

# **A Church of England perspective on Anglican arguments for same sex-sex marriage.**

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## **Introduction: the development of the Anglican debate about same-sex relationships since 2000.**

In my previous roles as the Theological Secretary of the Church of England's Council for Christian Unity and Theological Consultant to its House of Bishops and in my current role as the Academic Consultant to the Church of England Evangelical Council, I have been tracking the development of the Anglican debate about same-sex relationships over the past fifteen years. During that time the focus of the debate has kept moving.

When I started working at Church House, London, in 2000 the focus of the debate was still on the issues that had been discussed at the 1998 Lambeth Conference, namely whether it would be right to offer some form of blessing to same-sex relationships and whether it would be right for those in a same-sex relationships to be ordained as Deacon or Priest.

In 2003 the election and subsequent consecration of Gene Robinson as the first Anglican bishop in a same-sex partnership moved the debate on to the question of whether it was right for those in same-sex relationships to be appointed as bishops (a debate that was also raised in a Church of England context by the proposal to appoint Jeffrey John as the Suffragan Bishop of Reading).

Post 2003 the blessing of same-sex relationships and the ordination of those in same-sex relationships as Deacons and Priests has become a fairly frequent occurrence in large parts of The Episcopal Church and the Anglican Church of Canada and in 2010 Mary Glasspool became the second bishop in a same-sex partnership to be consecrated in the Anglican Communion when she became a Suffragan Bishop in the Diocese of Los Angeles.

However, since 2010 the focus of the debate has moved on again with the new focus being on the issue of same-sex 'marriage'.<sup>1</sup> With an increasing number of countries beginning to permit civil same-sex 'marriages' the question has begun to be raised more and more insistently as to whether churches should not offer a blessing to those who have entered into civil same-sex 'marriages' or even conduct same-sex 'marriages' themselves.

The Scandinavian Lutheran churches with whom the British and Irish Anglican churches are in communion through the Porvoo agreement have all moved in this direction from 2009 onwards and since 2013 three Anglican churches have begun to move towards the introduction of same-sex 'marriages' with the Anglican Church of Canada being the first to move in 2013 and the Scottish Episcopal Church and The Episcopal Church following them in the summer this year.<sup>2</sup>

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<sup>1</sup> Throughout this paper I will use inverted commas when talking about a 'marriage' between two people of the same sex except in quotations from other sources. This is to indicate that while such relationships are called marriages that is not what I believe they truly are.

<sup>2</sup> Two other Anglican churches have been travelling in the same direction, but have not yet got as far.

The first is the Anglican Church in Aotearoa, New Zealand and Polynesia. In 2014, its General Synod passed a resolution calling for a report to the next General Synod about the development of a 'A process and structure by which those who believe the blessing of same-gender relationships is consonant with scripture, doctrine, tikanga [Maori ways or customs] and civil law may perform a yet to be developed liturgy for blessing same-

The Church of England has so far resisted the idea that it should move in the same direction, with the traditional Christian view of marriage being upheld in its 2013 Faith and Order Commission statement *Men and Women in Marriage*<sup>3</sup> and in the *House of Bishops Pastoral Guidance on Same Sex Marriage*<sup>4</sup> issued in February 2014.

However, since same-sex 'marriages' became legal in Great Britain in 2014 a number of Church of England laity and clergy have entered into them. In addition the majority report of the *House of Bishops Working Group on Human Sexuality* (the 'Pilling' report) recommended in 2013 that priests should 'be free to mark the formation of a permanent same sex relationship in a public service'<sup>5</sup> and if this recommendation eventually becomes Church of England policy the pressure to move from this half way house to the solemnization of same-sex 'marriages' will become acute.

What all this means is that although the debate about the blessing of same-sex relationships and the ordination and consecration of those in such relationships have not gone away the new storm centre in the Anglican Communion is going to be same-sex 'marriage.'

In this paper I provide an introduction to this debate by setting out and assessing the arguments for same-sex 'marriage' put forward in reports from the Scottish Episcopal Church, The Episcopal Church and the Anglican Church of Canada. At the end of the paper I will give an overview of what I think we have learned about the key issues in the debate and the challenges facing the Church of England and the Anglican Communion.

## **A review of the report on 'The theology of Marriage' by the Doctrine Committee of the Scottish Episcopal Church**

### **Introduction**

On 14 June 2015 the General Synod of the Scottish Episcopal Church voted to open the door to the 'marriage' of same-sex couple by changing its Canon relating to marriage.

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gender relationships in a manner which maintains their integrity within the Church, is compliant with the parliamentary legislation within any relevant jurisdiction, and can remain in communion under scripture, doctrine and law.'

The resolution also called for 'A process and structure by which those who believe the blessing of same-gender relationships is contrary to scripture, doctrine, tikanga or civil law, will not be required to perform any liturgy for the blessing of same-gender relationships, will continue to have integrity within the Church, and will remain compliant with the parliamentary legislation within any relevant jurisdiction.'

The second is the Church in Wales. In a straw poll at the end of a debate on same-sex 'marriage' in the Church in Wales' Governing Body in September 2015, three bishops supported same sex marriages, one was against; 26 clergy were for, 21 against; and 32 lay members were for and 28 were against. This meant that there was not the two-thirds support for same sex marriages that would result in a formal Bill being passed to authorise same-sex 'marriage' in the Church in Wales. Following the debate, the Archbishop of Wales, Dr Barry Morgan told the BBC: 'It would be a very brave or perhaps a very foolish Bench of Bishops who were to bring the bill before the Governing Body at this stage. Because that might just rip the Church apart and lead to the acrimony that has been absent from this debate.'

<sup>3</sup> The Faith and Order Commission of the Church of England, *Men and Women in Marriage*, London: Church House publishing, 2013.

<sup>4</sup> House of Bishops Pastoral Guidance on Same Sex Marriage, 2014, <https://www.churchofengland.org/media-centre/news/2014/02/house-of-bishops-pastoral-guidance-on-same-sex-marriage.aspx>

<sup>5</sup> *The Report of the House of Bishops Working Group on Human Sexuality*, London: CHP, 2013. P.151.

Canon 31 of its Code of Canons, 'Of the Solemnization of Holy Matrimony' currently declares in clause 1: 'The Doctrine of this Church is that Marriage is a physical, spiritual and mystical union of one man and one woman created by their mutual consent of heart, mind and will thereto, and is a holy and lifelong estate instituted of God.' What has been agreed is that if the necessary 2/3 majorities in the General Synod are achieved during a two year process beginning in 2016 this clause will be deleted. By removing any reference in the Canon to marriage being between a man and a woman this change would allowed the 'marriage' of same-sex couples in the churches of the Scottish Episcopal Church from 2017

General Synod also voted to add a conscience clause that would ensure that no member of the clergy would be obliged to solemnise a same-sex 'marriage.'

The debate in the General Synod was resourced by a report on *The Theology of Marriage* from the Doctrine Committee of the Scottish Episcopal Church<sup>6</sup> which set out the arguments for three options:

Option A. No change in the Canons, and hence maintaining a definition of marriage as a union 'of one man and one woman.'

Option B. A change in the canons such as will enable the SEC to incorporate same-sex marriage.

Option C. moderate change or parallel provision, allowing for blessings of same-sex covenant partnerships.<sup>7</sup>

This paper will examine the arguments put forward in the report in support of Option B, which was the option voted for by the General Synod. These arguments will be considered under the four headings used in the report.

### **Marriage as for procreation**

Under this heading the report puts forward four arguments in response to the idea that because procreation is one of the reasons for marriage same-sex 'marriage' is therefore unacceptable.

First, it argues that the 'primary reason' why God provides a companion for Adam in Genesis was not procreation, but because 'it is not good for man to be alone' (Genesis 2:18). It is this 'social imperative' that is the reason why God creates Eve. Furthermore, when Jesus (Mark 10:8) and St. Paul (1 Corinthians 6:16) refer to the teaching of Genesis about a 'one flesh' sexual union between a man and a woman in marriage 'they never mention procreation' but instead 'emphasise sexual fidelity and indissoluble union.'<sup>8</sup>

Secondly, it argues that it is reductive to see 'one flesh union' solely in terms of procreation and physical sexual activity and that while procreation is a purpose of marriage that relates to creation as it now is, non-procreative relationships 'populate God's new creation and our eschatological future.'<sup>9</sup>

Thirdly, it argues that non-procreative sexual unions that focus on purposes for loving union other than procreation can 'transform and enrich what it means to bring forth children and sustain a

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<sup>6</sup> The report can be found at <http://www.scotland.anglican.org/wp-content/uploads/2015/04/Doctrine-Committee-Theology-of-Marriage.pdf>

<sup>7</sup> Ibid, pp.1-2.

<sup>8</sup> Ibid, p.16

<sup>9</sup> Ibid, p.17.

family system.’ In this way, it says, ‘same sex marriage, and other non-procreative unions, can be exceptions that enhance rather than undermine the institution of marriage.’<sup>10</sup>

Furthermore, same-sex ‘marriage’ can be seen to be in accordance with nature given that having a homosexual orientation can be seen to be natural amongst animals and for some human beings.<sup>11</sup>

Fourthly, it argues that ‘the healthy nature and education of children does not depend on sexual differentiation between parents and carers.’ The report declares that ‘children of homosexual parents experience broadly similar outcomes than those of heterosexual parents and that the quality of parenting is of greater significance than the sexual orientation of the parents’<sup>12</sup>

What are we to make of these arguments ?

1. It is a mistake to separate Genesis 1 and 2.

It is a misreading of Genesis to separate the teaching of Genesis 1 and 2. The way the book of Genesis is constructed the reader is expected to have read Genesis 1 first and to read Genesis 2 in the light of it. This means that Genesis 2 needs to be seen as a narrative expansion of Genesis 1:26-28 explaining in the form of a story how God created human beings as male and female. This being the case, the sexual union between man and woman in marriage referred to in Genesis 2:24 needs to be seen in the light of the command to ‘be fruitful and multiply’ in Genesis 1:28. It is the God given means for that command to be fulfilled. Marriage and procreation go together as we subsequently see in Genesis 3:15-16 and Genesis 4:1-2.

2. While marital love cannot be reduced to procreation, procreation is a key part of marriage.

It is true that we should not reduce marital love to procreation or physical sexual activity. There is also, or at least there should be, a union of hearts and minds. However, this does not mean that the capacity for procreation is irrelevant to what marriage is about. The fact that marriage is more than a means for producing babies does not mean that this is not one of the key purposes of marriage and that marriage does not need to be structured in such a way as to achieve this end by being between a man and a woman.

In their important article ‘What is marriage?’ in the Winter 2011 edition of *the Harvard Journal of Law and Public Policy* (Vol 34, No 1 pp.18-19), S Girgis, R P George and R T Anderson helpfully illustrate the difference between marriage and same-sex relationships in this regard using the analogy of a baseball team:

Consider this analogy: A baseball team has its characteristic structure largely because of its orientation to winning games; it involves developing and sharing one’s athletic skills in the way best suited for honorably winning (among other things, with assiduous practice and good sportsmanship). But such development and sharing are possible and inherently valuable for teammates even when they lose their games. Just so, marriage has its characteristic structure largely because of its orientation to procreation; it involves developing and sharing one’s body and whole self in the way best suited for honorable parenthood—among other things, permanently and exclusively. But such development and sharing, including the bodily union of the generative act, are possible and inherently

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<sup>10</sup> Ibid, pp.17-18.

<sup>11</sup> Ibid, pp.18-19.

<sup>12</sup> Ibid, p.19.

valuable for spouses even when they do not conceive children. Therefore, people who can unite bodily can be spouses without children, just as people who can practice baseball can be teammates without victories on the field. Although marriage is a social practice that has its basic structure by nature whereas baseball is wholly conventional, the analogy highlights a crucial point: Infertile couples and winless baseball teams both meet the basic requirements for participating in the practice (conjugal union; practicing and playing the game) and retain their basic orientation to the fulfilment of that practice (bearing and rearing children; winning games), even if that fulfilment is never reached. On the other hand, same-sex partnerships, whatever their moral status, cannot be marriages because they lack any essential orientation to children: They cannot be sealed by the generative act.

It is also true that Mark 10:8 and 1 Corinthians 6:16 are silent about the one flesh union of Genesis 2:24 involving procreation. This silence is not surprising given that a mention of procreation would have been irrelevant to the argument in both verses. What would have been surprising and contentious, and would therefore have left a mark on the New Testament record, would have been if either Jesus or St. Paul had rejected a link between marriage and the fulfilment of Genesis 1:28 since such a link was held to be axiomatic in first century Judaism. Their silence on the matter can thus be seen as providing evidence that they regarded Genesis 1:28 and marriage as belonging together.

The fact that the union between husband and wife in marriage cannot be reduced to either procreation or sexual activity in general does not mean that these are not a vital part of what marriage is about. In the Christian tradition marriage has been seen as a loving union between a man and a woman involving sexual activity (non-consummation being a ground for annulment) and oriented towards the procreation of children. It is this report that is being reductionist by arguing that an orientation towards the procreation of children should be seen as optional.

### 3. Procreation is relevant for the world to come.

The report is wrong to argue that procreation has only to do with this world and that it is non-procreative relationships that populate the world to come. Those who will inhabit the world to come will have first have to have been born into this world and for that procreation is necessary. Having children who are 'brought up in the fear and nurture of the Lord,' as the *Book of Common Prayer* marriage service puts it, is therefore an important part of producing citizens for the kingdom of heaven. In the words of the homily 'Of the state of Matrimony' in the Second Book of Homilies, marriage is ordained:

...that the Church of God and his kingdom, might by this kind of life be conserved and enlarged, not only in that God giveth children, by his blessing, but also, in that they be brought up by the parents godly, in the knowledge of God's word; that thus the knowledge of God, and true religion, might be delivered by succession, from one to another, that finally, many might enjoy that everlasting mortality.<sup>13</sup>

And this is not just theory or pious aspiration. It is what has actually happened. For example, the American writer Rodney Stark has argued in his study *The Rise of Christianity*, one of the reasons that the Early Church grew so fast was not just because Christians converted people (although they

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<sup>13</sup> I Robinson (ed), *The Homilies*, Bishopstone: Brynmill/ Preservation Press, 2006, p.363.

did), but because Christians had a fertility rate that was a lot bigger than that of the population as a whole.<sup>14</sup>

4. Non-procreative unions are not needed to enhance traditional marriage.

It is hard to see why non-procreative sexual unions are needed in order to transform and enrich traditional marriage. It simply is not the case that those in traditional marriages are focused purely on having children and therefore neglect other forms of the loving union between husband and wife. Those in traditional Christian marriages do not need same-sex relationships to teach them that marriage is not just about children, but about love between two people and what the Book of Common prayer calls 'the mutual society, help and comfort, that the one ought to have of the other, both in prosperity and adversity.' Christians have known this, and sought to practice it, for almost two millennia.

