 What was the purpose of the prohibition on homosexual acts? Was it regarded as "wasting seed" in a time
 329 when producing offspring and continuing the family line was an all-important duty? (See the story of Onan
 330 Gen 38:8-10 and Deut 25: 5-10) Or was it abhorrent because it confused the clearly hierarchical gender
 331 relations? We will never know for sure.

332 When dealing with these passages it is important not to single out the laws on homosexual acts as binding

333 while ignoring all others, but to treat all of them in the same way: either as binding as a whole, or as worth
334 considering as to their individual purpose and meaning today.

335 2.3.2 New Testament passages

336 2.3.2.1 1 Corinthians 6

337 *Do not be deceived: Neither the sexually immoral nor idolaters nor adulterers nor male prostitutes nor*
338 *homosexual offenders... will inherit the kingdom of God. 1 Cor 6:9-10*

339 In none of his letters does Paul respond to a direct question about homosexual relationships. He does
340 however discuss matters of marriage and prostitution. (1Corinthians 6.12-20, 7).

341 He addresses issues that endanger the Christian witness, such as quarrels and legal battles (6, 1-8), and
342 the sanctity of our bodies, belonging to Christ.

343 In this passage he also mentions practises that are regarded as unclean or unholy and being in
344 contradiction with Christian life. These include idolatry, immorality, adultery, greed, stinginess,
345 drunkenness, swindling, slandering as well as sexual practices commonly found in societies of the time,
346 particularly referring to anal and oral sex. As they became Christians, they should not continue with
347 these, since they have been washed and cleansed by Christ, and these are incompatible with Christian
348 living. Paul takes as a given the Jewish abhorrence of the libertine lifestyle of the Greeks, which
349 included homosexual relationships which were often exploitative, and does not argue about the question
350 whether such relationships may be justifiable for Christians. His intention is to challenge Christians to
351 glorify Christ with their life style, habits and actions, including their sexual behaviour.

352 2.3.2.2 Romans 1

353 *Because of this God gave them over to shameful lusts. Even their women exchanged natural relations*
354 *for unnatural ones. In the same way the men also abandoned natural relations with women and were*
355 *inflamed with lust for one another. Men committed indecent acts with other men, and received in*
356 *themselves the due penalty for their perversion. Rom 1: 26-17*

357 In Romans 1:18-32 Paul is speaking in general terms about the sinful state of humanity without the
358 gospel, and not about homosexuality in particular. Homosexual acts are mentioned as part of a long list
359 of abominations and vices committed by a sinful humanity. Again he takes the Jewish condemnation of
360 this practice as a given. The overall effect is to characterize human unrighteousness in desperate need
361 of God's righteousness. The purpose of the whole passage is not to single out homosexual people as
362 particularly sinful, but to build a carefully constructed argument about the sinful nature of all of human
363 life, and that we are all in need of the grace and forgiveness offered in Christ. Within this argument,
364 Paul uses an example as illustration that most of his Jewish Christian critics would have agreed with as
365 an example of immoral behaviour. Just as in the Corinthians passage, he takes the common Jewish
366 condemnation of the practice as a given. But this agreement then leads to the place where the table is
367 turned to the realisation: But you who condemn others, are no better (Rom 2:1). Using Paul here as an
368 excuse to particularly condemn a certain group of people misses the whole purpose of his argument,
369 which is that “*Jews and Gentiles alike are all under sin*” (Rom 3:9).

370 What is Paul speaking of, when he uses his illustration? It is clear when looking carefully at this
371 passage, that Paul is not dealing with the issue of sexual orientation, but of what he sees as immoral
372 practises, common in the Roman empire. These involved self-gratification, the glorification of the body
373 and pleasure, and often sexual abuse of slaves. Paul would have had the agreement of those he is
374 addressing in his letter in referring to these practises as “unnatural lust” (Romans 1:21-27). It is
375 important to note, that this same word is used in 1 Corinthians when arguing that women should cover
376 their hair during worship, and that long hair is a disgrace to a man, but the glory of a woman. (1 Cor
377 11:14-15) This shows that “unnatural” in this context refers more to accepted cultural norms than to laws
378 of nature. What is natural and unnatural in the context of sexual orientation is something that needs to
379 be investigated with the tools of science. (See later section).

380 2.3.2.3 1 Timothy 1

381 *We also know that the law is made not for the righteous but for lawbreakers and rebels, the ungodly and*
 382 *sinful, the unholy and irreligious, for those who kill their fathers or mothers, for murderers, for the*
 383 *sexually immoral, for those practicing homosexuality, for slave traders and liars and perjurers—and*
 384 *for whatever else is contrary to the sound doctrine. 1 Tim 1:9-10*

385 Here the argument is about false teachings and the purpose of the law, not about homosexuality as such.
 386 As in the previous passages, the condemnation of homosexual practice is taken as a given and used as
 387 an illustration to make a different theological point. This was also written in the context of permissive
 388 Greek society where many practices were abhorrent for those from the Jewish culture. Again one can
 389 question whether people who have committed same sex relationships belong in the category of
 390 “*lawbreakers and rebels, the ungodly and the sinful*”.

