

GROSVENOR ESSAY NO. 8



Marriage *and* Human Intimacy:

Perspectives on same-sex relationships
and the life of the church

The Doctrine Committee
of the Scottish Episcopal Church



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Grosvenor Essay No. 8: Marriage *and* Human Intimacy: Perspectives on same-sex relationships and the life of the church

Preface

This essay has been put together at a time of great controversy in Britain surrounding marriage, a controversy which shows no sign of being resolved soon. In 2011, both the UK and Scottish governments signalled that plans were afoot to discuss legislation which would allow marriages between same-sex partners to take place. Of course, civil partnerships which confer practically the same legal privileges as marriage have been possible between same-sex partners since 2005. And this has led to additional recent contention, because the law has thus far prevented celebrations and registrations of civil partnerships from taking place in religious buildings, or from containing religious language. But 2011 saw a movement towards lifting this ban, at least in England and Wales. It will then become possible, in principle, to celebrate a civil partnership ceremony in a church in the context of prayer, exactly as in a Christian marriage ceremony. And as the political authorities discuss the legitimization of same-sex marriage at the same time, the question arises straight away as to what is the difference between marriage and civil partnership. The fact that most of the British churches have reacted negatively to all of these developments indicates that it is primarily religious in content.

The churches have generally insisted that they see marriage as a union between a man and a woman, a union which was given in creation and has therefore been blessed and hallowed by God from the first. But the logical implication from talk of creation is that marriage is theologically normative and scientifically 'natural' as the basis of sexual relationships. And this leads to a further implication, that marriage is therefore the proper place for the procreation and nurture of children. Indeed, until recent decades many marriage liturgies had always made this point explicit. But far-reaching changes in modern Western society – cultural and technological primarily – mean that it is difficult to sustain such arguments outside of the religious environment, and in many cases within it too. What is more, as the church's standing in society has gradually been eroded, so has its status as society's guiding moral light. It might be asked why the church should therefore be entitled to define what wider society means by 'marriage'. Indeed, it is often pointed out that marriage was a civil institution before it was ever a Christian religious one, that for

much of history marriage has taken place in various civil and common law forms which have not required the legitimization of the church.

In a recent consultation exercise prompted by the Scottish Government (December 2011), the Scottish Episcopal Church (SEC) – in common with other Scottish churches including the Church of Scotland – responded negatively to questions about the religious celebrations of civil partnerships and same-sex marriage. The response was formulated by the Faith and Order Board of the General Synod of the SEC and so constitutes the nearest thing to an ‘official’ whole-church answer, short of a resolution of General Synod itself. And although the response acknowledged that the Scottish Government was fully entitled to legislate on civil partnerships, the Church would not accept any religious implications of such legislation. It would seek to be exempt from any requirements for its ministers to celebrate civil partnerships, or for celebrations to be carried out in its church buildings. Moreover, the response made it clear that the SEC does not agree with the introduction of same-sex marriage, whether seen in a religious or a civil light. This is because of the understanding of marriage enshrined in its canons, which sets out the traditional definition of marriage, that it is a union between a man and a woman. And until and unless the relevant canon is changed by General Synod, this will remain the official mood of the SEC.

On the other hand, the SEC has been involved in substantive discussions with other churches of the Porvoo Communion regarding this very issue of same-sex marriage, and much of this Essay was prepared initially by the Doctrine Committee as a discussion document for a meeting of Porvoo churches. There is a wide diversity of opinions among member churches. While some churches are not willing even to countenance religious celebrations of same-sex marriage at present, other churches have gone some way down the road towards implementing them, especially the Church of Sweden which now provides church services for such marriages. It is therefore not the case that all Christian churches are opposed to same-sex marriage, nor that the argument from creation has been considered as absolutely binding as the theological basis for marriage.

It will be seen from the above introductory discussion that there are many current questions surrounding the definition of marriage, regardless of what future civil and religious debates may bring. As members of the Doctrine Committee of the Faith and Order Board we represent a number

of different views ourselves; we are by no means in full agreement on the important questions surrounding marriage and we by no means possess all of the answers. And yet, we offer this Essay as our attempt to help chart a way forward. We have tried to avoid prejudicing one view over another, and instead have sought to provide an honest appraisal of the various issues which influence the state of debate at present. We are fully aware that while the SEC (in common with other churches) may currently adhere to a traditional understanding of marriage in its official statements – that it is a particular kind of relationship between a man and a woman – yet on the ground its individual members represent something of the diversity of views which may be found in wider society. And we have noticed that in this question of the scope and definition of marriage, modern culture is increasingly bringing to bear more inclusive and more complex attitudes which take into account a wider network of human relationships. For that reason, this Essay seeks to set out a broad view of current historical, theological, liturgical, and scientific perspectives, so that the discussion will not be just the church's traditional understanding of marriage, but 'Marriage and Human Intimacy'.

Historical Perspectives

We begin with some reflections which attempt to put marriage in a wider historical angle than is usually the case in debates about same-sex marriage, and which also seek to establish the specific discussion within a larger critical context than the prevailing debate about homosexuality.

Changing patterns in British society since the middle years of the twentieth century have brought about a situation in which about half of the population in a sexual relationship are now cohabiting. Couples who marry in church tend to marry later in life than in previous decades, and partners may have been through several earlier committed relationships, sometimes involving actual marriage, but often not. The upshot is that the church might in effect be celebrating a second, third or fourth 'marriage'. Moreover, divorce – which until legal reforms came into force in the 1970's was difficult (if not impossible), expensive, and stigmatised – has become widespread, among regular churchgoers and clergy as much as among wider society. Currently, some one in every three marriages ends in divorce. Clearly, that leaves approximately two marriages in every three which are stable and lifelong, and many people still cherish the ideal of a single life-time partnership characterised by fidelity and tenderness. However, the situation has become considerably more complex than that of previous centuries when the romantic ideal was forged.

The high divorce rate in modern times might lead us to think that marriages in previous centuries were more enduring. And indeed some were. But surprisingly, the average modern marriage lasts for a similar number of years as a marriage 150 years ago. But for very different reasons. In the nineteenth century many marriages were cut short by early death, all too often of the wife in childbirth. Over the last 100 years, life expectancy has increased dramatically, and a modern couple which marries in their 20's might reasonably expect 60 years of life together. Each partner will inevitably go through substantial emotional and developmental changes as a consequence of maturing and aging, and the marital relationship must change substantially in response if it is to survive. The fluctuating demands of childcare, personal ambition, career and finances on the marriage can be extreme, affecting each partner differently. While romantic love was thought to be an ideal (but not necessary) component of marriage 150 years ago, it is now regarded as the principal component in binding the couple together. Qualities of companionship and duty are considered less important, and if sexual

attraction fades in a marriage it is often not thought worth carrying on. The challenge of sustaining this kind of intimate relationship over such a long time span is largely new in history. It is little wonder then, that for many couples it becomes too great a challenge.

Increasingly marriage has become an inward-looking relationship, sometimes placing in the background other important relationships with friends, the wider families of the couple, and even their parents and grandparents. And it is partly because modern couples rely so heavily on each other that marriages can come under severe strain. Many modern couples make a conscious decision not to have children, in order to place career and personal development before considerations of family. And yet in the past such an attitude might have been seen as too focused on individual needs and desires to the detriment of wider society, and furthermore as denying one of the core theological purposes of marriage, that it is for the procreation of children. Indeed, reliable 'family planning' has only become a possibility over the past century, as artificial contraception has become more widely used and more socially acceptable. Still condemned by the Roman Catholic Church, Anglican churches no longer consider the use of contraception to go against God's purposes for marriage. However, there was a time in the past when a deliberate decision not to have children was deemed sufficient to deny ordination to a candidate for the Anglican ministry.

Moreover, we should not forget that we are inheritors of an especially romantic view of marriage which largely took hold in the nineteenth century, and even then only strongly so among the middle classes. If we look further back, we find a great variety of approaches to marriage, both in Scripture and in the history of the church. For much of Christian history, whatever the theology surrounding marriage, the actual practice did not extend to the provision of an actual marriage ceremony in church but at most a blessing (usually outside of the church building, in the porch). So far as regulations were concerned, these remained largely in the hands of the state, which is why marriage is often described as essentially a civil institution until the later middle ages.

There have clearly been great changes in the theory and practice of marriage over the centuries, and we are currently living in a time of great change ourselves, and that even before we consider the new openness in society towards same-sex relationships. All of this means that the 'traditional' view of marriage – if such a view ever existed – is under threat

today from many more factors than those which arise from the debates about same-sex relationships. And this means that the British churches, which seem to have become the guardians and defenders of 'traditional marriage', have been forced to speak with a certain degree of disingenuousness – their liturgies and theologies of marriage have developed to take seriously many of the contemporary changes of attitude towards marriage, while they continue to insist that the traditional view of marriage should be maintained, that it is between one man and one woman for life.

Furthermore, the heat and light expended in the debate about sexuality has obscured the pressing need for the church to speak to (and for) other intimate relationships – non-sexual relationships. Scripture repeatedly makes the point that God's intimate relationship with Israel is to be reflected in the people's relationships with each other, engendering an especial spirit of care and respect for those who are most vulnerable.