Because it excludes procreation, what a same-sex version of marriage has to offer is in fact a reduced rather than enhanced version of what marriage is about. It is traditional Christian marriage that is marriage in all its fullness.

5. An appeal to nature in support of same-sex 'marriage' does not work.

The argument that same-sex 'marriage' is in accordance with nature is also problematic.

We cannot move from the alleged homosexual behaviour of other animals to what is natural for human beings as the report seeks to do because (a) according to Christian teaching they too have been affected by the Fall and (b) seeking to model human behaviour on the behaviour of animals raises the question of which aspects of their behaviour should provide us with our model.

As Patricia Morgan notes in her book *The Marriage Files*:

If animals do not find or are kept from mates, they may instinctively mount or engage in nesting behaviour with other males (It is commonplace that human prisoners resort to sodomy). Sexual activity among animals is seasonal. There is a surge in hormonal levels during a 'mating season' when males become very aggressive and will mount almost anything until finding a female. Male penguins copulate with dead bodies and engage in coercive sex with chicks that leads to death. What 'orientation' is the dog humping a table or trouser leg? A chimpanzee (Nim) trained to use human dialogue (by Herbert Terrace of Columbia University) is filmed trying to copulate with a pet cat. Many species are cannibalistic. Some eat their own young. It is usual for males who replace another in the pride (lions) or troupe (apes) to kill offspring of the previous male(s) before re-impregnating the females.<sup>15</sup>

What, if anything, are we meant to learn as the basis for our own conduct as human beings from this range of animal behaviour?

We have to learn what is natural for us as human beings and this does not simply mean what we or anyone else desires to do at a particular time, but what we are created to be and do by God. Because of the Fall our behaviour and our understanding are both warped by sin (see Romans 1:18-

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<sup>14</sup> Rodney Stark, *The Rise of Christianity*, San Francisco: Harper San Francisco, 1997, Chapter 5.

<sup>15</sup> Patricia Morgan, *The Marriage Files*, London: Wilberforce publications, 2014, p.116.

32). This means that we have to learn what we are meant to be like from God himself via his self-revelation in Holy Scripture. As we have seen, this tells us that human beings have been created as male and female and commanded to be fruitful and multiply and that God created marriage to be a sexual union between a man and a woman with procreation as one of its key purposes. When St. Paul tells us in Romans 1:26-27 that both gay and lesbian sexual activity is unnatural what he means is that it goes against the fact that God made us in this way.

Saying that homosexual activity is natural, as the report does, is thus a direct rejection of revelation, which cannot be justified by an appeal to the natural sciences since they can only tell us what we are now and not what we were originally meant to be.

6. It is misleading to assert that being part of same-sex families makes no difference to children.

Finally, the claim that the outcomes for children of same-sex couples are broadly similar to those for the children of opposite sex parents fails to take into account the important study by the American sociologist Mark Regenerus. Entitled 'How different are the adult children of parents who have same-sex relationships?' this article<sup>16</sup> was based on the New Family Structures Survey which surveyed a randomly selected sample of 15,000 Americans aged 18-39 and asked them about their lives. To quote Regenerus, the results for those surveyed whose mothers had had a same sex relationship:

...call into question simplistic notions of "no differences," at least with the generation that is out of the house. On 25 of 40 different outcomes evaluated, the children of women who've had same-sex relationships fare quite differently than those in stable, biologically-intact mom-and-pop families, displaying numbers more comparable to those from heterosexual stepfamilies and single parents. Even after including controls for age, race, gender, and things like being bullied as a youth, or the gay-friendliness of the state in which they live, such respondents were more apt to report being unemployed, less healthy, more depressed, more likely to have cheated on a spouse or partner, smoke more pot, had trouble with the law, report more male and female sex partners, more sexual victimization, and were more likely to reflect negatively on their childhood family life, among other things.<sup>17</sup>

Furthermore a 2013 study based by Douglas Allen which evaluated a 20% sample of the Canadian census reveals that the children of gay and lesbian couples are only about 65 percent as likely to have graduated from high school as the children of married, opposite-sex couples. And gender matters, too: girls are more apt to struggle than boys, with daughters of gay parents displaying dramatically low graduation rates.<sup>18</sup>

In addition to these academic studies there is a growing amount of testimony from the children of same-sex families who are saying that growing up in a family headed by two people of the same sex created significant difficulties for them both while they were growing up and in later life.<sup>19</sup>

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<sup>16</sup> M Regenerus 'How different are the adult children of parents who have same-sex relationships? *Social Science Research*, 41, 2012, pp.752-770.

<sup>17</sup> Mark Regenerus 'Gay parents, are they really no different?' [http://www.slate.com/articles/double\\_x/doublex/2012/06/gay\\_parents\\_are\\_they\\_really\\_no\\_different\\_.html](http://www.slate.com/articles/double_x/doublex/2012/06/gay_parents_are_they_really_no_different_.html)

<sup>18</sup> Allen, D. W. (2013). High school graduation rates among children of same-sex households. Review of Economics of the Household. Advance online publication. doi: 10.007/s11150-013-9220-y

<sup>19</sup> See Robert Oscar Lopez & Rivka Edelman (eds), *Jephthah's Daughters: Innocent Casualties in the War for Family Equality*, Create Space, 2015.

In the light of this academic and anecdotal evidence simply asserting that these appears to be no difference in outcome is insufficient. At the very least the report should have noted that this remains a highly contested area of study on which there is no agreement.

What we do know, however, is the decades of research shows that children succeed best when they are brought up by married parents of the opposite sex.

### **Marriage as a remedy against sin**

This section of the report begins with an excursus entitled 'Considerations from Scripture' which looks at what Scripture has to tell us about marriage and sexual activity. In this excursus the report declares:

We will not find in Scripture clear moral teaching on marriage and sexual expression for our modern times, not least because the cultures out of which the biblical texts arose were so different from our own, and often polygynous, and with ritualistic laws and contractual arrangements that we barely recognize, but also because some teaching, particularly that on divorce, is contested within Scripture itself. What we do find, more profoundly, is a range of biblical themes concerning marriage, which must inform any endeavour to develop a theology of marriage.<sup>20</sup>

The report sets out these themes in five bullet points as follows:

- marriage as companionship, with questions as to whether it is dissoluble or not;
- marriage as one area around which strict purity laws were taught at a period in Israel's history
- sexual relations as an area where we are to be mindful of our bodies as temples of the Holy Spirit, and distinct from some 'Gentile' behaviours, i.e. behaviours of the surrounding culture ( it is interesting to ask what might be equivalents today: pornography, prostitution, promiscuity and sex-trafficking might be contenders);
- marriage as a vocation, though not one to which all are called, and not one that is carried into our eschatological future;
- marriage as mirroring God's covenant faithfulness and Christ's self-giving love, such that as an ideal it is not dissoluble.<sup>21</sup>

In the part of this section setting out the arguments in favour of same-sex 'marriage' the report then goes on to argue on the basis of the work of Jeffrey John and an article in the *Anglican Theological Review* that same-sex 'marriage' should be seen as a 'remedy against sin' because it helps to order and discipline sexual desire within the bounds of Christian holiness and to prevent sexual promiscuity amongst gay men.<sup>22</sup>

It also argues that the fact that Scripture and 'the Christian world today' today make provision for polygamous relationships and that Scripture disagrees with itself about whether marriage is in

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<sup>20</sup> *The Theology of Marriage* p.21.

<sup>21</sup> *Ibid*, p.25.

<sup>22</sup> *Ibid*, pp.26-27 referring to Jeffrey John, *Permanent, Faithful, Stable*, London: DLT, 2012 and D J Good, W J Jenkins et al 'A Theology of Marriage including Same-Sex Couples: A view from the Liberals,' *Anglican Theological Review*, 93:1, pp.51-88.



indissoluble shows that a 'lifelong 'one man one woman' relationship' is not a 'non-negotiable' characteristic of marriage in the Bible.<sup>23</sup>

Instead it suggests that what we should learn from the Bible is to see marriage in terms of the covenant between God and Israel and the self-giving relationship between Christ and the Church. If so, it suggests, 'the pertinent questions that arise for us are 1.' Can such covenantal relationships be maintained faithfully between two persons, irrespective of gender?' 2. If both parties are of the same gender, what if anything distinguishes their covenanted union from 'marriage.'?<sup>24</sup>

In order to answer these questions the report then brings in an eschatological perspective:

Noting that the direction of Jesus' and Paul's thinking is towards the new creation in which marriage will have passed away, what does this mean for arguments today to extend the definition of marriage to include same-sex covenant partnerships? Theologically, though not culturally, we are living in the same 'times' as the NT 'times'; the 'times' when the Kingdom is among us but is not fully realized. Therefore, we live out the goodness of creation, whilst also anticipating and seeing signs of the new creation. So we live with the tension of recognizing that marriage is a good but that it is not a good that will continue into our eschatological future. That we are each to live out our calling (I Cor 7.17), is as true for us today as it was for the Christians in Corinth. Some of us are called to be married, some not, and the distinction does not fall according to our sexuality.<sup>25</sup>

What are we to make of these arguments?

1. The teaching of the Bible is still relevant today

The argument that we cannot find clear moral teaching on marriage and sexual activity in Scripture because of the differences between the cultures out of which Scripture arose and our own overlooks the continuity between the issues addressed by the Bible and the issues we face today. The basic issues which the Bible addresses and which we still face today are the nature of marriage and whether it is right to have sex outside the bond of marriage and on both of these issues the Bible gives us clear teaching which remains equally relevant for our current culture.

2. The indissolubility of marriage is not contested in Scripture

The argument that the indissolubility of marriage is 'contested' in Scripture depends on the idea that there is a tension between the apparently absolute ban on divorce in Mark 10:11 and Luke 16:18 and the permission for divorce in the case of serious sexual immorality (*porneia*) in Matthew 5:32 and Matthew 19:9. The answer to this apparent inconsistency is not that Matthew is weakening Jesus' teaching, but that he is making explicit what is implicit in the teaching as recorded in Mark and Luke namely the Jewish belief that 'adultery automatically annuls a marriage by creating a new sexual union in its place.'<sup>26</sup>

3. The five themes concerning marriage highlighted by the report all require qualification

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<sup>23</sup> Ibid, p.28.

<sup>24</sup> Ibid, p.28.

<sup>25</sup> Ibid, pp.28-29.

<sup>26</sup> R T France, *Matthew*, Leicester, IVP. 1975, p.123.

Marriage does involve companionship, but as we have already seen, it is also about procreation.

There are strict purity laws relating to sex and marriage in the Old Testament, but there is nothing in the New Testament to suggest that these have been abrogated or relaxed under the new covenant. On the contrary they are strengthened with no space given to polygamy, with tighter rules on divorce (Matthew 19: 1-9) and with adulterous desires as well as actions being forbidden (Matthew 5:27-30).

According to the New Testament being mindful of our bodies as temples of the Holy Spirit and not living like the Gentiles means having sex only within marriage and not engaging in same-sex relationships (1 Corinthians 5:1-7:40, 1 Thessalonians 4:1-8).

The only marriage which the Bible knows about is marriage between people of the opposite sex. There is no suggestion anywhere in Scripture that people are called by God to marriages between people of the same-sex.<sup>27</sup>

It is true that marriage is for this life only (Luke 20:34-36) but this does not mean that we should not take seriously what the Bible tells us about the nature of marriage in this life.

The New Testament never bases the indissolubility of marriage on the fact that marriage mirrors 'God's covenant faithfulness and Christ's self-giving love,' but on the fact that God ordained the life-long character of marriage at creation (Matthew 19:3-6).

#### 4. Same-sex marriage cannot act as a remedy against sin

The argument that same-sex marriage can be a 'remedy against sin' because it helps to order and discipline sexual desire within the bounds of Christian holiness and to prevent gay men engaging in sexual promiscuity sees the problem with same-sex sexual activity as lying in the way that it is conducted. It suggests that if such activity ceased to be promiscuous and was conducted instead within the bounds of permanent, faithful and stable Christian relationships then it would cease to be sinful.

In the Bible, however, no distinction is made between different forms of same-sex sexual activity. Such activity is seen as sinful per se because it falls outside the limits for sexual activity laid down by God at creation and is therefore forbidden by God's law (Romans 1:26-27, 1 Corinthians 6:9-10, 1 Timothy 1:10). A same-sex marriage can therefore no more be a remedy against sin than an adulterous or incestuous marriage would be.

#### 5. Lifelong monogamous heterosexual marriage is a non-negotiable

The argument that the existence of polygynous relationships and disagreement within Scripture about whether marriage is indissoluble shows that a lifelong relationship between one man and one woman cannot be seen as a non-negotiable characteristic of marriage in the Bible is flawed for two reasons.

- a. As we have already seen, there is no disagreement in Scripture over whether marriage is indissoluble. It is intended by God to be life long, but it can be terminated by serious sexual immorality or by desertion by an unbelieving spouse.

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<sup>27</sup> For this point see Michael Brown, *Can you be Gay and Christian?* Lake Mary: Front Line, 2014, pp.84-90.

- b. The model for marriage laid down by God in Genesis 1 and 2 is monogamous. From the time of Lamech onwards (Genesis 4:19) polygamy becomes a feature of a fallen world, but Jesus (Matthew 19:3-6) goes back to God's original standard and the New Testament and the subsequent Christian tradition has followed his lead.<sup>28</sup> The limited provision for the acceptance of polygamous relationships in the Anglican Communion is not due to a questioning of the biblical standard, but due to a desire to make compassionate pastoral provision for those in polygamous relationships at the time they come to faith.<sup>29</sup>

Neither element of the argument shows that a life-long monogamous marriage is not what was ordained by God at creation and should not therefore form the non-negotiable basis for Christian theology and practice.

6. It is the account of creation that forms the basis for our understanding of the nature of marriage.

The idea that the covenant between God and Israel and the relationship between Christ and the Church should form the basis for our understanding of marriage ignores the fact that in Scripture it is the account of creation that tells us what marriage is. It is true that in Ephesians 5:21-32 St. Paul suggests that Genesis 2:24 points prophetically to the relationship between Christ and His Church and that this relationship of self-giving love provides the model for the conduct of Christian marriages, but St. Paul still assumes that we learn what marriage is from the text of Genesis.

Within the literary structure of the Bible it is because we know what marriage is from Genesis 1 and 2 that the subsequent metaphorical descriptions of God's relationship with his people being like a marriage make sense. It is the use of marriage in this metaphorical way that is derivative not our understanding of the nature of marriage. The report has thus got things the wrong way round.

Because the metaphorical use of marriage as an image for God's relationship with his people is derived from the reality of marriage as ordained by God this relationship is always seen as monogamous and between a bride and a groom.<sup>30</sup> It therefore follows that even if one were to try to build a theology of marriage on the metaphorical use of marriage in Scripture it would still provide no support for the idea of same-sex 'marriage.'