391 **2.4 Conclusion - guided by scripture**392 2.4.1 Conclusion from Old Testament texts:

393 Most of the passages in the Old Testament are not applicable to the issue at hand. In the case of Leviticus,
 394 it needs to be decided if Christians still need to adhere to the entire holiness code. From our understanding
 395 of the centre of scripture we need to state, that Christians do not need to keep a set of moral codes in order
 396 to be pure and holy enough to stand before God. We have been justified through Jesus Christ. The system
 397 of purity and holiness in Leviticus has been rendered obsolete by Christ. However the law may still be useful
 398 to keep order. We can differentiate where this is the case. The apostles’ council declared the bulk of the
 399 Old Testament dietary, holiness and cultic laws as not applicable to gentile Christians (Acts 15:28-29). The
 400 laws they kept were those they perceived as useful in facilitating communion between Jews and Gentiles.
 401 This already shows a precedent in differentiating between laws still applicable and those no longer
 402 applicable. We need to take each Levitical Law individually and determine whether it serves the common
 403 good.

404 2.4.2 Conclusion from New Testament texts:

405 There are no New Testament texts which deal with the issue of homosexuality directly, all take the Old
 406 Testament rejection of it for granted. There is no new discussion on this issue itself in the light of the Christ
 407 event and Christian life. The Pauline texts take the rejection of it as given and thus use it to argue a different
 408 point, that is the sinfulness of all humanity, and everyone’s need of redemption in Christ. There is also the
 409 challenge to Christians to live a life to the glory of Christ, also in the way they order their sexual
 410 relationships. When asking the question whether homosexuality should still be included in the general
 411 category of "immorality" these texts as they stand cannot give guidance as no biblical text addresses a
 412 committed homosexual relationship.

413 An important question to ask here would be whether Paul would oppose a caring adult relationship of
 414 mutuality between two people who are believers and want to be part of a Christian faith community. From
 415 the text in Romans 1 it is clear that Paul was not dealing with the question of monogamous, life-long, faithful
 416 same-sex relationships within the faith community.

417 **3 Informed by reason**418 **3.1 The Lutheran understanding on the role of reason and science**

419 From a Lutheran understanding, Scripture needs to be understood from its centre. It leads us to faith and
 420 shapes our basic ethical position, which is that our actions should serve the commandment of love given to
 421 us by the Lord himself. We have been liberated by faith so that our actions are not directed by a concern for
 422 our own salvation, but by a concern for the world, our neighbour and the earth as a whole. While our general
 423 approach is guided by scripture, the details of our actions are never dictated to by specific biblical texts, but
 424 informed by reason, discussion, thoughtful reflection about what Jesus Christ may have done in a specific
 425 situation.
 426

427 Scripture gives us contextual answers to how people in their time saw it best to serve God and their
 428 neighbour. These are only normative for us in as far as they still serve love and the neighbour best. Paul
 429 writes, *"Everything is permissible, but not everything is beneficial. Nobody should seek his own good, but*
 430 *the good of others."* (1 Corinthians 10:23-24) What is beneficial needs to be carefully considered, knowing
 431 the situation. In some places Paul states that he can be critiqued for his arguments, but he needs to give
 432 guidance anyway (eg 1 Corinthians 7,12). Arguing by reason of course always needs to be motivated by
 433 love, so as not to become simply self-serving. Here scripture needs to sharpen our consciences continually,
 434 so we do not abuse the freedom we have been given in Christ for our own selfish ends. Our freedom is a gift
 435 which we need to use in the service of others. We have freedom from the law, but we have no freedom to
 436 override the law because it does not suit us. The law is not to be used as a literal normative guide. Instead
 437 we have the freedom to work towards new applications of God's will to care for and order society and
 438 relationships. Such new applications need to make sure that all people are free to be who they are and are
 439 protected from discrimination, abuse and exploitation.

440 *"A Christian is the most free lord of all, and subject to none. A Christian is the most dutiful servant of all,*
 441 *and subject to everyone."* (Luther's "Freedom of the Christian") For this reason, ethical decisions need to
 442 be carefully considered, with rational argument, as to what effect they are likely to have, and whether they
 443 will really serve the neighbour. They need to be discussed within the context of a broader Christian
 444 community. But it may happen after such careful consideration, that Christians come to different
 445 conclusions.

