CHAPTER – III

CRIMES OF IMMORAL ACTS

This chapter deals with the laws of the Bible relating to crimes of immoral acts. It is axiomatic that what is morally wrong can never be legally right. It is proposed to study these crimes of immoral acts:

1. Adultery and penalty against it;
2. Rape and penalty accompanying it;
3. Prostitution and penalty;
4. Seduction and penalty;
5. Sodomy and penalty.

Basic biblical references are from the Pentateuch, the first five books of Moses through whom, the laws were given on Mount Sinai to the people of Israel, a nation on the march from Egyptian bondage to the promised land of Canaan. God is the giver of the laws according to the Bible. Moses is the human instrument between God and the people of Israel.

The aforementioned crimes of immoral acts are studied with reference to the scriptural data initially at one place in the same order. How these crimes are viewed and tackled by the modern states by legislation is also dealt with. Finally the lessons this study offers for the moral welfare of mankind as a sequel follows. The relevance of the biblical laws relating to the crimes of immorality to today’s mankind, this study seeks to answer.

We now turn to the exciting study of biblical crimes of immoral acts.
Adultery is the voluntary sexual intercourse by either a married man or a married woman with someone other than his or her spouse. In ancient Israel, both the man and woman would be considered guilty. It was prohibited by both versions of the Ten Commandments as well as by the Holiness Code of Leviticus (18:20). According to Leviticus 20:10, which prohibits adultery with the wife of one's neighbor, the penalty for this crime was death. The mode of execution was probably the same as that specified in Deuteronomy 22:23-24, which deals with the case of a young woman, a virgin, who was engaged to be married but met and had sexual intercourse with other man in the city. Both were guilty of adultery and were to be taken to the gate and stoned to death. This punishment is also assumed in the New Testament story of Jesus and the young woman accused of adultery, where Jesus says, “Let anyone among you who is without sin be the first to throw a stone at her.3

Adultery was probably considered sufficient ground for divorce in ancient Israel. This is implied in Deuteronomy 24:1, an introduction to the law concerned with remarriage, where one interpretation of the phrase “something objectionable” has been that it refers to adultery on the part of the woman and that only this behaviour justified a divorce. If a man suspected his wife of adultery but did not have any evidence, he could require her to submit to trial by ordeal, which would both determine her guilt or innocence and

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1 Exodus 20:14; Deuteronomy 5:18; Leviticus 20:10; Deuteronomy 22:22-25
2 Exodus 20:14; Deuteronomy 5:18
incorporate a physical punishment in the case of her guilt. In the Gospels, adultery is the only acceptable reason for divorce, although some scholars think that the phrase “except on the ground of unchastity” is an addition to earlier tradition.

Adultery in general terms was forbidden in the Seventh Commandment of the Decalogue.

**Exodus 20:14**: “Thou shalt not commit adultery”

**Deuteronomy 5:18**: “Neither shalt thou commit adultery”

This commandment prohibits all unlawful sexual relationship and upholds the sacredness and divine appointment of marriage for the propagation and multiplication of human race.

Dakes enlists 20 Sex Laws quoting references.

1. Do not commit adultery
2. Law on enticing unbetrothed virgin
3. Regarding adultery with married woman, both the man and woman to suffer death penalty
4. Bestiality: death penalty for both the person and the beast he commits the sin with
5. Incest: 18 classes of persons not to commit the sin with

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1 Numbers 5:11-31
2 Matthew 5:32
3 Cf Mark 10:2-12; Luke 16:18; 1 Corinthians 7:10-13; Romans 7:3
7 Exodus 20:14; Leviticus 18:20; Deuteronomy 5:18
8 Exodus 22:16-17; Deuteronomy 22:28-29
9 Leviticus 18:20; 20:10; Deuteronomy 22:22
10 Exodus 22:19; Leviticus 18:23; 20:15; Deuteronomy 27:21
11 Leviticus 18:6-18; 20:17, 19-21; Deuteronomy 22:30; 27:20-23
6. Law against relationship with menstrual woman

7. Do not prostitute a daughter or cause her to be a whore

8. Death penalty for committing adultery with father’s wife. Both the man and the woman to die

9. Death penalty for both if man commits adultery with daughter-in-law

10. Sodomy – homosexuality: whoever takes part in the sin to die

11. Do not marry a mother and daughter. Penalty for such sin: all the 3 to die

12. If a woman sins with a beast, both she and the beast to die

13. Inquest regarding adultery

14. Innocent wife protected

15. Guilty wife stoned

16. Death for rape, in cities

17. Death for rape, in country

18. No man to become a sodomite in Israel

19. Hire of a whore not to be brought into a house of God for vows

20. Hire of a dog (male prostitute or sodomite) not to be brought into house of God

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1 Leviticus 18:19; 20:18
2 Leviticus 19:29; Deuteronomy 23:17
3 Leviticus 20:11
4 Leviticus 20:12
5 Leviticus 18:22; 20:13
6 Leviticus 20:14
7 Leviticus 20:16
8 Numbers 5:11-30
9 Deuteronomy 22:13-19
10 Deuteronomy 22:20-21
11 Deuteronomy 22:22-23
12 Deuteronomy 22:25-26
13 Deuteronomy 23:17
14 Deuteronomy 23:18
Now for biblical authority prescribing penalty for Adultery.

**Death for Adultery**

Leviticus 20:10. And the man that committeth adultery with another man’s wife, even he that committeth adultery with his neighbour’s wife, the adulterer and the adulteress shall surely be put to death.

Deuteronomy 22:22-25: If a man be found lying with a woman married to an husband, then they shall both of them die, both the man that lay with the woman, and the woman: so shalt thou put away evil from Israel.

23. If a damsel that is a virgin be betrothed unto a husband and a man find her in the city, and lie with her;

24. Then ye shall bring them both out unto the gate of that city, and ye shall stone them with stones that they die; the damsel, because she cried not, being in the city; and the man, because he hath humbled his neighbour’s wife: so thou shalt put away evil from among you.

25. But if a man find a betrothed damsel in the field and the man force her, and lie with her: then the man only that lay with her shall die.