It should not be forgotten that there are those who choose (or find themselves obliged) to live alone, now some quarter of the population of Scotland. And it must be recognised that marriage is not the only way of fulfilling the Christian life. Indeed, Christ himself did not marry. As a result, the church could respond to the mood of the times by emphasising and celebrating other forms of committed relationships – the single mother and her child, the daughter caring for the invalid father, and other forms of non-sexual relationships and friendships. Indeed, it might be argued that the church could show itself to be more prophetic – and also more pastorally sensitive – if it devoted more attention to such issues instead of focusing so exclusively on the agenda of sexuality and marriage.

In short, the following comments on the issue of marriage should be set in the wider context of relationships within modern life.

Biblical Perspectives

Many of the questions which surround marriage and sexuality in our modern culture were not of concern in biblical times, and many of the contemporary Christian assertions that biblical teaching is clear on these questions arises in fact from later interpretative traditions. So when we seek support from the Bible for the romantic notion that a husband and wife should remain together as soulmates to the exclusion of all others 'till death us do part', for instance, we find instead a perplexing variety of possibilities. The Old Testament legal material allows for a husband to divorce his wife if 'she does not please him' (Deut. 24:1). On the other hand, Jesus strongly discourages divorce (Mark 10:2-12), and Paul disapproves of it but concedes that there are circumstances when it may well be for the best (1 Corinthians 7:15). And all of this falls against a background where many of the biblical heroes of faith practice polygyny, having more than one wife simultaneously, and perhaps even concubines as well. Hence, it remains the case that if we look to the Bible for clear moral teaching on marriage and sexual expression in our modern times we will often find perplexing ambiguity and sometimes even complete silence. With this caution in mind, we will explore particular passages which we consider most relevant to a theology of marriage.

The Old Testament

The most important OT passage – in terms of the later history of Christian exegesis and theology of marriage – is Genesis 2:20-24. It clearly suggests that the initial imperative for the creation of the first woman was that 'there was not found a helper as his [the first man's] partner' (NRSV). This is a *social* imperative. The notes in NRSV suggest that 'sex between a man and his wife is regarded here as reflecting the essence of the connection God created between men and women. The unashamed nakedness of the man and woman indicates their still uncivilized status'. The *Book of Common Prayer* of 1662 made it clear that marriage was instituted by God 'in the time of man's innocency', and it is under these conditions that its 'signification' is to be fully understood. The Genesis narrative at this point makes no mention of procreation, but instead it implies the existence of the sexual union between the man and the woman, by means of the metaphor of 'one flesh'. This features prominently in the teaching of Jesus concerning marriage (e.g. Mark 10:8), and has influenced many marriage liturgies: 'Therefore a man leaves his father and his mother and clings to his wife, and they become one flesh' (2:24). Helen Oppenheimer explains that the 'one-flesh' union

brings more than physical pleasure and more than fertility, and she quotes 1 Samuel 1:8, Elkanah's care and concern for Hannah and his saying, 'Am I not more to you than ten sons?' Oppenheimer continues (bearing in mind that this statement is now some 35 years old):

Hard sayings [in the Gospels and Epistles] are not to be ignored, but it is defeatist to take them as harshly ascetic. Rather, they are reminders that neither sex nor family is absolute. The more the spirit of our age emphasizes the goodness of sexuality, the more the church needs to remember that it exists also for misfits, the awkward, the untypical, the solitary, the distinctively dedicated. The more we commend the family, the more we must acknowledge that no human institution can be translated straight into heaven. Resurrection needs death and rebirth. *What we are led to expect is recognizable transformation of all we care about.*" [Italics added for emphasis.]¹

The Bible reports many polygynous marriages without indicating any divine dissatisfaction with that arrangement, especially in the book of Genesis (e.g. Esau's three wives, 36:2-3). No moral qualms appear in the text because of the presence of concubines in the family, in addition to wives (e.g. Hagar, Bilhah, and Zilpah). It is also reported (Genesis 19) that, when Lot was widowed, he drank to excess and impregnated his daughters. Although the narrative explains that this was an initiative of the daughters, the text makes no explicit moral judgement, either of them or of Lot, for this act of incest. Genesis 38 reports Judah's intercourse with his daughter-in-law Tamar, and neither criticises her for taking the role of a prostitute, nor him for hiring her, but it only suggests that Judah was wrong to withhold from her the levirate spouse she was due. On the one hand, this rather dispassionate tendency to narrate without providing explicit moral judgement is a feature of the Yahwist, the roughly tenth-century BCE author or editor who put together much of the book of Genesis, and biblical scholars often point to the very complex and subtle layers of plotting and characterisation which characterise the Yahwist's work. On the other hand, it is apparent that the moral judgements which are so instinctive to us concerning marriage and sexual relationships were not so clearly part of the Yahwist's ethical world.

¹ Helen Oppenheimer, 'Theology of Marriage', in Alan Richardson and John Bowden, Eds, *A New Dictionary of Christian Theology*. (London: SCM, 1983), p. 346.

Even after the book of Genesis, leading biblical figures engage in questionable sexual and marital behaviour which the Bible passes over without apparent comment. When the tribe of Benjamin is condemned for the rape and murder of the Levite's concubine (Judges 19), the eleven other tribes refuse to allow their daughters to marry into the tribe of Benjamin. But they do allow the Benjaminite men to kidnap the women of Shiloh as wives instead (Judges 21). This whole sorry incident, including the war between Benjamin and the eleven tribes, is not condemned explicitly, except with the ambiguous refrain: 'In those days there was no king in Israel; all the people did what was right in their own eyes' (Judges 21:25).

What is more, the Bible reports the polygynous marriages of David and Solomon without ascribing to them any transgression for the fact of their plural wives (e.g. 1 Samuel 25:42-44). God does chastise Solomon, although not strictly for polygyny, but rather for allowing some of his (reported) thousands of wives to set up altars to other gods (1 Kings 11:4).

Clearly, from our perspective the characters of the OT appear to possess rather free licence regarding marital and sexual relations. It is not the case, however, that no legislation existed, because when we examine the *legal* texts of the OT we find a considerable amount of material which concerns marriage, relationships and the family. Much of it is rather alien to us. For one thing, women have few sexual rights compared to men, and are treated as little better than commodities to be traded. For instance, if a man rapes a woman who is neither engaged nor married, the man must pay her father fifty shekels and marry her, because 'he has violated her', i.e. made her unclean for any other man to marry (Deut.22:29). There are also some very stark regulations which set out sexual boundaries which should not be crossed, according to Torah. We are told, for instance, that sex between two men is regarded as an 'abomination' and is punishable by death (Lev.20:13; cf. Lev.18:22). Likewise, if a man has sex with his mother-in-law or daughter-in-law it is punishable by death, as is bestiality (Leviticus 20). We also find that rape of a married or engaged woman is punishable by death (Deut.22:25). Less serious offences are those which involve sex with more distant relations such as a sister-in-law (Lev.20:21), but they are still recognised as offences, as is (strangely from our perspective) sex between husband and wife when the wife is menstruating (Lev.20:18). Serious as these offences appear to be in the OT, there is one which stands out even more

starkly, adultery. Not only is it punishable by death (Lev.20:10), but it becomes the paradigmatic sexual sin for illustrating Israel's faltering relationship with God (Hosea; Ezekiel 16).

The New Testament

When we turn to the teachings of Jesus in the NT we find very little concerning marriage and sexual relationships, and what there is mostly concerns divorce. As we have already mentioned, Jesus disapproves strongly of divorce, according to the tradition recorded in Mark's and Matthew's Gospels (Mark 10:2-12; Matthew 5:31-32; 19:3-9). He appears to give two connected reasons for this: 1. Divorce was permitted according to the OT law, but only as God's concession for the peoples' 'hard hearts'. But God had originally intended at creation for men and women to be joined together inseparably in marriage ('one flesh') – 'Therefore what God has joined together, let no one separate.' 2. Such is the indissolubility of this union in God's eyes that, if a man divorces his wife and marries again, he commits adultery against his first wife. Matthew famously softens this point, allowing that divorce is permitted in the case of 'immorality' (5:32; 19:9), presumably meaning that divorce is allowed by an injured husband when the wife is unfaithful. (It is unlikely that an injured wife had equivalent rights against an unfaithful husband in Hebrew culture). On the face of it though, Jesus' teaching appears to make marriage transcend any kind of civil union into something which is theologically unbreakable.

On the other hand, Jesus does not consider the marriage bond to be eternal, i.e. lasting beyond death even into the heavenly existence (Luke 20:34-36); it is a binding *terrestrial* institution. And even on earth, Jesus appears to suggest that marriage (and family) ties are not so strong that they might not be over ruled by the demands of the kingdom of God:

Whoever comes to me and does not hate father and mother, wife and children, brothers and sisters, yes, and even life itself, cannot be my disciple. (Luke 14:26)

And he said to them, 'Truly I tell you, there is no one who has left house or wife or brothers or parents or children, for the sake of the kingdom of God, who will not get back very much more in this age, and in the age to come eternal life.' (Luke 18:29-30)

These sayings are presumably meant as metaphors of the degree of commitment which the kingdom requires, rather like Jesus' sayings about cutting off your right hand if it causes you to sin (Matt.5:30), a piece of advice which is hardly meant to be taken literally. We might compare these (metaphorical?) sayings on separation from family with Jesus' curious statement, found in Matthew's version of the divorce passage, about those who make themselves 'eunuchs for the kingdom' (Matt.19:12). Again, we might think that this is hardly meant to be taken literally, but Origen, the great biblical scholar of the early church, famed for his eagerness to interpret the Bible symbolically, apparently took it in all seriousness and made himself a eunuch. Metaphorical or not though, we have in these various passages another angle on marriage from the lips of Jesus himself, which suggest that marriage is not the only social context in which humans might best serve God.

