

## **Report to the General Convention on the Blessing of Same-Sex Relationships**

This report was prepared in a collaborative process between members of the Standing Liturgical Commission and the Theology Committee of the House of Bishops. The membership list of the Standing Liturgical Commission appears in their Blue Book report. The membership list of the Theology Committee follows.

The Rt. Rev. Frederick H. Borsch, *Chair*

The Rt. Rev. William Carl Frey

The Rt. Rev. Joe Morris Doss

The Rt. Rev. Craig Anderson

The Rt. Rev. David Standish Ball

The Rt. Rev. Jane Holmes Dixon

The Rt. Rev. Charles Farmer Duvall

The Rt. Rev. John Shelby Spong

The Rt. Rev. C. Christopher Epting

A minority report submitted by Bishops Ball, Duvall, and Frey and follows the report which was approved by the remaining members of the Theology Committee and the entire membership of the Standing Liturgical Commission

### **Introduction**

The General Convention, meeting in Indianapolis in August of 1994, affirmed Resolution C042s.

*Resolved*, the House of Deputies concurring, That the 71st General Convention direct the Standing Liturgical Commission and the Theology Committee of the House of Bishops to prepare and present to the 72nd General Convention, as part of the Church's ongoing dialogue on human sexuality, a report addressing the theological foundations and pastoral considerations involved in the development of rites honoring love and commitment between persons of the same sex; and be it further

*Resolved*, That no rites for the honoring of love and commitment between persons of the same sex be developed unless and until the preparation of such rites has been authorized by the General Convention; and be it further

*Resolved*, That the sum of \$8,600 be appropriated to support this work, subject to funding considerations.

Following a meeting of the Standing Liturgical Commission in January of 1995, at which plans for consultation between the SLC and the House of Bishops Theology Committee were discussed, Bishops Borsch and Griswold appointed two members of each body to serve as a committee to produce the report. Bishops Epting and Duvall were appointed from the theology committee. The Rev. Joseph Russell and The Rev. Bruce Jenneker were appointed from the SLC. (Because of scheduling conflicts, Bishop Duvall was forced to resign. He was replaced by Bishop Doss.) The bishops also asked Dr. Timothy Sedgwick of Seabury-Western Seminary and The Very Rev. Philip Turner of Berkeley Divinity School to provide bibliographies of study material for the

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committee's use. In November of 1995, the study materials were distributed to the committee, which held its first meeting in March, 1996.

At the committee's first meeting, in March, questions grouped under fifteen topical headings were drafted as a way of eliciting data to form the report's content. Discussion of possible strategies for the production of the report concluded with the decision to ask each of the eleven Episcopal seminaries to name an interdisciplinary team to draft a response to the questions. The committee then decided to engage a consultant to review the seminary responses, and on the basis of that study draft a report for the committee to review, edit and submit to the SLC and the Theology Committee for approval. The Rev. Dr. Charles Winters and Ms. Flower Ross were engaged to draft the report.

Invitations were mailed to the seminaries in April of 1996. The consultants received the seminary responses in September. In October, the committee held its second meeting to review a first draft of the report. An edited version was then sent to members of the SLC and the Theology Committee for their review. At the November meeting of the SLC, editorial suggestions from committee members were considered in the production of a final draft, which was reviewed by the members of both bodies and approved as a final draft. It follows.

### ON THE BLESSING OF SAME-SEX RELATIONSHIPS

#### Is Sacramental Marriage the Issue?

A major issue that some respondents raised is the meaning of the language of the Resolution. Is some vague, non-official, non-sacramental "blessing", such as that given to fishing boats and animals implied? Or does the Resolution envision something approaching – perhaps reaching – the status of full sacramental marriage? Two opposite ends of the spectrum of opinion are in virtual agreement that sacramental marriage is, indeed, what is at stake, while others occupy various positions not willing to interpret the intent of the Resolution so narrowly.

The stance that is opposed to what it perceives to be the intent of the Resolution – sacramental marriage – asserts that the wording of CO42s is euphemistically evasive. The "love" and "commitment" it speaks of are words whose meanings need to be more closely delineated. The "love" implied is not simply friendship or companionship but erotic desire, and "commitment" too easily bespeaks a merely subjective and temporary attitude. And the Resolution speaks of "honoring" without indicating the more precise meaning the word acquires in its context, which is "blessing." When these words are looked at closely, it becomes clear that the Resolution "is aiming to legitimate a new relationship which may include friendship, affection, and compassion, but which is constituted by *erotic love and genital acts*." (Italics in the original.) And marriage is the only way such acts can be legitimated, whether homosexual or heterosexual."