The law on the crime of **adultery** is crystal clear. Adultery is forbidden in the Seventh Commandment of the Decalogue. It usually denotes sexual intercourse of a married woman with any other man than her husband, or of a

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1 Deuteronomy 23:18
2 Exodus 20:14
married man with any other woman than his wife. More specifically in the Israelite as well as Roman law, the term was confined to illicit intercourse of a married or betrothed woman with any other man than her husband. Other unchaste relations were disapproved, but they were described by different words. It was deemed an outrageous crime, striking at the laws of inheritance and inflicting a spurious offspring on the husband, and was to be punished with death, **Leviticus 20:10, 19:20-22**, **Ezekiel 16:38, 40**, by the act of stoning, **John 8:5**. It has been seriously doubted whether the extreme penalty was executed, Lightfoot failing to find the record of a single instance, except of a priest’s daughter who was burnt according to the order, but she was unmarried. A bondmaid was only scourged (**Leviticus 19:20**). Mutilation of nose and ears is mentioned (**Ezekiel 23:25**). Divorce became a substitute for severer penalties. The word is used to describe the unfaithfulness of the covenant people who dissolved their relation with God (**Jeremiah 2:2 3:14 13:27 31:32, Hosea 8:9**), and those who rejected Christ are described as an ‘adulterous generation’ (**Matthew 12:29 16:4 Mark 8:38**).  

Otto J. Baab, late professor of Old Testament Interpretation, Garrett Theological Seminary contributed a short and illuminating article entitled Adultery. The researcher wishes to extract the views of late Professor whose contribution to the field of Old Testament interpretation is outstanding.

“Because of the nature of marriage, adultery was not so much evidence of moral depravity as the violation of a husband’s right to have sole sexual possession of his wife and to have the assurance that his children

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were his own. Adultery was strictly prohibited by law\(^1\). Intercourse with a female slave who was betrothed to another was not a capital offense – only a guilt offering was\(^2\). In other cases, however, the death penalty was demanded\(^3\). To determine that a woman had been adulterous, in the absence of any witnesses, she might be required to drink a special concoction. Both parties involved in adulterous intercourse were to be killed\(^4\). Job calls adultery a “heinous crime”; the adulterous destroys a man\(^6\). Her tactics are described in considerable detail in Proverbs 7:6-23. To look lustfully at a woman is to commit adultery\(^7\); and marriage with a divorced woman was adultery\(^8\). While upholding the law against adultery, Jesus refused to condemn the woman taken on adultery\(^9\). Paul points out that marriage after the death of a husband is not adultery\(^10, 11\)

What an illuminating and scholarly exposition of the law on adultery cutting across both the Pentateuch and the New Testament.

The Rev. Herbert Waddams, Canon of Canterbury contributed yet another article on Adultery to Dictionary of Christian Ethics – edited by John Macquarie, Lady Margaret Professor of Theology, University of

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1 Exodus 20:14; Leviticus 18:20; Deuteronomy 5:18; John 8:2-5
2 Leviticus 19:22
3 Leviticus 20:12
4 Deuteronomy 22:22; Ezekiel 18:11-13, 22:11; Malachi 3:5
5 Job 31:11
6 Proverbs 6:26 ff
7 Matthew 5:28
8 Matthew 5:32; Mark 10:11; Luke 16:18
9 John 7:53-8:11
10 Romans 7:3
Oxford. How it is thought provoking and refreshing? Following is in original words of the author.¹

Adultery is sexual intercourse between a man and woman who is married and someone other than the marriage partner. Its prohibition as a moral offence among Christians derives from the Old Testament in which it is specifically forbidden in the Seventh Commandment², though the Ten Commandments are concerned with more than the external act, as can be seen from the Tenth Commandment: *you shall not covet your neighbour’s wife*³.

In his Sermon on the Mount Jesus does nothing to lessen this moral offence of adultery, but points the attention of his hearers to the springs from which a desire to commit adultery rises⁴. The Greek word *porneia* in this passage is probably a general term referring to the sins of the flesh. The teaching of Jesus in this, as in other matters, does not deal with the outward offence, which he assumes to be wrong, but concentrates attention on the inner thoughts and desires of man, implying that it is here that the moral offence has its origin, and that therefore this is the point where action needs to be taken.

Christians have allowed divorce for adultery, even when they have forbidden it for any other reason, on the basis of the passage from St. Matthew’s Gospel⁵.

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² Exodus 20:14
³ Exodus 20:17
⁴ Matthew 5:27-32
⁵ 5:31-32
In the early days of the Christian Church the effect of Christian attitudes on the practices of the time was of moderation. Severe penalties for adultery were in force in the ancient world, including the death sentence and mutilation. The discipline of the Church itself was more rigorous in the early days, when the end of the world was regarded as imminent, than in later times.

Roman Catholic teaching holds that adultery is a sin against the threefold good of marriage and that the consent of the other marriage partner in no way diminishes its evil. Adultery is held to be a more serious moral offence when committed by the wife on the grounds that the practical effects are usually more damaging to herself and to others concerned in the marriage.

In recent years it has been suggested that artificial insemination by donor (AID), that is, from the semen of an unknown man, may be considered as an act of adultery and that legislation should be framed accordingly. It would, however, seem clearer to discuss and legislate for AID without using terms derived from different concepts.

Adultery from a moral point of view is damaging to the good of the family and is a direct betrayal of the most sacred human relationships. It has certainly increased during the last half century owing to greater facilities for divorce and to the availability of contraceptives. The atmosphere which is created by easy divorce facilities weakens the resistance of many men and women when temptation to be unfaithful to their marriage vows assails them, and
this, together with the availability of contraceptives, has assisted the
growth of adultery.

2. RAPE - PENALTY

“Rape is a foul crime that demanded capital punishment\(^1\)\(^2\) It is a sexual
crime. Sexual offenses cause “impurity” and “defile” the victim\(^3\). Except for
cases in which amends can be made (viz., the rape or seduction of an
unmarried woman), the legal penalty for such offenses is death. The guilt and
pollution they bring on lies upon the whole community\(^4\)\(^5\)

**Violations of Marriage:** While the Israelite conception of marriage
had, in common with the rest of antiquity, a secular, economic aspect, it went
its own way in considering the marriage bond as divinely sanctioned. Later
texts speak of a sacred covenant\(^6\), but the idea is as old as the parable of
Hosea 1-3, which presupposes it. Hence **adultery** is conceived of, not merely
as a violation of the husband’s rights, but as a sin against God\(^7\). This accounts
for the salient difference between biblical and Near Eastern law on this head:
the latter, regarding adultery as a wrong against the husband alone, gives him
the right to pardon his wife (and her paramour) if he wishes.\(^8\)

The laws define as adultery the voluntary cohabitation of a married
woman – biblical, like Babylonian law, does not distinguish the betrothed
from the married woman in this respect – with a man other than her husband.