Apart from this, the NT tells us almost nothing else about Jesus' attitude towards marriage and sexual relationships. When we turn to the letters of Paul though, we find a great deal of relevant teaching. Paul appears to know of Jesus' teaching on divorce, because he hints at it in his protracted discussion on marital relations in 1 Corinthians 7: 'To the married I give this command – not I, but the Lord – a wife should not divorce a husband' (1Cor. 7:10). Paul concedes though, that when one partner is an unbeliever and wants a divorce (presumably on the grounds that religious arguments are ruining marital concord!), it should be permitted (v.15). But Paul's real subject in this chapter is not harmonious relations so much as eschatology – the last things. For this chapter contains one of the strongest statements in all of Paul's letters that Christ will return imminently: 'the appointed time has grown short; from now on, let even those who have wives be as though they had none...for the present form of this world is passing away' (vv.29, 31). This means that there is urgent work to be done, and married life is a distraction which is best avoided if possible: 'The unmarried man is anxious about the affairs of the Lord, how to please the Lord; but the married man is anxious about the affairs of the world, how to please his wife, and his interests are divided' (vv.32-34). So Paul allows that marriages may still take place between believers, especially if strong passion are involved (v.36), but it would be better to devote oneself entirely to the Christian life as a single person, especially considering the urgency of the times. In this, Paul's teaching is not unrelated to Jesus' comments above, about 'hating' father, mother, wife and children for the sake of the kingdom.

Now it is possible to interpret this theme as support for asceticism and for celibacy as Christian ideals, but it is arguable whether this is true to Paul's point. His concern is more that since the whole world – and marriage with it – is about to pass away imminently, it is better to remain in whatever situation one finds oneself, married or single, and to be faithful to Christ in that (vv.17, 20). The single state is no more holy than marriage, but it is an easier situation in which to maintain an unswerving devotion to Christ, under the circumstances.

This is not the whole of Paul's thoughts on marriage and relationships in 1 Corinthians though, and the letter is famous (infamous?) for also containing his advice concerning a man who has apparently been sleeping with his 'father's wife', presumably his stepmother (1 Cor.5:1). Paul regards this as a case of immorality of such monstrosity as to be shocking even to the unbelieving Gentile world (v.1). (It is worth noting that Scots law, which adopted many of the Old Testament laws forbidding sexual relations between various family members, also prohibited this particular act until 1986. It is still in force under certain circumstances). Paul's advice is to excommunicate the man ('hand this man over to Satan', v.5), 'so that the spirit may be saved in the day of the Lord', a notorious interpretative crux which is not necessarily aided by the NRSV's optimistic translation of 'so that *his* spirit may be saved in the day of the Lord' (v.5). Whether the Greek text (which is literally 'the spirit' not 'his spirit') is referring to the spirit of the Christian community being preserved at the Day of Judgement – on account of their having purged the impurity from their midst (v.7) – or to the Holy Spirit, or to the man's spirit, is unclear. What is clear though is that, just as in 1 Corinthians 7, Paul is concerned to preserve correct sexual relationships in the community *in the light of the imminent end of the world and forthcoming judgement*.

Paul gives similar advice in 1 Corinthians 6, where he appears to condemn 'fornicators, idolators, adulterers, male prostitutes, sodomites...' (1 Cor.6:9) according to the NRSV's translation. (It should be noted that there is considerable scholarly uncertainty over the correct meanings of the Greek terms which the NRSV translates as 'male prostitutes' and 'sodomites'. 'Sodomites' at least is best avoided as a translation, owing to its offensiveness in our modern culture. The Greek term which lies behind it is literally 'men who lie in bed', and Paul presumably has homosexual activity in mind rather than those who find it difficult to get up in the morning!). Paul's point in all this is to maintain purity, since 'your body is a temple of the Holy Spirit within you' (v.19). In other words, our bodies are

not ours to do with as we will; rather, they belong to God, Paul suggests, and our sexual behavior should be mindful of this: 'For you were bought with a price; therefore glorify God in your body' (1Cor. 6:20). And as with Paul's previous advice, this also has an eschatological dimension. Christ's sacrifice (the 'price' which was paid) has transferred Christians from the old realm of enslavement to various vices (including sexual vices) into the freedom of a new realm with Christ. To return to those old vices is for Christians to place themselves back in the old realm, and to jeopardise their eschatological future come the Day of Judgement. In short, according to Paul, sex has a cosmic, eternal dimension.

It is interesting to note that the vices which Paul lists (1 Cor.6:9-10) are not specifically original to him, nor even specifically Christian. Instead, they point to a standard Jewish view of morality: Paul has taken Jewish ethical ideas of his day and applied them to the particular eschatological situation of urgency which the early church believed itself to be facing. His overriding concern is to maintain purity in the face of a cosmic irruption which would overturn all of the world's standards and norms and impose new divine standards. And his standard of purity is gleaned mostly from his Jewish background.

Homosexuality and sexual licence, like idolatry, were regarded by Jews of Paul's time as characteristically Gentile sins. And so we get something of the same occurring in the famous passage in Romans 1 which condemns homosexual acts (and, uniquely, lesbian acts too, the only place in the Bible where they are mentioned) – Romans 1:26-27. In all of the intense discussion in modern Christian circles about this passage, and its potential application to the *modern* ethics of sexuality, its context in the letter of Romans – and its function in the letter's overall argument – is not often taken into account. Having set out his thesis statement, that both Jews and Gentiles alike have access to God's righteousness because of the power of the Christian gospel (1:16-17), Paul goes on to undermine any Jewish sense of superiority over Gentiles. It is clear that Romans was written at least partly to smooth over disputes between Jewish and Gentile Christians in the Roman church. And so Paul challenges his Jewish readers with a subtle ploy, drawing on their ready familiarity with Jewish morality. He does this by first developing a list of what might be regarded as typically Gentile sins (1:18-32), and the condemnations of same-sex activity fall second in the list after idolatry (vv.23-25), the most heinous of all Gentile crimes. The list then proceeds through sexual acts to other kinds of 'wickedness', including envy,

murder, foolishness, faithlessness, and rebellion towards parents. It is apparent that Paul's aim in reproducing this rather standard line in Jewish ethics is to lull his Jewish readers into a false sense of security ('He's talking about those disgusting Gentiles here') in order to hammer home his thesis that *all* have sinned, Jew and Gentile alike. And it is apparent that his reasoning for adopting this tactic is to introduce the eschatological challenge again, the looming Day of Judgement: 'Do you imagine, whoever you are, that when you judge those who do such things and yet do them yourself, you will escape the judgment of God?' (Rom. 2:3).

The point of this discussion is not to 'explain away' or nullify Paul's condemnation of same-sex acts in 1 Corinthians 6 and Romans 1, a condemnation which many modern Christians take with deadly seriousness in the contemporary debate about same-sex relationships. Instead, it is to point out the following considerations: 1. The condemnations arise from Paul's descriptions of conventional Jewish morality of his day; they have no specifically Christian content except that, 2. They serve Paul's wider purpose, to prepare the Christian community to face the forthcoming eschatological judgement, which is regarded as imminent in 1 Corinthians (and probably Romans too).

Hence, if we are to draw moral lessons about sexual relations from Paul's letters, we need to consider how these two considerations apply to the situation of modern Christianity before we apply Paul's condemnations in any kind of blanket sense. Paul's thinking was clearly informed by his Jewish moral background, as was that of Jesus in his own way. To what extent should it continue to inform ours, who do not possess the same kind of worldview based on rigid boundaries of clean and unclean? It is also worth considering, for instance, the point that in Paul's day same-sex couples could not marry (or undertake civil partnerships), so such relationships would automatically be regarded as involving 'fornication' and would therefore be illicit straightaway, without even taking into account the Old Testament law about homosexual acts which clearly informs Paul's thinking.

The passages we have examined from the Gospels and from Paul's letters form the core of NT teaching on marriage and sexual relationships, but there is additional material which should also be taken into account. The so-called 'household codes', for instance (Eph.5:21-6:9; Col.3:18-4:1; Titus 2:1-10; 1 Peter 2:18-3:7), set up an ordered hierarchy of relationships in the family along traditional patriarchal lines, where the

husband is placed first as the head, followed by the wife, children, and slaves. These texts bear close similarity with Greco-Roman thinking on the family, but there is some attempt to provide a Christian theological justification, e.g. 'the husband is the head of the wife just as Christ is the head of the church' (Eph. 5:23). In contrast with Paul's teaching in Romans and 1 Corinthians, there is no concern for judgement or the imminence of the eschatological end, nor any teaching on sexual relations. Instead, such advice as there is largely seems to be concerned with the correct exercise of authority in the family. A husband is exhorted to love his wife (e.g. Eph.5:28), but it is clear that he possesses enormous authority over her (e.g. 1 Cor.14:33-35).

In addition to the household codes, we find marital guidance offered for the appointment of church leaders – a bishop should be 'married only once', should be a person of good reputation, and should take good charge of his household (1 Tim.3:1-7). Likewise, a deacon should be 'married only once', and display qualities of capable management of the family (1 Tim.3:8-13).

A synthesis of Old and New?