The view from the other end of the spectrum agrees that marriage is the issue, but from a hopeful stance. Whether or not the Resolution's framers so intended, its wording *should* be seen to refer to marriage – "one sacramental, ecclesial, and covenantal rite of marriage for two women, two men, or a woman and a man." To see the Resolution as referring merely to a "blessing of same-sex unions" different from marriage would be a tortuous attempt to side-step the real issue. Blessing a union without recognizing the vows "is to deny the validity of their relationship and



commitment.” To “honor love and commitment between persons of the same sex” is to honor those persons’ vows of love and commitment. And this is marriage. So, both ends of the spectrum agree that marriage is the issue. The division is over whether or not same-sex marriage is possible and/or desirable within the Christian context.

These polar opposites, however, were not the only views expressed. There is a middle ground occupied by three similar but not identical positions:

- Those who would very much like to see the church authorize same-sex blessing and/or marriage but do not see a consensus that would allow it without unacceptable divisions within the church. For pragmatic reasons they counsel patience and further work to obtain greater awareness and sensitivity to the issues of love and justice involved.
- Those who think same-sex unions are valuable and should in some way be “blessed” but that they are not and cannot properly be seen as “marriage.” They call for some kind of rite that would honor the unions but maintain a difference from official marriage rites.
- Those who, while favorably disposed to honor the integrity of faithful same-sex relationships, are, at least at this time, reluctant to go in any direction that would suggest official sanction. From this stance, any kind of rite that the church, at least at the national level, might compose, would implicitly constitute such sanction.

All five of these locations on the spectrum of views contain understandings of what “marriage” itself is. This report will look more closely at this issue under “Theological Considerations” below.

### **The Biblical Evidence**

The biblical references cited most frequently in the debate about same-sex unions cluster around two issues: heterosexual marriage as the norm for sexual relationships, and condemnation of homosexual relationships.

Regarding the former, the normative status of heterosexual marriage, the primary site is Genesis 2:24: “Therefore a man leaves his father and his mother and clings to his wife, and they became one flesh.”

The primary texts condemning homosexual relations are:

“You shall not lie with a male as with a woman; it is an abomination.” (Leviticus 18:22) “If a man lies with a male as with a woman, both of them have committed an abomination; they shall be put to death; their blood is upon them.” (Leviticus 20:13) “... and in the same way also the men, giving up natural intercourse with women, were consumed with passion for one another. Men committed shameless acts with men and received in their own persons the due penalty for their error.” (Romans 1:27) “Do you not know that wrongdoers will not inherit the kingdom of God? Do not be deceived! Fornicators, idolaters, adulterers, male prostitutes, sodomites, ...” (1 Corinthians 6:9)

(References to the Genesis account of “the sin of Sodom” (Genesis 18:5ff) are generally seen as too ambiguous about exactly what constituted the “sin” to merit inclusion in this list.)

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The Genesis 2 text, to which Jesus refers in reply to the question about divorce (Matthew 19:4-6) is cited by opponents of same-sex marriage as *the* biblical basis for marriage. And, indeed, scholars on all sides of the question agree that the Bible's norm for marriage is a heterosexual one. The division on this issue, as on the condemnation of homosexual relationships, occurs over how the passages are to be interpreted relative to today's issues.

On the one hand, opponents of any form of liturgy that suggests recognizing the legitimacy of same-sex unions maintain that what is at stake is the authority of the Bible itself. Articles VI and XX of the Articles of Religion, the Chicago/Lambeth Quadrilateral, and the Ordination Vow, all unanimously affirm the Bible to be "the word of God written" which contains inherent authority over the church and its members. It contains doctrinal and ethical norms that can be appealed to as a rule and standard of faith. And its revelational unity applies not only to the Old and New Testaments but extends to the church today in its life and councils. To maintain that the Bible can legitimately be interpreted differently in the light of today's conditions by the guidance of the Holy Spirit opens the door for church leaders to impose their own agenda without need to justify it from the express warrant of Scripture.