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\(^1\) Deuteronomy 22:25
\(^3\) Genesis 34:5, 13, 27; Leviticus 19:29; 21:9; Numbers 5:29; Deuteronomy 24:4; Hosea 5:3; 6:10
\(^4\) Genesis 20:9; 26:10; Deuteronomy 24:4
\(^6\) Proverbs 2:17; Malachi 2:14
\(^7\) Genesis 20:16; 39:9, Psalms 51:1, 4
Both the woman and the man are put to death. The presumption of consent is the subject of **Deuteronomy 22:23-27**: when the offense was committed in open country, where no help was available to the woman, she is presumed to have been forced, and the man alone is executed; when it occurred in the city, she is presumed to have been willing, and is stoned too. What constitutes a marriage tie requisite for adultery is treated in **Leviticus 19:20-22**: the violation of a slave woman who has been designated to marry a man, but has not yet been freed or redeemed, is not considered adultery.

“Designation” of a slave woman, unlike betrothal (which is possible only with a freewoman), does not create a tie constitutive of adultery. The violator must indemnify the injured man, and bring a guilt offering.

Prosecution of the adulteress (and her paramour) was the duty of the husband. The law does not recognize the wife’s right to proceed against her husband in case of infidelity.

**Violations of Chastity:** From the law of the seducer it appears that ordinary fornication – in polygamous Israel the non marital union of any man with an unmarried woman – was not punishable. Hence it is that harlotry is prohibited\(^2\) but not penalized. From **Leviticus 21:7** it is clear that a non priest could marry a harlot, and this is borne out by the narrative of **Judges 11:1**. An exception is the case of the priest’s daughter, whose harlotry profanes her father; she must be burned\(^3\). The law of the newly wed wife who is discovered to be non-virgin and is stoned\(^4\) leaves it uncertain when defloration defloration occurred that she was still “in her father’s house” is consistent with

\(^{1}\)Leviticus 20:10; Deuteronomy 22:22-24, where stoning is specified; cf. John 8:3-7
\(^{2}\)Leviticus 19:29; Deuteronomy 23:17, 18
\(^{3}\)Leviticus 21:9
\(^{4}\)Deuteronomy 22:20-21
an interpretation that she was violated after betrothal, making her an adulteress. But it is equally possible to take it as having occurred before, in which case the law of Deuteronomy will be more severe than the others. Judah condemns Tamar to burning\(^1\) because she was considered inchoately married to her Levir, Shelah (she is still Judah’s “daughter-in-law”); her harlotry was therefore adulterous.\(^2\)

Rape and seduction of an unbetrothed virgin are distinguished. A man who has seized a maiden and forced her must pay her father fifty shekels (her marriage present) and take her to wife; he may never divorce her\(^3\). If he has seduced her, he must also pay her marriage present, but her father may refuse to give her in marriage. If the seducer marries her, she is not guaranteed against subsequent divorce, presumably because she was a willing partner in the offense\(^4, 5\).

Biblical law on Rape as an act of immoral crime and penalty inflictable – are contained in Deuteronomy 22:25-29. Here is an extract from the same.

**Deuteronomy 22:25-29:**

**Death for Rape of Betrothed in the Fields**

25. But if a man find a betrothed damsel in the field and the man force her, and lie with her: then the man only that lay with her shall die:

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\(^1\) Genesis 38:24
\(^3\) Deuteronomy 22:28-29
\(^4\) Exodus 22:16-17-22:15-16
26. But unto the damsel thou shalt do nothing; there is in the damsel no sin worthy of death: for as when a man riseth against his neighbour, and slayeth him, even so is this matter:

27. For he found her in the field, and the betrothed damsel cried, and there was none to save her”\(^1\)

Penalty for Rape of Unbetrothed

28. If a man find a damsel that is a virgin, which is not betrothed, and lay hold on her, and lie with her, and they be found;

29. Then the man that lay with her shall give unto the damsel’s father fifty shekels of silver, and she shall be his wife; because he hath humbled her, he may not put her away all his days.

Dake adds marginal notes in his Annotated Reference Bible at Page 222.

A shekel being \(64\text{¢}\), 50 shekels amounted to \(\$3200\) of American money. In Indian currency it is about one hundred and fifty thousand rupees.

Dakes mentions 2 classes that could not divorce:

1. A man that raped a virgin who was not betrothed.

2. A man that accused an innocent wife of not being a virgin when he married her.

Interestingly Dakes mentions first rape case recorded in the scripture\(^2\).

It reads:

\(^{1}\) Deuteronomy 22:25-27
\(^{2}\) Genesis 34:2
And when Shechem the son of Hamor the Hivite, prince of the country, saw her (Dinah, Daughter of Leah, which she bare unto Jacob)\(^1\) he took her, and lay with her, and defiled her.

**Orville J. Nave** whose name is given to Nave’s Topical Bible at page 1028 refers to cases involving instances of rape as follows: Of the servant of the Levite, by Benjamites; tribe of Benjamin nearly exterminated by the army of the other tribes, as punishment; Of Tamar by Amnon; avenged in the death of Amnon at the hand of Absalom, Tamor’s brother\(^2\). \(^3\)

**3. Prostitution – Penalty\(^4\)**

Prostitution is a term signifying sexual intercourse from which ensues no binding or enduring relationship. It is usually indiscriminate in nature. The purpose of the practice of prostitution, as far as the prostitute is concerned, is not primarily sexual passion or the desire for children. The most common term in the Old Testament is “one who is a harlot” or “one who commits fornication”. It applies to both kinds of prostitution, the secular and cultic, and appears often in figurative form.\(^5\)

The common harlot – i.e. the woman who offers her body to men for hire – appeared at an early period in Israel’s life and continued to practice her trade throughout biblical history. Her social function was well established and generally recognized.\(^6\)

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1. Bracketed words are added to supply clarity
2. 2 Samuel 13:6-29, 32, 33
‘A Dictionary of the Bible’ edited by James Hastings – under the
caption Crimes and Punishments treated in a capsule on ‘Fornication’ and
‘Prostitution’ biblically. It sums up in these words succinctly:

“Fornication, a sexual vice that was common before the time of Moses,
being grossly prevalent in Egypt, as shown in Genesis 397 and the evidence
of the monuments; also in Babylonia: Prostitution, a heinous crime1, was not
tolerated by the Sinaitic code, being an abomination in the sight of God2.