446 Specific ethical decisions are shaped by reasonable argument as to what best serves the neighbour or the
 447 community in a particular situation. In the time of Luther, science was not yet the force or authority it is
 448 today, but Lutherans recognise today in scientific argument a major way of using reason. This is not to say
 449 that scientific argument cannot be critiqued. It too can become self-serving if used without conscience.
 450 However best science should be considered in any ethical decision making. The fact that there may be broad
 451 consensus of the scientific community in a question does not make this mandatory for Christians, but it is
 452 a voice that Christians need to take seriously. Lutherans are not threatened by the discoveries of science and
 453 actively participate in the scientific endeavour, believing it is God who gave us the tools to discover the
 454 workings of His creation and to improve our own lives. Where science becomes self-serving or destructive,
 455 this should be critiqued, from the whole witness of scripture, which testifies to a God of life and love.

456 **3.2 Positions shaped by reason and science in the history of the Church**

457 In the course of the history of the Church there were various occasions where scientific findings initially
 458 caused an uproar, even excommunication and execution, but were slowly accepted within the church. On
 459 many issues, science has caused a shift in understanding and praxis, also within the church.

460 3.2.1 Cosmology

461 This is one such example. The discovery by Copernicus which said that the sun was the centre of the solar
 462 system and the earth was a revolving planet, contradicted the biblical world view that the earth was created
 463 firm on its foundations, and the heavenly bodies moved across the firmament of heaven. Galileo was made
 464 to retract his findings supporting this view by the Inquisition on pain of death. However today the Church
 465 does not dispute this scientific view of the universe any longer or find it a threat to faith.

467 3.2.2 Epilepsy and other medical conditions

468 In biblical times, Epilepsy was believed to be caused by evil spirits and was cured by performing an
 469 exorcism. While no one can exclude this today, science has determined the causes of normal epileptic
 470 seizures and can treat these. Most Christians accept this understanding of Epilepsy and do not perform
 471 exorcisms on epileptics or other people diagnosed with a scientifically known illness because this is done
 472 in the Bible.

473 **3.3 The scientific understanding of homosexuality**

474 The contemporary scientific consensus is that homosexuality is a normal part of the range of human sexual
 475 behaviours. Studies have shown that there have always been a certain percentage of homosexuals in the

476 human population⁶. Even in the animal kingdom homosexual behaviour has been recorded, so it is no longer
 477 seen as "unnatural". The general consensus amongst health professionals is that basic sexual orientation
 478 cannot be changed. In 1974 homosexuality was removed from the register of mental illnesses or pathological
 479 conditions by the American Psychiatric Association. This was a long process, controversial and resisted.
 480 Crucial in the change as recounted by Drescher and Merlino was the witness (initially anonymously) of gay
 481 psychiatrists, that they were perfectly capable of functioning as normal members of society⁷. A homosexual
 482 orientation is no longer regarded as a problem to be rectified by most professional counsellors, but as a
 483 normal expression of human sexuality which ranges on a continuum from exclusively heterosexual to
 484 exclusively homosexual. The question of what causes this difference in sexual orientation is as yet not
 485 clarified.

486 Some claim that homosexuality can be cured. These claims are very difficult to verify. Firstly it is clear that
 487 throughout the ages, homosexuals have managed to suppress their natural inclination and refrain from
 488 homosexual behaviour. Many have married and have had children, others stayed celibate. If someone claims
 489 to have been cured, it may just be a change of behaviour, that is a suppression of homosexual desire and a
 490 choice to live a heterosexual, even if less satisfying relationship. Secondly, people who claim to be cured
 491 may be those who may have had homosexual experiences but who are not on the extreme of the spectrum,
 492 thus are able to live in a satisfied heterosexual relationship.

493 Professionals argue and experience shows that asking homosexuals to suppress their inclination and try to
 494 live something that they are not and can never fully be, may result in damage to psychological stability and
 495 emotional well-being, ultimately also in the health of all their relationships⁸. This can sometimes lead to
 496 personality disorders, depression or even suicide. Keeping one's orientation well hidden in the closet can
 497 be an immense drain on human energy and creativity and a cause of intense suffering. It is argued that to
 498 allow gays and lesbians to live in committed relationships, which are under similar social protection as
 499 heterosexual marriage enables them to be positive and productive members of their community. Many
 500 Christians argue that allowing same-sex relationships threatens traditional marriage, However there have
 501 been no studies to substantiate this contention. The marriages that break down because a partner is gay or
 502 lesbian, show the problem rather than being a proof of the threat of same-sex unions to marriage.⁹

503 3.4 Conclusion on issues of reason

504 The Christian Church has often been slow to accept scientific findings and has not always allowed these to
 505 inform its decisions. However it is clear that the Church's position on many issues has shifted through the
 506 centuries as scientific discoveries have progressed. In determining its stand on homosexuality, the Church
 507 should take seriously the finding that science sees this as a normal expression of human sexuality and that
 508 committed gay or lesbian relationships do not harm but rather benefit society.