In summing up this biblical material, we have seen that the OT assumes a view of marriage which is worlds from our own – patriarchal, polygamous, and with a legal framework which imposes extremely severe penalties for those who transgress the boundaries. In common with much of the OT law, the marital and sexual boundaries concern a whole worldview where people and creatures have allotted places in the created order, and actions or entities which cross the boundaries between them are considered as 'unclean' or forbidden. This is why, for instance, pigs are considered unclean – they have cloven hoofs like cows, but do not chew the cud, and so exist in a kind of no man's land (Lev.11:7). The OT laws which govern marriage and sexual relations exist to maintain this worldview, a worldview which, it hardly needs saying, is very different from our own; for one thing, there is little or nothing in all this about love or mutual respect as the foundation of marriage.

When we turned to the NT, we found that it assumes a Jewish ethical morality which bears much in common with the OT, but with some distinctive differences. First, Jesus' teaching on divorce draws out from the OT material an idea which is only latent in it, but which becomes the keynote to Christian understandings of marriage, namely that it is theologically binding and reflects the story of creation. Second, Paul's

teaching on marriage and sexual relations borrows a great deal from his Jewish background, but it serves his overriding concern that the Christian community maintains its stance of purity, over and against the world, in the light of the imminent eschatological end. In addition to this, we find the natural exercise of ideas concerning patriarchal power structures in the family, ideas which were familiar throughout the ancient world but which we would flinch from in modern British culture.

In all of this, the NT shows no awareness of even the *possibility* that ecclesiastical authorities might exercise jurisdiction over marriage. As far as Scripture is concerned, marriage is a civil institution with theological ramifications, but not an ecclesial function. In addition, any attempt to appropriate scriptural ethics for our own discussions of marital and sexual morality must take into account the very different worldview which is assumed, including a pressing eschatological concern which we have come to understand differently 2000 years later. There is much careful thinking that needs to be done before we apply these ideas to the questions of our times. This is the reason why many Anglican churches (including the SEC) now allow re-marriage after divorce in many cases, in spite of Jesus' apparent moratorium. The church has quite literally changed its mind after thinking more carefully on the matter, and maintains that it is still faithful to Jesus' teaching in allowing re-marriage in some circumstances.

It is worth bearing in mind though, that the discussion so far has only concerned marriage and sexual relationships. But the NT (and OT too) actually offers considerably more advice about human relationships in their *non-sexual* dimensions. Friendship, non-sexual love, companionship, service, loving our neighbour, and sacrifice form very rich themes which run throughout the NT, and space precludes us from exploring them here. Jesus may have said very little about marriage and nothing about sex, but he said a very great deal about companionship in service of the Kingdom of God.

If we are to consider how this biblical material might apply to the modern questions which beset the church surrounding marriage and sexuality it is imperative that this balance is addressed correctly. The Anglican Communion teeters on the brink of schism over internal questions of sexuality, while many lonely, homeless and forlorn persons pass our doors un-noticed.

Metaphor

It is important to remember then, that in many ways marriage represents one kind of human relationship among many; it is not to be idealised, nor is it to be sought or preserved to the exclusion of all others. A telling point about the scriptural perspective on marriage concerns the fact that it is not a straightforward matter to find suitable biblical readings to use in a marriage service. Some of the richest biblical material on marriage is found in those parts of Scripture that treat marriage as a *metaphor*, especially as a metaphor for God's relationship to Israel, and for Christ's relationship to the Church. In these metaphors, the key characteristics of the relationships seem to be love, faithfulness and revelation of God's identity and qualities.

From the time of Hosea onwards (e.g. Hosea 2:19-23, Isaiah 54:5-6) the nature of God and of God's attitude towards Israel has been expressed in terms of marriage. God's love is foregrounded, refusing even to divorce Israel for her adultery, and the mutual knowledge of God and Israel is mirrored in the marriage relationship.

In the NT the metaphor is transferred to Christ and his Church – in Mark 2:18-20, Jesus describes himself as the 'bridegroom' (cf. John 3:29). The kingdom is pictured as a marriage feast (e.g. Matt.22:2-22), and in Revelation, the Church is the Bride (Rev.19:7-9; 21:2, 9).

In 2 Corinthians 11:2, Paul speaks of the church in Corinth as presented in marriage to one husband, 'as a chaste virgin to Christ'. Perhaps the most important passage is Ephesians 5:23-33, where actual marriage is defined with respect to the marriage between Christ and his church – just as the church (the wife) is subject to Christ (the husband) so wives must be subject to their husbands. Husbands must love their wives – as Christ loved the church.

In all this, marriage becomes a symbol which stands for God's (Christ's) bond with creation (church). Scripture makes the point then, that relations of human intimacy communicate something of God's relationship with humankind. And the converse is true: if God's love for humankind is revealed as a constant and unbending commitment, then human relationships should reveal something of the same. To witness two faithful Christians living lives of faithful intimacy with each other should be to witness a vivid illustration of God's love for humankind.

So far we have been considering metaphors in Scripture, but similar ideas appear in key marriage liturgies. The Introduction to the marriage service in 1662 links the 'estate' of marriage, which is 'instituted of God, in the time of man's innocency' as 'signifying' the mystical union between Christ and his church. Interestingly, in the 2007 marriage liturgy of the SEC there is no reference in the Introduction to this metaphor of the mystical union, merely to Christ's attendance at the wedding in Cana (option 2.C). The metaphorical basis is thus replaced by a simple reminder that Christ himself attended a wedding. On the other hand, another powerful metaphor is used, the idea that 'God is love' (1 John 4:8, 16). And so we are told that as husband and wife give themselves to each other in love, so they reflect the very being of God (option 2.B).

It is worth pausing to reflect upon the 'rule of metaphor'. The power of the metaphor is rooted in the actuality of the initial reference. That is, in Mark 2:19, Jesus' answer to the people is dependent upon them knowing perfectly well how real wedding guests are supposed to behave. That is the whole point and the reason why the metaphor is used. All the more should they know, then, how to behave in the presence of the 'ideal' bridegroom – that is Christ.

The metaphor acts to idealise the original reference, as if to say: "You know what real marriages are like – well, the 'marriage' between Christ and his church is like that, only ideally so". But the marriage metaphor is not exclusive. There can be other metaphors for the relationship between Christ and his church – e.g. Christ as the corner stone, or Christ as the head of the body. Thus, metaphors do not 'rule' the actuality from which they are derived. They provide a possible interpretative pattern, but by their nature they are neither definitive nor final. A metaphor can always be replaced by another metaphor; we should not become 'slaves' to a particular metaphor nor to a particular way of interpreting it. If we do, it has ceased to be metaphor and has become the actuality itself.

So it is important to remain aware that metaphors are playful and allusive, and as such may enable us to think creatively, as long as we remain alert to their playful, probing potential. In the prophets, God is sometimes depicted as a husband, and Israel – usually male in Scripture – becomes feminine (Is.54:5, 62:1-5; Jer.3; Ezek.16; Hos.2:19-20; Mal.2:11). Here, the marriage relationship between God and Israel is a 'covenant' (Hos. 2:19-20; Ezek.16:8). In the NT, the church is depicted as

female in relation to Christ as bridegroom, but church leaders are almost exclusively reckoned to be male. As feminist theologians have pointed out, it has been to the detriment of women to use feminine language for the Church in a way that exacerbates the ordering of the female as submissive to male authority, and this is a further illustration of the way in which we can become slaves to metaphor. In forgetting the playful dimension of metaphor our thinking becomes enslaved to that which might liberate.

These various considerations point to the conclusion that some of the richest biblical material concerning marriage is metaphorical. This immediately highlights the playful but potentially enslaving nature of the material in question. What is the actuality it points to? How playful should we be in seeking to interpret it? What are the non-negotiables to which we must adhere resolutely in all of our interpretations? For instance, is it the fact that marriage is usually said to be between a man and a woman? Or is it the fact that marriage is likened to a covenant, i.e. that it is the intimate and binding *relationship* which is important, not the particular of the partners who constitute it?

The most pertinent questions for our times which arise from this discussion would seem to be the following: 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'?'

In considering these questions, it is worth noting the diversity of expressions concerning marriage in Scripture. While some biblical characters have readily engaged in polygamy and multiple sexual relationships both within and without marriage – all without ethical comment from the narrator – others have stressed the unity and fidelity of the bond between one husband and one wife, especially as a *metaphor* of the divine-human relationship. In *actuality* though, it is clear from Scripture that marriage is a human institution, albeit one which is recognised by Jesus as binding. If we turn to our own 'traditional' view of marriage, we see how much it borrows from scriptural ideals which are held up in the NT as *metaphors* of the divine-human relationship, and not so much from the *reality* reflected in the lives of concrete characters on the pages of the OT and NT. The scriptural reality of marriage is that it is much more of a moveable feast than we might first anticipate from our own 'traditional' view. The diversity of the biblical reality to some extent

reflects the diversity of this human institution. Jesus tells his disciples that those who marry do so as those who 'belong to this age' (Luke 20:34), and in the age to come that there will be no marriage. If marriage is a human institution of this age, which nevertheless points towards God, it is worth considering how best marriage should continue to point towards God in this age. Should it be a 'moveable feast' once again, perhaps even embracing same-sex relationships, or does the 'traditional' view best serve human intimacy in God's eyes? The church can only come to a decision on this urgent issue after much prayerful deliberation and respectful discussion of both the scriptural witness and its own historic canonical traditions, to which we now turn.