Its price could not be accepted in the sanctuary3, and death by stoning
was the penalty for an unmarried woman who had concealed her crime4. It
would seem from the term ‘strange woman,’ in Proverbs 216 that harlots
were procured from foreigners. By the Koran a courtesan was not allowed to
testify, and, according to the Zendavesta, she might be killed without warrant,
like a snake. Her vile methods and their terrible effects are severely portrayed
in Proverbs 216-19 53-6 75-27, and as arousing the displeasure of God,
Jeremiah 57, Amos 27 717. Such excesses were very common among the
heathen in the time of the apostles5. Terms for this vice are frequently used in
a symbolical sense, the chosen nation being represented as a harlot or
adulteress6. Idolatry itself is so designated7. Fornication is a type of unholy
alliances in the Book of Revelation especially in Chapters 17, 18 and 19.8

Basic biblical references on Prostitution and Penalty are extracted for a
synoptic view as given below:

1 Josephus Antiq. iv. viii. 9
2 Leviticus 1929, Deuteronomy 2317,18
3 Micah 17
4 Deuteronomy 2220, 21
5 1 Corinthians 519,10 69, Galatians 519 Ephesians 53
6 Isaiah 121, Jeremiah 220, Ezekiel 16, Hosea 12 31
7 Jeremiah 519, Ezekiel 1626,29 2337
Deuteronomy 23:17. There shall be no whore of the daughters of Israel, nor a sodomite of the sons of Israel

Leviticus 19:29. Do not prostitute thy daughter to cause her to be a whore; lest the land fall to whoredom, and the land become full of wickedness.

Leviticus 21:9. And the daughter of any priest, if she profanes herself by playing the whore, she profaneth her father: she shall be burnt with fire.

Dake comments in these words: Israelites were forbidden to allow their daughters to become prostitutes. It was a custom in some parts to prostitute daughters previous to marriage, the money received for such being dedicated to idols. A daughter profaning herself was one playing the whore – selling herself to a life of passion and lust. This profaned her father by bringing disgrace upon him, making him the object of gossip, and encouraging irreligious acts in others.¹

PROSTITUTION is forbidden. Death is the penalty for committing the immoral act of prostitution.

4. SEDUCTION – PENALTY²

Seduction consisted in the enticement of an unbetrothed virgin, for which restitution was to be made by subsequent marriage, unless the father interposed and obstacle, but then the usual dowry was exacted³. In Deuteronomy 22²⁸ it is stated that a fine of 50 shekels was required, and there is no hint of possible compromise. Selden (Hebrew Laws) states that the

² Exodus 22:16, 17; Deuteronomy 22:28, 29
³ Exodus 22:16
Sanhedrin added other mulcts, because this was so insignificant: one for the shame and dishonour; one for the loss of virginity and the vitiating of the body, and still another if force had been used; and some account was taken of the quality and station of the person injured. An offending bondmaid was scourged, and her enticer, besides paying the fine, must make a trespass – offering.  

Biblical laws on Seduction are thus contained in Exodus 22:16, 17

16. And if a man entice a maid that is not betrothed, and lie with her, he shall surely her to be his wife.

17. If her father utterly refuse to give her unto him, he shall pay money according to the dowry of virgins.

Connecting these verses – Dakes comments thus:

This law was a wise one, for it no doubt curbed seduction and fornication. Before a man would seduce a virgin he would perhaps consider whether he wanted to take her to be his wife and give the customary dowry if the parents consented. In a case where parents did not consent the dowry in full had to be paid, regardless of the objections. When parents favored the marriage such a wife could not be put away by her husband all the days of his life as one could be for certain reasons otherwise. This in itself may have kept many from sinning with a virgin.

Two Commands concerning seduced virgins:

1. The seducer to marry her

2. The seducer to pay full dowry even if parents did not consent

1 Leviticus 19:20-22  
3 Deuteronomy 22:28-29
The dowry for virgins was 50 shekels of silver or $32.50.  

Exegesis of the Interpreter’s Bible Vol. I at pages 1005 and 1006 is as follows:

The provision regarding the seduction of the unbetrothed virgin appears here with the laws concerning the security and property. The central concern of the law is not marriage but the payment of the marriage present. This according to the Deuteronomic form of the law amounted to fifty shekels. It was assumed that she became the wife of her seducer, though in exceptional cases the father might withhold her. In the Assyrian Code the case is treated in precisely the same way, except that the price is three times the normal marriage price.

Corresponding exposition from The Interpreter’s Bible found in the pages 1005 and 1006 reads thus:

**Concerning Seduction:** The principle underlying this regulation is that a daughter is the property of her father. The seducer has cheated the father of the money he could have received for her when she was married. Up to the twentieth century, English law on this question was founded on the same idea that the value of the girl to her father is the basis for action. He has to prove, however, if she is over twenty-one that she rendered actual service to him. Even such slight services as making tea for him or looking after the children are recognized as a basis for a suit. In the United States the woman usually can bring suit herself, but must prove deceit or breach of promise.

It has been generally thought that the honor of the family demands that the man shall marry the girl, thus leading to “shotgun weddings”; the fact that

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1 Deuteronomy 22:28-29
these so often turn out unhappily has brought many to doubt the wisdom of such forced marriages unless both parties are given time to decide of their own free will. The stigma of illegitimacy, if a child is involved, is of less import in modern life than the mismatched couple. In all such cases hasty action should be avoided and the best arrangement should be worked out for all three parties, father, mother, and child.¹

**Penalty** prescribed is found in *Deuteronomy 22:28, 29*. Scripture is extracted here under:

28. If a man find a damsel that is a virgin, which is not betrothed, and lay hold on her, and lie with her, and they be found;

29. Then the man that lay with her shall give unto the damsel’s father fifty shekel’s of silver, and she shall be his wife; because he hath humbled her, he may not put her away all his days.

Exegesis of The Interpreter’s Bible Vol. 2 at pages 466 and 467 reads thus:

“There are three different cases of seduction. A man and a betrothed maiden who have sexual intercourse in a city shall receive the same penalty as that in the case of adultery. The man only shall die if the intercourse takes place in the countryside because it is presumed that the girl was forced. In the case of an unbetrothed virgin the man shall

pay a bride price to her father. She shall be his wife and divorce is denied to him.²

Nave’s Topical Bible at Page 1151 enlists two instances of seduction.

1. Of Dinah (Genesis 34:2): And when Shechem the son of Hamor the Hivite, prince of the country saw her (Dinah), he took her, and lay with her, and defiled her.

2. Tamar (2 Samuel 13:1-14): Daughter of David. Amnon, a half brother, was so infatuated with her beauty that he forcibly seduced her; afterwards his lust turned to loathing as he drove her, shamed and weeping, from his house.³

5. INCEST – PENALTY⁴

Baker’s Encyclopedia of the Bible Vol. I page 1030 defines Incest as sexual relations between close relatives.⁵ Otto J. Baab, late Professor of Old Testament Interpretation, Garrett Theological Seminary contributed a short article entitled INCEST to the Interpreter’s Dictionary of the Bible – Vol. 2, page 700. It is scholarly and philosophically deep though short. He writes thus:

A number of examples of Incest, or sexual intercourse between persons too closely related for normal marriage, may be observed in the Bible.⁶ The writer of the book of Jubilees states that the sons of Adam married their

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¹ Deuteronomy 22:28-29; cf. Exodus 22:16-17
⁴ Leviticus 18:6-18; Leviticus 20:11-21; Deuteronomy 22:30
sisters. This allusion and the one concerning Lot and his daughters\(^1\) show that one alleged reason for incest was to populate the earth. Some of the illustrations exhibit the influence of sexual passion, whereas others were doubtless affected by the existence of subfamilies, children with the same mother, who were not intimately related to one another\(^2\). Further, in a polygamous society a son, when he inherited his father’s estate, may have inherited also his father’s wives, except, of course, his own mother\(^3\).