Countering this position, proponents of same-sex marriage argue that the Bible must not be used out of its context to resolve present-day issues. Many respected biblical scholars would agree. In spite of the apparent unanimity of the biblical passages, Scripture and tradition do not speak to the question *as it is being posed today*. Certainly marriage in biblical times was seen as exclusively heterosexual. Concern about marriage, however, was much more focused on matters of legitimacy – property inheritance and succession – than about ethics or personal relationships of love and commitment. In the ancient Near East, marriage was a property relationship in which the husband owned the wife; it had little to do with a relationship of partners. Nothing in Scripture deals directly with faithful life partnerships between two people of the same sex. Israel reframed the concept of marriage in successive stages and the Christian Church has continued to do so.

And while biblical material that refers at all to same-sex sexual intercourse is almost always hostile, the texts all presuppose a *heterosexual* person engaging in "unnatural" sexual activity. In none of this is the question of faithful life partnerships between two people of the same sex addressed. The faithful commitment of same-sex partners, *who are by their nature homosexual*, is not at all the same as the promiscuous engagement by heterosexual men in sexual relationships with boys or men. When the Bible does not address the questions being asked today, the only alternative to seeking the *Spirit* of Scripture, which proponents deem most appropriate, is to impose ill-fitting prescriptions and proscriptions that suit the agenda of those who impose them.

### Theological Considerations

The church's theology of marriage according to its purpose and nature has been open and evolving historically. In terms of the purpose of marriage, from the time of Augustine until the Reformation, the church taught that marriage had three purposes: *fides* (fidelity), *proles* (offspring), and *sacramentum* (mystery or solemn obligation). But in the Parson's Tale in Chaucer's *Canterbury Tales*, there is introduced the concept that marriage was for three slightly different purposes, – first, for the procreation of children, then for a remedy against sexual frustration, and finally for companionship. In the introduction to the marriage rite in the first Book



of Common Prayer (1549) Cranmer presented the same list which had appeared in Chaucer. But Martin Bucer, commenting on Cranmer's 1549 rite, argued that "three causes for matrimony are enumerated, that is children, a remedy, and mutual help, and I should prefer what is placed third among the causes for marriage might be in the first place, because it is first."

In the introduction to the rite in the 1928 American book this list of three purposes did not appear and, instead, marriage was simply called "an honorable estate, instituted of God, signifying unto us the mystical union betwixt Christ and his Church." It was not until 1949 that, in the face of an increasing rate of divorce, General Convention mandated the signing of a Declaration of Intent at every marriage and in the Declaration listed companionship as the first purpose of marriage. In the Canadian prayer book of 1959, the three reasons were listed in a different order, with procreation in the second place. Then in the 1975 draft of the English book, Cranmer's third reason was put first, thus at last taking up Bucer's suggestion that the companionship aspect of marriage be listed as primary and most important. The 1979 American book followed suit by listing the purposes as the couple's "mutual joy ... the help and comfort given one another ... and, when it is God's will, the procreation of children and their nurture in the knowledge and love of the Lord" (BCP, 423). Thus, while marriage for Cranmer was above all for the procreation of children, our modern rites emphasize the significance of relationship and the joys of sexuality.

There are, thus, an erotic purpose ("mutual joy"), a social purpose ("help and comfort given one another"), and a biological purpose ("procreation of children"). Proponents of same-sex marriage note that in the order of precedence preferred by Bucer and adopted in the present Book of Common Prayer same-sex persons fulfill the first two purposes at least as well as heterosexual couples. Indeed, given the history of subordination and not infrequent abuse of women in heterosexual marriage, homosexual partners have an admirable record of honoring these purposes. In the view of the proponents, only if the third purpose, the procreation of children, is insisted upon as essential to marriage can denial of marriage to same-sex couples be supported. In many people's rethinking, companionship takes precedence over procreation, and fidelity over fertility.

But can the procreative purpose be easily put aside? "So God created humankind in his image, in the image of God he created them, male and female he created them. God blessed them, and God said to them, 'Be fruitful and multiply, and fill the earth and subdue it; and have dominion over the fish of the sea and over the birds of the air and over every living thing that moves upon the Earth.'" (Genesis 1:27, 28) It would seem, therefore, that the purpose of marriage is, simply, the survival and flourishing of the human race.

