A Supplementary Submission to the Senate Inquiry into the Marriage Equality Amendment Bill 2009 from the Revd Nathan Nettleton at the request of Senator Guy Barnett

When I appeared as a witness before the Committee's hearing in Melbourne on Monday, 9 November 2009, Senator Guy Barnett asked whether I would be willing to provide a written account of the biblical basis for the views I expressed. At the time, I understood this request to be in relation to my views on the compatibility of homosexual marriage with Christian discipleship. From the nature of the conversation between the two of us, I still think that is probably what the Senator was looking for. However, the transcript suggests that his request may have been in relation to my comment that love need not be a prerequisite for marriage. Given this possible confusion, I will attempt to provide both.

"Love" and Marriage

I think think this question arose because my comments on the matter we not sufficiently clear. After reading the transcripts of the various discussions, I now realise that the context of the question about the relationship of love to marriage was the relative importance of love in providing the best possible conditions for raising children. I mistakenly heard it as relating instead to legal or moral prerequisites for a valid marriage. In these two contexts, the word "love" is normally used differently. In fact, in the ancient Greek language of the New Testament scriptures, two different words for love would have been used.

In discussing the importance of love within a marriage to create a healthy context for raising children, the Greek word would be *agape*. *Agape* love is the love that Jesus speaks of as a command: "Love one another as I have loved you" and "Love others as you love yourself." It is the selfless love that causes us to put the welfare of others ahead of our own interests, and it is a commitment rather than a feeling. Indeed, it may even run counter to our feelings, because Jesus told us to love our enemies.

I would wholeheartedly affirm the importance of *agape* love, both as a prerequisite for a healthy marriage and as a necessary quality for creating a healthy environment for the raising of children.

My confusion, and thus my confusing statement, came because I mistakenly interpreted the discussion as suggesting that "being in love" was a prerequisite for a morally valid marriage. It is to this that I was expressing my dissent. This view is so widespread in our society that it is almost regarded as a truism. Ask most people about the prerequisites for marriage, and you are more likely to get a statement about the couple being "in love" than you are to get anything that sounds like the current legal definition of marriage. But what people mean by being "in love" is not the same as the *agape* love described above, and this can be seen by noting how people talk about being no longer in love. It is seen as something that comes and goes, almost of its own accord, not as something you can choose and maintain regardless of how you feel. The Greek word for this "being in love" is *eros*. It is the sensual experience of being smitten by someone's allure, of being sexually attracted to and infatuated with someone. It is largely involuntary: enormously exciting and fun, but notoriously unreliable.

In our society, this *eros* love is commonly regarded as the feeling that will make the exclusive fidelity of marriage attractive and possible. This, in my opinion, is bad theology and bad psychology. To anchor fidelity to something so unreliable is probably the biggest single threat to the institution of marriage in our day. In many other societies today, and most societies in the past, *eros* has not been seen as a necessary prerequisite for marriage, but as a delightful product of the dedicated fidelity

and *agape* love of a good marriage. It has been the icing on top of a cake baked of fidelity and *agape*. Our society has tried to make *eros* the cake and fidelity the icing, and the results have been disastrous.

Both *agape* and *eros* are valued and celebrated in the Bible. The Song of Songs is a joyous celebration of *eros* love, and it has been interpreted down through the centuries as an allegory of God's impassioned and sensual love for the human race. However, we are never commanded to have *eros* love for one another, even for our marriage partners. The largely involuntary nature of *eros* would make such a command meaningless anyway. The passages that command us to love our marriage partners (eg. Ephesians 5:25-33) all use the word *agape*. But then, we are commanded to love everybody, even our enemies, with this *agape* love, so it is not something that would help us decide who we should marry!

I am not aware of any biblical passages that would suggest that *eros* love is a required condition for commencing a marriage. At present, the legal definition of marriage in Australia makes no mention of love. While I would agree that a willingness to commit to a lifetime of *agape* love should be understood as a prerequisite for marriage, I doubt whether it would be wise to try to write it into the legislation. Given that the English language lacks the ability to easily nuance a legal understanding of love, such an addition would be in danger of further entrenching the current dangerous idolising of *eros*.