Sexual intercourse with the following classes of women was prohibited: “any one near of kin,” the mother, any other wife of one’s father, a sister, the daughter of a son or daughter, a father’s wife’s daughter, a father’s sister, a mother’s sister, an aunt, a daughter-in-law, a sister-in-law\(^4\) or one’s mother-in-law\(^5\). The penalty for incest was childlessness\(^6\) or death by fire if a man took a wife and her mother also. Whoever committed various “abominations,” including incest, was to be cut off from his people. With respect to the case of incest in the Corinthian Church, Paul Says: “\textit{Let him who has done this be removed from among you...you are to deliver this man to Satan for the destruction of the flesh}”\(^7\). The emphasis upon exogamous marriage, as well as opposition to incestuous practices by the idolatrous Canaanites\(^8\), serves to explain the biblical attitude on this matter.\(^9\)

\(^{1}\) Genesis 19:31-35  
\(^{2}\) E.g., Leviticus 18:9: a daughter “born at home or born abroad”  
\(^{3}\) 2 Samuel 3:6-11  
\(^{4}\) Leviticus 18:6-16  
\(^{5}\) Deuteronomy 27:23  
\(^{6}\) Leviticus 20:21  
\(^{7}\) 1 Corinthians 5:2, 5  
\(^{8}\) Leviticus 20:23  
However, biblical references on the laws of INCEST as quoted at the genesis are found in Leviticus 18:6-18 and Deuteronomy 22:30. They are extracted hereunder:

Leviticus 18:6-18: None of you shall approach to any that is near of kin to him, to uncover their nakedness: I am the LORD.
7. The nakedness of thy father, or the nakedness of thy mother, shalt thou not uncover: she is thy mother; thou shalt not uncover her nakedness.
8. The nakedness of thy father's wife shalt thou not uncover: it is thy father's nakedness
9. The nakedness of thy sister, the daughter of thy father, or daughter of thy mother, whether she be born at home, or born abroad, even their nakedness thou shalt not uncover.
10. The nakedness of thy son's daughter, or of thy daughter's daughter, even their nakedness thou shalt not uncover: for theirs is thine own nakedness.
11. The nakedness of thy father's wife's daughter, begotten of thy father, she is thy sister, thou shalt not uncover her nakedness.
12. Thou shalt not uncover the nakedness of thy father's sister: she is thy father's near kinswoman.
13. Thou shalt not uncover the nakedness of thy mother’s sister: for she is thy mother’s near kinswoman.

14. Thou shalt not uncover the nakedness of thy father’s brother, thou shalt not approach to his wife: she is thine aunt.

15. Thou shalt not uncover the nakedness of thy daughter-in-law: she is thy son’s wife; thou shalt not uncover her nakedness.

16. Thou shalt not uncover the nakedness of thy brother’s wife: it is thy brother’s nakedness.

17. Thou shalt not uncover the nakedness of a woman and her daughter, neither shalt thou take her son’s daughter, or her daughter’s daughter, to uncover her nakedness; for they are her near kinswomen: it is wickedness.

18. Neither shalt thou take a wife to her sister, to vex her, to uncover her nakedness, beside the other in her life time.

Deuteronomy 22:30: A man shall not take his father's wife, nor discover his father's skirt.

Law relating to Penalty is found in Leviticus 20:11-21. Here is an extract of it.
Death for Incest

Leviticus 20:11-21: And the man that lieth with his father’s wife hath uncovered his father’s nakedness: both of them shall surely be put to death; their blood shall be upon them.

12. And if a man lie with his daughter-in-law, both of them shall surely be put to death: they have wrought confusion; their blood shall be upon them.”

Death for Homosexuality

13. If a man also lie with mankind, as he lieth with a woman, both of them have committed an abomination: they shall surely be put to death; their blood shall be upon them.

Death for Incest

14. And if a man take a wife and her mother, it is wickedness: they shall be burnt with fire, but he and they: that there be no wickedness among you.

Death for Bestiality

15. And if a man lies with a beast, he shall surely be put to death: and ye shall slay the beast.

16. And if a woman approach unto any beast, and lie down thereto, thou shalt kill the woman, and the beast:

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1 Leviticus 20:11-12
they shall surely be put to death; their blood shall be upon them.

Death for Incest

17. And if a man shall take his sister, his father’s daughter, or his mother’s daughter, and see her nakedness, and she see his nakedness; it is a wicked thing; and they shall be cut off in the sight of their people: he hath uncovered his sister’s nakedness; he shall bear his iniquity.

Death for relationship with a menstruous woman

18. And if a man shall lie with a woman having her sickness, and shall uncover her nakedness; he hath discovered her fountain, and she hath uncovered the fountain of her blood: and both of them shall be cut off from among their people.

Death for Incest

19. And thou shalt not uncover the nakedness of thy mother’s sister, nor of thy father’s sister: for he uncoverth his near kin: they shall bear their iniquity.

20. And if a man shall lie with his uncle’s wife, he hath uncovered is uncle’s nakedness: they shall bear their sin; they shall die childless.

21. And if a man shall take his brother’s wife, it is an unclean thing: he hath uncovered his brother’s nakedness; they shall be childless.
Finis Jennings Dake researched and enlisted –

Ten Cases of Incest in Scripture:

1. Lot and his 2 daughters
2. Abraham and Sarah
3. Nahor and Milcah
4. Reuben and Bilhah
5. Judah and Tamar
6. Amram and Jochebed
7. Amnon and Tamar
8. Absalom and David’s wives
9. Herod
10. A Corinthian

It must be understood that while all these would have been condemned by the Law of Moses, such marriages as that of Abraham and his half-sister, and that of Nahor and Milcah before the law were excusable during the period in which they took place.

Dake’s simplified version of – Twenty Commands on INCEST:

Do not lie with...