But unless – as even the present Prayer Book rite does not maintain – there must be biological offspring from the marriage union, the generativity displayed by many same-sex couples in extending their nurturing and creative care to persons beyond their own exclusive union may well be seen as fulfilling this third, procreative, purpose of marriage.

Appeal is, indeed, made to the Jahwist account (Genesis 2:4b-3:24, earlier chronologically than the Genesis 1 Priestly version) which describes the creation by God of man and woman as being for companionship, instead of being tied to nature or to forming a people. Here is the basis for the emphasis on care for one another.

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As for the erotic purpose, when in Genesis 2:24 the man says “This at last is bone of my bones and flesh of my flesh” is his response only a recognition of *another* human being, or is it the longed for *opposite*. Is the erotic level in marriage concerned with the yearning the male senses for the female form, and the female receiving those attentions, as some opponents suggest? Is this solely a sexual-genital attraction, or can it be an expression and a means for its transmutation into a relationship of love that cares for the other for the other’s sake? And, if it can, could also the erotic yearning between persons of the same sex be so elevated? It is in answering these questions that the polar ends of the theological spectrum differ.

A major contention of those scholars opposed to same-sex marriage is that same-sex marriage is so bound up ideologically with “the ethic of intimacy” that it cannot be adapted to the requirements of classical Christian marriage but will further confuse Christians struggling with the allurements of contemporary culture. Citing Tim Stafford, *The Sexual Christian* (Wheaton, IL: Victor Books, 1989) pp. 15-19, “the ethic of intimacy” is characterized by an invariably positive view of sex, personal and repeated consent to sex by autonomous individuals, the search for “compatibility” among partners, sex as a private matter, sex with no necessary consequences, no double standard between men and women, and “maturity” (age 16 and above) as a prerequisite for sex. In marriage, sexual intimacy is one goal of a larger design, whereas, it is maintained, in other relationships sexual intimacy is the instrument of self-realization.

Long-time same-sex partners, not surprisingly, reject this characterization of their relationships. Faithful monogamous relationships between same-sex partners are built on much stronger foundations than mere “self-realization.” The loving care given to AIDS-afflicted partners, enduring with compassion the suffering of the beloved, testifies to the depth of the relationship.

The social purpose, “the help and comfort given one another,” flows out of the “erotic,” which is a physical expression of this greater spiritual reality. While marriage may be preceded by erotic courtship and fulfilled in sexual delight, the union of man and woman brings about a new reality, a society. As Christian circles developed their thinking about marriage and the metaphor of the marriage between Christ and his Church took the fore, the new society created by marriage was seen as a “little church” within the larger Church. Marriage, then, is an ecclesial matter and not one simply between the two persons.

Can same-sex marriages fill this social/ecclesial purpose? Not if, as some maintain, the relationship between the two partners is a merely erotic one. Engaging in physical acts of love is not the same as marital communion because the union would not be of two sexes into one flesh. Homosexual partners, however, regard such an argument as a circular one – the necessity of two sexes is built into the definition, not derived by any kind of logic – and it is a view that shows no awareness of the depth of love, tenderness, and caring that such partnerships contain. To suggest that the kind of intimacy shared by homosexual persons is always to be equated with the “ethics of intimacy” thus defined is insulting. Such generalizations are as unfair to homosexual persons as they would be if similarly applied to heterosexual persons.

Citing Roger Scruton, *Sexual Desire: A Moral Philosophy of the Erotic* (New York: Free Press, 1986, p. 81), some assert that an essential feature of mature sexual desire is “the opening of the self to the mystery of another gender”:



Desire directed toward the other gender elicits not its simulacrum but its complement. Male desire evokes the loyalty which neutralizes its vagrant impulse; female desire evokes the conquering urge which overcomes its hesitations. Often, of course, this complementarity can be re-created, either momentarily, in play, or permanently, by members of the same sex.

*... but to say that complementary desire can be "recreated," some point out, admits a fundamental difference between a natural and an artificial impulse.*

This argument concentrates on the genital and gender aspects of marriage. *Eros*, love as desire, can, indeed, be directed to the sexual otherness that exists between male and female; it can also be directed toward the more radical otherness that exists between any two persons *as persons*. The Divine Trinity is a relationship of love between *personae* who are distinguished, not by gender, but by their sheer otherness. Is it not more true to the nature of married love at its best that the married partners open themselves to the mystery of another person? And – once again in married love at its best – with the erotic desire is commingled the *agape* in which the other is loved for his or her sheer otherness.