The church's official teaching

Having described the biblical perspectives on marriage and human relationships, we consider the SEC's current official responses to the biblical perspectives. These are enshrined in the forms of 1. Canon Law, and 2. Liturgy.

1. *Canon Law*

The SEC's official teaching on marriage is enshrined in Canon 31:1.

'The Doctrine of the 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.'

This Canon, 'On the Solemnization of Holy Matrimony', was added to the Code of Canons in 1980, and is unusual in the SEC canons in expressing a theological position. It was added when Canon 31 was altered to allow for the remarriage of divorced persons in church, so that the principle that marriage is a lifelong union could be affirmed alongside the acknowledgement that a civil court might judge a marriage to have broken down irretrievably.

The SEC remains committed to the principle of marriage as a lifelong partnership, retaining the same spirit that was present when Canon 31:1 was added. The particular phrase within the Canon which has come under scrutiny at present, over the question of same-sex marriages and civil partnerships, is that marriage is a 'union of one man and one woman'. On the face of it, this would seem to be an immovable barrier towards the church recognising same-sex unions. On the other hand it must be recognised that over the past decades, Christians in various parts of the world have revisited their definitions of marriage in light of traditional marriage practices within their own cultures (e.g. polygamous relationships), and within their churches. And currently, the Porvoo churches are doing exactly the same thing, revisiting such a definition in light of the increasing readiness in Western cultures and churches to discuss same-sex relationships.

The following list of possible ingredients of marriage may help further focus this question which stems from Canon 31.

Ingredients of marriage

- Commitment – vows of exclusiveness and permanence
- Public declaration
- Compliance with requirements for legal recognition (e.g. licensing)
- Economic interdependence
- Sexual/romantic interdependence
- Officially granted privileges, rights and responsibilities of marriage (including tax-related rights, hospital visitation rights, making life-and-death decisions if the other is incapacitated; rights to family or bereavement leave in case of the other's illness or death; co-parental rights so that both partners are equally recognised as parents in all situations; recourse to a legal system for equitably dissolving their relationship should it end, noting that vows themselves are not dissoluble, but that the state-validated union is)
- The possibility of children, and the provision of a stable and caring home environment for their nurture. Children may become part of the marriage through a variety of means:
 - Traditional procreation
 - Assistive reproductive technology
 - Adoption
 - Fostering
 - Stepchildren from either or both spouses' former unions
 - One person + one person

Such a list of ingredients is by no means exhaustive, and the question might now be asked: Is it an essential ingredient of marriage to insist that the marriage partners be of opposite gender to one another? If so, would that elicit any changes to the rest of the list?

Within the SEC, a range of challenges are experienced in relation to the official teaching. These include:

1. The pastoral need to affirm and include a broader range of relationship commitments than those which fall within the traditional picture of marriage.
2. The challenge of how to respond when SEC ministers are approached by people within and without the SEC seeking same-sex blessings for their own relationships.

3. The legalization of same-sex civil partnerships in Scotland in 2005 providing a legal/civil context for such requests.
4. Developments within churches with whom the SEC is in communion, that are more open than the SEC is at present to blessing or marrying same-sex couples.
5. Challenges from those in the SEC who wish the Church to recognise same-sex partnerships on the same footing as heterosexual marriage, and who regard such recognition as an outworking of the Gospel.
6. Challenges from those in the SEC who do not think the Church should endorse same-sex partnerships, EITHER, because they view such partnerships as unbiblical, OR because, while they do not regard them as unbiblical, they believe that endorsements of such partnerships would nonetheless have regrettable consequences.
7. Growing tension within the SEC, because of the different stances taken within and across the challenges 1-5 above, and recognition of the potential for disunity.
8. Anglican Communion matters: the Communion, of which the SEC is a part, currently has three *moratoria* relating to same-sex relationships; the Windsor Report identified three areas in which 'gracious restraint' would be necessary,
 - a) Consecration of Bishops living in a same sex union
 - b) Permission for Rites of Blessing for Same Sex unions
 - c) Interventions by bishops from other provinces who wish to support Christians who hold an 'orthodox' line
9. Challenges felt by those in the SEC who would like the Church to be, and to be seen to be, in tune with the concerns and hopes of those outside the Church – including concerns that people are not marginalised because of their sexual orientation; and hopes that people are able fully to accept and celebrate who they and who others are – insofar as these concerns and hopes are regarded as consonant with the Gospel.

10. Tension due to a contrary concern that the Church might 'sell out' to an overly 'permissive culture', rather than be guided by Gospel principles.

The SEC is facing these challenges at the same time, and in the same civil context, as the Church of Scotland, and follows with interests the deliberations of the Church of Scotland General Assembly, and its working parties on same-sex relationships. See Appendix 1 for an account of the current thinking and decisions made within the Church of Scotland.

2. *The church's Liturgy: marriage as worship?*

If marriage is one of the most solemn commitments which two people can make to each other, it becomes more so when done as an act of prayer and worship to the God who makes the most binding of promises to humankind. The eternal becomes witness to the union of the finite, or as the Bible puts it 'the two become one flesh', a deep sacramental mystery. Anglicans have been careful in the past to qualify talk of marriage as a sacrament (Article 25 of the Thirty-nine Articles), and even if the sacramental nature of Christian marriage is explicitly disavowed, it must still be admitted that its impact upon two lives – upon their vocation and realisation of the economy of salvation – is deep and irreversible, and must be carefully and clearly acknowledged in the liturgy. In any case, the two key liturgical elements of marriage (the saying of vows and the giving and receiving – exchanging – of rings) are signs in their own right when performed in the context of prayer, of an act of union recognised in heaven as well as on earth. From this point of view, the explicit choice of words is probably less effective in demonstrating the theological mystery which is inherent in Christian marriage than are the liturgical actions of binding and exchanging. Changes in attitude towards marriage, in both society and church, have sharpened this understanding to an extent, and the words have changed as a result, especially in the theological explanations for marriage given in the Introduction/Preface to marriage liturgies. Modern liturgies are more ready to emphasise something of the sacramental nature of marriage right from the outset, where the quality of the human relationship concerned is outlined carefully, and is paralleled and mingled with the qualities of divine love. It is often said, for instance, that marriage is a gift of God which reflects God's own being, and is a sign of God's grace.

The most obvious changes which have occurred in the marriage rites of the SEC concern procreation, the begetting of children. From 1970 onwards, the SEC marriage liturgies reflect a move in the Church's thinking away from regarding procreation as the primary reason for marriage, and an emphasis on other positive aspects of married life for the couple, including the social goods which can flow from their union, and all framed as an expression of the character of divine love.

The theology behind this thinking is best seen in the various alternative Introductions provided in the SEC 2007 Marriage Liturgy. Introduction 2.B, for instance, makes no mention of procreation – only 'nurture' of children – and the final stated purpose is that through this marriage 'human dignity will flourish and deepen'. That is, marriage is not an end in itself but has a broad, indeed universal, social significance.

Moreover, Introduction 2.B of the 2007 Marriage Liturgy is a clear expression of the way in which a marriage covenant is revelatory of who God is; that is, it reveals the character of divine love:

Marriage is a gift of God and a sign of God's grace. In the life-long union of marriage, we can know the love of God, who made us in the divine image, man and woman.

Marriage finds its origin in God's own being. God is Love, and so wife and husband, giving themselves to one another in love throughout their lives, reflect the very being of God.

Marriage cannot exist on its own. God's call of husband and wife to live faithfully together, to love one another with respect, tenderness and delight, is part of the call to love all people. This love empowers them to care for others [and to nurture children]. By this love human dignity will flourish and deepen.

Introduction 2.A is even more explicit about the way in which the covenant of marriage reveals the loving faithfulness of God:

The great stories of God's people and the coming of Jesus proclaim the faithfulness of God's covenant and promise. God as Trinity (Father, Son and Holy Spirit) reveals to us the

very nature of love in relationship. Relationships give human life its purpose and direction.

Introduction 2.C comes from the Alternative Service Book (ASB) of the Church of England, which was introduced in 1980 and reversed the order of the purposes of marriage as they were given in previous Church of England marriage rites:

- The BCP of 1662 states the three 'causes for which Matrimony was ordained: 1. 'for the procreation of children' and their upbringing in 'the fear and nurture of the Lord.' 2. 'for a remedy against sin' so that the Body of Christ might remain undefiled. 3. 'for the mutual society, help and comfort' in prosperity and adversity.
- The Alternative Form of the Church of England proposed in 1928 states: 1. 'it was ordained for the increase of mankind according to the will of God', etc. 2. that 'the natural instincts and affections, implanted by God, should be hallowed and directed aright' (without defining how precisely these 'natural instincts' are to be understood – is the meaning to be taken for granted?). 3. 'for the mutual society, help and comfort...'
- The ASB (1980) radically changed the order. 1. 'that husband and wife may comfort and help each other.' 2. 'that with delight and tenderness they may know each other in love, and through the joy of their bodily union may strengthen the union of their hearts and lives' (the latter, presumably therefore, being primary, or at least the precondition of the former.) 3. 'that they may have children and be blessed in caring for them.'