The fact that we live in the time between the times in which the kingdom has broken in but is still awaited is irrelevant to the question of the nature of marriage. The nature of marriage was laid down at creation and as long as we are still part of this creation we have to honour it. According to the New Testament living in the light of the coming kingdom does not mean repudiating what God laid down at creation but responding to it with greater faithfulness – hence universal monogamy, and a stronger line against divorce.

### **Mutual comfort and support**

In this section the report offers four arguments.

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<sup>28</sup> See Richard Davidson, *Flame of Yahweh – Sexuality in the Old Testament*, Peabody: Hendrickson, 2007, Chapter 5 and page 638.

<sup>29</sup> For this see resolution 26 of the 1988 Lambeth Conference in R Coleman (ed) *Resolutions of the Lambeth Conferences 1867-1988*, Toronto: Anglican Book Centre, 1992, pp.211-212.

<sup>30</sup> See, for example, Isaiah 54:5, Jeremiah 2:1-3, Hosea 2, Ephesians 5:21-32, Revelation 21:1-4.

First it questions the circularity of the argument that same-sex partnerships cannot count as marriages because marriage is an exclusive lifelong partnership between one man and one woman. It declares that:

..the matter under consideration is whether we are bound to that definition, or whether there is benefit in expanding it. Already we recognize partnerships that are not exclusive or lifelong are nonetheless marriages.<sup>31</sup>

Secondly, it suggests that developing a gender neutral form of marriage would open up marriage for those who don't fit into the binary categories of male or female, because they have an intersex condition, see themselves as 'both male or female, or neither' or who are transsexual or transgender and therefore 'may experience tension between their biological sex and their experienced sex or socially constructed gender.'<sup>32</sup>

Thirdly, it contends that same-sex 'marriages' would provide 'healing' and 'positive role-models' for homosexual people which are needed because of the negative messages that they have received from the Church and society.<sup>33</sup>

Fourthly, it argues people who are married complement each other because of who they are and the way that their relationships develop and not because men and women are essentially complementary to each other.

Arguments from complementarity and difference operate with over-generalised characterisations that can easily lead to type-casting, and for this reason complementarity arguments are often experienced as oppressive. Even if it could be established that women are generally better at reading emotions and men are generally better at reading maps, it would be hard to see how this might carry theological significance. Couples find themselves to complement one another, and to grow in complementing one another, as their relationship develops, regardless of their sex or sexuality.<sup>34</sup>

What are we to make of these arguments?

1. Anglican churches do not recognise non-exclusive or temporary partnerships as marriages.

It is true that the argument is about whether the traditional definition of marriage should be expanded, but it is misleading to suggest that the Church recognizes partnership that are not exclusive or lifelong as marriages.

The recognition of the existence of polygamous relationships by Anglican churches does not mean that these are seen as authentic Christian marriages. That is why the churches involved do not solemnize such relationships or teach that it is right for Christians to enter into them.

In a similar fashion, those Anglican churches that marry people who have been divorced and have a former spouse still living do so on the understanding that the new marriage is intended to be for life. No provision is made for people to enter into a temporary, time limited, form of marriage.

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<sup>31</sup> The Theology of Marriage p.29.

<sup>32</sup> Ibid, p.30.

<sup>33</sup> Ibid, p.30.

<sup>34</sup> Ibid, p.30.

No Anglican church has therefore departed from the traditional Anglican and biblical understanding of marriage in either of these cases and it is a mistake to argue that they have.

2. Moving to gender neutral marriage would not help people with intersex conditions or those who are transsexual or transgendered.

As we have seen, the teaching of Scripture is that God created human beings to be either male or female. Nevertheless, one of the results of the brokenness of the fallen world we inhabit is that there are people whose sex is difficult to determine or (people with intersex conditions) and people whose biological sex is clear but who find it difficult to accept or live out their given sexual identity (transsexual or transgendered people).

What people in either of these situations need is help to live as far as possible according to their God given sexual identity as male or female (even though in the case of intersex people this identity can sometimes be difficult to determine because the evidence may appear to be ambiguous). It is hard to see how introducing a gender neutral form of marriage would help them with this process. Indeed it might hinder it by sending out a message that it is unnecessary to seek to live out one's given sexual identity as male or female. Telling people facing a difficult struggle that their struggle is unnecessary is not either a truthful or a helpful thing to do.

3. Same sex 'marriages' will not be helpful for those with same-sex attraction.

There is no doubt that people with same-sex attraction have received 'negative messages' from both the Church and society. In so far as these negative messages were that same-sex sexual activity is wrong and should not take place they were justified. However, if they implied that people with same-sex attraction have less value as people or are somehow more sinful than anyone else they were unjustified.

On the other hand, it is precisely because people with same-sex attraction are human just like everyone else that they too are called to live out their sexual identity as men and women either in marriage to someone of the opposite sex or in a life of singleness. They have the same calling as every other human being in this regard.

The establishment of same-sex 'marriages' will do nothing to help those with same-sex attraction to live out this fundamental human vocation. Indeed they will potentially make it more difficult by sending out a message that trying to live out this vocation is unnecessary. Similarly, those in such 'marriages' will not be able to act as role models for how to live out this vocation because they are not living it out themselves.

4. The importance of the complementarity between men and women is not something that can simply be set aside.

The denial that the complementarity between men and women is relevant to the existence of complementarity in marriage is highly problematic. It involves a rejection of all the evidence from the biological and social sciences that men and women are different from each other in a whole

variety of significant ways and that the positive combination of these differences is vital for human life in general and for marriage in particular.<sup>35</sup>

It also fails to make any sense of the teaching of the creation narratives in Genesis 1 and 2 and the subsequent teaching of Jesus that God's creation of human beings as male and female and his bringing them together in marriage are the bedrock of human existence. If there is no differentiation in unity, no complementarity, between men and women, why do Genesis and Jesus teach that there is and that it is so important?

The calling of Christian theology is surely to make sense of the relationship between men and women established by God, not to deny its existence.<sup>36</sup>

### **Marriage as reflecting the love of Christ for the Church and the very nature of God's character and love.**

The report puts forward two arguments in this section.

First, just like traditional marriage, same-sex 'marriage' can 'also signify the mystical union between Christ and the Church.' Drawing on the work of Robert Song and Rowan Williams the report suggests that this is because sexual relationships, including same-sex relationships, can point us to the love that God has for us. The reason for this is that the experience of mutual desire between human beings points us towards the way in which in Christ God desires us as if we ourselves were God.<sup>37</sup>

Secondly, the authority of the Scottish Book of Common Prayer of 1929 can be upheld even if the marriage Canon is altered because (a) the Scottish Episcopal Church gives authority to all authorized liturgies and not just to the Scottish Prayer Book and (b) 'it is anyway not clear from the Prayer Book that marriage between a man and a woman is the only form of relationship that can reflect the mystical union between Christ and the Church.'<sup>38</sup>

What are we to make of these arguments?

1. Same-sex relationships are a sign of estrangement from God rather than a sign of the union between Christ and his church.

In response to the first of these arguments, we need to note that there is nowhere in Scripture where sexual desire as such is seen as mirroring the love that God has for us. It is always the love between husband and wife more generally rather than sexual love in the abstract that fulfils this role.

Furthermore, according to Scripture what the existence of same-sex relationships actually signifies is the fact that human beings have rejected the knowledge of God given in the created order and have therefore become disordered in their understanding and behaviour (see Romans 1:18-32). This means that same-sex relationships are a sign of the estrangement from God which is overcome by the mystical union between Christ and the Church.

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<sup>35</sup> See Werner Neuer, *Men and Women in Christian perspective*, Leicester: Crossway 1991, Stephen Clark, *Man and Woman in Christ*, Ann Arbor: Servant Books, 1981, John Gray, *Men are from Mars, Women are from Venus*, London: Harper Element 2012.

<sup>36</sup> For an exploration of this point see Christopher C Roberts, *Creation and Covenant*, London: T&T Clark 2007.

<sup>37</sup> *The Theology of Marriage* pp.32-33.

<sup>38</sup> *Ibid* pp.34-36.

For the Church to solemnize same-sex ‘marriages’ would thus amount to a liturgical rejection of the purpose of the mystical union of which the love between husband and wife is a sign.

2. The acceptance of same-sex relationships would involve a rejection of the theological tradition represented by the 1929 Scottish Prayer Book.

In response to the second argument, it is true that in the Scottish Episcopal Church all forms of liturgy are equally authoritative. It is also true that the 1929 Scottish Prayer Book does not explicitly teach that marriage between a man and a woman is the only form of relationship that can reflect the mystical union between Christ and the Church.

However, we know historically that those who drew up the 1929 Prayer Book would have seen a marriage between a man and a woman as the only form of marriage given by God to represent the relationship between Christ and his Church. In 1929 all orthodox Christian theologians, including those in the Scottish Episcopal Church, would have regarded homosexual activity as a sin and a ‘marriage’ between two people of the same-sex as a theological impossibility. The reason that the 1929 Prayer Book does not rule out same-sex partnerships was not because those who compiled it wanted to leave room for them, but because such relationships were so obviously wrong that they were not even worth mentioning.

What this means is although the proposal to allow same-sex ‘marriages’ in the Scottish Episcopal Church may not formally involve a rejection of the authority of the 1929 Prayer Book, materially it involves the rejection of the authority of the tradition of Christian thought which that Prayer Book represents. The tradition represented by the 1929 Prayer Book says that marriage is, by God’s design, exclusively a relationship between a man and woman. What is proposed only makes sense if this tradition is wrong and if it is wrong then it can no longer be seen as having authority.

## **Conclusion**

As we have seen, none of the arguments put forward in support of same-sex ‘marriage’ in the report from the Doctrine Committee of the Scottish Episcopal Church are persuasive. Their arguments simply do not show that this is a development that has the support of either Scripture, tradition or reason.

What these arguments propose is that a relationship between two people of the same-sex can have the same value within Christian theology as a marriage between a man and a woman and that it provides an equally beneficial setting for the raising of children. As we have seen in this review, the first of these arguments is definitely wrong and there is a growing body of evidence that the second is wrong as well.

## **A review of the Report of The Episcopal Church’s Task Force on the Study of Marriage**

### **Introduction**

At its meeting in Salt Lake City on June 25-July 3 2015 the General Convention of The Episcopal Church voted to approve two developments that would permit same sex ‘marriages’ to be solemnized in its churches.

First it voted to introduce a new Canon on marriage which omits all references to husband and wife.

Secondly it authorized for experimental and permissive use a set of liturgical resources entitled ‘I Will Bless You and You Will Be a Blessing’ which contains material suitable for the blessing of a same-

sex marriage. In 2018, the next General Convention will vote again, and a majority of all lay deputies, priests, and bishops must vote again to approve the liturgy. At that point, the TEC Book of Common Prayer would be officially revised and material for same-sex 'marriages' would be fully authorized.

Underlying these two developments was a report from The Episcopal Church's 'Task Force on the Study of Marriage' which was set up by the General Convention in 2012 with the mandate to 'identify and explore biblical, theological, historical, liturgical, and canonical dimensions of marriage.'<sup>39</sup>

In responding to this mandate the Task Force decided that the overall question to which it should seek to provide an answer was 'What might The Episcopal Church have to say to today's world as to what makes a marriage Christian and holy?'<sup>40</sup>

It set up a series of working groups to look at the answer to this question from various perspectives and the result of their deliberations are found in the seven essays which form the bulk of the report.

These seven essays are:

- A Biblical and Theological Framework for Thinking about Marriage
- Christian Marriage as Vocation
- A History of Christian Marriage
- Marriage as a Rite of Passage
- The Marriage Canon: History and Critique
- Agents of the State: A Question for Discernment
- Changing Trends and Norms in Marriages

The last five essays look at various aspects of the history of marriage, whether the church should act as an agent of the state in relation to marriage, and the nature of marriage in America today. It is the first two essays that are theologically load bearing in the sense that they set out a theological view of marriage that makes room for marriage to encompass same-sex relationships.

In the remainder of this paper we shall evaluate the arguments put forward in these two essays.

### **A Biblical and Theological Framework for Thinking about Marriage**

The first essay introduces its argument by declaring:

...many aspects of the nature of marriage have changed considerably, even within the Christian tradition. The one element that has remained stable is the relative gender of the spouses. This is a question that faces the Church in our own time, and one which has to a great extent brought us to this closer examination of what is meant by *marriage*.

The Church and the wider society are facing the question: Is the "male and female" of marriage an essential or yet another variable element in marriage? Is it a permitted variable in a civil context but not a religious one? So much has changed or varied in what constitutes marriage. Is the gender difference the sole unchangeable characteristic that makes a marriage a marriage, regardless of any and all other variations? This paper will seek to provide a framework for thinking about this question, to see if there is a theological

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<sup>39</sup> Task Force on the Study of Marriage, Report to the 78<sup>th</sup> General Convention, p.1.

<sup>40</sup> Ibid p. 3



rationale for maintaining this element as essential to marriage, or to see it as a characteristic in which grounds for variation can be not only explored, but formalized as well.<sup>41</sup>

In seeking to develop a Christian understanding of what marriage is the essay focusses on the teaching of St. Paul in Ephesians 5:21-32. What we learn from this passage, it says, is that:

Marriage can indeed give us a glimpse of heaven, when and to the extent that it is modelled upon the heavenly archetype of Christ and his self-giving relationship with the Church, his body on earth. It is not marriage in the abstract or as an institution that 'signifies' the relation between Christ and the Church, but more that a particular good marriage, when modelled on the love of Christ for the Church, incarnates the archetype on which all love is based.<sup>42</sup>

This being the case, it says:

...in response to the question, 'What makes a marriage holy?' the answer that it 'signifies ...the mystery of the union between Christ and the Church' provokes a second question: 'how do we understand this significance?' or 'what are the *signs* of this holiness, this Christian identity?' For obviously, it is not just any marriage that is holy, any more than just any marriage is Christian.

Just as there are good and bad marriages portrayed in Scripture, there is a qualitative difference between the quickly engaged and quickly ended Hollywood or Las Vegas marriage, and that of a couple who have spent a lifetime together, sharing their lives with each other and with a wider community. So what are the signs that indicate the holiness of a marriage? And in what ways do these signs proclaim that a marriage is Christian?<sup>43</sup>

The answer the essay gives to this question is that, according to the Bible and the vows exchanged by the couple in the marriage liturgy in the 1549 Prayer Book, what distinguishes a holy and Christian marriage is the degree of mutual love shown by the couple involved:

...the primary 'good' of marriage, its primary moral and ethical value, lies in the extent to which the couple express the love with which Christ loved his body and the Church, and in how they fulfil the mutual duty to have and to hold, to love and to cherish, and to forsake all others to remain faithful until the end — as an apprehension of the eschaton, a sign of the reign of God rather than the continuation of an earthly realm. The loving context in which and by which marriage enfolds the couple becomes an enacted parable for the community of the Church, as it 'preaches Christ' to a wider world.<sup>44</sup>

The fact that the primary 'good' of marriage lies in pointing towards the world to come means that it has no necessary connection with procreation since procreation is 'necessary in this world to continue the species, but no longer needed in 'the resurrection' (Luke 20:34-36).'<sup>45</sup>

Because what lies at the heart of marriage is mutual love, it follows that:

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<sup>41</sup> Ibid, p.14

<sup>42</sup> Ibid, p.19.