It is this transformation of sexuality that forms the basis of the movement from contract to covenant. And when referring to marriage it is no longer in order to achieve or realize something else, but is a mutual commitment to love one another for better or for worse, regardless of any consequences.

In the 1979 American book, for the first time in the history of the Prayer Book marriage rites, marriage is called a "covenant." How the Episcopal Church came to this new covenantal understanding of the nature of marriage is not exactly clear. Perhaps the term was attractive because, both biblical and patristic in origin, it seemed to provide a genuine way forward for both Roman Catholics and Protestants trying to find common ecumenical ground in an increasingly alien society. Or perhaps the term – far more than that for a contract, with its individualistic connotation – made sense because seen as a covenant, marriage carried an ecclesial meaning: in the scriptures the *berith* established at Sinai was between God and all the people of Israel.

"Covenant" implies a superior who offers the covenant and a subordinate who accepts it. So God extends the covenant to Israel and Israel is bound to the terms of God's covenant. As applied to the relationship between God and Israel and between Christ and the Church this implication is foundational. Within marriage, however, the covenant metaphor is two-edged. On the one hand, marriage itself can be seen as a covenant offered by God to the couple who, in accepting it, form a "mini-church." On the other, as Paul demonstrates, the marriage covenant between Christ and his Church can be extrapolated to the dominance of husband over wife. The latter imagery is being roundly rejected, not only by "liberationists" but by the language of the Prayer Book rites of recent years.

Is marriage a sacrament? A sacrament is an act of committed union between an individual and either another individual or an institution. In antiquity it was by means of a *sacramentum* that by an oath one bound oneself to and became a soldier of the Roman army. A sacrament is also a communal act. Like a covenant, it can never be a merely individual matter, nor can it involve only two or more individuals as *individuals*. Both opponents and proponents of same-sex unions agree

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that the issue is an *ecclesial* one. The church implies that the liturgical celebration of a marriage is a public ritual blessing on what has taken place and will continue to unfold, by God's grace, in the lives of the couple. The ritual is the outward sign of the interior grace of the presence and action of God in their lives.

Is "what has taken place and will continue to unfold" the fruit of "the interior grace of the presence and action of God" in the case of same-sex unions? Or is the very fact that these unions are homosexual sufficient grounds for denying their graced nature? If one takes the stance that biblical texts cannot be contextually interpreted – that such "interpretation" is really "revision" – the answer is clear. Homosexual acts are *per se* sinful and cannot be blessed. On the other hand, a significant number of biblical scholars – addressing the hermeneutical question in general, without any particular agenda – insist that the only appropriate way to understand the Bible is to understand it in its context.

### Pastoral Considerations

The sinfulness or lack of sinfulness of homosexual acts is an issue that at present is up in the air. Evidence that homosexuality is genetically caused is suggestive but not conclusive. The virtually unanimous testimony of homosexual persons, however, is that homosexuality as they experience it is not a volitional choice. If morality has to do with choice, then, being homosexual cannot be considered sinful. This is the position taken in General Convention resolution commending the homosexual persons to the church's ministrations and pastoral care. But while a person may have no choice about his or her sexual orientation, the same cannot be said about acting out that orientation in genital behavior.

If one allows that the biblical condemnations of homosexual acts are aimed at the promiscuous activities of heterosexual men and the issue of sexual activity on the part of persons whose given state is homosexual is left unaddressed, how is the moral question to be resolved? For some people the immediate answer might seem to be that homosexual acts are "unnatural."

Although there is reference to natural law among those doing theology on the subject of same sex relationships – the Thomist idea of natural law as containing a number of detailed moral prescriptions – there is little precedent in classical Anglicanism for an appeal to natural law as a mode of moral discourse. The Anglican idea of natural theology is not a fixed set of laws but an ability to reason, expressed almost instinctively in the requirement to honor God and all persons made in God's image. The details of how to act this out in specific circumstances are left to our discernment in the company of the Spirit.

To call something "unnatural" in the sense of "contrary to nature" would require, first, that there be a continuing and unchangeable "nature" that uniformly and constantly underlies and defines the reality in question. It is now, however, widely recognized that much if not all of what had in earlier times been assumed to possess this quality is in fact "socially constructed." Something is "unnatural" if it violates the culturally accepted norms of "what ought to be."

