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**RELIGION AND SEXUALITY IN ETHICAL DISCOURSE.
FROM BIBLICAL TRADITIONS TO EUROPEAN
THOUGHT AND ITS CONSEQUENCES FOR A
COMPARATIVE APPROACH TO BUDDHIST SOCIETIES**

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In the 1960s, two little pills changed the world: one was LSD, a psychedelic drug, the other was the birth control pill. The use of these pills led to a “social and sexual revolution” with the slogan “sex, drugs, and rock ‘n’ roll” and gave rise to a “counterculture” that questioned and shattered traditional moral values in Western society. While LSD could result in changing one’s awareness of reality, the birth control pill separated sexuality from procreation. LSD first was banned as illegal in 1966, and the Roman Catholic Church responded to the use of “the Pill” and other methods of contraception in 1968 by the papal encyclical *Humanae Vitae* which banned such methods (cf. Lattin 2008: 557; Angenendt 2015: 211-228). Thus we can take the 1960s as a starting point of an ethical discourse about sexuality, sexual liberation and sexual values that has not stopped until today. Despite its origin in Western society generally based on Christian values, in times of globalisation this ethical and anthropological topic does not remain restricted to the West or to Christianity. Therefore all religions nowadays have to (re-)consider their own positions related to sexuality within marriage and regarding the questions of extra- and pre-marital relations, and in a broader sense all gender issues. So I will start with some short anthropological remarks on sex and gender, turning next to a Christian point of view, followed by an outline of sexuality in Buddhism, and at the end drawing conclusions from these topics for “Religions and Ethics in a Modern Society”.

1. Anthropological Approach to Sex and Gender

I would like to start from a (modern) anthropological approach by giving a necessarily short overview about discourses

and gender studies which question an exclusive binary system that covers only “male” and “female” (Hutter 2011: 13f.; Grünhagen 2013: 40-52). When talking about “male” or “female” we must be aware of a double approach. We are either talking about sex – that means about the biological body as man or woman; or we are talking about gender – that means about the social situation which is related to the sexual and social identity as man or woman. While “sex” is defined by birth, “gender” is made by culture and psychology and therefore defining gender depends on one’s desire and also the possibilities of how to satisfy such desire. On an ethical level such an approach leads to the first consequence: Taking gender awareness seriously, it becomes impossible – or at least questionable – to give a hierarchy of sexual behaviours, starting with heterosexual relations as the “normal” or regular case, and considering other forms of sexual orientations like homosexuality or bisexuality or various sexual practices as deviation from a “normative” sexual orientation. It is also important to mention that sexual orientation identity can be fluid and one’s identity can change throughout the life – in this way being either in line with the biological sex or not. Distinguishing between sex and gender challenges the traditional binary system of male and female and – deduced therefrom – heterosexual relationships as the only form of living.

So we have to consider a variety of categories related to gender, from hetero- and homosexuality to queer persons. The umbrella term “queer” (Grünhagen 2013: 52-55) comprises a broader notion, as queer includes all varieties outside an exclusive hetero- or homosexual identity. Queer people (and queer activists) are eager to break up the norms of heterosexual identity and behaviour to reach full acceptance for all different kinds of sexual orientation identity. Such a position – of course – rejects an unambiguous correlation between sex and gender, because not only sexual identity is fluid, but also the biological sex provides more alternatives than “male” and “female”. Gender and queer activists in discourses therefore argue for a broad acceptance of different – and more than two – forms of sexual identity. And this leads to the present challenge to religious ethics: As religious traditions basically take it for granted that only a male-female binary system exists – both in biological sex and sexual identity – their religious values start to face opposition from the side of “sexually liberated

persons” or from arguments raised in social and anthropological discourses about gender issues.