If anything were to be added to the current legal definition of marriage, I think a case could be made for a reference to mutuality. I gladly support the proposed replacement of the phrase "a man and a woman" with the phrase "two people, regardless of their sex, sexuality or gender identity". However, as I said in answer to a question at the hearing, I do not support the removal of the phrase "to the exclusion of all others". I can't find any explanation of its proposed removal in the bill's explanatory documentation, an so I wonder whether it might have been left out in error, or possibly in the mistaken impression that it sought to exclude alternatives to "a man and a woman." I believe the intent of the phrase is to define sexual fidelity as integral to our understanding of marriage.

If left in, our legal definition of marriage would require three things of a couple seeking to marry:

- that their union be voluntary;
- that their union be faithful (to the exclusion of all others);
- and that their union be entered into for life.

I would welcome the addition of a requirement that their union be "for their mutual benefit" to preclude the outmoded sexist assumptions that still linger in some quarters.

Now, in response to the question I thought I was being asked, I must turn to the biblical basis for my support for opening up the institution of marriage to people "regardless of their sex, sexuality or gender identity".

The Biblical Case for Rethinking the Church's Condemnation of Homosexuality

It is often argued that the Bible offers absolutely no support to those who support the full acceptance of homosexual people in the church, and that the Bible is definitively on the side of those who oppose such acceptance. While I cannot prove that my own non-conformist opinions are right, I believe I can demonstrate that there is a sound and persuasive Biblical basis for questioning the traditional teachings and formulating alternatives.

Personal Background

Since biases and vested interests are almost inevitable in this debate, I should begin by acknowledging where I come from. I was not always a supporter of gays in the church. Far from it. As a fifteen year old, I was targeted disturbingly, but fortunately not very successfully, by a sexual predator who was an older male friend of my family. That experience left me with a hatred of homosexuals, and as I moved into my late teens and adopted the naive religious fundamentalism typical of that age group, I readily embraced a vehemently anti-gay stance. I got married too young and immature and found myself, against my will, divorced by the time I was twenty four. That put me in one of the categories of people who I had judged as sexually failed and for whom lifelong celibacy was the only path compatible with Christian discipleship.

Being on the receiving end of evangelical sexual judgementalism (some of which was coming from me) led me to ask, "Who else is out here? Who else is marginalised and left without hope of acceptance by the kind of thinking I've embraced?" That was when I discovered some sense of solidarity with gay people. I could relate to their alienation, even though I've never been able to relate to being sexually attracted to men. I find it hard enough to understand why women would be sexually attracted to men!

A few years down the track, my theology was maturing into something that took the Bible a lot more seriously (although not nearly so loudly), and then I fell in love with a girl in one of my theological classes and was soon thinking about re-marriage. I was reminded that it was still not acceptable to many of my evangelical brothers and sisters, because when I was accepted for ordination, some members of the selection committee declared that although they thought that in all other respects I was an excellent candidate, they had to vote against my acceptance because I would not rule out re-marrying. So, while I had discovered in the crucified and risen Christ a grace that could allow new life after death, I remained very aware of what it feels like to live in the morally ambiguous space that is created by grace.

All of this obviously resulted in some significant rethinking of my approach to ethical discernment and decision making. Thinking through what that meant for homosexual people became an imperative when I accepted a call to pastor the Baptist church at , because the and area is main male gay precinct.

Principles for Re-evaluating Biblical Laws

Many passages in the New Testament, and the stories of Jesus in particular, offer examples and rationale for questioning and reevaluating the ongoing applicability of old traditions and laws — even Biblical ones. The accusation that he disobeyed Biblical laws was central to many of Jesus' conflicts with the Pharisees, and so both his example and, where provided, his defence give support to (at least) our right to question the Bible's statements on homosexuality. Matthew 15:1-20 and Mark 7:1-23 give Jesus' most extended teaching on the subject, and in these he outlines how unquestioning adherence to traditional teaching, even Biblical teaching, can end up contravening the will of God. Both here and in his response to the question of the greatest commandment (Mark 12:28-34 & parallels), Jesus lays the foundation for questioning and sometimes setting aside a law because its practise has come to contravene the essence of the law.