The Scottish Prayer Book of 1929 retained the emphasis of the BCP that marriage is for procreation and 'mutual society, help and comfort...' but completely removed all mention of sin or 'natural instincts'. By 1970 this had changed again. Like the ASB, the Scottish Marriage Liturgy, both 1970 and 2007, reverses the order and relativises procreation as a function of marriage. It also particularly highlights the ways in which marriage can express the character of God's love.²

² But note that an emphasis on procreation can still be maintained in the 2007 liturgy, since Section 4 (Readings) offers an option (G) where texts on the theme of family, and prayers about the nurture of children, can be chosen.

It is clear that complex re-assessments of the function and place of marriage in society have been taking place over the past century and are still on-going, and the liturgies reflect those re-assessments. The 'traditional' view of marriage – if such a view ever existed – is quite simply changing. Considerations of the place of family, children, and romantic love in marriage have all developed since the nineteenth century romantic ideal was forged, and they will continue to develop. And all this is true before we even begin to consider the question of possible liturgies for celebrating same-sex relationships, which would inevitably lead to further re-assessments. However, if the recent liturgical changes are a symptom of the current wave of re-assessments, it must be emphasised that there is also much in the liturgies which is timeless and sacrosanct, especially the key liturgical actions of binding and exchanging. If the place of Christian marriage in society is less certain, together with its former role as the main locus for the procreation of children, liturgical changes show that much has also been learned theologically. Any discussions in the church about the possibility of liturgies for same-sex celebrations should not fail to take account of what has been learned here.

Scientific Perspectives

Scientific studies have also shed light on a number of issues at stake in considering marriage and sexual relationships. Those who highlight the importance of the 'traditional' one man-one woman view of marriage often call upon the Genesis creation narratives for support, arguing that it reflects sexual relationships ordained in 'nature'. But scientific studies of human sexuality indicate that 'nature' is considerably more complex and subtle than the 'traditional' view might suggest. We might begin by asking: what are the biological causes of sexual orientation? Is it a moral choice or is it a natural 'given' disposition?

'Sexual orientation' refers to an attraction towards members of the other gender (*heterosexual* orientation) or of the same gender (*homosexual* orientation). Although this is often spoken of in terms of a spectrum of degrees of orientation, there is in fact not a complete continuum of orientations and most people are disposed towards one direction or the other. It is one of the few human traits that is bimodal, with only 0.5% people reporting having both female and male partners and only 1% claiming to be asexual.

Homosexual orientation is not as common as might be expected. Only 3-4% of men and 1-2% women report being exclusively homosexual. Interestingly, a study of biographies of eminent public figures shows that homosexuality is statistically more likely here (11%) than in the whole population, especially among poets (24%), novelists (21%), artists and musicians (15%).

There is now strong evidence that sexual orientation is an enduring disposition rather than a choice. Intriguing physiological differences have been discovered. Gay men tend to weigh less than heterosexual men and to have shorter limbs and hands. Homosexuals are 40% more likely to be left-handed. Gay and non-gay people's brains respond differently to two putative sex pheromones and to the odour components in gay and non-gay sweat. In many respects, where there are differences between heterosexual males and females, there is a tendency for homosexual individuals to fall between them. For instance, males possess greater spatial abilities than females as revealed in mental rotation tasks, and homosexuals lie between heterosexual males and females. Again, women have more sensitive cochlea amplifiers than men, which enable them to detect softer sounds in a quiet room, but lesbians are closer to

men in this respect. There are also differences in finger length ratios between index and ring fingers, eye-blink patterns following a loud sound, counter clockwise hair whirls and length of sleep. Lesbian women and straight men tend to have slightly larger right brain hemispheres.

Many early environmental explanations for sexual orientation have been shown to be false, such as the suggestions that homosexuality is linked to problems in a child's relationship with parents, that it involves a fear or hatred of people of the other gender, or that it is caused by childhood sexual molestation or an abnormal relationship with a parental figure. The presumption that heterosexuality is the *normal* outcome of sexual development and that homosexuality is a state of arrested development caused by defective parenting no longer holds water. The lack of a strong role for environment is supported by the facts that, (a) the greater openness of today's culture has led to no change at all in sexual orientation, and that, (b) gays and lesbians are no less common in societies that condemn and suppress homosexuals. Also, almost all children raised in families headed by two gays or lesbians grow up heterosexual. There may possibly be some role for social and situational factors, but they appear to influence people's sexual *behaviour* much more than their underlying sexual *orientation*.

Biological explanations for homosexuality have, however, come to the fore, as follows:

(i) *Genetics*

There is a tendency for sexual orientation to run in families, with male homosexuality more likely to be transmitted on the mother's side. Among twin brothers, the closer the genetic similarity the more likely it is that both siblings will be either both homosexual or both heterosexual. Furthermore, gay men and lesbians are 40% more likely to be left-handed than heterosexuals and also have an elevated incidence of extreme right-handedness.

(ii) *Brain structure*

Accumulating evidence suggests that brain differences and prenatal hormonal influences also influence sexual orientation. Thus, the brains of gay and heterosexual men are actually different: while the two lobes of a gay man's brain tend to be equal in size, a heterosexual man's brain tends to have a larger right side. Also, heterosexual men and lesbians have more nerve connections on the right side of the amygdala than the

left, whereas gay males and heterosexual females have more neural connections on the left than the right (the amygdala is involved in response to emotional stimuli such as sex interest). Again, the hypothalamus controls physical desires such as hunger, thirst, fatigue and sexual impulses, and a neural cluster in the anterior hypothalamus is known to influence sexual motivation. It is usually larger in males than in females but smaller in gay men than straight men.

(iii) *In utero hormones*

Hormone levels in the womb probably affect sexual orientation. A crucial period for the development of the brain's neuro-hormonal control system is between the second and fifth month after conception, and it appears that exposure to hormone levels typically experienced by female foetuses can predispose a person to be attracted to males in later life. Male foetuses naturally produce more testosterone than females and its level in the uterus plays a role in determining sexual preferences: thus, females exposed to higher-than-usual testosterone levels tend to become lesbians, whereas males exposed to lower-than-usual levels tend to become gay.

Other findings may be partly explained by prenatal and hormonal influences. For instance, men with older brothers are more likely to be gay (4% for second sons and 5% for third sons), perhaps because maternal antibodies become stronger after each male pregnancy. Furthermore, most people have more fingerprint ridges on their right hand than on their left hand, but this difference is greater for heterosexual males than for women or for gay males, again perhaps due to prenatal hormones.

It is clear that some personal traits are within our control and potentially open to change, such as our moods, and many sexual dysfunctions. Other traits appear to be naturally predisposed and not amenable to change, including our handedness, temperament and body type. Sexual orientation appears to fall into the second category of being a natural disposition that cannot be changed. Many attempts in the past by mental health workers and religious groups to develop therapies to change sexual orientation have been shown to be ineffective.

The reality, now widely acknowledged by scientists (and indeed by wider culture), is that homosexuality is not an illness – it does not require treatment and is not changeable. It appears to be a natural disposition that is mainly influenced by a combination of genetics, *in utero* hormones

and brain organisation. The potential consequences of this point for the Christian understanding of marriage – and especially for its theological basis as instituted by God at creation to reflect ‘natural’ human relationships – are significant.

Worldwide Anglican and Ecumenical Perspectives

The SEC is highly mindful of discussions regarding marriage and sexuality which are taking place within other Christian churches. Indeed, this is an especially live issue for the SEC as part of the Anglican Communion, since controversy over the appointment of homosexual bishops, and over liturgies of blessing for same-sex relationships, have been played out in the public arena in recent years and have driven the Communion close to schism. The Anglican Communion is responding currently with *moratoria* on such developments while it looks for ways (perhaps by means of an agreed covenant statement) for the Communion to hold together.

The SEC is also mindful of developments within its partner church (under the Porvoo Agreement), the Church of Sweden, as outlined below.

In 2003 a motion was brought before the General Synod of the Church of Sweden, proposing to design a church wedding ceremony that could be used for heterosexual and same-sex couples. It was rejected. In September 2004, there was a public hearing (organized by the Theological Committee) on love, cohabitation and marriage. Despite government moves in 2007 towards changing the law, the Central Board of the Church of Sweden insisted that 'marriage' should denote a relationship between a man and a woman. In 2009, however, the Theological Committee expressed its opinion that that Church of Sweden should make moves towards marriage being open to same-sex couples under the new marriage legislation.

That is to say, the Church of Sweden clearly *changed* its position. The Doctrine Commission in Sweden stated in 2003:

According to Lutheran teachings, marriage belongs to the order of Creation, in which God acts. According to the creed and tradition of our Church, *it is possible to have different forms for entering into marriage.* [Italics added for emphasis]

The point is made that 'today, marriage is a confirmation rite rather than an initiation rite: it confirms the family formation that has already

taken place.’ With the current extremely high incidence of cohabitation before marriage in the UK, there is an argument for considering this model of marriage in the British situation too. In the Swedish documents this point is made repeatedly, and that ‘the situation is by no means unique to Sweden.’

‘In its efforts to act as a positive force in society, the church must carefully consider *which changes underpin trusting relationships and which undermine them*’ [Italics added for emphasis]. The term ‘trusting relationships’ seems to be crucial here, as does the sensitivity towards undermining them. By ‘trusting relationships’, we might understand relationships that embody fidelity, uniqueness and radical intimacy. The church needs to think carefully if, in its attempts to define its theology and practice of marriage, it is seen to undermine and to deny. There is a mission emphasis here, as has repeatedly been pointed out by both sides of the argument concerning same-sex marriage. Those in favour point out that the church’s traditional stance on marriage appears to be undermining and negating relationships of fidelity, trust and love. On other hand, those in favour of retaining the traditional teaching often point out that the church should not take its moral cues from wider society since it is set apart, and that this is a key part of its mission to the world – to point to another reality.