2. The Mainstream Biblical Approach as Basis for Christianity

2.1. Biblical Outlines

For Christianity, one has to start with mainstream Biblical traditions which clearly focus on heterosexual relationships and which prohibit “other” forms of sexuality, as often is deduced from Deuteronomy 22:5: “A woman shall not wear anything that pertains to a man, nor shall a man put on a woman’s garment; for whoever does these things is an abomination to the Lord your God.” This Biblical law shows a coincidence between sex and gender along heterosexual lines, which is also conveyed in the Biblical accounts of creation; Genesis 1:27 reads: “So God created man in his own image, in the image of God he created him; male and female he created them”. Also Genesis 2:22f. goes along the same lines. Modern interpreters of Genesis 1 are aware that this sentence poses some problems: If taken literally, “man” (or precisely: a human being) as the image of God can be both male and / or female, which includes that God also must be male and female – which was never accepted in traditional Christianity. Or the interpretation combines Genesis 1 and Genesis 2 which includes that God creates man as his image as male human, and the creation of the female was secondary (and lower) than the male human being. This interpretation dominated Christian discourses on sexuality for a long time – with a twofold consequence: the binary difference between male and female is God’s will and the heterosexual relationship in marriage is the only legitimate way of living in order to produce offspring.

Due to the strong correlation of sexuality and marriage, the Bible outlawed adultery in contrast to the surrounding cultures of the Ancient Near East (Stol 2016: 234-253) not only on the legal level, but also on the theological level by making adultery a grievous sin (cf. e.g. Genesis 39:9; 2 Samuel 12:13; Matthew 5:27f.; John 8:11). In the same way, homosexuality is marked as sinful in the Bible, starting with laws forbidding same-sex relationships in the Old Testament (cf. e.g. Leviticus 18:22; 20:13; Judges 19:22f.). Also the writings of Paul (Romans 1:26f.; 1 Corinthians 6:9-11) cover this topic, which have been taken as

passages that indicate that homosexual acts are an abomination to God and detain those who practise homosexuality from paradise (cf. Trauner 2016; Röhser 2016). In conclusion, so-called catalogues of virtues and vices in the New Testament (cf. e.g. Galatians 5:19-21; Colossians 5:3-13; 1 Corinthians 5:9-11) often focus on sinful sexual behaviour of any kinds outside a male-female structured marriage.

2.2. Historical Development

Some religious groups who favoured Gnosticism up to the 3rd century, proposed a highly spiritual life, mentioning all forms of the material world being part of the creation of a “demiurge” or a creator-god, who was opposing the purity of the – immaterial – divine. Normally, such gnostics lived in an ascetic way, keeping themselves away from sexuality. But some of them argued the other way round (cf. Hutter 2011: 18-23): As they are – as gnostics with their superior knowledge about the divine and salvation – far above the material world, they are not restricted from anything in the world and therefore they can also indulge in sexual pleasure or orgies. Though such groups were surely limited in number, they not only were characterised as “heretics”, but their understanding of sexuality also led to strong opposition within the growing “main stream” Christianity, favouring an ascetic life and avoiding sexuality as far as possible, reducing it to the purpose of producing children – as necessary for surviving. But the ideal Christian would be a person living in celibacy which only worked for monks and priests. Starting in the 5th and 6th century, monks mainly from Ireland managed to impose a stricter way of sexual avoidance also to lay persons, so that up to the Middle Ages it had become common that sexuality had found its exclusive place inside marriage with the only purpose to produce (Christian) children, and a life in abstinence and celibacy was also of high esteem inside marriage (Angenendt 2015: 95-97). Even if not all people kept these standards, the Catholic tradition highly influenced European thought for the on-going centuries. Those who did not submit themselves to such standards were subject to discrimination and persecution, partly also from the side of secular rulers and law. During the 14th century city-governments and the society in general took over the originally church-based regulations of sexual life, marriage, but also of prostitution and dress codes (to avoid mistaken identities of men or women according to clothes). Despite

the age of Enlightenment, these moral regulations proved stable until the 19th century (Angenendt 2015: 192-197). The morality of a strong middle class – also on account of church influence in pedagogy and legislation – was “normed” and narrow in the area of sexual liberty. But from science, also opposition began to rise to challenge theology – e.g. with Sigmund Freud’s theory of the “libido” as a driving power of humans, thus removing human sexuality from the field of morale and religion; or to transfer sexuality from its social components to the responsibility of the individual only, making sexuality a private affair distinct from the Church. These processes starting in the 19th century reached their peak in the 1960s, separating sexuality for many people from the norms of the Catholic Church.