<sup>43</sup> Ibid, p.19

<sup>44</sup> Ibid, p.27.

<sup>45</sup> Ibid, p.27.

It is not the respective maleness and femaleness of a couple that make them 'suitable helpers' to each other, but rather the extent to which the couple can in fact serve each other as a "help and comfort in prosperity and adversity" and in 'mutual joy.' As with Adam's initial choice, and God's tolerant waiting on Adam's decision, it is up to each human being to recognize the helper suitable to each.<sup>46</sup>

The essay then goes on to argue that the objection that marriage between two people of the same sex must be wrong because it involves a same-sex sexual relationship fails because it is the quality of the relationship involved rather than the sex of the people concerned that matters:

...it is not in the sex-difference, or in sex itself (whether understood as the sex of the bodies involved or the sexual act) that moral value lies. The traditional teaching of the relationship between sexuality and marriage is that it is the latter that sanctifies the former. Sexual acts outside of marriage — whether adultery or casual sex — are culpable on moral grounds due to the lack of (or violation of) the moral values of commitment, fidelity, mutuality, and exclusivity; so it is not the sexual acts themselves, or the relative genders of the couple who engage in them, that are morally good or bad, but the context and relationship of the actors that make them so.

There is a tension between what tradition has generally deemed to be intrinsically wrong and what many in the Church discern as manifestly good in particular same-sex couples. We discern similar sins and goods in particular heterosexual relationships. In short, sexuality is not in itself the locus of morality.

Rather, the location of the goodness of the metaphorical "tree" lies in its fruit (Matthew 12:33): and 'the fruit of the spirit is love, joy, peace, patience, kindness, generosity, faithfulness, gentleness, and self-control. There is no law against such things' (Galatians 5:22-23). Moreover, within the context of marriage, sexual abuse, exploitation, or domination are moral failings; so it is not marriage in itself that leads to holiness, but the faithful and mindful enactment of the loving disciplines, rights, and responsibilities expressed in the marriage vows reflecting the love of Christ for his body, the Church.<sup>47</sup>

The essay acknowledges that the 'biblical and theological framework' for the understanding of marriage which it puts forward 'could be critiqued for selecting and highlighting some elements of the tradition — scriptural, liturgical, and canonical — at the expense of others.'<sup>48</sup> However, it says, 'this is no less true of the prevailing 'traditional' view of marriage, which has emphasized or downplayed different aspects of the wide range of material available, beginning with Jesus himself, who dismissed an aspect of the Law of Moses, describing it as an allowance not in keeping with the more fundamental nature of marriage.'<sup>49</sup>

According to the essay:

It is always a challenge to distinguish between elements of the tradition — including those recorded in Scripture — that truly reflect God's will as opposed to the overlay of human culture and custom. We have tried to elucidate that moral values of love, care, fidelity, and mutuality lie at the core of the meaning of marriage. In doing so, our hope is to provide an

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<sup>46</sup> Ibid, p.27.

<sup>47</sup> Ibid, p.29.

<sup>48</sup> Ibid, p.28.

<sup>49</sup> Ibid, p.28.

authentic framework for reflection on the virtues that can be displayed in all marriages, thereby strengthening all marriages by this testimony.<sup>50</sup>

### **Christian Marriage as Vocation**

The second essay looks at what it means to see marriage as a Christian vocation.

The essay defines a 'vocation' as follows:

'Vocation' in this paper refers to manners of life opened up for, and ultimately received by, God's people, both as individuals and as communal members of Christ's body. It is a way of being in and engaging with the world, of ordering our life in ways that facilitate our participation in the wider purposes for which God created us, redeemed us, and brings us into newness of life.<sup>51</sup>

In looking at marriage as a vocation the essay begins by arguing that marriage is part of the wider Christian calling to love God and neighbour:

First and foremost, marriage is caught up in the larger, more fundamental vocation of love. As Christians we are all called to respond to, to join, and to become agents of the love of God in Jesus Christ. The commandments, as Jesus summarized them, are to love God with all one's heart, soul, and mind; and to love one's neighbors as oneself (Matthew 22:37-40; Mark 12:30-31; Luke 10:27; see also Romans 13:9). In the Gospel of John, Christ gives us what he calls "a new commandment that you love one another. Just as I have loved you, you also should love one another." That expression of love for one another marks us as Christ's disciples (John 13:34-35; 15:12-14).<sup>52</sup>

Marriage, it then argues, is a particular form of this wider calling to love:

Our wider vocation to love can find a more particular expression through the love of two spouses for one another. It is a love that draws couples together in shared sexuality, affirming the goodness of our embodiment and desire. It is a love of discovery that delights in a lifetime of adventures lived, challenges faced, insights shared. It is a vocation that rejoices in seeing and being seen and known by spouses who can reveal to one another what, individually, they could never have perceived on their own. "It is not good that ha adam should be alone," God declares in Genesis 2:18: "I will make him a helper as his partner."

Spousal love can convey a deep sense of comfort in the ongoing partnership of assembling and maintaining a shared life. It can form the foundation for the birth and raising of children, the nurture of family. Thus, to speak of marriage as a vocation to love is to refer not simply to the affective state of being in love, or of falling in love. More fundamentally, the love in which Christian marriage is grounded is relational and lifelong. Bounded by the vows made in holy matrimony, marriage is a holy vessel in which a couple grows and changes together over the course of a lifetime. Ultimately, in these many and various ways the vocation of Christian marriage continually invites spouses to reveal to one another, and to their wider community, the love of God in Jesus Christ.<sup>53</sup>

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<sup>50</sup> Ibid, p.28.

<sup>51</sup> Ibid, p.34,

<sup>52</sup> Ibid, p.34-35.

<sup>53</sup> Ibid, pp.34-35.

Having expounded the vocation of marriage in this way the essay then goes on to consider whether this vocation should necessarily be limited to two people of the opposite sex:

Should the basic organization of Christian marriage privilege sexual difference — more specifically, a strictly dual understanding of sexual difference as male and female — over other sorts of human difference? Should marriage work to contain or channel human differences into a basic nuptial binary of male and female? <sup>54</sup>

The answer that the essay gives to this question is ‘no.’ This is because the ‘mystery’ (Ephesians 5:32) in which Christians are called to participate through marriage involves a combination of unity and difference that goes beyond the coming together of men and women:

The mystery in which marriage participates, which it images forth or typifies, is of a new humanity, a union that simultaneously upholds and uplifts differences that extend beyond the sexual binary. Indeed, this mystery stretches across the rich and wise variety of creation itself. Read through this lens, marriage reflects in a distinctive manner the new humanity inaugurated by and in Christ. And in this way, once more, marriage evokes our baptism: the vocation of marriage in its own way reflects and activates the new Christic humanity into which we were baptized. We are said to have ‘put on Christ’ in our baptism (Galatians 3:27), an act through which the Genesis-specified binary of ‘male and female,’ as well as that of Jew and Greek, slave and free, is in some sense ‘no longer.’ In ‘The Celebration and Blessing of a Marriage,’ Christ is said to have ‘adorned this manner of life by his presence and miracle at a wedding in Cana of Galilee’ (1979 BCP, 423).

The union of affinity and difference at the heart of marriage might be understood most fruitfully as a mystery at the heart of humanity and, indeed, of creation itself. In marriage, our vocation is not to erase our distinctions, even as we become ‘one flesh.’ Difference is neither eradicated nor ‘overcome’ or transcended, but it is transformed. Our unique humanity is creatively activated, that the couple may be united one with another, becoming a new creation while simultaneously remaining two, distinct. This interplay of difference and unity in Christian marriage need not be limited to male and female, but it can be activated by all manner of human difference.<sup>55</sup>

As a result:

...although the vocation of Christian marriage has historically been limited to heterosexual couples, the mystery it illumines arguably need not require this. Marriage’s unambiguous and unambivalent embrace of the full spectrum of human difference, including that of sexual orientation, can enable it to image forth the rich variety of creation more fully than it has been able to in centuries past.<sup>56</sup>

Furthermore, on the basis of the teaching of St. Paul in Romans 8:15-17 and 12:2 the essay argues that Christian marriage is primarily generative because it enables people to participate in the Christian vocation of being transformed into the likeness of Christ:

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<sup>54</sup> Ibid, p. 38.

<sup>55</sup> Ibid, pp.38-39.

<sup>56</sup> Ibid, p.39.

Our lives are to be not static but metamorphic, constantly transformed into the likeness of the One through whom all things were made. Christian marriage becomes generative first and foremost through this context.<sup>57</sup>

On the basis that marriage is first and foremost spiritually generative, the essay then goes on to say that there is no necessary link between marriage and parenthood:

Christian marriage forms one important relational context for the transformative generativity that Christians are called to embody. Within the vocation of marriage, ‘being fruitful and multiplying’ thus can indeed take the form of rearing children born to parents who conceive them through the shared sexuality of their marriage. Further, this common manner of child-bearing and rearing can celebrate the goodness of the biologically creative capacities with which many of us have been gifted. This form of parenthood can take place within marriage, and when it does it can indeed be very good. Yet parenthood need not always unfold in this manner.

Further, just as not all Christians are called to marriage, not all married couples are called to parenthood. To speak of parenting in this way is not to reduce it to ‘an optional ‘project’ for those so inclined or for those guided by social expectations’ but rather to identify it as a deeply relational vocation, a way of participating in the ongoing renewal of creation. Those who discern a call to parenthood may not be able to have children, whether for biological, relational, or economic reasons. Ultimately, for those who do raise children within the context of marriage — regardless of whether parents and children are biologically related — parental procreativity is fundamentally adoptive.<sup>58</sup>

Although the point is not made explicitly in the essay, this understanding of parenthood provides a further argument for saying that marriage does not have to be between a man and a woman. The understanding of the relationship between marriage and parenthood in the quotation given above does not require this to be the case.

Finally, in its conclusion the essay defines the vocation of marriage in a way that is gender neutral, talking about two consenting adults, but not specifying their sex:

The vocation of Christian marriage is catalyzed by a love that unites two consenting adults in a holy bond, a sacred vessel in and through which they may grow throughout the course of their lives. Marriage is finite, temporal, and mortal. It is “until we are parted by death” and no longer. Yet in its characterization of the eternal union of Christ and the Church, marriage carries an eschatological dimension, extending beyond the border of created mortality. It exceeds the borders of individual souls, extending to all of creation, the ultimate renewal in which ‘Christ is all in all’ (Colossians 3:11). In all of this, marriage serves as a vessel not only of our love, of our union in difference, of discipline and asceticism, of generativity and fruitfulness, but also, ultimately, of our transformation, our re-creation. The vocation of Christian marriage finally serves as a vehicle for engaging our lifelong communal call to abide and grow in the love through which God brought forth creation and will finally draw it homeward into God’s own heart.<sup>59</sup>

### **My cat is a dog – An evaluation of these proposals**

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<sup>57</sup> Ibid, p.41.

<sup>58</sup> Ibid, p.42,

<sup>59</sup> Ibid, p.42.

There is a well known logical fallacy known as the 'association fallacy' which says that because one thing has some of the qualities associated with another thing it therefore possesses all the qualities of that thing.

An example of this would be the statement 'dogs have four legs, my cat has four legs, therefore my cat is a dog.' The first two parts of this statement are fine. The problem comes with the third part which extrapolates from the fact that cats and dogs have one thing in common to the claim that cats and dogs are identical, thus ignoring the differences between them.

The two essays we have looked at from report of The Episcopal Church's Task Force on Marriage are guilty of the association fallacy. In their case the fallacy goes like this: 'marriage is a loving relationship between two people, a relationship between two people of the same sex can be a loving relationship, therefore a relationship between two people of the same sex can be a marriage.'

As before, the problem comes with the third part of this statement. Marriage is meant to be a loving relationship between two people. Relationships between two people of the same sex can be loving relationships. However, this does not mean that all loving relationships are marriage.

An example of this would be a relationship between a mother and a daughter. This might well be a loving relationship, but it is not a marriage. Another example would be two siblings who lived together all their lives. They might have a loving relationship, but this would not make their relationship a marriage. One could go on multiplying such examples almost indefinitely, but the point is clear. Some more precise definition is needed to distinguish marriage from other forms of loving relationship.

In the Bible marriage is distinguished from other forms of relationship by God's creative acts described in Genesis 1 and 2. These established marriage as an exclusive life long relationship between a man and a woman which provides the proper context for God's command to human beings 'be fruitful and multiply' (Genesis 1:28). After the Fall and during the Old Testament period this view of marriage becomes blurred because of the advent of polygamy and the permission given for divorce. However, it is re-asserted by Jesus (Matthew 19:3-9) and it becomes the norm which we find in the New Testament as a whole and in the subsequent history of the Church.

It is this understanding of what marriage is that underlies St. Paul's teaching in Ephesians 5:21-32 on which both essays base their understanding of marriage. What the Apostle teaches in this passage is that marriage between a husband and a wife as instituted by God at creation (he quotes Genesis 2:24 in verse 31) is a relationship which points to the relationship between Christ and his Church and needs to reflect this fact in the way that it is conducted.

By suggesting that a relationship between two people that possesses the characteristics of mutual love outlined by St. Paul in Ephesians 5 constitutes a marriage the essays commit the association fallacy outlined above and misrepresent St Paul's teaching.

For St. Paul, both in Ephesians 5 and in the rest of his letters, marriage is never referred to in a way that suggests that he sees it in general terms as involving unity and difference between two individuals regardless of sex. He sees it instead in specific terms as a relationship of unity and difference between a man and a woman. He always talks about husbands and wives, not partner A and partner B. Thus in 1 Corinthians 7:3 we read 'The husband should give to his wife her conjugal rights, and likewise the woman to her husband,' in Ephesians 5:25 we read 'Husbands, love your wives,' and in Colossians 3:18 we read 'Wives be subject to your husbands, as is fitting in the Lord. Husbands love your wives and do not be harsh with them.'

The claim in the first essay that 'It is not the respective maleness and femaleness of a couple that make them 'suitable helpers' to each other' also misrepresents the teaching of Genesis 2:18-25. These verses do not give room for a parallel form of marriage for those who feel a companion of the same sex is more appropriate. It is not because he delights in her that Eve is the appropriate companion for Adam. Rather, he delights in her because she is the appropriate, God given, complement to him as a male human being. In Genesis it is God who decides who is the appropriate companion for male and female human beings in marriage and his decision is that it is a member of the opposite sex.