1. Any near kin (Leviticus 18:6)

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1 Genesis 19:31-36
2 Genesis 20:12-13
3 Genesis 11:29
4 Genesis 35:22; 49:4
5 Genesis 38:16-18; 1 Chronicle 2:4
6 Exodus 6:20
7 2 Samuel 13:14
8 2 Samuel 16:21
9 Matthew 14:3-4; Mark 6:17-18; Luke 3:19
10 1 Corinthians 5
11 Leviticus 18:6-18; 20:11-21; Deuteronomy 22:30; 27:20-23
12 Acts 17:30
2. Father (V. 7)

3. Mother (V. 7)

4. Father’s wife (V. 8; 20:11; Deuteronomy 27:20)

5. Sister (V. 9)

6. Father’s daughter (V. 9)

7. Mother’s daughter (V. 9)

8. Son’s daughter (V. 10)

9. Daughter’ daughter (V. 10)

10. Father’s wife’s daughter (V. 11)

11. Father’s sister (V. 12; Exodus 6:20)

12. Mother’s sister (V. 13)

13. Father’s brother (V. 14)

14. Father’s brother’s wife (V. 14)

15. Daughter-in-law (V. 15)

16. Brother’s wife (V. 16); Such relationship was unlawful unless the brother had no children (at death). It was then commanded that a brother bring up seed to his name (Deuteronomy 25:5; Matthew 22:24-30)

17. Woman and her daughter (V. 17)

18. Her son’s daughter (V. 17)

19. Her daughter’s daughter (V. 17)

20. Wife and her sister (V. 18). This was to avoid such trouble as Jacob had with Rachel and Leah (Genesis 29:15-30:24).¹

In the New Testament times John the Baptist cautioned King Herod saying – “it is not lawful for thee to have her” who was Herod’s niece and his brother’s wife\textsuperscript{1}.

6. **SODOMY - PENALTY\textsuperscript{2}**

Sodomy is unnatural sexual relationship with the same sex or with beasts. Otto J. Baab, late professor of Old Testament Interpretation, Garrett Theological Seminary in his short note on BESTIALITY contributed for the Interpreter’s Dictionary of the Bible says this: Bestiality is sexual intercourse between a man or a woman and an animal for which criminal act, the various law codes of the Old Testament provide the death penalty\textsuperscript{3}. This practice may have been connected with the magical rituals of the pagan cultus. In a Babylonian myth Eabani (or Enkidu) had intercourse with a wild beast until enticed away by an agent of the goddess Ishtar.\textsuperscript{4}

Under the section “Crimes and Punishments” – of “A Dictionary of the Bible” – edited by James Hastings short space is provided to explain the crime of SODOMY. It says this: “Sodomy” was delicately but positively condemned in Genesis 13\textsuperscript{5} 19\textsuperscript{5}-7, and regarded as an abomination\textsuperscript{5}. On this crime the Koran and Zendavesta likewise are very severe. The Israelites were not always innocent. It was an evil practiced in religious ceremonies as appears in Genesis 38\textsuperscript{21} and Hosea 4\textsuperscript{14} which show that both males and

\textsuperscript{1} Leviticus 18:6, 16; 20:21
\textsuperscript{2} Leviticus 18:22, 23; Exodus 22:19; Deuteronomy 23:17; Leviticus 20:13, 15, 16
\textsuperscript{3} Exodus 22:19; Leviticus 20:15-16
\textsuperscript{5} Leviticus 18:22 20:13
females were set apart for such flagitious uses; but if allowed in heathen
Temples, it was never to be permitted in the worship of Yahweh.¹

The Rev. Canon D. Sherwin Bailey, Chancellor of Wells Cathedral
writes on SODOMY in these words: Strictly SODOMY (from Sodom) denotes
coition, either homosexual or heterosexual, by anal penetration, but it is
loosely used for male homosexualism in general.²

Biblical laws on SODOMY are found in Leviticus 18:22, 23 and
Deuteronomy 23:17. They are extracted down:

Leviticus 18:22, 23:

Law against Homosexuality

22. Thou shalt not lie with mankind, as with
womankind: it is abomination.

Law against Bestiality

23. Neither shalt you lie with any beast to defile thyself therewith; neither shall any woman stand before a beast to lie down therewith: it is confusion.

All homosexuality – sodomy, lesbianism, and other sex perversion are condemned in scripture with the penalty of death³

Deuteronomy 23:17. There shall be no whore of the daughters of Israel, nor a sodomite of the sons of Israel.

The Interpreter's Bible Vol. 2, Page 471 presents the following exegesis in the quoted verse: The Hebrew words for whore and sodomite here (KJV)

³ Leviticus 18:22, 26-29; 20:13; Romans 1:18-32
are qedhēstāh and qādhēsh, derived from the word “to be holy”. They refer not to ordinary prostitution, but to sacred prostitution, a common practice in the worship of pagan deities. Though the God of Israel was emphatically not to be honored in this way, the practice was introduced into the nation under pagan influence\(^1\).\(^2\)

Biblical penal law against SODOMY is found in Exodus 22:19 and Leviticus 20:13, 15, 16. Extracts are here:

**Death for Bestiality:**

**Exodus 22:19.** Whosoever lieth with a beast shall surely be put to death.

Dake adds: This, the sin of bestiality was punishable by death\(^3\). Sex Laws are quoted supra.

Turning to the book of Leviticus the law is found in 20:13, 15, 16.

**Death for Homosexuality**

**Leviticus 20:13, 15, 16.** If a man also lie with mankind, as he lieth with a woman, both of them have committed an abomination: They shall surely be put to death, their blood shall be upon the m.

**Death for Bestiality**

15. And if a man lie with a beast, he shall surely be put to death: and ye shall slay the beast.

16. And if a woman approach unto any beast, and lie down thereto, thou shalt kill the woman, and the beast:

\(^1\) cf. 1 Kings 14:24; 15:12; 11 Kings 23:7; Amos 2:7; and the metaphorical use of the custom to describe Israel’s rebellion in Jeremiah 3:2, 6, 8-9, 13
\(^2\) G. Ernest Wright, The Interpreter’s Bible Vol. II, Abingdon Press, Nashville (1952) P-471
\(^3\) V. 19; Leviticus 18:23; 20:15-16; Deuteronomy 27:21
They shall surely be put to death; their blood shall be upon them.

Dake’s succinct comments are as follows: Bestiality (sexual relationship with a beast) has been practiced in pagan nations by both men and women. For this and other sins the Canaanites were destroyed. The Bible speaks of a man’s relationship with a woman as making them one flesh, even in harlotry. On these grounds bestiality would lower the image of God to becoming one flesh with a beast: hence, it insults the Creator more than some other sins. It was God’s plan for man to be higher in morals and principles than to cohabit with senseless dumb animals. Just as murder is a serious crime against God, because it takes the life of one created in His image, so bestiality is a depraved crime against Him because it lowers one of His likeness to the level of a beast. For this sin both the man and the beast were to be killed. Though the beast had no moral responsibility it had to be destroyed, perhaps to stamp out any further attempt on its part commit the act with others and thus promote such sin. Their death would be their own responsibility, not God’s.