Whether we as individuals and as a church habitually fall into the ‘for’ or ‘against’ lines of argument concerning same-sex relationships, the rapidly-changing social and indeed legal situations of British society are calling us to articulate ever more clearly our theology of human relationships in the context of God’s created order.

Covenant versus contract

Should the SEC decide to extend its understanding of marriage to include same-sex relationships, it would be necessary to explore theological models of marriage beyond its current understanding which is based on the creation story and the theology of covenant. Other possibilities might be to use the idea of sacrament, or contract instead of covenant.

Marriage, expressed as a covenant relationship, relates metaphorically something of the character of God’s faithfulness in love. We might be reminded of some of the powerful passages in the OT which speak of God’s ‘steadfast love’ for Israel through the covenant agreement:

For the mountains may depart and the hills be removed, but my steadfast love shall not depart from you, and my covenant of peace shall not be removed, says the LORD, who has compassion on you. (Isaiah 54:10)

For much of the church's history (especially in western Christianity) marriage has been taken to involve an explicit (or sometimes implicit) covenantal commitment or oath that human beings have little or no power to dissolve. Not until the church permitted remarriage of divorcees did this understanding begin to change. Arguably, the provision of divorce has weakened the idea of marriage as covenant to some extent and replaced it with the idea that marriage is an *ideal* form of relationship to which we aspire. The sexual permissiveness which has steadily gathered force since the 1960's has meant that *romance* and *sexual* love have come to the fore as the main ingredients of this ideal relationship, over and against other aspects such as companionship and duty. It is now commonplace to hear of marriage as a state of being 'in love' for decades.

We have already mentioned the question of whether marriage is a sacrament: a visible sign of an invisible grace, in which God is present and by that presence works a new reality. It has been a matter of dispute within the post-Reformation church whether marriage is a sacrament. It is, however, less controversial to say that marriage has elements of the sacramental, which might be articulated by such phrases as 'transcendental qualities', or 'intimations of divine presence', or 'the entering of eternity into time'. Should the idea of marriage as a sacrament be favoured, the emphasis on the creation story, where marriage is between a man and a woman, would become less important. In which case, the key ingredient of marriage would change from being a relationship between a man and a woman to a relationship which points to the divine.

Views differ within the SEC as to where the emphasis best falls: on marriage as a sacramental reality; or marriage as an ideal from which all unions fall short, and at which we can, at best, have diverse attempts; or marriage as a relationship that should not be idealised, lest it becomes singled out for special notice to the cost of other sorts of relationship. These emphases need not be mutually exclusive. The question under consideration in this section of the Essay is how the saying of marriage vows is understood in relation to these varying emphases.

The vows that are made in marriage are usually not considered as contractual: they cannot be fulfilled or made void in the way that a contract can since they do not describe a deliverable but a way of life which has already to some extent begun. Nevertheless, the civil component of marriage, which can be broken by divorce in the law courts, is treated essentially as a contractual tie. The phenomenon of the pre-nuptial agreement goes even closer to the articulation of a contract understanding of marriage. Now while the State can validate, amend or dissolve a contract, it can do nothing about marriage vows. They remain, and have an almost timeless quality. Significantly, people who have married and then divorced often continue to live out their vows to some extent; they continue to acknowledge their obligation to look after one another at times of critical illness or death, for example. The vows remain hanging in the air, and something of the bond they once effected too, even if the civil contract has been dissolved.

We have here a number of possible models of marriage: covenant, sacrament, contract, and (taking the Church of Sweden's cue) confirmation. None is exclusive, and modern marriage as it stands at present operates through a combination of them all to varying degrees. If the State was to legislate for same-sex marriage, and if the church was to advocate it, then it may be that the balance of combinations will need to change. It may be that alternative models of marriage come to the fore.

Pastoral Perspectives

Although the current debate on same-sex marriage is taking place against the background of recent pressure from government, the church has been discussing the issue for many years. This has partly been as a pastoral response to those in same-sex relationships who yearn for the societal recognition, affirmation and legal privileges which marriage can confer. But equally, there are Christians in same-sex relationships who insist that the bond they share with their partner has all the same sacramental and metaphorical characteristics of the divine-human relationship which 'traditional' marriage possesses. These Christians maintain that the church has a duty to offer its confirmation and its blessing upon their relationship. There are many others who would support such a move, and it is commonplace to hear personal testimony of straight Christians who were once opposed to same-sex relationships describing how they changed their minds after developing friendships with gay and lesbian Christians. It is easy to disapprove of 'others' when they are strangers, much harder when they are friends, especially if they are friends with an equally strong personal commitment to Christian faith. And it is pointed out that the church, in its reticence to celebrate civil partnerships and same-sex marriages, is communicating a tacit message of condemnation upon gay and lesbian Christians. Indeed, this has become a sensitive topic, since outwith the church there exists stringent legislation to protect against discrimination on grounds of sexual orientation. There are those who argue that the church is guilty of violating fundamental human rights in refusing to bless and celebrate same-sex unions. The church therefore has a highly-delicate but essential pastoral and missional responsibility to continue refining and making public its thinking on human sexuality and intimacy, whatever the outcome. Many Christians who are not directly affected by the debate may express weariness that the church appears to be obsessed with sex, but it is necessary to prolong the debate for as long as there is a pressing pastoral need.

Of course, the church has a pressing pastoral need to those who are wearied by the debate too. And we have already mentioned the imperative for the church to affirm and recognise relationships outside of the sexual paradigms which beset society at present. There is a further pastoral need to support those who urge that the church should continue to be true to its 'traditional' view of marriage as the only view. The church has a pastoral responsibility to those of all views, whether they are in the

majority or the minority. Whatever their views, 'where two or three are gathered in my name, I am there among them.' (Matt.18:20).

We have spoken much of the 'traditional' view of marriage, as though it stands for a single perspective on sexual relationships. But in fact those who support the 'traditional' view do so for many different reasons. Some people believe that same-sex relationships are, quite simply, unbiblical (especially because of Romans 1:26-27), and that to sanction them by celebrating them as 'marriage' is to jeopardise the church's whole view of Scripture and therefore its gospel. But there are others who, while not sharing this view of the Bible or its putative stance on sexuality, still urge caution. There are various reasons for such caution, including:

- The threat to church unity, including concerns about criticism from other churches and potential schism within the Anglican Communion
- The desire to wait until the Anglican Communion (or the wider church) has reached a common view
- Fears that a unilateral action by the SEC might have ramifications for Anglicans in other parts of the world, perhaps leading to persecution of Christians in places where homosexuality is outlawed
- Concern that the marriage debate might be causing the church to neglect other forms of relationship and other needs which it should be nurturing
- The possible theological crisis which might ensue in the church's understanding of the authority of Scripture
- Concerns that opponents of same-sex marriage in the SEC might feel excluded or isolated
- Resistance to secular 'ideologies' and cultural permissiveness – the desire to maintain a specifically Christian moral view on sexuality which is not influenced by secular pressures

This is not an exhaustive list, and it can be seen that the number of objections to the church changing its perspective on marriage are considerable and weighty. Is that a sufficient reason to halt all discussions towards potential change? Probably not, given that those who urge progress are similarly passionate in their cause, but it should at least give those who are impatient for change pause for thought, and demonstrate that this is not an issue which can be resolved one way or another quickly or lightly. As we have already pointed out, while there is a pastoral need the discussions must continue.

Conclusions

We have quite deliberately tried not to bias the argument of this Essay in favour of one outcome or the other in the debate about same-sex marriage. We have tried to demonstrate that many of the foundations of the 'traditional' view of marriage begin to look rather less foundational when examined closely. That does not mean that it should be abandoned, nor necessarily even modified. That is for the whole church to decide, not us. But arguments which are based on the traditional view *because it is the traditional view of the church* need to be nuanced more carefully, rather than just assuming an authority of their own. We have also tried to show that the church has a duty of care throughout, and not least to those in many other forms of human relationship, not just sexual.

As we consider the various pros and cons of the church recognising same-sex marriage, one of the foremost issues which arises is the desire to preserve the unity of the church in its diversity. Paul memorably expressed this desire through the metaphor of the body of Christ. Sometimes the diversity inherent in the body is so intense as to be practically divergent, threatening to destroy the unity. This is not necessarily a bad position to be in, but it is one which must be handled with responsibility. A brief consideration of momentous periods in church history, such as the fourth and fifth century Christological debates, or the European Reformation, indicate that although divergent opinions may lead to schism, yet enormous strides forward in understanding and the missional potential of the church often result from theological friction. It is to be hoped that this will be the result of the present controversy in the Anglican Communion, even if some speak of it in terms of 'crisis' and believe that schism is inevitable. Although schism is wholly regrettable, yet it is not the end of the world when seen from an eschatological angle, since there will truly come the end of the world one day, and then we will all be one! Still, it is the pastoral task of the SEC in this present age to respect the opinions of all of its members, cherishing and honouring even those who are the most divergent and the most fissiparous. No church should welcome or instigate schism, even if it might seem to be the only human way out of a stalemate. Schism can only be recognised after the fact; no church should work towards it. That the Holy Spirit has continued to work in and through times of great crisis in the life of the church is a testament to God's grace in the face of human foolishness, not to the desirability of division.