Jesus does not argue that the laws about acts of purification were never valid. Instead he appears to be arguing that they are no longer fulfilling their purpose of encouraging and facilitating purity of heart, and that once they no longer serve that purpose, they become idolatrous. While a few laws, such as the laws of love for God and neighbour, are seen as absolute and are not only reiterated but strengthened (love your enemy) by Jesus, most are seen as purely functional. They need to be cast

aside and replaced if their social context changes in such a way that they no longer perform their function or perhaps even begin to undermine it.

This principle is seen at work in the Acts and Epistles in the questioning and overturning of the requirement to observe the kosher food laws and the circumcision laws. Paul argues repeatedly that if we obey the law simply because it is the law we become slaves of the law. If on the other hand we are led by the Spirit who writes God's covenant on our hearts, we become people of love and thereby fulfil the intention of the law, even though like Jesus we may appear to be contravening the law.

This process of Biblically grounded reevaluation of Biblical commands has continued beyond the close of the Biblical Canon. An example may help. In Acts 15 we read of the Council of Jerusalem and their discussion of what aspects of the law should still apply for gentile Christians. Peter reminds the Council of his own mission to the gentiles when he had the vision in which he was called to eat non-kosher foods (Acts 10) before visiting the home of Cornelius. The Council concludes that only four ritual laws should be retained as necessary: "eat no food that has been offered to idols; eat no blood; eat no animal that has been strangled; and keep yourselves from sexual immorality" (v.29). There is no evidence that the Council saw any hierarchy of importance in these four. Within the New Testament we see the subsequent downgrading and relativising of the first one (1 Cor. 8:1-3; 10:14-30) and although they are not set aside in the Bible, I haven't encountered any Christians who would still campaign for the next two.

In fact, if we were to read the Bible simply as a book of absolute laws for all time, the Biblical case against the eating of blood would be far more clear cut than the case against condoning homosexual love-making. Surely if, as is so often claimed, the exclusion of actively homosexual people is purely and simply a matter of obedience to clear scriptural commands, we would have an equally passionate campaign against the people who manufacture, sell, or eat black pudding! (It's made from blood.) The reason that we don't is because we have all accepted that some things which are never permitted in scripture are nevertheless able to be reevaluated and permitted. This process has clear Biblical warrant, but of course its specific conclusions often do not.

There is another relevant principle that emerges from the Acts 10 account of Peter's visit to the home of Cornelius. This story, and the reflection on it at the Council of Jerusalem (Acts 15), not only provide an example of the reevaluation of a biblical law, but they illustrate a way of going about that reevaluation. In Acts 10:47, Peter says, "Can anyone withhold the water for baptising these people who have received the Holy Spirit just as we have?" In other words, Peter knows that immediately accepting these people into the church is a violation of the theological and biblical principles he has previously held sacred, but he is also recognising that the Holy Spirit is clearly violating these principles and giving spiritual gifts to these people. Therefore, not only do we have a reason for reevaluating our previous interpretations, but we have a method. If the Holy Spirit appears to be bestowing gifts and nurturing faith and spiritual growth in these people, then we had better cooperate with the new work of the Spirit rather than defend the old readings of the law.

Jesus implied something similar when he said, "You will know them by their fruits. ... every good tree bears good fruit, but the bad tree bears bad fruit." (Matthew 7:16-17) Surely a biblical approach to Christian ethics must take that statement seriously. If our reading of scripture condemns someone, but their life, faith and ministry are clearly producing "good fruits" of love, grace, compassion and justice — evidence of the Spirit at work — what are we to conclude? Either our attempts to apply biblical teaching are letting us down, or Jesus is wrong.

Jesus' statement about knowing them by their fruits was made in reference to prophets and teachers, but it seems reasonable to also apply it to the teachings themselves. What sort of fruits are borne by those to whom this teaching is applied? For example, I would suggest that the Roman Catholic Church's teaching opposing the use of artificial birth control produces far more bad fruit than good

fruit. In some areas it contributes to over-population and the spread of sexually transmitted diseases. In other places, including Australia, it is routinely ignored and so leads to an increase of deliberate deceit among Catholics and an erosion of respect for the teaching authority of the Church. However sound the principles on which it is based might be, the teaching bears bad fruit.