The claim in both essays that the potential for procreation, in the sense of actually begetting children, is not a necessary part of marriage also involves a rejection of the creation accounts. The command in Genesis 1:28 to be fruitful and multiply is never revoked in Scripture and marriage is the God given context for fulfilling this command.

The idea that spiritual fruitfulness replaces physical procreation under the new covenant is not found in Scripture and the argument that begetting children is unnecessary because marriage is oriented to the world to come overlooks the fact that the procreative aspect of marriage creates citizens for the world to come. As the homily 'Of the state of Matrimony' in the Second Book of Homilies puts it, marriage is ordained:

...that the Church of God and his kingdom, might by this kind of life be conserved and enlarged, not only in that God giveth children, by his blessing, but also, in that they be brought up by the parents godly, in the knowledge of God's word; that thus the knowledge of God, and true religion, might be delivered by succession, from one to another, that finally, many might enjoy that everlasting mortality.<sup>60</sup>

Finally, the essays fail to acknowledge the importance of the creation narratives for sexual ethics. The claim in the first essay that 'the relative genders of the couple who engage in them' are irrelevant to the issue of whether sexual acts are sinful is not supported by Scripture.

As numerous commentators have pointed out, the list of forbidden sexual acts in Leviticus 18 and 20, including the prohibition of homosexual acts, is based on God's creation of human beings as male and female.

Thus in his book on sexuality in the Old Testament the American Old Testament scholar Richard Davidson declares that the rationale for the prohibitions in Leviticus 18, including the prohibition of homosexuality:

...rests upon the foundational principles of creation order in Genesis 1:27-28: the creation of all humanity in the image of God as 'male and female,' unique and distinct from the rest of God's creation, and the command to 'be fruitful and multiply and fill the earth.' These principles describe the order and structure of humanity in two relationships: to God and to society. All the Laws of Leviticus may be understood as violations of these principles. The activities proscribed in Lev 18 and 20 are described as 'abominations' because homosexual practice violates the divine order of gender set forth in Genesis 1:27 and 2:24.<sup>61</sup>

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<sup>60</sup> I Robinson (ed), *The Homilies*, Bishopstone: Brynmill/ Preservation Press, 2006, p.363.

<sup>61</sup> Richard Davidson, *Flame of Yahweh*, Peabody: Hendrickson, 2007, p.155,

In similar fashion St Paul's condemnation of homosexual acts as 'contrary to nature' in Romans 1:26-27 is based on the fact that such acts are contrary to the teaching of Genesis about how God created the world.

As Tom Wright puts it in his 'Paul for Everyone' commentary on Romans 1, throughout Romans 1:24-27 St. Paul has in mind Genesis 1-3. He is concerned with how humans have violated 'not simply a 'law' given at some point in human history, but the very structure of the created order itself.' Paul's assumption is that there is such a structure:

Taking Genesis 1 as his starting point, he sees humans as created in God's image and given charge over the non-human creation. Humans are commanded to be fruitful: they are to celebrate, in their male-female complementarity, the abundant life-generating capacity of God's good world. And they are charged with bringing God's order to the world, acting as stewards of the garden and all that is in it. Males and females are very different, and they are designed to work together to make, with God, the music of creation. Something deep within the structure of the world responds to the coming together of like and unlike, something which cannot be reached by the mere joining together of like and like.<sup>62</sup>

Understanding this point, he says, helps to explain 'the otherwise baffling fact that the very first instance Paul gives of what he sees as the corruption of human life is the practice of homosexual relations.' According to Wright the point that Paul is making:

...is not simply 'we Jews don't approve of this,' or, 'relationships like this are always unequal or exploitative.' His point is, 'this is not what males and females were made for.' Nor is he suggesting that everyone who feels sexually attracted to members of their own sex, or everyone who engages in actual same-sex relations, has got to that point through committing specific acts of idolatry. Nor, again, does he suppose that all those who find themselves in that situation have arrived there by a specific choice to give up heterosexual possibilities. Reading the text like that reflects a modern individualism rather than Paul's larger, all-embracing perspective. Rather, he is talking about the human race as a whole. His point is not that 'there are some exceptionally wicked people out there who do these revolting things' but 'the fact that such clear distortions of the creator's male-plus-female intention occur in the world indicates that the human race as a whole is guilty of a character twisting idolatry.' He sees the practice of same-sex relations as a sign that the human world in general is out of joint.<sup>63</sup>

For St. Paul, then, the 'relative genders' of those engaged in sexual activity is therefore exactly the reason why same-sex sexual activity is wrong.

The fundamental mistake that both essays make is to isolate the practice of love between two people as what the first essay calls 'the core of the meaning of marriage' and using this as a basis for saying that marriage does not need to involve two people of the opposite sex. It can only make this move by ignoring the biblical witness that the nature of marriage is laid out for us in the creation narratives in Genesis 1 and 2 and that this means that marriage is about an exclusive and life long relationship of love between a husband and a wife.

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<sup>62</sup> Tom Wright, *Paul for Everyone – Romans Part 1*, London: SPCK, 2004, p.21.

<sup>63</sup> *Ibid*, p.23.



Seeing things in this way is not a matter of arbitrarily privileging one element of the biblical witness over the rest. It is instead honouring the whole biblical witness by taking seriously the framework within which the Bible tackles issues to do with marriage and sexual activity.

My cat is not a dog and according to the biblical witness a relationship between two people of the same-sex is not a marriage.

## **A review of 'This Holy Estate' the Report of the Commission on the Marriage Canon of the Anglican Church of Canada.**

### **I. The purpose of the report**

The Commission on the Marriage Canon of the Anglican Church of Canada was established as a result of the passing by the General Synod of the Anglican Church of Canada in 2013 of resolution C003.

This resolution directed the drafting of a motion for consideration by General Synod in 2016 of a motion 'to change Canon XXI on marriage to allow the marriage of same-sex couples in the same way as opposite-sex couples, and that this motion should include a conscience clause so that no member of the clergy, bishop, congregation or diocese should be constrained to participate in or authorize such marriages against the dictates of their conscience.'

The Commission was established to 'recommend wording for the motion called for by the 2013 General Synod, as well as the wording of a conscience clause that would allow dissenting dioceses and clergy to opt out of authorizing or presiding at same-sex marriages. It was also mandated to prepare documentation demonstrating how such a change in the church's traditional teaching could be understood to be scripturally and theologically coherent' (p. 1- for the full terms of reference see Appendix C at the end of the report).

The purpose of the report from the Commission is to perform these three tasks.

### **II. The structure of the report**

After an Introduction the report consists of five main chapters.

Chapter 2, 'Consultation,' reviews the submissions made to the Commission by members of the Anglican Church of Canada and its ecumenical partners and result of consultation with the Anglican Communion through the Communion's Inter-Anglican Standing Commission on Unity, Faith and Order (IASCUFUO).

Chapter 3, 'Solemn Declaration,' considers the question of the compatibility of changing Canon XXI with the Solemn Declaration of 1893, the basic constitutional document of the Anglican Church of Canada.

Chapter 4, 'Conscience clause,' considers whether a conscience clause for those who would be unable to support same-sex marriage would be legally sustainable.

Chapter 5, 'Biblical and theological rationale,' considers the biblical and theological case for accepting same-sex marriage.

Chapter 6, 'Conclusion,' gives the report's conclusions.

Appendices A–D contain the text of a draft resolution to change Canon XXI, the text of the Solemn Declaration, the Commission’s Terms of Reference, and the text of the resolutions that lie behind the Commission’s work.

### III. The argument of the report

1. The Anglican Church of Canada may rightly disregard the damage that a change to the marriage canon would cause to ecumenical dialogue with the Roman Catholic Church.

Chapter 2 notes that the Roman Catholic Church is the Anglican Church of Canada’s oldest ecumenical partner and that the submission to the Commission from the Anglican-Roman Catholic Dialogue of Canada warned of the serious consequences of changing the Church of Canada’s doctrine of marriage, declaring ‘any divergence on the doctrine of Christian marriage, which our dialogue has until now presented as a matter of fundamental convergence, would weaken the very basis of our existing communion, and weaken the foundations upon which we have sought to build towards fuller ecclesial communion.’ (p.7) The report does not reflect on why it would be right to disregard this warning, but what it recommends implies that it would be right for the Anglican Church of Canada to disregard it.

2. The Anglican Church of Canada is free to disregard the view of the Anglican Communion as a whole.

In chapter 2 the report notes that the members of IASCUFO, representing the churches of the Anglican Communion warned that changing the marriage canon ‘would cause great distress for the Communion as a whole, and for its ecumenical relationships. Members of the Commission are unanimous in urging you not to move beyond your present policy of ‘local option’.’ (p.7).

In spite of this warning the report suggests that Anglican Church of Canada should undertake such a unilateral move, arguing that having consulted was enough to discharge its obligations to the Communion:

Consultation with the wider Anglican Communion on this represents our church’s commitment to live into the principle of ‘mutual responsibility and interdependence in the body of Christ’ first articulated at the Anglican Congress held in Toronto in 1963, which named ‘deep and deliberate involvement in one another’s affairs and life’ as a necessary aspect of life as churches in communion. (p.8)

3. The General Synod is free to decide on whether changing the marriage canon would be in line with the Solemn Declaration.

Chapter 3 argues that historically the existence of statement of the Solemn Declaration that ‘We are determined by the help of God to hold the Doctrine, Sacraments and Discipline of Christ ....as the Church of England has received and set forth in the *Book of Common Prayer*’ has not prevented the Anglican Church of Canada from making changes in its worship, doctrine and discipline, including in the area of marriage. (pp. 14-15)

It further argues that ‘the final authority to determine what is in continuity must be the General Synod’ and that therefore it is ‘up to the General Synod to determine whether this is an area of definition and interpretation of doctrine on which it can make change and, if it is, whether this is a change it believes is appropriate.’ (p.17)

4. The proposed conscience clause would be legally defensible.

In chapter 4 the report quotes the legal opinion that it received that:

...there is a significant risk that the Proposed Resolution will be subject to a challenge under provincial human rights legislation, the [Canadian] Charter [of Rights and Freedoms], or both. However, the Church will have strong defense against such challenges, and in our view, it is highly unlikely that these challenges would be successful in the light of the prevailing jurisprudence and the very clear statements by the Supreme Court of Canada in the same-sex Reference. (p.18)

Nevertheless, the report recommends that an updated legal opinion be provided for the General Synod in 2016.

5. Scripture has authority as it is interpreted and applied and as it is read in community.

Section 5.1.1 of the report states that:

The approach we wish to take is...recognizably Anglican in two important ways: first while Scripture bears the final authority for the church, it does not do so apart from interpretation and application. No reading of Scripture is 'uninterpreted' apart from reason and tradition. No reading of Scripture can be abstracted from the life of the church and its struggle to embody the Gospel. Second, it recognizes Scripture as a text read (or perhaps better 'performed') primarily in community, in the context of the liturgy, rather than a text read privately in the context of one's own private devotions on the one hand, or in the scholarly laboratory on the other. (pp. 22-23)

6. The use of isolated proof texts is to be avoided.

Section 5.1.1 goes on to say:

...we take a via media approach to Scripture between one way which appeals to isolated texts as 'proof' of a particular understanding of being biblical, and another which discards Scripture as a site for hearing any authoritative word that stands over against uncritically accepted and culturally derived ideas. By contrast, we are adopting a stance consonant with the broad approach to Scripture in the Windsor Report, which seeks to discern what faithful practice with regard to the question of same-sex marriage might look like in our Canadian context. It also accords with a welcome shift in the use of Scripture by opponents of same-sex marriage away from the six 'bullet' texts, which are then answered by those sympathetic to same-sex marriage, inevitably generating more heat than light about the overall intent of God in sexuality and marriage within the biblical story. (p.24)

7. The debate about same-sex 'marriage' must start from the General Synod resolutions about same-sex relationships and about listening to gay and lesbian people.

Section 5.1.3 notes that in 2004 General Synod affirmed 'the integrity and sanctity of committed adult same-sex relationships and comments that: 'This affirmation is consistent with the conviction that sexual orientation is a fundamental aspect of human identity, a given (though not always unambiguous or unchanging). Like other aspects of human identity, it is potentially both a challenge and a blessing.' (p.26)

It also notes that 'The Anglican Church of Canada has committed itself to listening to the voices of gays, lesbians and other sexual minorities, especially those within our church.' (p.23)

The section declares that:

While it is clear that not all Canadian Anglicans agree with these developments, they represent the official position of the Anglican Church of Canada. Thus this commission, as directed by the 2013 motion that requested its formation must assume our synodical resolutions as the starting point for this particular debate about same-sex marriage. (p.23)

8. We should accept that homosexual orientation is something natural

Section 5.2.2 accepts that 'sexual duality and heterosexual orientation remain predominant biological characteristics of humanity.' (p.28). However, it then goes on to say we should be wary:

...of extrapolating from these facts the notion that heterosexuality is 'natural' in contradistinction to homosexuality. According to the predominant scientific understanding, homosexual orientation is a 'natural' phenomenon in the sense that it is also an anthropological given not something that is either freely chosen or nurtured in a child. (p.29)

9. We should neither absolutize heterosexual duality nor lose the importance of heterosexual love.

Section 5.2.2 goes on to declare that 'the Judeo-Christian tradition has resisted the divinizing of heterosexual duality into an absolute principle.' (p.29) What it means by this is that unlike the gods of the pagan world God cannot be defined in terms of gender and neither 'gender or marital status describe our ultimate identity and destiny as human beings.' (p.29). On the other hand, we should not lose the 'hard-won' insight of the Western Church that heterosexual love is not something to be distrusted but seen as 'good gift of God.' (p.30) 'If homosexual love is to be celebrated in the same terms, it would be unfortunate to lose the rich celebration of heterosexual love that runs through our cultural and religious heritage.' (p.30)

10. The image of God in Genesis 1:27-28 should be understood in terms of the mandate to 'be fruitful and multiply,' but the fulfilment of this mandate has no necessary connection to either marriage or family life.

In section 5.2.3.1 the report contends that the 'image of God' referred to in Genesis 1:27:

...speaks of humans as created to extend God's rule in creation, rather than humans as 'looking like' God. Gender ('male and female') therefore refers not to God, and so God's image, as sexually differentiated, but to God's call to humanity to 'be fruitful and multiply and fill the earth.' While sexuality and procreation are implied as a means to fulfilling that commission, there is no explicit reference to marriage (nor to family) as a necessary agent of procreation. The full human community as *adam* (male and female) is responsible to fill the earth.' (p.31)

11. There is no reference to procreation in Genesis 2:24 and what is said in this verse about marriage should be seen as descriptive rather than prescriptive.