509 Findings based on applying the criterion of scripture and reason

510 4.1 The gift of Sexuality

511 Scripture shows that human sexuality was created by God for relationship, not only for procreation. It is a
 512 good gift from God and should be lived in loyalty, commitment, respect, honour and love (Genesis 2:24).

⁶ For example Whitam, F., 1983, "Culturally invariable properties of male homosexuality. Tentative conclusions from cross-cultural research" in *Archives of Sexual Behaviour* Vol 12, No.3
 Available from <http://link.springer.com/article/10.1007/BF01542072#page-2>

⁷ Drescher J. & Merlino J., 2007, *American Psychiatry and Homosexuality: An oral history*, Harrington Park Press, London.

⁸ Garnets, L. & Kimmel D. (ed), 2003, *Psychological Perspectives on Lesbian, Gay and Bisexual Experiences* p191 ff, Columbia University Press, New York.

⁹ For the effect on parenting: Meezan, W. & Rauch, J., 2005, "Gay Marriage, Same-Sex Parenting, and America's Children" in *The Future of Children* Vol 15, No 2 pp 97-113

513 We accept the scientific finding that homosexuality is not a deviation, but a normal expression of human
 514 sexuality. Therefore such relationships, lived in responsibility, commitment and love are part of God's good
 515 creation.

516 **4.2 Laws to curtail immorality**

517 People still need laws to regulate behaviour and particularly to protect the vulnerable. The biblical laws
 518 against immorality can still be used where these are appropriate, but the context and purpose needs to be
 519 clear. The church needs to keep debating its definitions of sexually responsible and irresponsible behaviour
 520 in an age where sexual behaviour is shifting constantly. Some people today would see all forms of sexual
 521 behaviour between consenting adults as acceptable. Others would dispute this. This needs ongoing debate
 522 and discussion. However from the findings above there seems to be no reason for making sexual orientation
 523 a factor in defining immorality. Much more important is the question of mutuality and commitment.
 524 Christians should reject all forms of sexual interaction that damage relationships, or are coercive, abusive
 525 and exploitative, regardless of orientation.

526 **5 Implications of these findings for the Church**

527 **5.1 Dealing with disagreements**

528 This is a highly divisive topic and the whole range of positions discussed in point 1 are found in our church.
 529 There is a conflict between the commitment to church unity, that is, the interest to take all members of a
 530 church along in the search for a new path, and the need to end the rejection and discrimination against a
 531 whole category of congregants, as well as clergy who want to serve Christ, but also want companionship and
 532 support.

533 How does one balance the responsibility to the church as a whole and the responsibility to act in accordance
 534 with what conscience and theological reflection seems to indicate is the right thing to do? This is not an easy
 535 choice to make and will involve conflict, pain and disappointment on one side or the other. It is important
 536 to realise that ultimately each one, regardless of their standpoint, remains accountable to the Lord of the
 537 Church. Accepting one another (Romans 15, 7) and bearing with each other (Colossians 3, 13) can be
 538 painful, and needs to be practised. Even if people feel they cannot accept certain practises of the church,
 539 it is hoped that they will accept that these are based on Christian conviction.

540 In John 17 Jesus prays "*that they may be one*". It is clear from biblical witness that the Church experienced
 541 tension and disunity right from its inception. Even the disciples of Jesus had regular disagreements.
 542 Differences of opinions are unavoidable, but our common aim, purpose and goal as reflected in the prayer
 543 of Jesus should be clear: that the world may hear the gospel of Christ and get to know the Father. In all our
 544 heated deliberations on this topic we shall/ may not forget our calling and ultimate purpose.

545 **6 Implications for the employment of Pastors**

546 Ongoing discussion and deliberation on this topic is encouraged.
 547 The following is put forward by this commission for discussion. These findings would require no change
 548 in the church law on ordination of pastors:
 549 Based on the findings of this document sexual orientation shall not play a role in the decision on the
 550 ordination or employment of pastors.

551 The same academic and psychological criteria of eligibility shall apply to all candidates for the ministry.
 552 It remains UELCSA's principle that no candidate can be guaranteed a placing in the church.

553 It remains the prerogative of the congregation to elect or not elect the pastor based on the constitution and
 554 rules of the Church.
 555

556 We hope and pray that this document will help with discussions and a responsible, respectful dealing with
 557 this topic in our Churches.

558 October 2015