Applying these Principles to Homosexuality

When we come to ask about Christian attitudes to homosexuality, we first need to note that Jesus is not recorded as having commented on it, and ask ourselves what might be the significance of this silence. Then we need to consider what Jesus did say. Our first questions are, (1) "Does the example set by Jesus and the Apostles justify questioning our ongoing adherence to the traditional teachings about homosexuality?" and if so, (2) "In what direction were those teachings trying to lead us, and what new teachings would serve to better lead us in that direction in today's world?"

I suggest that the answer to the first is quite clear. The example set by Jesus and the Apostles requires us to question the value of continuing adherence to any traditional or Biblical teachings that are no longer bearing good fruit; that are no longer encouraging and facilitating growth into the fullness of life in Christ. The overwhelming majority of homosexual Christians either live a lie in order to stay in the Church or abandon the Church and often lose their faith with it. Furthermore there is strong evidence that the refusal by mainstream society to validate even the most loving and faithful of homosexual relationships has been a major cause of the culture of promiscuity among homosexual people. Love and faithfulness are difficult enough to maintain even when they are socially validated and affirmed — they are a miraculous accomplishment where they are scorned. In our society the traditional teachings about homosexuality contribute more to the growth of deceit, alienation and promiscuity than they do to love, faithfulness and holiness. They are bearing bad fruit. Therefore faithfulness to Christ and the Bible demands that we ask the second question: "In what direction were the Bible's teachings about homosexuality trying to lead us, and what new teachings would serve to better lead us in that direction in today's world?"

This question is, of course, much more complex and difficult to answer. Clearly our answers must be demonstrably in continuity with the purposes of the Bible. Finding the answers will require careful and prayerful analysis of both the Bible and the social and cultural context in which our ethical conclusions are to operate.

If I can be permitted a broad generalisation, the Biblical laws and ethical teachings were collectively intended to lead people from their present life situations towards ever-deepening love for God and one another, growing willingness and ability to entrust ourselves to God's gracious care and leading, progressive renewing of our hearts, minds and behaviour so as to bring to fulfilment the image of God within us, and increasing engagement in the life and mission of the Kingdom of God.

If we recognise that the simple reiteration of traditional injunctions against homosexual activity are failing to serve that function, then we need to ask what will. The answers will need to be a meaningful response to the present situations and experiences of homosexual people. One can't determine the direction someone needs to travel to a given destination without knowing where they are starting from, and so our seeking for answers will necessitate careful (but not unquestioning) listening to homosexual people.

I no longer believe that it is possible for anyone who has spent much time listening to the testimony of homosexual Christians to continue to believe that there is no genuine spiritual fruit being borne among them. Furthermore, on the evidence of a number of homosexual Christians I have known, it is difficult not to conclude that those who stop trying to conceal or eradicate their homosexuality find themselves liberated and growing in their capacity to experience and share the grace and love of God. I believe that, on the basis of Jesus' words about good fruit and Peter's conclusions about

the Holy Spirit's work (Acts 10:47), we must take that testimony seriously. It is not in itself conclusive, but to ignore it or to shut ourselves off from humbly and prayerfully hearing it would be contrary to this important New Testament principle.

It is difficult to advance this argument much further solely on the basis of biblical texts. The biblical stories of Jesus and Peter and their interactions with outcasts lead to the conclusion that we must be spending time with the people under question before we are in a position to adequately hear what the Spirit might be saying to us through the scriptures.

All I can further do here is bear witness that from my observation of the homosexual Christians I know, and from the testimony I have heard from others, it appears to be clear that when they and their relationships are treated with the same acceptance and respect we accord to heterosexual people and their relationships, they are far more likely to bear good spiritual fruit and to grow in faith, hope and love. It is therefore my conclusion that we in the churches need to (1) work for an end to discrimination and vilification of homosexual people; (2) allow the full participation of homosexual people in the life and ministry of the church without any different criteria for sexual purity than we would put on those in heterosexual relationships; and (3) accommodate, validate and even bless loving, faithful, covenanted homosexual relationships.