The same section of the report further argues that Genesis 2:24:

...makes no explicit reference to procreation as part of the intent for marriage. The need the creator fulfils in making the woman is the aloneness of the *adam*, and is met by companionship (Genesis 2:18). It is only after eating the fruit of the Tree of Knowledge that the man names his wife Eve, 'mother of the living' limiting her role no longer as equal partner but as subordinate, procreative vessel. (p.32)

It also suggests that it is not clear whether this verse was 'intended to be a normative statement about the particular form of marriage.' (p.33) It declares that the fact that 'the voice in the text is

that of the narrator (rather than God) supports this statement as being descriptive rather than prescriptive.’ (p.33)

12. Mark 10:1-10 and Matthew 19:1-9 do not give us a timeless doctrine of marriage.

In section 5.2.3.2 the report notes that in Mark 10:1-10 and Matthew 19:1-9 Jesus refers to the two creation accounts when discussing the issue of divorce. However, it says, Jesus ‘is not stating a timeless doctrine of marriage, but rather giving a pastoral (and political) response to a particular set of practices.’ (p.33)

13. In Galatians 3:28 and Ephesians 5 St. Paul views marriage from a new Christological perspective.

In section 5.3.2 the report acknowledges that, like Jesus, ‘the apostle Paul’s teaching on marriage invokes Genesis 1:27 and 2:24.’ (p.33) However, it then argues that Paul subjects Genesis 1 to:

‘Christological discipline’ in Galatians 3:28 in that the new humanity is no longer humanity as ‘male and female’ but humanity as ‘in Christ Jesus.’ The divine image is restored in a way that opens the possibility of Christian relationships beyond the power-differentiated ‘male and female’ and ‘Jew and Greek’ and ‘slave and free’ – corrupted human relationships which have claimed to exclusively reflect God’s image to the world.’ (pp. 33-34)

In Ephesians 5, the report declares, Genesis 2:

...is given Christological *expansion* in that ‘the two shall become one flesh’ is fulfilled in the mystery of Christ and the Church. Marriage reflects that mystery not simply in procreation, but in its witness to love of neighbour. (p.34)

14. St. Paul’s language in Romans 1 about conduct ‘contrary to nature’ is not about revulsion, does not necessarily mean that such conduct is sinful and is designed to combat self-righteousness.

In section 5.2.3.3 the report states that there are three points in relation to Romans 1 ‘that may be agreed upon regardless of one’s view of same-sex marriage’ (p.35).

The first is that the language that St. Paul uses in Romans 1:26-27 ‘is different from the popular ‘It’s not natural!’ sentiments often expressed as a gut-level revulsion at the mention of (usually male) same-sex practices.’ (p.35)

The second is that for St. Paul:

... ‘contrary to nature’ is not necessary [sic] a synonym for ‘sinful.’ For instance, the term ‘contrary to nature’ (*para physin*) is also used later in Romans to speak of the grace of God *para physin* in grafting Gentiles ‘as a wild olive branch’ onto the cultivated tree (‘natural branches’) of Israel (11:17, 21). (p.35)

The third is that:

Paul’s concern in the passage is not sexuality, but self-righteousness. Indeed, his use of such a diatribe is a very specific strategy within Romans to attack the usual ways people see themselves as more righteous than others. (p.35)

15. The question facing the Church is whether the covenantal understanding of marriage reflected in the marriage vows can include same-sex couples

In sections 5.2.4 and 5.2.5 the report declares that what is distinctive about Christian marriage is that it is a life-long covenantal relationship between two people. In the key passages in these sections it states:

The specific shape of Christian marriage – in distinction from the other forms of Christian community – is that it is a commitment to a lifelong, exclusive, faithful relationship with one person. Here the metaphor of God’s covenant with Israel, and of the ‘mystery of Christ and the Church’ is foundational. As a lifelong relationship, it extends over time, through the stages of our growing and aging, for better or worse, in sickness as in health. As an exclusive relationship, it implies a commitment to and intimacy with this one person, including the vulnerability and neediness of our sexual nature. Marriage is the discipline of loving one another in the intimacy of daily life with all the particular joys, but also all the challenges, that this presents. (p.37)

In section 5.2.6 the report explains that the exclusive and life-long commitment that marriage involves is expressed in the marriage vows and that ‘the presence of vows, by which the covenant is made before God, appears to be the distinctive difference between a marriage and the blessing of civil marriage.’ (p.39)

It then goes on to pose four questions on the basis of the covenantal understanding of marriage used in the wedding vows:

- Should the church work to include same-sex couples in the kind of covenantal language so far used only for heterosexual couples at their weddings?
- Conversely is it right for the church to forbid same-sex couples from making this commitment before God?.....
- If a same-sex couple used covenantal vows in the language of current heterosexual vows, would these vows be true to that couple’s experience and expectations, and reflect the range of meanings inherent in heterosexual vows?
- If the church wants same-sex partnerships to be called something other than marriage, or to use covenantal vows distinct from the Christian vows currently used by heterosexual couples, are we saying that these same-sex covenants and vows are theologically different from homosexual vows and marriages? (p.40)

#### 16. Same-sex relationships can fulfil the three purposes of marriage.

In section 5.2.6 the report goes to argue that the three traditional purposes of marriage, companionship and support, sexuality and procreation, can apply just as much to same-sex relationships as to heterosexual ones.

On companionship and support it says:

...there would appear to be no basis for denying that this aspect of heterosexual marriage can be present in same-sex couples to the same extent as in opposite-sex couples. The witness of many stable, committed, loving same-sex relationships is compelling. (p.42.)

On procreation it notes that ‘procreation is not seen as a necessary condition of a genuine marriage,’ (p.43) since the church marries couples who ‘desire to – but who know they cannot – bear children’ (p.43) and it further declares that:

In its widest sense, the procreative purpose of marriage implies the capacity of couples to exercise love, nurture, and healing beyond their relationship to one another to others

around them, to enlarge the couple's community. 'Fecundity (meaning fruitfulness and the capacity to give life) exists not only in families,' writes Jean Vanier. 'It is implied in all human relationships, especially those where one person cares for another.'

Furthermore, 'procreation' is only part of this purpose, as articulated in our authorized liturgies: the care and upbringing of children (their upbringing 'in the fear and nurture of the Lord') is also mentioned. Indeed these duties demand considerably more investment from the couple than mere procreation, and for them particularly, it could be argued, the stability of marriage is beneficial. Many same-sex couples are already carrying out this purpose of marriage. (pp. 43-44)

On sexuality it declares:

...Christians of homosexual orientation share the same fundamental human need to love and be loved as do heterosexual Christians; yet their sexuality has an equally profound orientation, towards their own gender. It is not surprising, then, that some should seek the stability of a Christian covenant (as do many heterosexual Christians in a Christian marriage) to be in a committed relationship, supported by their church and blessed by the one and same God they share with their fellow Christians. The church's traditional teaching views marriage as the appropriate context for living out sexual intimacy. (p.45)

17. Thought needs to be given to whether same-sex couples are capable of a 'sacramental' relationship that reflects the love of Christ for the church.

Section 5.2.8 explains that the sacramental view of marriage based on Ephesians 5:32 means that the 'mutual love and tender care' of a married couple 'is capable of reflecting the loving union of Christ and the Church' (pp. 47 and 46). This raises the question:

How then should we assess the mutual love and tender care of same-sex couples, who have also left mother and father and come together to form a new family? Are these relationships also capable of 'sacramentality' of signifying the Christian 'mystery' of the love of Christ for his body the church? Do we recognize within same-sex covenants the same 'great mystery'? Or are there grounds to argue that same-sex unions cannot reflect the love of Christ for the church in the same way, and therefore their inclusion in Christian marriage would somehow modify the analogy? (p.47)

18. Same-sex covenants should be seen as a differentiated form of Christian marriage

In section 5.3 the report considers three models for understanding same-sex 'marriage.'

The first model is 'Same-Sex Marriage as an Undifferentiated Form of Christian Marriage.' This model would involve 'changing the language of the canon and the liturgy to gender-inclusive terms, thereby creating an institution that fits both heterosexual and homosexual couples in an identical fashion.' (p.48) The report is cautious about this approach, stating that:

...Christian theology should be wary of abandoning the rich imagery and experience of heterosexual love. Rather than generalizing marriage to a greater level of abstraction, should we not celebrate the specificity of heterosexual love as a gift of God – and so open the door to celebrate the specificity of homosexual love as a gift of God as well? (p.51)

The second model is 'Same-Sex unions as Blessed Partnerships.' The report is also cautious about this approach, which would involve the Church blessing existing civil marriages (something that

already happens in many Canadian dioceses). The reason it is cautious about this approach is because:

As a blessing without vows, this model does not acknowledge the relationship's potential to be a place in which the couple exercises their vocation of Christian love by striving to be as Christ to one another in covenanted love. (p.52)

The third model is 'Same-Sex Covenants as a Differentiated form of Christian Marriage Covenant.' On this model, which is the one the report prefers, there is seen to be 'an *analogous* relationship between traditional and same-sex marriage.' (p.52) Seen from this perspective, the issue 'is not whether same-sex relationships are marriage, in some absolute, abstract sense. It is, rather, about the possibility that same-sex couples may be adopted into an existing institution of Christian marriage, enriching and expanding its meaning, yet without denying its previous meaning.' (p.53)

The report argues that the account in Acts 10 of the inclusion of the Gentiles into God's covenant with Israel provides a 'theological analogy' for the admission of same-sex couples into Christian marriage. This is because:

The two situations show significant structural parallels that may provide us with a model to think both full inclusion and distinct identity together:

- In both cases there is a long history in which it was believed that a particular grace was given only to one group of people to the exclusion of others;
- In both cases there is a recognition that God's grace is broader than we had assumed, and that those who had been excluded are now being invited in;
- The 'adoption' or 'grafting in' is seen as on some level contrary to nature (*para physin*, Romans 11:24), yet nonetheless is of God.
- The task for the church in both cases is to discern whether this reorientation to greater inclusivity stems from a genuine movement of the Spirit;
- In both cases this inclusion is not completely on the same level as the original group: as Gentiles are not called to observe Torah, so same-sex marriages do not share in precisely the same tradition of sexual expression (and its symbolic import) as heterosexual marriage.
- They do nonetheless share in the fundamental nature of the same covenanted grace (in the case of Acts 10 the covenant with God, in the present context the covenant of partners as reflection of this primary covenant);
- Finally, the inclusion of the new group does not invalidate the earlier covenant as wrong or no longer relevant; like the Torah, the original understanding of the heterosexual structure of marriage, rooted in the creation accounts in Genesis, remains fully in effect for those to whom it applies. (pp.53-54)

The report acknowledges that a possible objection to its argument is that 'the inclusion of the Gentiles is a salvation-historical event of unique significance, such that not every proposal for inclusion can be equated with it.' (p.54) In response to this objection the report agrees that:

...it is important to note the centrality of the reconciliation of Jew and Gentile to the redemptive work of Christ and the foundation of the church (Ephesians 2:11-12). Yet the unique significance of the inclusion of the Gentiles does not mean it cannot continue to echo as a type or analogy of Christ's ongoing work of reconciliation in the life of the church. The church does not need to discern that same-sex marriage is an event of equal importance to the inclusion of the Gentiles, but it does need to discern whether it is a consequent development of the same redemptive action of Christ. (p.55)



19. It is possible for the Church to see a specific act of God's grace in extending Christian marriage to include same-sex couples.

In section 5.4 the report states that the analogy with the inclusion of the Gentiles within the covenant between God and Israel suggests that in order to see the extension of the marriage canon as something theologically desirable 'the church would want to see a specific act of grace.' (p.56) In other words, as in Acts 10, God would be doing a new thing and the Church would be discerning this fact.

The report then further suggests:

...there are reasons to believe that this might be the case. The expansion of the definition of marriage in the New Testament as a discipline of Christian love has prepared the way. The logic of the inclusion of the marginalized that runs through Scripture should always alert us to this possibility. The growth in our understanding of human sexuality, both scientifically and interpersonally, helps us to lay aside prejudices and misconceptions. The pastoral needs of those rejected by society and church, particularly gay youth, should drive us to seek reconciliation. Finally, the experience of same-sex committed partnerships in our midst, clearly manifesting God's blessing and the fruit of the Spirit, are a powerful indication that God's view of marriage may be more inclusive than ours. However, it is finally a decision that the church will have to reach, not by arguments alone, but by prayerful discernment of the movement of the Spirit in our midst. (p.56)

#### **IV. The outcome proposed by the report**

Appendix A of the report contains a draft resolution for possible amendments to Canon XXI.

If passed such a resolution would mean that the General Synod would declare that Canon XXI 'applies to all persons who are duly qualified by civil law to enter into marriage.' (p.59)

It would also mean that in the body of the canon the words 'man and woman' and 'husband and wife' would be replaced by the terms 'the parties to the marriage' and 'partners.' (p.59)

The appendix also contains provisions that would prevent a minister from solemnizing a marriage between two people of the same-sex where this had been prohibited by a diocesan synod canon, a public direction from the diocesan bishop or a congregational resolution.

Where a minister declines to solemnize such a marriage for reasons of conscience and these criteria do not apply 'the minister shall refer the persons to another priest and permit that priest to solemnize the marriage in the minister's church or other place of worship.' (p60)

#### **V. Responding to the report**

There are multiple problems with the report that mean it does not make a persuasive case for changing Canon XXI in the way proposed.

1. Warnings about damage to relations with the Roman Catholic Church appear to be simply ignored.

While the report notes the warning from the Anglican-Roman Catholic dialogue of Canada about the serious damage that changing the Anglican Church of Canada's doctrine of marriage would do to Anglican-Roman Catholic ecumenical relations it does not consider the weight that should be given to this warning when thinking about amending Canon XXI. Even if the Marriage Commission considered that amending the Canon was a legitimate move for the Church of Canada to make it

should still have explained why the good that this would achieve would outweigh the harm that it would cause to ecumenical relations. As it stands the report gives the impression that having asked the Roman Catholic for their views the Commission simply ignored what they had to say.

2. The report fails to explain why it would be right to ignore the views of the Anglican Communion.

According to traditional Anglican ecclesiology the churches of the Anglican Communion have the authority to make their own binding decisions about matters of faith and order. Unlike in the Roman Catholic Church there is no centralized authoritative decision making structure whose decisions are canonically binding on all Anglican churches. However, the churches of the Anglican Communion have not been seen as having the right to simply make any decisions they want to. As the classic statement of the encyclical letter from the 1920 Lambeth Conference put it, Anglican churches:

...are indeed independent, but independent with the Christian freedom which recognizes the restraints of truth and of love. They are not free to deny the truth. They are not free to ignore the fellowship.<sup>64</sup>

What this has meant in practice is that Anglican churches have not only consulted with each other over potentially divisive issues but have accepted and lived by decisions corporately arrived at by the ten yearly Lambeth Conferences of Anglican bishops.