2.3. Problems and Questions Today

For modern Christian theology and ethical values derived from it one therefore has to take into account the following (cf. Röhser 2016: 64-66): The aim of sexuality can no longer be seen exclusively as a means of procreation, but sexuality must be seen as one (important) aspect of human relationships and life in general. Therefore sexuality can no longer be restricted to heterosexual relationships. Any form of sexuality which does not disturb individual human rights or the dignity of the other and which is based on equality between the partners involved in it, must be taken as a possibility for shaping a person’s sexual identity. For a theological notion of “sin” this might sound provocative, but if religion takes into account its cultural and historical context, one cannot only refer to Biblical positions or Christian traditions. Those positions did not originate without their surroundings – that means, some of these restrictions came into being as reactions to concrete situations, forbidding adultery based on the legal situation that the husband was the owner of his wife. Adultery – in ancient history – was taken as an offense against the husband and his “property”, making his wife only to “property”, which means that she was devoid of her own dignity. Forbidding “free love” outside marriage was partly seen as safeguarding an unmarried woman as “property” of her father or (elder) brother(s). But “free love” was also outlawed by Biblical and early Christian traditions as a practice done by the “other” gentiles or “heathens”; therefore avoiding “free love” was a token of creating a barrier of one’s own group and community against the others – also to avoid “mixed” offspring.

Starting from enlightenment onwards with focussing on individuality and one's own dignity, with separating sexuality from fertility and with discarding the idea that sexuality is a way of cultic veneration of "other" gods, the most relevant arguments which were often prominent in history for restrictive sexuality in Catholicism are lost.

There is one Biblical passage, which must not be overlooked in discussing sexuality: Paul – in the 7th chapter of the first epistle to the Corinthians, says as follows (7:4): "For the wife does not rule over her own body, but the husband does; likewise the husband does not rule over his own body, but the wife does." Though the context of this passage refers to mutual agreement of chastity (7:5), the passage clearly shows equality of women and men in sexual contexts and not a hierarchy with one dominating partner. If (Christian) ethic takes this into account, one can generalise with the following result: if a man and a woman, but also a man and another man, or a woman and another woman in a same-sex relationship enjoy their sexual life in mutual exchange and understanding without exploiting the other, but accepting the other in a balanced "rule", it is no longer possible to discriminate sexual practices or sexual identities which deviate from marriage as the only place of legitimate sexuality.

I know that such a position can be described on an academic or theoretical level, and I don't minimise the ethical problem that in practice it will often be very difficult that both persons engaged in any sexual contact are really on par avoiding all forms of dependency, subordination or dominance. And I don't want to minimise abuse or violation in the field of sexual behaviour or practices. But my point was to make clear, that the so-called "sexual revolution" and "free love" can be reconciled with Christian teachings if dignity and human rights of all who are engaged in sexual encounters are respected in order not to harm somebody. But in this way, ethical behaviour in sexual matters also surmounts heterosexuality.

3. The Third *sīla* and Sexuality in Classical (or Textual) Buddhism

3.1. Buddhist Ambivalence of the Body

When we turn to Buddhism to discuss the main tenets of Buddhist thought and regulations of sexuality (cf. Harvey 2000:

353-383; Hutter 2001: 220-222), a starting point is the so-called third *sīla* (precept) which prohibits all forms of “unsound” sexuality or as one might translate the Pāli text: “I undertake the precept to refrain from sexual misconduct.” From this *sīla* also conditions of society based on Buddhist values have been influenced in the course of history. As one difference to some Biblical traditions and Christianity one should mention that sexuality is not a religious topic in Buddhism and also marriage is no “sacrament” or religious rite, but based on conventions of society; many Buddhist dogmatic texts even take marriage as a symbol of humans’ involvement and attachment to the material world which blocks the way to nirvana – just like any other form of attachment. Therefore sexuality and marriage must be rejected by monks and nuns, but for lay persons sexuality is of no less or more concern – in religious terms – than any other aspect of the material world.