Only the third of those is directly relevant to this Senate Inquiry. On this matter, I would again invoke Jesus' teaching about good and bad fruit. The alternatives to validating such relationships on an equal footing with heterosexual marriage are presumably to tolerate homosexual relationships but refuse them the honour accorded to heterosexual marriage, or to outlaw them entirely. We do have one branch of the Christian Church that has sought to impose compulsory celibacy on its clergy. The fruit of this policy has been very very poor and so, taking heed of Jesus' words, we should be very cautious about any attempt to impose celibacy on an entire group of people.

Tolerating homosexual relationships without validating or honouring them also seems to be more likely to produce bad fruit than good. As I have already pointed out, when we refuse to validate and encourage the practice of sexual fidelity, it becomes even more difficult to sustain and so contributes to the incidence of infidelity and promiscuity. Bad fruit. It is manifestly unfair to criticise the level of promiscuity in the homosexual community and at the same time refuse to honour and support those among them who endeavour to to be faithful to one partner for life.

If we are to legally validate stable homosexual relationships, should it be by changing the definition of marriage to include it, or by creating an alternative structure with a different name. I have a fair bit of sympathy for both sides here. The view that we could recognise and affirm same-sex relationships but we should call them something other than marriage makes some sense to me. Yes, there are some things objectively different about them. The Australian Christian Lobby argued this at the hearing in Melbourne saying that if we call same-sex relationships marriage, then we change the meaning of the word marriage. That's true. But the meanings of words evolve all the time and marriage is a good case in point. What the ACL failed to show (in my opinion) was why such a change of meaning would be detrimental to anyone. The definitions of marriage they were putting forward and wanting to protect were very modern and would have sounded odd to anyone much before the Enlightenment. Marriage used to mean a number of things about property rights and family alliances, but the meaning of the word has changed and few would argue that the change was a bad thing.

As I listened to the arguments that said that the state could legally recognise same-sex relationships but not call it marriage, I became less and less comfortable with that position. In the end it began to sound snobby. It began to sound as though the underlying message was "Please don't let *them* into our exclusive club". "Please reserve this badge of honour for our group only, and exclude *them*." It began to sound mean-spirited, a bit like it would if someone was arguing that immigrants could

be naturalised under law, but the word "Australian" or perhaps the word "citizen" should not be used to describe them but reserved for a more exclusive in-group.

I don't know about the effect on any of the senators, but my time listening to that argument at the hearing left me rather more unwilling to be associated with it than I was at the start of the day. Instead, I became persuaded that the gay response to that argument is probably correct: if it isn't given the same name, then it won't be given the same respect but will be regarded as second rate. That would then effectively cripple its capacity to encourage and support sexual fidelity.

It seems to me quite possible that removing the words "a man and a woman" from the definition of marriage might actually result in a strengthening of the understanding of marriage. I wonder whether our society too easily thinks of any ongoing male-female coupling as more-or-less a marriage, so that if you are a man and a woman together, marriage is just what you do. So I would speculatively suggest that removing the phrase "a man and a woman" might actually refocus our attention on the rest of the definition and thus strengthen our understanding of and grappling with the notions of voluntary, mutual, life-long and exclusive of all others. If it did that, surely that would strengthen the institution of marriage. That would be good fruit.

I do not claim to be certain that my conclusions are correct. What I do strongly assert however, is that in arriving at them I have maintained a deep love for and commitment to the authority of Christ and the scriptures, and that I have sought to be rigorously faithful to the whole witness of the Bible and to the leading of the Holy Spirit. In the absence of any basis for absolute certainty one way or the other on these matters, Christians must seek to be prayerfully and humbly attentive to what the Spirit is saying through the whole witness of scripture and through the evidence of people seeking to live godly lives in a range of situations. Some Christians are reluctant to reconsider these issues because they fear the judgement of God if they are wrong. But, in the end, we could stand before Christ accused of wrongly "welcoming sinners and outcasts", or we could stand before him accused of wrongly "tying up heavy burdens, hard to bear, and laying them on the shoulders of others" (Matt 23:4). Personally, I would much rather stand before Jesus accused of the same thing he was accused of!