Since 2002 the Anglican Church of Canada has repeatedly broken this tradition by ordaining people in same-sex relationships and blessing such relationships in the face of Resolution 1.10 of the 1998 Lambeth Conference which ruled out both of them. The report fails to explain why it thinks continuing this trend even further, even when specifically warned not to by IASCUFO, is compatible with its obligations to the rest of the Communion.

3. The report fails to consider the issue of how to decide what continuity with the Solemn Declaration involves.

The report claims that the General Synod has the right to decide what is in continuity with the Solemn Declaration. This may be constitutionally correct, but it does not address the theological issue of what continuity with the Solemn Declaration involves. If there are no limits to what can be claimed to be in continuity then there is no point in having the Solemn Declaration at all. If there are limits then the report needs to explain what these are and why the proposal to amend Canon XXI falls within them.

4. What the report says about the authority and reading of Scripture is misleading.

The report is misleading when it suggests that the Anglican position is that Scripture does not have final authority for the Church 'apart from interpretation and application.' Because Scripture is God's word written it has intrinsic authority in and of itself. Scripture does not become authoritative only when it is understood and applied. Obviously it needs to be understood and applied in order to achieve the purposes for which God caused it to be written, but the process of understanding and applying Scripture does not make it any more authoritative than it already is.

The report is also misleading when it suggests that Scripture is a text which is primarily read liturgically rather than in the context of private devotions or in the 'scholarly laboratory.' What does 'primarily' mean here?

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<sup>64</sup> *The Six Lambeth Conferences 1867-1920*, London: SPCK 1920, pp.13-14.

If it means that this is where Scripture is most often read then what is the evidence that this is so? If it means that this is the setting in which it is best read then this is also highly questionable. If the purpose for which Scripture is read is understanding and obedience it is not clear why a liturgical setting is a better one than personal bible study or scholarly exploration. Indeed it could be argued that a liturgical reading of Scripture is a less helpful setting when it comes to a detailed study of the biblical text.

5. The report fails to engage with relevant biblical material

The report claims that a move away from the six 'bullet texts' relating to homosexuality is something to be welcomed. The texts it has in mind are Genesis 19, Leviticus 18:22 and 20:13, Romans 1:26-27, 1 Corinthians 6:9-11 and 1 Timothy 1:10. In line with this claim the report then goes on to ignore all of these texts apart from Romans 1:26-27.

The problem with ignoring these texts, and other relevant texts such as Judges 19, Deuteronomy 23:17-18 and Jude 7, is that it means that the report addresses the question of marriage for same-sex couples without engaging with most of the key biblical texts relating to same-sex activity. That is like discussing justification by faith without referring to John 3:16, Romans 3:23-26 or James 2:14-26 or the person of Christ without looking at John 1:1-2, Philippians 2:5-11 or Hebrews 1:1-1-14.

Obviously no biblical texts should be read in isolation from the teaching of Scripture as a whole, but that is no reason for not engaging with individual verses when they are relevant to the matter under discussion.

6. The report fails to address the basic issue of whether same-sex relationships are an acceptable form of behaviour

Probably because it builds on the 2004 General Synod resolution that affirmed the 'sanctity and integrity of committed adult same-sex relationships,' the report consistently assumes that same-sex relationships are an acceptable form of relationship. The only issue it is interested in exploring is whether such acceptable relationships can be viewed as a form of Christian marriage.

Because it limits its focus in this way the report does not get to what is the heart of the matter from a traditional Christian perspective, which is whether such relationships should exist at all. The report simply does not engage with this issue.

From a traditional Christian perspective this is like discussing whether an adulterous relationship should be regarded as a marriage without addressing the issue of whether it should exist at all.

7. The report misrepresents what we know about the causes of same-sex attraction and misunderstands what is meant by the use of the term 'natural.'

As we have seen, the report claims that a homosexual orientation should be seen as 'natural' because it is 'an anthropological given not something that is either freely chosen or nurtured in a child.'

This claim simplifies to the point of distortion what we know about the complexity of the causes of same-sex sexual attraction. As Neil Whiteway and Dennis Alexander write in their article 'Understanding the causes of same-sex attraction' what a survey of the current academic literature on the subject indicates:

...is that no one causal mechanism is both necessary and sufficient to explain the whole gamut of human sexual attraction. Sexual attraction is a highly complex trait, and it seems likely that across the variety of human sexes and cultures, different influences are more

important at different times. Not all homosexual men will be carrying the same variant genes. Not all homosexual women are masculinised. The social and cultural environment in which people live is constantly changing, including their friends and partners, together with their own motivations and aspirations, creating a complex system in which biological make-up is integrated with multiple environmental, social and cultural factors. Thus, there is no point in looking for the cause of same-sex attraction – it does not exist. This negative conclusion is important, because both Christians and others sometimes assume that the aetiology of SSA is known and straightforward. It is not.<sup>65</sup>

Furthermore, the fact that homosexual orientation exists does not make it ‘natural’ in the sense in which the term natural is used in Christian theology. For Christian theology what is natural for human beings is how God intends them to be and this is something that cannot simply be read off from what happens in a fallen world.

For example, there are people who, for a variety of reasons, are blind, deaf or lame. However, this is not God’s intention for human beings. They were made to see, hear and walk which is why in the Gospels Jesus restores people’s ability to do these things.

Similarly, the mere fact that there are people who are sexually attracted to members of their own sex does not mean that having such an attraction or acting on it is God’s intention. Whether or not this is the case is something that has to be decided on other grounds.

8. The report is wrong to suggest that our sex is not a permanent part of who we are.

The report is right to say that the Judeo-Christian tradition holds that God cannot be defined in terms of gender. However, its claim that neither ‘gender or marital status describe our ultimate identity and destiny as human beings’ is only partially correct. It is true that Luke 20:35 tells us that those who attain the resurrection of the dead ‘neither marry nor are given in marriage,’ but there is no suggestion in Scripture that at the resurrection we shall cease to be male and female and the example of the risen Christ points us to the opposite conclusion. The risen Christ still possesses a male human nature and those who are raised with him will therefore presumably retain their maleness and femaleness as well. Being male or female is who we are and therefore not something that is lost at the resurrection.

9. The report is wrong to suggest that the image of God consists in the call to sexual reproduction.

The report appears to misunderstand the relationship between Genesis 1:27 and 28 when it says that the existence of the image of God refers not to human sexual differentiation, but to God’s call to humanity to ‘be fruitful and multiply.’ The command to be fruitful and multiply is not a definition of what it means for human beings to be made in God’s image. In Genesis 1:27 human beings are created in God’s image as male and female human beings. They are then subsequently and separately commanded in 1:28 to be fruitful and multiply and fill the earth.

The report is also misleading when it goes on to suggest that ‘there is no explicit reference to marriage (nor to family) as a necessary agent of procreation’ and that ‘the full human community as *adam* (male and female)’ is responsible for fulfilling Genesis 1:28.

It is true that Genesis 1:28 does not tell us how the command it contains is to be fulfilled. However, this is then made clear in Genesis 2-4 by God’s creation of the institution of marriage between men

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<sup>65</sup> Neil Whiteway and Dennis Alexander, ‘Understanding the Causes of Same-Sex Attraction,’ *Science and Christian Belief*, Vol 27, No 1, 2015. P.40.

and women as the context for sexual activity and therefore reproduction. Genesis 1 is part of bigger narrative about God's creative activity and is meant to be understood in the light of this bigger narrative.

10. The report misrepresents the relationship between Genesis 2:24 and 3:20.

The report is correct to say that there is no explicit reference to procreation in Genesis 2:24. However, there is an implicit reference to procreation in that the verse tells us how the command issued by God in 1:28 is to be fulfilled, namely by sexual union in marriage. This point is subsequently made clear in Genesis 4:1 where we are told that 'Adam knew Eve his wife and she conceived and bore Cain.' Here and subsequently it is the one flesh union of Genesis 2:24 that leads to childbirth.

The report is also correct in saying that it is only after eating the tree of knowledge that Adam names his wife Eve, 'mother of the living,' in Genesis 3:20, but there is nothing in this description that indicates that she has ceased to be an equal partner and has instead become a 'subordinate, procreative vessel.'

As Richard Davidson notes in his study of sexuality in the Old Testament *Flame of Yahweh*, this verse is in fact best understood as a celebration of female power:

...the woman's role in reproduction is presented as an awesome power to produce life – a direct and inherent power that contrasts with the man's indirect power to sustain life through cultivating the ground. The woman's inherent reproductive power – underscored in God's judgment (3:16a) and Adam's naming Eve 'mother of all living' (3:20) – was much more highly valued at the beginning of this world's history and in ancient Israel than in modern society, where we have overpopulation and a lack of emphasis on the continuation of one's lineal descent. Our modern devaluation of this power of women must not be read back into the Genesis account. Instead the focus upon the woman's reproductive power must be seen as further implication of the high status of women upheld in the Genesis text.

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11. The report wrongly sees Genesis 2:24 as 'descriptive' rather than 'prescriptive.'

First, in Genesis the voice of the narrator carries as much weight as the statements explicitly attributed to God. Think of Genesis 1:1 'In the beginning God created the heavens and the earth.' This is the voice of the narrator, but it carries complete authority. The same is true of Genesis 2:15 'The Lord God took the man and put him in the garden of Eden to till it and keep it.' Therefore saying that Genesis 2:24 cannot carry normative weight because it is said by the narrator is a basic misunderstanding of how the text works.

Secondly, the way that the opening words of Genesis 2:24 connect it to what has gone before show that that the text is meant to be prescriptive rather than descriptive. In the words of Robert Bowman:

The opening words of Genesis 2:24, *al-ken*, indicate that what has just been said about the origin of the man and the woman is the reason or basis for men and women forming new unions in marriage. Although the conjunction has a variety of uses in the Old Testament, the usage here is most comparable to statutes of the Mosaic Law that give an explanation of the basis for that statute (Exod. 13:15; 20:11; Lev. 17:12; Num. 18:24; Deut. 5:15; 10:9; 15:11, 15; 19:7; 24:18, 22). Most notably, the Ten Commandments state that God made the Sabbath as a holy day because he had rested on the seventh day after the six days of

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<sup>66</sup> Richard M Davidson, *Flame of Yahweh*, Peabody: Hendrickson, 2007, pp.77-78.

creation (Exod. 20:11). Here a covenantal institution is said to have been established by the precedent of God's creative work, which is essentially what we see also in Genesis 2:24. (In Deuteronomy 5:15 the Sabbath command is predicated on the Lord's miraculous deliverance of Israel out of Egypt.) Similarly, in Genesis 2:24 the institution of marriage is established by the precedent of God's creative work in forming the first woman and bringing her together with the first man.

Thus, Genesis 2:24 is not making an observation about the origin of sexual love, as various modern interpreters have suggested. Rather, it is stating a norm with regard to the union of a man and a woman and grounding that norm on the created order.<sup>67</sup>

12. The report is wrong to claim that Mark 10 and Matthew 19 do not give us a timeless doctrine of marriage.

It is true that in Mark 10:1-10 and 19:1-9 Jesus responds to a particular question about divorce. However in both passages Jesus appeals to Genesis 1:27 and 2:24 as giving a normative account of what God created marriage to be on the basis of which questions about divorce can then be decided. These two gospel passages thus tell us Jesus' view of the normative nature of marriage and for that reason they do give us a timeless doctrine of marriage. In these passages we have God incarnate telling us what God created marriage to be, a permanent, life-long exclusive relationship between one man and one woman.

13. The report misrepresents St. Paul's teaching in Galatians 3:28 and Ephesians 5:32.

First, it is not the case, as the report suggests, that in Galatians 3:28 humanity as male and female is replaced by humanity 'in Christ Jesus.' 'Neither male nor female' in Galatians 3:28 does not mean that for St. Paul the basic human categories of male and female no longer exist (an idea which makes no sense in the light of his references to men and women elsewhere in his letters), but that the difference between men and women (like the difference between Jews and Gentiles and slaves and free people) is irrelevant in terms of people's relationship with God. Everyone becomes a child of God in the same way, through faith in Christ.

Secondly, it is not the case that Ephesians 5:32 teaches that Genesis 2:24 is 'fulfilled in the mystery of Christ and his Church' as if Paul thinks that the relationship between Christ and his Church is the primary reference of Genesis 2:24. What Paul is saying is that the one flesh union between a husband and wife in marriage is a symbol of Christ's relationship with his body the Church and that in turn Christ's self-giving love for the Church and its subjection to him provides the pattern of behaviour which husbands and wives are called to emulate in marriage.

Thirdly, it is not the case that Ephesians 5 teaches that marriage reflects the mystery of Christ's relationship with the Church 'not simply in procreation, but in love of neighbour.' Neither procreation nor love of neighbour are even mentioned in Ephesians 5.

14. The report also misrepresents St. Paul's teaching in Romans 1:26-27.

First, it is true that the term 'contrary to nature' used in Romans 1:26-27 does not necessarily mean 'sinful.' However, given that the context of Romans 1:18-32 is all about sinful behaviour, given the other terms used in these verses 'dishonourable passions,' 'shameless acts' and 'the due penalty for their error' and given that 'contrary to nature' was a term regularly used by both Gentile and Jewish

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<sup>67</sup> Robert Bowman, 'Genesis and the definition of marriage' pp.7-8 at [http://www.academia.edu/18438877/Genesis\\_and\\_the\\_Definition\\_of\\_Marriage\\_Monogamy\\_and\\_Polygamy\\_in\\_Biblical\\_History\\_and\\_Ethics](http://www.academia.edu/18438877/Genesis_and_the_Definition_of_Marriage_Monogamy_and_Polygamy_in_Biblical_History_and_Ethics)

writers to explain why homosexual acts were wrong, the term clearly does mean sinful in this instance. What Paul is saying is that both gay and lesbian behaviour is wrong because it goes against the pattern for sexual behaviour established by God at creation and is in that sense 'contrary to nature.'

Secondly, while St. Paul's big point in Romans 1:16-3:31 is indeed to attack self-righteousness and replace it with an acceptance that everyone alike is sinful and that everyone alike can only be saved through the action of God in Christ received by faith, this argument actually demands that the behaviour described in Genesis 1:18-32 (including the behaviour described in Romans 1:26-27) truly is sinful. Paul's rhetorical strategy is to establish that Gentiles are sinners in Romans 1, that Jews are sinners in Romans 2 and that all alike are sinners in Romans 3 thus leading to the conclusion that all alike need salvation through faith in Christ.

The structure of St. Paul's argument thus demands that he sees the homosexual conduct described in Romans 1:26-27 as really sinful and one of the reasons that the saving work of Christ is required. It is one of the ways in which 'all have sinned and fall short of the glory of God' (Romans 3:23).

15. The report gives an inadequate account of marriage as a covenantal relationship.

The report defines Christian marriage as 'a commitment to a lifelong, exclusive faithful relationship with one person.' This definition is fine as far as it goes, but it misses out the crucial point that by God's ordinance that one person has to be a member of the opposite sex.