In the case of homosexual acts such norms are not to be lightly ignored. On the other hand, they cannot carry the weight of eternally binding moral laws. Seemingly a large number of people in our nation view homosexual acts as not "what ought to be." Over the last few years, however,



there has been a noticeable shift regarding this. Where a majority of the nation as a whole, according to most polls, is opposed to legal regularization of same-sex unions, there is evidence that a sizeable number of members of the Episcopal Church may be favorably disposed to the blessing of same-sex unions. (This information comes from the church's study of human sexuality, reported in the Blue Book for the 71st General Convention, page 338. It does not represent a general sampling of the entire church, but of those who participated in the Church-sponsored dialogues on human sexuality.)

Polls, no matter how carefully crafted, cannot be allowed to dictate moral issues. However, to claim that homosexual acts in all cases, even between faithful, committed, monogamous persons, are immoral is a position that many faithful Christians cannot take. Other equally faithful Christians do take it. Clearly, there is no immediately available alternative that will satisfy all.

What alternatives or options might be considered?

#### **Options the Church Might Consider**

##### **A. Continue to emphasize the teaching that the right and proper context for genital sexual relations is within heterosexual marriage.**

This position would affirm the traditional teaching of the church and offer a clear message to all persons with regard to the purposes of human sexuality. It is in line with the teaching of most of the other churches and would affirm the understanding of many Christians. Gay and lesbian persons would continue to be given all other pastoral ministries of the church and would be supported in their full civil rights and protections.

##### **B. Have the Standing Liturgical Commission devise a rite or rites of marriage to be authorized for use equally with heterosexual or homosexual couples.**

This is an option favored by a number of gay and lesbian persons on the grounds that it affirms the equal and identical nature of unions between any two people who are willing to commit themselves to a faithful and life-long union. Obviously this would not meet with the approval of those who are opposed to any official sanctioning of same-sex unions. Even within the homosexual community there are difficulties with it as expressed here. The primary sticking point is with the commitment to a *life-long* union. The issue is not about unwillingness to *intend* that the relationship be "until death us do part." It is rather the absence, as canon law now stands, of any provision comparable to that offered to heterosexual couples for situations in which the marriage has died. Without such provision, homosexual marriages containing such a vow would force the couple either to living out a relationship that was no longer alive or to violating their vows.

Those who aver, either fearfully or hopefully, that full-blown sacramental marriage for same-sex persons would mean a rethinking of the nature of marriage are clearly correct. The present canonical provisions for remarriage after divorce were arrived at in piecemeal fashion, without due consideration of what they implied for marriage itself. Furthermore, in allowing remarriage after divorce without providing any liturgy for ritualizing the passage from married to single state the church has failed at another level to think through its theology of marriage. More than that, the different imaging that homosexual and heterosexual marriages would hold up for the church

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require that marriage as such needs rethinking. This could offer an occasion to reexamine the nature and purpose of human relationships in general and to explore ways in which marriage practices have been oppressive, especially to women. It could allow us to think through afresh the relation of sacramental and civil goals. Clarifying the similarities and differences between marriage and the blessing of same sex unions could result in an improved theology and pastoral care for both groups.

Thus, this alternative, besides being completely unacceptable to a portion of the church's membership, would require more thorough background thought about the nature of marriage than could be hoped for by a simple commissioning of the construction of a new rite.

On a yet more obvious level, until or unless the civil authorities decide to license same-sex marriages, with all the legal and financial implications that would be involved, the question of the church's use of a marriage rite for same-sex couples is moot. It does, however, point up the issue of the close linkage between church and civil authorities and whether it is appropriate for the church to continue being an agent of the state.

**C. Have the Standing Liturgical Commission develop a rite or rites that would officially bestow the church's blessing on same-sex unions but would clearly not be the same as sacramental marriage.**

Once again, people opposed to the church's sanctioning same-sex unions could not accept this alternative. It is not at all certain that many gay and lesbian couples would accept it either. Gay men and lesbians would probably react in a variety of ways to the provision of such a rite. Some intensely alienated from organized Christianity might be hostile to *any* attempt by the church to pronounce on the legitimacy of their relationship. A half-way measure such as this would certainly not decrease their alienation. Others would find such a blessing of their unions unnecessary. Comfortable in their relationship, they would see no merit to an action that did nothing about their civil and financial rights.