Let us look at the topic with some details. The Aggañña-Sutta in the Dīghanikāya collection of Pāli texts already shows an ambivalence of the body and the early Buddhist society – as is well known – tells a fourfold structure of society: male and female members of the sangha, male and female lay persons (cf. Harvey 2000: 88-103; Hutter 2001:115-117). This structure can also be seen as a structure of society along the lines of sexual activity or inactivity with the task of sexual abstinence as the main characteristics of the Buddhist order, which also results in normative gender roles and in a judgement of sexual practices. For monks (as an “a-sexual” society) sexual intercourse is absolutely forbidden and if one transgresses this prohibition he will be expelled from the order. But also oral or anal sexual acts with humans or non-humans are prohibited. – A further well known topic in early Buddhist texts is the ambivalent description of women, and some of these texts are full of blunt misogyny, maybe from the point of view of male (or monks’) prejudice that women are seductresses who detract the male from his chance of reaching nirvana (Hutter 2001: 137-141). Such an interpretation of sexuality is relatively wide-spread in early (monastic and ascetic) Buddhism, and even includes nuns who are sometimes seen in a negative light because of their biological sex – despite their a-sexual monastic gendered life. Later Mahāyāna- and Tantric traditions are less strict in such a rejection of women as seductresses. Despite of this, such thoughts still exist in a patriarchal surrounding, humiliating women

by reducing them to mere sexual objects. But on the other side – one can also refer to one strength of Buddhism (compared to Christianity) regarding sexuality: Tantric traditions accept the physical body as a “place of pleasure” on the way to enlightenment. For an experienced Tantric adept sexual practice and sexual union becomes a symbol to overcome any binary opposition to bring everything into one – as a symbol of overcoming all forms of suffering. From the history and practice of Buddhism it is well known that – especially in traditions of Tibetan Buddhism – there exist forms of meditation through which the Buddhist tries to visualise his or her sexual union with a goddess or god – as a symbol of overcoming any polarities and reaching the ultimate goal of enlightenment and salvation. It is even possible that such a sexual union can be practised in reality and texts focus on the importance and appreciation of the female partner in such unions. But we know from other texts and reports, that this way of using sexuality to gain enlightenment, has (maybe often) its “dark side” in the exploitation of the female partner who is not considered as an equal partner, but as subordinate in order to fulfil more the (lustful) desires of the male part. Such a way of behaviour is not only an abuse of the ritual practice, but also of the dignity of women (and less often the other way round of men). If this is the case, it is transgression of the third *sīla* mentioned before as this must be judged as “unsound” sexuality; reports of “fallen monks or Buddhist teachers” who exploit women by such practices are not unknown.

Despite these negative forms, Tantric practices and teachings bring a positive view of sexuality. But it is always important to keep in mind that such a positive view of suitable sexuality depends on the third *sīla* not to do any harmful sexual acts which touch a person who is – directly or indirectly – affected by such an action or behaviour. This also includes ethical values of marriage which on the one hand remained an example of worldly attachment but on the other hand marriage was also – though not religiously legitimised or grounded – an important factor to keep up family values or the proper “relationships” – in Buddhism in Eastern Asia also influenced by Confucianism.

3.2. Sexuality as Respect and Solidarity with all Humans

Thus marriage (including sexuality and procreation) must be seen in the context of respecting life. But – contrary to traditional Catholic teaching – “fathering or mothering” children could never