Dake’s further comments are illuminating. Largely they are with reference to the New Testament scriptures. Romans 1:27 is the relevant verse. It reads thus:

And likewise also men, leaving the Natural use of the woman, burned in their lust one toward another: Men with Men working that which is unseemly and receiving in themselves that recompence of their error which was meet.

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1 Corinthians 6:15-18
2 Genesis 9:6
Leaving the ‘natural use’ of the woman – Dake calls sodomy, pederasty, or homosexuality. The word ‘burned’ meant ‘inflamed’ from the root Greek word \textit{ekkaiomai}. The word ‘unseemly’ meant ‘indecent’ from the Greek root \textit{aschemosune}. The word ‘receiving’ means ‘receiving back in full’ from the Greek root \textit{apolambano}. Likewise, the word ‘recompence’ means ‘retribution’ from the Greek root \textit{antimisthia}. ‘Error’ means ‘wrong action’ from the Greek root \textit{plane} which connotes ‘wickedness’.\footnote{Finis Jennings Dake, Dakes Annotated Reference Bible, Standard Size Edition (1994) P-161}

Both men and women by unnatural prostitutions, enervated their bodies, so that they received in themselves the penalties of their wickedness. The sin of Sodom and Gomorrha was that of sodomy, of living contrary to nature\footnote{Genesis 19}. Fornication is homosexuality which is a sex perversion. Lesbianism – is unnatural sexual relations between women (homosexuality). Greek \textit{malakos} means a catamite: a male who submits his body to unnatural lewdness. ‘Uncleanness’\footnote{Romans 1:24} is a scriptural term for homosexuality and other sex perversions.\footnote{Finis Jennings Dake, Dakes Annotated Reference Bible, Standard Size Edition (1994) P-283}

Aforementioned are six crimes of immoral acts. They are illustrative. They are not exhaustive. These are as per the typology of strong of Strong’s Concordance, which is the scope of the present research.

Now we turn to study these laws from the viewpoints of modern states.

**ADULTERY:** In modern sense adultery is voluntary sexual intercourse between a married person and someone who is not that person’s spouse. An almost universal ground for divorce is adultery. Fornication, or illicit cohabitation, is sexual intercourse between two persons not married to each
other. The penalties laid down for these offenses vary widely from state to state but they are almost never prosecuted by the state as crimes.¹

Section 497 of the Indian Penal Code deals with the crime of adultery as an offence relating to marriage: whoever has sexual intercourse with a person who is and whom he knows or has reason to believe to be the wife of another man, without the consent or connivance of that man, such sexual intercourse not amounting to the offence of rape, is guilty of the offence of adultery, and shall be punished with imprisonment of either description for a term which may extend to five years, or with fine, or with both. **In such case the wife shall not be punishable as an abettor.**

The underscored portion which is biased towards wife needs correction and wife should also be made guilty of adultery as in the case of England and most of the European countries and in the case of Malaysia and Singapore.²

The Criminal Law of adultery is not uniform among nations. In U.S. 3 major formulations of adultery under different states are these:

(i) The Common Law view; (ii) The canon (the Church law); (iii) The hybrid view

Under the Common Law, adultery takes place only when the woman is married and both wife and husband are held liable. Under the Church law, adultery is the voluntary sexual intercourse of a married person with a person other than the offender’s husband or wife and only the married person is held guilty. Under the hybrid law followed in 20 states in the U.S., if either spouse has sexual intercourse with a third party, both transgressors are guilty of adultery. 8 states held both transgressors guilty, if the woman is married, but

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¹ Reader’s Digest – you and the law – A Practical Guide to Everyday Law (1973) P-149
if the woman is single only the man is guilty. 6 states do not punish adultery at all.

In England and France: It is not a criminal offence in the U.K. It is punishable, though mildly, in some of the European countries. In France, a wife guilty of adultery is punishable for a period ranging from 3 months to two years of imprisonment.

In Germany, if a marriage is dissolved as a result of adultery, the guilty spouse as well as the guilty partner, is punishable with imprisonment for a term of not less than 6 months subject to prosecution initiated by the aggrieved spouse by means of a petition.

In Pakistan and Islamic countries adultery is viewed as heinous offence and both the men and woman are subjected to punishment which may extend to the death sentence.¹

Modern states have different approaches to adultery. But the biblical law is unalterable. The Seventh Commandment of the Decalogue prohibits adultery and the said crime is punishable with death. Adultery is a blot on marriage which the Bible regards as honorable in all. Chastity law is the law of the Bible.

**Rape:** Modern states legislated against the time of rape, Section 375 of the Indian Penal Code deals with rape and Section 376 on punishment for rape. A man is said to commit ‘rape’ who has sexual intercourse with a woman against her will or without her consent, or with her consent obtained by putting fear of hurt or death or with consent when the man knows that she consented on belief that he is lawfully married to her or with her consent by

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reason of unsoundness of mind or intoxication for which reason she is incapable of understanding the consequence, or with or without her consent when she is under 16 years of age.

Penetration is sufficient to constitute the offence of rape. Sexual intercourse by a man with his wife, who is above 15 years of age, is not rape.

Under Section 376 punishment of minimum seven years imprisonment, extendable to 10 years or life or with fine or with both. For adequate and special reasons the court may impose a sentence of imprisonment for a term of less than 7 years.

The Parliament in 1983 by the Amending Act 43 substituted the word ‘sexual offences’ in place of ‘rape’ incorporating Sub Section 376B to 376D for punishing those who molest a woman under their custody or care. Sexual intercourse with wife under a decree of judicial separation has been also made punishable (Section 376 IPC).¹ Indian Law is based on Common Law. In the wake of large-scale rapes taking place in the country – whether death or castration and whipping could be solutions. Though public opinion is in favour of such a step the matter is unsettled on the ground it might be retrogressive instead of having any deterrent effect. There is a good deal of case law grew over the statutory provisions of law. But the biblical laws relating to crimes are severe and if implemented the evil of rape could easily be driven out of the society bringing safety against abuse of current human laws.