An alternative that would provide official, church-wide blessing of same-sex unions could not be adopted without creating division – possibly schism – to a degree that many Episcopalians would find unacceptable. Doubtless many others would support such a move. Such Christians would be heartened by the church's courage in offering such a rite. They would experience relief at what they would experience as the church's movement toward increased justice for her gay and lesbian members. They would rejoice to see same-sex couples afforded the same, or at least comparable, opportunity for support within the church that is currently offered to heterosexual couples.

**D. Accept the ambiguity of the present situation and affirm the duty of local pastors to respond pastorally to the needs of their parishioners.**

If it be not possible for the church at this time officially, with the sanction of General Convention, to bless same-sex unions, what is to be done about the consciences of Christian people? People who are asked to act against their consciences are being asked to act against themselves. Their self-understanding and life are then separated. Alienation and loss of identity are the result. For this reason moral theology ranks the honoring of conscience among the most fundamental of obligations, both for individuals and for the community.



In this issue, at least two sets of persons are having their consciences threatened: those who view same-sex unions as contrary to Christian faith and those who are presently required to live in circumstances that refuse to honor their conscientiously adopted relationships. This, as the earlier question of the ordination of women, pushes the church to think more deeply about its own nature. The question of blessing same-sex unions raises more than issues of sexuality. It raises the question of the church itself.

In this regard, theological principles genuinely central to the Christian faith are a profitable place to focus, such as the Trinity and the reign of God. Many theologians have suggested that the Triune community is the model for every human society. The Trinity is a story about how three very different Persons can yet be one God. No matter how intimate the union between the three Divine Persons may be, through the Spirit, in particular, they invite all creation to share in their love. Human communities called into being by the Triune God must learn how to maintain true union in spite of great differences. The church, as the community of the Holy Spirit is preeminently such a community.

Yet the further question remains: how much acceptance and support can the community provide and remain a community? In this sense, the conflict of conscience poses the larger question of the nature of Christian faith that binds the church together as a community of individuals and as a communion of particular communities. As Wayne Meeks (*The Origins of Christian Morality*, New Haven, CT: Yale University Press, 1993, page 216) has asked, restating the question of the early church, “How much unity is achievable? How much diversity is tolerable?”

Within the boundaries of these, as yet, unanswered questions, the “pastoral duty” of local pastors might be approximately delineated in these terms:

- a. Action should be taken with the full knowledge of the bishop.
- b. Action should be taken only when persons known and respected within the congregation present themselves. Deciding an issue in the abstract can be mischief-producing rather than educative.
- c. Action should be taken only after careful airing within the congregation of the issues involved – again, not in the abstract, but in regard to the specific situation at hand. The question of conscience, for all the members of the congregation, should be discussed along with the questions of justice and love.
- d. When the willingness of the congregation to stand with their gay or lesbian couple, not only within the boundaries of congregational life but also in the community at large has been established, the union may be blessed in a public rite.
- e. The rite used should be composed in such a way as to allow the couple to affirm their love and commitment to each other and to their intent that the union be life-long. Prayers asking God’s blessing on them and God’s grace in assisting them to live together in love and fidelity would be appropriate.

Such a more pastoral approach, however, would satisfy no one completely and might cause some to leave the church.

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The ambiguity involved in such a position is also both a curse and a blessing. It often feels uncomfortable not to have clear answers and authoritative direction. Some believe the church has a duty to provide guidance by making clear and definitive answers to each of the complex questions of life. In this case the arguments from both opposing ends of the spectrum make it clear that ambiguity prevails. Ambiguity can be seen as sometimes a blessing in that it gives little ground and no support for win-lose decisions. If the church were to decide to condemn homosexual unions, some would have won, but others would have lost.

But this would not reflect the strength of our Anglican heritage. England underwent centuries of experience learning the essential value of compromise and "loyal opposition." Anglicanism has refused to adopt an authoritative *magisterium* or confessional stance. It has never insisted on deciding for one side of a truly ambiguous question at the expense of the values represented in its opposite.