be the main purpose of marriage or sexuality in Buddhism, as any kind of birth renews the circle of life and death and detracts one from reaching nirvana. Thus Buddhism takes another standpoint about methods of birth control as it is the case in “official” Catholicism, as there are no religious arguments against those methods of birth control which do not disturb life; this includes that abortion is a harmful and unlawful act (Harvey 2000: 313-328). But this leads to a further consequence related to sexual practices or sexual orientation: As sexuality has no religious importance to create children, those forms of sexuality which do not aim at increasing fertility cannot be stigmatised as “unnatural”: Therefore one can argue that homosexual relationships are also possibilities to live according to one’s own sexual identity (cf. Harvey 2000: 419-433; Grünhagen 2013: 138f.) It must however be conceded that there is only very little information in classical Buddhist texts regarding same-sex relationships and modern Buddhist discourses of this topic either take a neutral stance or tend to result in some scepticism if such a way of living is helpful to reach nirvana. Scepticism against homosexual practices even mentions that this form of sexuality cannot result in offspring – this is of course a highly interesting aspect because it shows how social conventions overcome (or saying it extremely: contradict) religious arguments: If birth and re-birth means suffering, avoiding birth (by practising homosexuality instead of heterosexuality) should theoretically be seen positive – which is not the case along social values of family life. This clearly highlights problems of ethical or moral discourses which are never restricted to religious argumentation but always also take into account “common view” which has originated outside religion. Therefore – not unlike Christianity – also Buddhism does not accept homosexuality unanimously even though there are less prohibitions of it in classical “core texts” of the religion. But within the general sphere of sexuality, if homosexuality is practised the same *sīla* applies to it: both hetero- and homosexuality must never bring harm to the parties engaged in sexual encounters.

One interesting group in the Buddhist discourse about sexuality also should not be overlooked. Obviously there are people mentioned in Buddhist texts whose gender identity cannot be simply reduced to either male or female. The terminology is not absolutely clear, but at least two Pāli words should be mentioned: the *ubhatobyañjanaka* can – in modern terms – be understood as an

intersexual person, while the so-called *paṇḍaka* can be seen as an umbrella term for all persons who do not represent the simple binary model of male or female (cf. Grünhagen 2013: 130-145). Persons who are described with these terms are prohibited to join the sangha and the famous author Buddhaghosa in the 5th century even says that the *paṇḍaka* is a morally defect person. But Buddhaghosa also gives a hierarchy of sexual offenses by a monk: the worst case is a sexual relationship with a woman, followed by sexual actions performed with a *paṇḍaka*, and the least transgression is a homosexual act with another man. Though Buddhaghosa is interested in the order, one can conclude from his hierarchy that the *paṇḍaka* – as umbrella term – comprises (various) persons of the so-called third sex; Buddhaghosa’s hierarchy – transferred to lay persons – may also lead to the conclusion that homosexuality is not taken as a “grievous” sin, but as one “neutral” way of sexual behaviour.

So we can conclude this general overview of sexuality in Buddhism in the following way: we find a dominance of the male-female binary system with a double situation that on the one side (and of higher esteem) there is the a-sexual or celibate monk and on the other side the active and “strong” male lay person. But the female “part” – both the nun and the female lay person – is in this system often subordinate. Thus gender roles in Buddhism are – stronger in early and Theravāda Buddhism than in Mahāyānic traditions – not based on equality. One may criticise this along the lines of the third *sīla* because subordination always brings some kind of suffering for the weaker part. Additional to this binary model the Buddhist discourse of gender and sex roles also has to take into account persons covered with the umbrella term “third gender” and their respective identities and orientations.

4. “European” Questions for an Anthropological Problem in a Globalised World

Let us now come back to the general topic of ethics in a modern society and ask if the discourse of European ethics (derived from Christianity) may also be helpful for the discussion of Buddhist ethics or, more generally, what we can deduce from both religions’ views of sexuality for sexual ethics and gender issues in a globalised world. One aspect which is also important in any discussions of sexuality is the private sphere. During history one can observe the general rules regulating social life and being accepted in society were wide-spread and deviation from such rules