Appendix: Questioning the Biblical Arguments Against Homosexuality

I have not, in the biblical arguments above, addressed the biblical passages that are usually cited against the acceptance of homosexuality by Christians. I have left them for this appendix because they have been well discussed elsewhere and so it is less likely that anything I say will be new to anyone. However, I include my thoughts on them here in case they are helpful to anybody or necessary to assure anybody that I have not simply ignored them.

There are two main approaches to forming a biblical argument against accepting homosexuals. The first looks for passages that "define" normative sexuality and then conclude that things which fall outside that norm are sinful. The second looks for biblical statements about homosexual acts.

The first approach usually begins with Genesis 1 & 2, backed up by Jesus' quoting of it in Matthew 19:1-9. Passages such as Ephesians 5:21-33 are also drawn on. On the basis of these normative pictures, it is argued that the ideal model of marriage is a lifelong monogamous heterosexual relationship. I can accept such a statement as an "ideal", but I challenge the common conclusion that anything other than the ideal is therefore unacceptable, sinful, and to be prohibited. Every marriage I have ever seen falls short of "ideal" but we don't thereby invalidate them. Christians should understand this because the New Testament also teaches that the ideal marital state for Christian disciples is celibate singleness, but we accept that options other than the ideal must be provided for. A definition of normative marriage does necessarily imply the sinfulness of any variations from the norm. We can accept the norm but also accept that for various reasons some

cannot live out the norm. Where the norm is impossible, we look for the most faithful alternative. We have done this in the case of the remarriage of divorcees. Such marriages fall short of the "ideal" but the church that believes that Christ can bring life out of death has also concluded that he can create new beginnings for those with failed marriages.

Another less biblical form of the argument from ideal or normative models of marriage looks to the ideas of natural law and normative sexual biology. The case is made that God has designed the human body in such a way that sexual acts between a man and a woman are biologically "normal", while those between partners of the same sex are abnormal and therefore wrong. There is often an unconscious dependence on reactions of disgust in this line of argument. People can assume that a act that causes them feeling of disgust or revulsion must therefore be morally wrong, but disgust is too culturally specific to be reliable as a moral guide. Most children find the idea of heterosexual intercourse disgusting. Most Australians find the idea of eating dogs or cats revolting, but that doesn't mean that cultures who eat dogs are morally inferior.

The truth is that there are no sexual acts that are only practised by homosexuals, and therefore the "naturalness" or "healthiness" of particular practices is not an argument about homosexuality but only about the practices. There are gay men who do not practice anal sex; there are heterosexual couples who do. Unless we were to take an equally strident stance against anal and oral sex within heterosexual marriages, then any argument against homosexuality on the basis of the naturalness of the acts lacks credibility.

The other main approach to forming a biblical argument against accepting homosexuals is to look primarily to the passages that refer to homosexuality. There are seven passages that refer in some way to homosexuality, and all of them are clearly negative. That will settle the issue for some people, but when looked at carefully, they are far from definitive.

Genesis 19 tells of the sin of the city of Sodom, and there is a very similar story in Judges 19. The name Sodom has come to be associated with sexual sin, and particularly with homosexual sin, although Ezekiel 16:49-50 names the sins for which Sodom was destroyed without mentioning it. But even focussing on the sexual sin, both stories tell of attempted gang rape. Rape is a sexual sin, whether it is homosexual or heterosexual. It makes no more sense to conclude that all homosexual acts are sinful from the condemnation of a homosexual rape than it would to conclude that all heterosexual acts are sinful from the condemnation of heterosexual rape. These stories then, shed no light at all on an appropriate Christian attitude to non-violent sex within a committed same-sex relationship.