**PROSTITUTION:** In Modern sense prostitution is the act or practice of engaging in sexual activity for money or its equivalent. It is commercialized sex.¹

Prostitution is not itself a crime in England or Scotland, although certain activities of prostitutes and those who profit from prostitution are prohibited, such as soliciting in a public place, procuring, letting premises for the purpose of prostitution and so forth. On the other hand, prostitution was, at least at one time, prohibited in all American jurisdictions.²

Sections 372 and 373, Indian Penal Code punish the trade of selling and buying minors for purposes of prostitution. These sections are in consonance with Article 23 of the Constitution of India, which prohibits traffic in human beings and sanctions punishment for the practice of such acts.

Section 372 of Indian Penal Code punishes the sale of minor girls below the age of 18 years for the purpose of prostitution, or illicit intercourse, or for other unlawful and immoral purpose. The provision envisages protection of the chastity of girls. This Section applies to both married and unmarried female minors irrespective of caste or community, including girls belonging to the dancing girls’ caste. The offence consists in the intentional or conscious exposure of a minor to the danger of degradation.³

Section 373 punishes the criminals with imprisonment for a term which may extend to ten years, and shall also be liable to fine.

The biblical law relating to the crime of prostitution is severe. Burning with fire is the punishment. Chastity is what the biblical moral law. Unchastity

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³ K.D. Gaur, The Indian Penal Code, 3rd Edition (2005), P-575
must be purged. Prostitution as mode of bread-earning would have wiped out had the biblical laws be implemented.

**Seduction:** In modern legal sense seduction is the offense that occurs when a man entices a woman of previously chaste character to have unlawful intercourse with him by means of persuasion, solicitation, promises, or bribes, or other means not involving force. In America many states have abolished this offense for persons over the age of legal consent. Traditionally, the parent of a young woman had an action to recover damages for the loss of her services. But in measuring damages, the jury could consider not just the loss of services but also the distress and anxiety that the parent had suffered in being deprived of her comfort and companionship. Though seduction was not a crime at common law, many American States made it a statutory crime until the late 20th century.¹

The law of seduction in the Bible prescribes a virgin dowry of 50 shekels of silver against the seducer. Modern law appears to have followed the traditional law till recently in America, common law did not regard seduction as crime. If seduction is not regarded as crime, criminals of seduction continue to indulge in crime disturbing the peace and tranquility of the society.

**Incest:** In contrast to the biblical law of incest and in modern sense incest is sexual intercourse between persons who are closely related to each other, generally persons “of the same blood” – parent and child, brother and sister, in some states of America uncle and niece or aunt and nephew. It is a felony, regardless of whether both parties have undertaken the sexual

relationship willingly. The offense of incest, of course, is only a reflection of society's conviction that such relationships are to be punished for society's sake. Marriage between persons of such close relationship is not permitted, and there is medical and legal logic in also punishing sexual acts between them.¹

Incest was not a crime under English common law but was punished as an ecclesiastical offense. Modern statutes make it a felony.²

Although incest under both English and American law is a distinct crime, its commission may involve any of eight different offenses: illegal marriage, consensual cohabitation by unmarried persons, fornication (consensual intercourse), forcible rape, statutory rape, child abuse, and juvenile delinquency (sexual relations between minor siblings or cousins)…The choice of crime charged is generally one of prosecutorial discretion. Unless one of the participants is a minor and the other an adult, both parties may be prosecuted for incest.³

Biblical law relating to crime of incest is very minute and the punishment prescribed is ‘death’. Modern laws appear to have legislated making incest a felony. But sufficiently law of incest is diluted.

**SODOMY:** Sodomy in any form, such as homosexuality, pederasty or lesbianism, is an offense which not very long ago was felony and severely punished. Acts of sodomy include sexual activities between individuals of the

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¹ Reader’s Digest – you and the law – A Practical Guide to Everyday Law (1973) P-149
same sex or different sexes, activities that have historically been regarded as ‘unnatural’ and therefore to be penalized.\(^1\)

Sodomy is a carnal copulation against nature; to wit, of man or woman in the same sex, or of either of them with beasts.\(^2\)

Sodomy was not a crime under the common law of England but was an ecclesiastical offense only. It was made a felony by an English statute so early that it is a common law felony in this country, and statutes expressly making it a felony were widely adopted. ‘Sodomy’ is a generic term including both ‘bestiality’ and ‘buggery’.\(^3\)

Section 377 of the Indian Penal Code deals with unnatural offenses.

Whoever voluntarily has carnal intercourse against the order of nature with any man, woman or animal shall be punished with imprisonment for life, or with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine.\(^4\)

At one time in England, ‘unnatural offense’ (i.e. buggery) was a capital offence and the offender was liable to be burnt alive.\(^5\) This was in consonance with the biblical law relating to sodomy. However, today’s question is: Should homosexuality be legalized? The controversy is pending before the apex court following the recent decision of the High Court of Delhi decriminalizing homosexuality in PIL filed by Naz India Foundation, Trust working on HIV/AIDS NGO. The US Supreme Court held that law criminalizing sodomy is not unconstitutional. From this it is clear that human law on sodomy is

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\(^1\) Reader’s Digest – you and the law – A Practical Guide to Everyday Law (1973) P-150  
\(^2\) Sir Henry Finch, Law, or a Discourse Thereof 219 (1759)  
\(^3\) Rollin M. Perkins and Ronald N. Boyce, Criminal Law 465 (3rd Edition 1982)  
inconsistent and not uniform and the biblical divine law criminalized sodomy with death penalty.\(^1\)

In the **final analysis**, it may be summed up that the laws of the Bible relating to immoral acts are unalterable upholding the morality and chastity of human life. Biblical laws are universal and internationally applicable. Seventh Commandment of the Decalogue condemned adultery. Both the adulterer and the adulteress shall die. The evil of adultery shall be put away. Islamic countries viewed it as heinous. Other major countries like U.S., U.K., France and Germany prescribed imprisonment of different spells and some states do not punish adultery at all. Rape is another felony that demanded capital punishment under the biblical laws of morality. The states brought out respective legislations. Notably the Indian Penal Code condemns rape as a felony punishable with imprisonment. The need for inflicting death penalty has been thought of but remains unsettled on the ground that it might be retrogressive instead of having any deterrence. The Bible condemns prostitution as a felony punishable with death. Modern states contrarily prescribed imprisonment and fine. For seduction, biblical law prescribed virgin dowry of 50 shekels of silver against the seducer. Modern states are not serious about regarding seduction as crime. As regards the crime of incest, the biblical law condemns it prescribing death penalty. It is only an ecclesiastical offense under English common law. In America it is subjected to prosecutorial discretion. Finally sodomy is condemned as an immoral criminal act by the biblical law punishable with death; whereas Indian Penal Code punishes with imprisonment and fine. The controversy on the question of decriminalizing

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homosexuality remains unsettled. The Bible settled against it in the first instance.