This omission is not accidental, but is part of a strategy to pave the way to ask in the next section of the report whether it 'is right for the church to forbid same-sex couples from making this commitment before God?' If marriage is simply about a committed relationship with another person regardless of sex then the answer to this question is clearly 'no,' thus paving the way for a revision of Canon XXI. If, however, marriage is about a commitment to another person of the opposite sex then the route to revising Canon XXI is blocked.

16. The report wrongly suggests that a same-sex relationship can fulfil the three purposes of marriage.

The argument of the report that a same-sex relationship can fulfil the three purposes of marriage is wrong for three reasons.

First, while same-sex relationships can undoubtedly involve companionship and support, they cannot offer the companionship and support God intends for marriage. As Genesis 2 makes clear, a marital relationship involves companionship and support from someone of the opposite sex. The appropriate marital companion for Adam was not another Adam, but Eve.

Secondly, while we may talk in metaphorical terms about marriages being fruitful in offering love, nurture and healing to those outside the marital relationship this is not what either Genesis 1:28 or the Christian tradition means by 'procreation.' Procreation means having children as a result of sexual intercourse and this is something that same-sex couples can never do. Their relationships are intrinsically sterile and this is one of the key things that distinguishes them from marriages which may be childless, but are not intrinsically so.

It should also be noted that the reports reference to the role of same-sex couples in nurturing children has to be viewed in the light of the growing social-scientific and anecdotal evidence that being brought up by two parents of the same-sex frequently causes a variety of problems for the children concerned.

Thirdly, while it is true that ‘the church’s traditional teaching views marriage as the appropriate context for living out sexual intimacy’ this has always meant sexual intimacy between two people of the opposite sex in line with Genesis 2:24 and this is a condition which a same-sex relationship, by its very nature can never fulfil.

17. The report fails to take seriously the symbolism contained in the biblical material.

The report argues that a sacramental view of marriage has to do with the ‘mutual love and tender care’ of a married couple being capable of ‘reflecting the loving union of Christ and the Church’ and raises the question as to whether same-sex couples may not be capable of doing this. The problem with this argument is that it fails to take seriously the symbolism contained in the biblical material.

In Scripture, the symbolism of a marital relationship between a man and a woman is used to point to the relationship between God and Israel in the Old Testament, and Christ and the Church in the New Testament. However there is nowhere in Scripture where a same-sex relationship is used in this way. What same-sex relationships signify, as in Genesis 19, Judges 19 and Romans 1, is the way in which sinful humanity has turned away from God.

Taking the biblical symbolism seriously means accepting that as a relationship that is constituted in opposition to God’s purposes in creation a same-sex relationship can never be a sign that signifies a right relationship between God and his people in the way that a marriage can be. It can thus never be a ‘sacramental’ relationship.

18. The report fails to provide convincing evidence to support its suggestion that God may be performing a new act of grace in our time analogous to the admission of the Gentiles into the Church.

The report’s major theological proposal is that the expansion of Christian marriage to include same-sex couples can be seen as an outworking of the redemptive work of Christ analogous to the inclusion of the Gentiles within the Church. What the report seems to be suggesting is that the Church may be able to discern a new act of divine grace including those who have formerly excluded, not because of their race, but because of their sexuality.

The report lists five reasons for thinking that this might be the case.

The first reason is ‘the expansion of the definition of marriage in the New Testament as a discipline of Christian love.’ The problem with this reason is that the New Testament does not in fact expand the definition of marriage. Marriage in the New Testament remains what God instituted it to be in Genesis 1 and 2, a life-long, exclusive relationship between one man and one woman.

The second is ‘the logic of the inclusion of the marginalized that runs through Scripture.’ The problem with this reason is that it risks confusing the inclusion of people with the acceptance of behaviour. It is true that according to Scripture everyone is welcome to be part of God’s kingdom, including those marginalized by society, such as the tax collectors and sinner welcomed by Jesus (see Matthew 9:9-13, Luke 7:36-50, Luke 19:1-10). However, the welcome is to people not to behaviour. Becoming part of God’s kingdom involves repentance (Mark 1:15, Luke 5:32), turning away from the old sinful way of life and seeking to walk in God’s ways instead. The issue that the report does not address is how it thinks such repentance is compatible with people continuing to engage in a way of life, same-sex sexual activity, which excludes them from God’s kingdom (1 Corinthians 6:9-11).

The third is ‘the growth in our understanding of human sexuality, both scientifically and interpersonally.’ The problem with this reason is that we now know is not fundamentally different from what the Bible tells us, namely that human beings come in two sexes, that both sexes are



required for procreation and that there are a minority of people who are sexually attracted to those of the same sex and/or engage in same-sex sexual activity. How does knowing this lead us to think that God might be in favour of extending marriage to include same-sex couples?

The fourth is that 'the pastoral needs of those rejected by society and church, particularly gay youth should drive us to seek reconciliation.' The problem with this reason is that the report does not reflect on what is meant by 'pastoral needs' or 'reconciliation.' The fundamental pastoral need of all people (gay youth included) is their need to be reconciled to God. However, just like inclusion, reconciliation involves repentance, it involves turning away from an old pattern of behaviour and embracing a new one (see Romans 5:1-6:23). What the report seems to be suggesting once again is that in the case of those involved in same-sex relationships such repentance is not required. The question has to be why not? Has God changed his mind about the need for repentance?

The fifth is 'the experience of same-sex committed partnerships in our midst, clearly manifesting God's blessing and the fruit of the Spirit.' The problem with this reason is that however much such partnerships may appear to manifest the fruit of the Spirit, if they involve same-sex sexual activity they are also manifesting the 'works of the flesh' (Galatians 5:19) and as such cannot be a way of life blessed by God.

19. The report is wrong to give up on rational argument.

Having listed its reasons for thinking that God might now be supportive of an expansion of the boundaries of marriage the report concludes by saying that the decision about same-sex 'marriage' is one 'that the church will have to reach not by arguments alone, but by prayerful discernment of the movement of the Spirit in our midst.'

The issue which this comment does not address is how we can know that we have rightly discerned where the Spirit is leading. The suggestion seems to be that through prayer we move to a place beyond argument where we simply and directly know God's will. The question is however, how we can know that we are not being deceived. 1 John 4:1 warns us 'do not believe every spirit, but test the spirits to see whether they are of God.' We have to decide whether what we think is the guiding of the Spirit is in fact so or is an act of deception by evil spirits seeking to lead us away from God and the way to test this is through using our God given rational faculties to test what is being proposed against the objective standard of God's Spirit inspired self-revelation in Holy Scripture. If the proposal to extend marriage cannot meet this test then it is not of God. For this reason the Church cannot rightly move beyond rational argument in the way that the report proposes.

## **VI. Conclusion**

The multiple problems with the report identified in the last section means that the Canadian Church would not be theologically justified in proceeding in the direction that the report recommends on the basis of the arguments that the report puts forward.

### **The key issues arising from the reports and the challenges facing the Church of England and the Anglican Communion.**

A number of key points emerge from these three reports

First, the debate about same-sex 'marriage' is not being conducted either at an Anglican Communion or an ecumenical level, but at the level of each individual Anglian province. What we have are three entirely independent reports produced by each of the three churches independently and considered by each of the three churches independently. There is no sense in the three reports of any belief

that an individual Anglican province should be constrained in its decision making by the tradition of the Church, by the views of other Anglican churches or by the views of other ecumenical partners.

Secondly, none of the reports show any interest in engaging in detail with the biblical texts that deal directly with the issue of same-sex relationships. With the exception of a cursory exploration of Romans 1 in the report from the Anglican Church of Canada there is simply no engagement with these texts. The reports basically take it for granted that same-sex relationships *per se* are compatible with Christian discipleship the question they are interested in is whether or not they can be seen as a form of Christian discipleship.

Thirdly, none of the reports engages the question of why it is that the Bible is, in the words of Michael Brown 'a heterosexual book,'<sup>68</sup> that is to say a book which sees heterosexual relationships as normative for human beings, refers only to heterosexual marriages, uses only heterosexual marital imagery to refer to the relationship between God and his people and is completely negative in everything it says about same-sex sexual activity. They simply do not ask the question as to why God has given us such a book as his self-revelation unless its view of the normative nature of heterosexual relationships is the true one.

The fundamental problem is that the reports do not take their orientation from the biblical material, starting from the creation narratives in Genesis 1 and 2 and tracing how what is said in these chapters about God's creation of human beings as male and female is then developed in everything else that is then subsequently said positively and negatively about marriage and sexuality. They start instead from a belief that same-sex relationships are something that we ought to support. They then take selected pieces of the biblical material out of context as the basis for a theological argument in favour of seeing such relationships as capable of being marriages.

Fourthly, none of the reports take seriously the idea that procreation in its basic sense of creating new life through sexual union is fundamental to what marriage is about. Reflecting the way in which modern society as a whole views marriage, they focus on the relationship between the marital partners rather than on marriage as the context for the birth and nurture of children.

Overall, what we are given in these reports is a view of marriage that has no necessary connection with either God's creation of human beings as male and female or God's command that human beings should be fruitful and multiply. What this means is that the view of marriage put forward in the reports amounts to a *de facto* rejection of the first article of the Creed. This because the confession 'I believe in God the Father Almighty, Maker of heaven and earth' means an acceptance that God has created both the world and the human race in way described in Genesis 1 and 2 and a willingness to shape our life in line with this belief. What the reports propose, on the other hand, is that, at least as far as marriage is concerned, what is taught about the creation of the human race in Genesis 1 and 2 should no longer be regarded as normative for either faith or practice.

It is welcome that the three churches involved all propose to allow the right of conscientious objection to the introduction of same-sex marriage, but this does not alter the fact that if what is proposed in these churches comes to pass orthodox clergy and laity in these churches will be part of bodies whose teaching and practice with regard to marriage will have become heretical.

These reports present the Church of England and other Anglican church with a number of challenges.

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<sup>68</sup> Brown, op.cit. p. 83.

The first challenge is to learn from the theological errors contained in the reports and not repeat them in their own subsequent thinking about marriage. Precisely by being wrong the reports have erected a series of theological 'no entry' signs which other churches need to observe.

The second challenge is avoid cultural captivity. The view of marriage put forward in these reports has been decisively shaped by the acceptance of same-sex relationships in contemporary Western culture. Anglican churches need to be prepared to stand up this kind of cultural pressure in line with St Paul's exhortation 'Don't let the world around you squeeze you into its own mould' (Romans 12:2 J B Phillips' translation).

The third challenge is to return to the traditional Anglican approach of doing theology collectively. One of the key problems facing the Anglican Communion at the moment is that churches in the West in particular no longer see themselves as answerable to the communion as a whole and see it as quite acceptable to re-define something as important as the Christian view of marriage on a unilateral basis. This needs to stop in favour of a willingness to abide by theological decisions arrived at after proper Communion wide debate and discussion and taken with due regard to the impact of any decisions on relations with other Christian churches.

The fourth challenge is to be willing to call the Scottish Episcopal Church, The Episcopal Church and the Anglican Church of Canada to account for what they propose. If they persist in developing the heretical approach to marriage put forward in these reports and going ahead with solemnizing same sex 'marriages' then they need to be subject to discipline by other church of the Communion, the Church of England included.

In the words of Dietrich Bonhoeffer 'If the Church is to walk worthily of the gospel, part of its duty will be to maintain ecclesiastical discipline. Sanctification means driving out the world from the Church as well as separating the Church from the world.'<sup>69</sup> This is true not only at the level of the local congregation or the national church, but at the Communion wide level as well.

Adopting a policy of 'good disagreement' which does not call these churches to account, but which agrees to live with difference over the issue of marriage is ultimately not a loving approach to the churches concerned because it does not confront them with their need to repent of their error and return to an acceptance of biblical truth. It also blurs the witness of the Anglican Communion to a watching world that desperately needs to hear a clear Christian voice recalling it to a traditional view of marriage.

Given that The Episcopal Church and the Anglican Church of Canada have ignored numerous warnings about their behaviour since 1998 and given that the Scottish Episcopal Church has chosen to join them on the same path in the full knowledge of these warnings the most appropriate form of discipline would be exclusion from the Communion pending a willingness to return an orthodox Anglican approach to marriage and human sexuality. It would obviously be difficult to get consensus across the Communion for this, but it is now the most appropriate response to their actions.

Alongside the application of discipline serious consideration should also be given to the recognition by the Anglican Communion of ACNA and the Diocese of South Carolina as the legitimate representatives of orthodox Anglicanism in North America and to how support and oversight could be given to orthodox clergy and parishes within the Scottish Episcopal Church.

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<sup>69</sup> Dietrich Bonhoeffer, *The Cost of Discipleship*, London: SCM, 1959, p. 360.

The fifth challenge is not only to declare that the approach taken in the three reports is wrong, but to propose a better alternative. As the saying goes, it is better to light a candle than curse the darkness.

What would be most desirable would be if the Anglican churches who hold to an orthodox biblical view of marriage were willing to establish a group of theologians and ethicists to produce an alternative orthodox Communion wide teaching document on marriage that showed how the traditional Christian view of marriage reflects the teaching of the whole of the biblical canon, how this view of marriage relates to the findings of the natural and social sciences, and why it is that the introduction of same-sex marriages will create both spiritual damage and damage to the social fabric of those countries that adopt it.

The sixth and final challenge is to find a way of adhering to an orthodox biblical view of marriage while at the same time offering a warm welcome and compassionate support to those with same-sex attraction. Jesus offered a welcome to everyone without compromising his opposition to sin and the Church has to do the same. It is no good being totally orthodox and yet sending out a message that those for whom living with their sexuality is a real struggle are not wanted.

The UK Evangelical Alliance report *Biblical and Pastoral Responses to Homosexuality* declares:

We encourage evangelical congregations to be communities of grace in which those who experience same-sex attraction and seek to live faithfully in accordance with biblical teaching are welcomed and affirmed. Such Christians need churches which are safe spaces where they are able to share and explore their stories with fellow believers for mutual encouragement and support as we help each other grow together into maturity in Christ.<sup>70</sup>

If we substitute 'Anglican churches' for 'evangelical congregations' this quotation describes exactly the sort of communities that Anglicans need to create. We need to develop communities of grace and truth that embody the unconditional love of God for all people while at the same time standing firm in their witness to the truth about how God made human beings and how he wants them to live in consequence.<sup>71</sup>

M B Davie 27.11.15

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<sup>70</sup> Andrew Goddard and Don Horrocks (eds.), *Biblical and Pastoral Responses to Homosexuality*, London: Evangelical Alliance, 2012, p. 60.

<sup>71</sup> There is a helpful discussion about the calling of the Church to embody grace and truth in chapter 5 of the 2002 report *True Union in the Body?* and Ed Shaw's book *The Plausibility Problem* (IVP 2015) gives an insightful critique of the 'missteps' that all too often prevent the Church from being a welcoming and supportive place for people with same-sex attraction.