1 Corinthians 6:9 and 1 Timothy 1:10 both contain lists of wrongdoers, and both lists contain a word that has sometimes been translated into English as either "homosexuals" or "sodomites". The question is whether it is correct to interpret it as referring generally to all homosexuals, or whether it refers only to some forms of homosexual behaviour. Since it simply appears in a list, there are no helpful contextual clues. The Greek word is *arsenokoites*. The etymology of the word could give a literal translation of "man-bedder", but words always evolve and so etymology doesn't often give us a definitive understanding of how a word is normally used at a particular time. If we were too literal with the idea of man-bedding it would condemn heterosexual women too! In other Greek writings from the same era, the word usually has connotations of economic exploitation of sex, e.g. managing or procuring a male prostitute. It is sometimes found listed with financial sins. Thus, while it is possible that it could have referred generally to all homosexuality, the evidence questions that more than it supports it.

The list in 1 Corinthians 6:9 also includes another word possibly related to homosexual practice. The word *malakos* had a basic meaning of 'soft' or 'effeminate', but it was often used as the slang word for the 'passive homosexual partner'. It was used this way especially in relation to pederasty, the sexual exploitation of boys by older and more socially powerful men. However, the word is also

used in other writings of the time to refer to men who eat too much, read too many books, or engage in heterosexual sex too often! Perhaps the best translation would simply be "indulgent". Even if it is taken as referring to homosexuality, then like *arsenokoites* its use carries sufficient connotations of sexual exploitation that we would be going well beyond the evidence if we tried to generalise from it to draw conclusions about loving faithful same-sex relationships.

Romans 1:18 - 2:1 certainly depicts homosexual practice, including possibly the only biblical reference to lesbianism, but the context is a general depiction of people falling into depravity and suggests orgies and the like, not long-term committed relationships. More specifically, what it appears to describe and condemn is a person changing from heterosexual practice to homosexual practice, which in the context of general sexual depravity implies both infidelity and promiscuous sexual experimentation. That sort of behaviour is condemned in its heterosexual form too, so again generalising it to faithful and non-exploitative same-sex relationships is stretching the text. And even if you were to generalise it, the overall point of the passage is that "all have sinned" and that we therefore have no business condemning others for *their* sin.

Leviticus 18:22 and 20:13 provide the Bible's only absolutely unambiguous blanket condemnations of a man having sex with a man. Although what they are referring to is unambiguous, knowing what they mean for us now if far from simple. They are part of the holiness code, or purity code, which is not so much about defining general human morality as defining the distinctive behaviour of a distinctive "people of Israel". It is the Pharisees' use of the holiness code that Jesus criticises in Matthew 15:1-20 and Mark 7:1-23. The holiness code is a mixture of things we would generally define as "universal moral law" (prohibiting child sacrifice, etc) and "cultural specifics" (eg. circumcision, food laws, hair styles, etc). There are parts of the holiness code which almost nobody regards as important for Christians today, but there are no simple rules for deciding which bits still matter and which don't. Some people argue that the New Testament makes clear which laws still hold and which don't, and that the New Testament reiterates sexual laws. But the New Testament reiterates some food laws too, and we've have since given them up without angst. Other people argue the term "abomination" tells us that this law is especially important, but it is also used of some food laws. For example, Leviticus 11:16 calls eating ostrich an abomination and it is on the menu in many Melbourne restaurants without attracting a single placard waving Christian!

It has been common to unquestioningly assume that all sexual laws are universal, but both Leviticus 18 and 20 include a condemnation of sleeping with your menstruating wife in the same list of sexual condemnations as the references to male homosexuality. On what biblical basis do we discriminate between the two, seeing one as a non-issue and the other as one of the Church's most hated sins?

While these seven passages can be used to bolster an argument that all homosexual practice is sinful, they fall far short of proving the case. They certainly provide no support at all for the current elevation of homosexuality to the top of the "sin parade". To treat homosexuality as more sinful than things like the love of money is utterly unbiblical.

I accept that the human writers of these passages probably did view homosexuality as generally wrong without having ever had cause to examine the sorts of questions we are grappling with about whether a loving, committed and faithful same-sex relationship could be acceptable to God. But as I have made clear in the main part of this submission, I don't believe that exempts us from grappling with those questions. On the contrary, todays Christians have a moral responsibility and a biblical mandate to question the traditional interpretations and teachings on the grounds that they are not, in our day and age, producing fruit worthy of the Kingdom of our Lord Jesus Christ.

Nathan Nettleton, 18 November 2009