lead to stigmatization or even to legal actions against the “deviant” person. With a turn to individual responsibility – at the latest starting with the “sexual revolution” in the 1960s – sexual norms of the society were questioned – but this did not automatically lead to a loss of sexual ethics, but only to change with the outcome of pluralistic possibilities of sexual identities and orientations. “Free love” – in quotation marks – is never absolutely “free” as opponents to it like to say. But “free sexuality” is also subject to responsibility, to respectfulness, to mutual esteem, reliability and mutual acceptance (cf. Goertz 2011: 73f.). In an ethical discourse of sexuality in a global world, such values cannot be separated from religious practices or orientations, but these values show that it was a short-coming in history to reduce sex to raising children and to only one form of practice: as heterosexuality within marriage only, legitimising it either by a one-sided interpretation of Biblical or Buddhist texts without taking into account social situations of centuries long gone, which are not applicable in modern society – or legitimising it by traditions (both in Christianity or Buddhism), which also arose in given situations, maybe to counteract misuse. If misuse is reduced, there is no more reason to keep with such traditions. And of course, ancient core texts of religions can and must be read also in the light of “worldly” knowledge and development of thoughts. Scientific research on sexuality and gender has proved within the last decades that we have to be aware of various forms of sexuality as “normal” which transcend a simplified male-female category, even if statistically such a binary category may in quantitative matters be wider spread than the umbrella category “third sex”. But there exists a third category – and with the break-up of a binary model, any combination of sexual identities must be taken as statistically regular possibilities: male – female, male – male, female – female, male – third sex, female – third sex, third sex – third sex. On the level of individualisation among all these categories there exist even more subjective sub-categories.

Accepting these categories and the possibility of various relationships based on such categories, “free sexuality” at the end faces only one restriction – in cases when the stronger party exploits the weaker party. In this way – of course – both secular and religious law are necessary to prohibit sexual abuse of minors, of subalterns or people who cannot “freely” decide on their sexual behaviour. The last point relates often to prostitution. As is well

known, a prostitute's sexual "service" is not seldom the result of her economic situation – by offering her body she has to raise material means for living, often combined with being exploited by her "patron". It is not the prostitute who – out of the economic necessity to earn a living – is unethical or "sinful", but the ones who are responsible for her misfortune to earn money by this sexual practice which can bring her suffering. Another example is the advertising sector where – mostly – women are often presented as sexual objects for the promotion of economic goods although there is no connection to the product. The advertised cars – e.g. – do not go faster or run more smoothly because the advertisements are decorated with scantily-clad women. Such ways of using – or precisely misusing – sexuality as an economic tool are equally unethical.

What are ethical consequences for religions and societies? Throughout history, sexuality was often regulated by legal norms, originating from religious values which were – more or less modified – adopted by secular powers or the "state". Such norms created a small set of allowed and a larger set of forbidden or at least "deviating" practices (Goertz 2011: 59-68; Hutter 2011: 27; Röhser 2016: 66f.). As these regulations or norms were often expressed from a male point of view (both in Catholicism and in Buddhism), they violated both Christian and Buddhist values saying that all humans are equal. One of the ethical tasks in a modern society is therefore to make people aware that any ideas about sexuality are deeply rooted in different strands of diverse traditions, which never must be reduced to a simple solution. Within Religious Studies it is therefore necessary to discuss and analyse such traditions and views of sexuality, which always originate in man's brain (and more often than not – in a "male" brain). Sex – in biology – is one central aspect of human life, but sex in human life never goes alone, but is always combined with gender – which is changeable and dependent on cultural and social values. To bring sex and gender in balance within one's own identity and to accept gender issues – in all their varieties – as balances with social and religious values is a necessity in our modern world. This is a challenge for people of all religions because sexuality – in the broadest possibilities – can be combined with any religion as long as misuse or harmful actions are avoided. Therefore I like to quote one Biblical law (Exodus 21:10f.) at the end: "If a man takes another wife to himself, he shall not diminish her food, her clothing, or her sexual life. And if he does not do

these three things for her, she shall leave him for nothing, without payment of money.” The law brings the ethical problem of sexuality to the point: to treat the partner in a fair way to avoid disadvantages or harm for him or her, is a crucial and difficult thing. Therefore giving just treatment to the other in any sexual relation is an ethical challenge – independent of the form which sexual orientation or practice is involved and independent of the religious setting of the sexually active person.

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