Unity is an elusive concept in the life of the church. One view of church history might suggest that the church has never truly existed in a state of unity, if by unity we mean an absence of disagreement. But unity cannot be the same as agreement. While unity is threatened by controversy, it is also carried forward by it. If those who engage in controversy can bring themselves to believe that their opponent is as much a 'temple of the Holy Spirit' as they are, and equally made in God's image, then controversy is less about who is right and who is wrong, but where is the Spirit blowing? The answer is, of course, that 'the wind [Spirit] bloweth where it listeth' (John 3:8, KJV). In that sense, controversy is actually rather important to the life of the church, a sign that we are still alive in God's Spirit, with all of our diversities intact in the face of unity.

The diverse number of approaches and answers to the question of same-sex marriage is clearly formidable in scope. It may seem that resolving a way forward which will satisfy all parties is an impossible task, and one which may occupy many hours of the Diocesan Synods of the SEC and of its General Synod. But ultimately this is not an issue which will be resolved in synodical debate. It is primarily a pastoral issue – for those who inhabit and represent the church on the ground, whether in the highlands, islands, or lowlands, cities or villages – and it will only become a synodical debate which can be resolved when the pastoral need has been met, when bread has been broken, and when, in spite of all that has passed, those who were downcast and 'arguing on the way' can still exclaim through it, 'The Lord is risen indeed' (Luke 24:34). But curiously, is that not the mission of the church, in all times and in all places?

Appendix

The Church of Scotland and the question of same-sex marriage

In the modern period the various Scottish churches have regularly produced reports on the 'doctrine' of marriage. Sometimes, as in a fairly recent report of the Church of Scotland-Roman Catholic Joint Commission, these have had an ecumenical dimension, noting agreement and disagreement. In 1994 the General Assembly of the Church of Scotland after lively discussion accepted a report on marriage prepared by the Doctrine Committee.

The issue of same-sex marriage has produced further challenges. In the 1960s the Church of Scotland condemned the recommendations of the Wolfenden committee on the decriminalisation of homosexuality in Scotland. But the 1994 Marriage Report included comments, soon very controversial, on same sex relationships. The Report contemplated recognition of the legitimacy of faithful relationships of a homosexual nature. The issue was debated in the Assemblies of 2000, 2004, 2008 and 2009. In 2009 the assembly ratified the transfer of an openly gay minister to a new charge in Aberdeen. A Theological Commission representing different shades of opinion reported in 2011, and a further committee was set up, promising a further report by 2013. Opinion was sharply divided, here as elsewhere. Movement in sentiment within the wider society influenced debate. Civil Partnerships were introduced into Scots law, and a consultation on same-sex marriages was announced in 2011. This left open the further question of whether a religious ceremony for same-sex marriage might be offered. The Roman Catholic Church was united with the Free Church in being sharply critical of these developments. Views varied between 'The Church does not allow homosexuality' and "This is like saying, 'The Church does not allow rain.'"

A further comment on the Church of Scotland background is appropriate. Marriage and homosexuality were discussed increasingly by the Church of Scotland from the 1970s on. In 1974 the Church reaffirmed that all homosexual acts were inherently sinful, and this tradition has continued to be strongly supported, notably by the Forward Together group. A Moderator who expressed liberal views on the subject was barred from preaching in a Highland presbytery in the late 1990s. There were other views. The so-called Scottish Minorities Group was given meeting space in 1967 by the Chaplain of Glasgow University and the Catholic chaplain at Edinburgh University, and churchmen spoke for

liberalisation at conferences from the late 1970s. Marriage, sexuality and the potential legitimacy of different interpretations of Scripture were reported on by the Panel on Doctrine and discussed by the General Assembly throughout the 1990s and beyond. Different committees produced different perspectives on physical relationships and the Assembly made no binding decisions. The issue of sexual relationships between women, never illegal, did not appear till a distinguished woman minister blessed a lesbian couple in the 1990s. Support for an inclusive Church was given by organisations such as One Kirk, while pastoral safe space was created by the ecumenical Clerical Consultation in the 1980s and by the Presbyterian Affirmation Scotland from 2006.

The Scottish Episcopal Church has been generally regarded as more progressive than other denominations on this issue. The documentation from General Synod meeting June 2011 demonstrates a perceptive awareness of the complexities of the issues, and of the importance of cherishing and maintaining the distinctive character of the Christianity in Scotland. Opinion in the United Reformed Church was rather divided, and the other smaller denominations generally held to traditional views – though the presence of evangelical support groups for gay and lesbian Christians suggests that here too there is a range of perspectives.

In 1994, the General Assembly of the Church of Scotland received for consideration two reports, one from the Board of Social Responsibility on human sexuality ('placing questions of sexuality for people with...disabilities, elderly people, and homosexuality in the contexts of human sciences and Scripture'), and one from the Panel on Doctrine on marriage (concluding, 'among other things, that cohabiting couples, whether heterosexual or homosexual, may well display all the marks of loving, faithful and committed partnership, and should not be thought sinful'). The Panel's Working Party was unanimous, but the larger Panel was not and had dissenting members, as did the Board's report. Neither became official church doctrine. The legalization of same-gender Civil Partnerships in Scotland (the 2004 Act) brought the issue to a head again, this time over the question of whether Church of Scotland ministers should be allowed to conduct (and also have the right to decline to perform) union ceremonies between two persons of the same gender. The Assembly narrowly passed legislation to permit civil blessings, but the legislation was rejected by a majority of presbyteries.

The General Assembly agreed in May 2011 to establish a Theological Commission of seven persons representative of the breadth of the Church's theological understanding, who will address the theological issues raised in the course of the Special Commission's work. The Assembly also resolved to consider further the lifting of the *moratorium* on the acceptance for training and ordination of persons in a same-sex relationship. This consideration will come to the General Assembly when the Theological Commission reports in 2013.

The Theological Commission's report will also examine:

(i) the theological issues around same-sex relationships, civil partnerships and marriage

(ii) whether, if the Church were to allow its ministers freedom of conscience in deciding whether to bless same-sex relationships involving life-long commitments, the recognition of such lifelong relationships should take the form of a blessing of a civil partnership or should involve a liturgy to recognise and celebrate commitments which the parties enter into in a Church service in addition to the civil partnership, and if so to recommend an appropriate liturgy

(iii) whether persons, who have entered into a civil partnership and have made lifelong commitments in a Church ceremony, should be eligible for admission for training, ordination and induction as ministers of Word and Sacrament or deacons in the context that no member of Presbytery will be required to take part in such ordination or induction against his or her conscience.

This means that the Theological Commission has been given an instruction to explore the possibility of making significant changes to the Church's present position; however, decisions about change will not be made before the Assembly of 2013, thereafter there may be the need for Barrier Act procedure, with final decisions on any matter more likely to be considered by the General Assembly in 2014.

In the meantime all Courts, Councils and Committees of the Church have been instructed not to make decisions in relation to contentious matters of same-sex relationships, accept for training, allow to transfer from another denomination, ordain or induct any person in a same-sex relationship until the General Assembly of 2013 has heard the report of

the Theological Commission. The only exceptions to this will be ministers and deacons ordained before 31st May 2009 who are in a same-sex relationship.

Finally, the Assembly agreed that until the Assembly of 2013 all Courts, Councils and Committees of the Church should not issue press statements or otherwise talk to the media in relation to contentious matters of human sexuality, in respect to Ordination and Induction to the Ministry of the Church of Scotland. Consequently, individuals can speak publicly on these matters; however, it is to be hoped that public contributions of individuals should be offered in the same spirit as was evident at the General Assembly.

The Church of Scotland has commissioned studies of the scientific research into homosexuality, and the Church of Scotland is regarding homosexuality as a 'given', and not as a choice.

The legalisation of Civil Partnerships in Scotland

The civil partnership in legal terms has the same status as marriage. Civil partnerships cannot take place between members of the opposite sex. They are for same-sex couples only. They hold almost identical legal rights (inheritance, pensions, next of kin, etc) as marriage. They were made legal in the Civil Partnership Act 2004, and the first Civil Partnership in Scotland took place in December 2005.

It is prohibited for civil partnerships to include religious readings, music or symbols and for the ceremonies to take place in religious venues. On 17 February 2011, the Government in Westminster announced that, as the result of the passing of the Equalities Act 2010, it would bring forward the necessary measures to remove these restrictions in England and Wales, although religious venues would not be compelled to offer civil partnerships. The formal consultation on this process, in which both individuals and groups were able to express a viewpoint, ran from 31st March – 23rd June, 2011. It will be up to the devolved administration of Scotland to decide whether or not to remove the restrictions in Scotland. In the same statement, the Government Equalities Office declared an intention to move towards full equality in civil marriage.

In legal terms, Civil Partnerships are purely contractual, and can be validated, amended and dissolved by the state. Insofar as they involve the

affirmation of vows, they are covenantal and take on a timeless, sacramental quality that cannot be validated, amended or dissolved by the state. Civil partnerships seem to share these contractual and covenantal properties with 'marriage'.

In conclusion, it should be noted that only a very small minority in Scotland at present pursue the option of civil partnership. In 2010 approximately 200 couples were involved. Even if we assume 10% having some sort of religious affiliation, that would leave the SEC with only a couple of instances each year.

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