Anglicanism's authority has consistently grown from pastoral decisions rather than ideological ones. We have decided what most faithfully cares for the life and unity of the church and its people by prayerfully responding to the concrete problems and concerns of the people as they arise. In the Episcopal Church in the United States, the diocese has historically been the basic unit of the church. Thus, typically, such responses occur at the level of parish and diocese.

### A Minority Report in reference to Resolution C042s

The Theology Committee of the House of Bishops has apparently met only once, and briefly, since the 1994 Convention, but a joint sub-committee of the Theology Committee and the Standing Liturgical Committee met and solicited a survey from various scholars who, as the Majority Report indicates, "represent a wide spectrum of opinion on the subject under consideration." The results of this survey were then given to the sub-committee which was asked to write a first draft of the report. This was circulated and suggestions were solicited from the full membership of both groups late in the Fall of 1996. The time for response was very brief before a second draft was produced and circulated in early December. This second draft is the Majority Report. For various reasons, at least some of them economic, full meetings to address the issue were never held. Understanding the difficulties involved in getting the two groups together to engage in serious dialogue does not remove the sense that the report has not been given the serious attention it deserves. The issue under consideration is admittedly a controversial one. Both sides of the debate would be willing to admit that to recommend the approval of a change in the current policy of the church would be a major departure from the long-standing ecumenical consensus on the subject. It is disappointing to receive a report which deals with so weighty a matter in such summary fashion.

This Minority Report springs from concern about the process by which the Majority Report was produced, from questions about the methodology of the report, and from frank disagreement with the tilt or bias of the report.

A community of faith becomes a community of faith when it agrees to a set of formative or foundational beliefs. A dialectical approach to a theological question in which one of its foundational teachings can be characterized as simply one of the "extremes" can lead in only one direction, and that is the eventual denial of the foundational teaching.



It would be wrong, of course, to place the traditional Christian teaching about marriage and sexual behavior along side the major foundational beliefs of the Christian community, such as the Resurrection and the Incarnation. But since that teaching traces some of its roots to the Seventh Commandment, and to Jesus' teaching about marriage, it is equally irresponsible to place it among the "adiaphora," in such a way as to make it simply optional.

### Methodology

The result of such a Hegelian or dialectical approach can be seen in the presentation of a number of "options," theological, moral, and political. They may be categorized in the following way:

#### *Theological and Moral*

Traditional	No Same-Sex Marriages or Blessings Ever
Liberationist	Same-Sex Marriage Now
Mediating # 1	Marriage or Blessings Later
Mediating # 2	No Marriage but Blessings
Mediating # 3	Unofficial, local option, perhaps Blessings later

#### *Political*

Traditional	Heterosexual Marriage only
Liberationist	Develop Same-Sex Marriage Rites
Mediating # 1	Develop Same-Sex Blessing Rite
Mediating # 2	Live with present ambiguity

This approach, as attractive as it may seem to those faced with a very difficult decision, is wrong in that it hides the historic priority of the traditional teaching in a thicket of "options," treating it as one of the "extremes." The result is to make a departure from that teaching appear as the classic Anglican "via media." In fact, just the opposite is true.

The true Anglican via media is to seek unity in doctrinal essentials and to respect the historic traditions of the church, requiring the burden of proof to come from those who would make radical alterations. That such a burden of proof has not been forthcoming is admitted by the Majority Report when it says, "The sinfulness or lack of sinfulness of homosexual acts is an issue that at present is up in the air." To a body which must give moral and ethical guidance to its members, such a statement should be a red flag advising extreme caution.

Despite all of the controversy of the past twenty years, official Episcopal Church statements, including those from the 1994 General Convention, have followed such a caution when faced with challenges to the church's traditional teaching. The priority of this teaching has, of course, been disputed by many bishops supporting the "Koinonia Statement," but their views have not been endorsed by the General Convention. The Righter verdict did not alter the traditional teaching, but only denied that dissenters could not be presented for trial.

The spectrum approach is misleading in that it minimizes the weight of all previous church teaching. The presentation of "mediating positions" is illusory, since they are not mediating at all. All of them are in agreement with the liberationist principle that the male/female criterion of

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marriage is optional, and all lead to the eventual authorization of same-sex unions, whether called marriages or not. Local option may sound reasonable, but to permit it is to obligate the whole church. We offer no local option on racism, for example. To use a somewhat flawed analogy, if states were given the option of devaluing the currency to meet their own fiscal needs, the economy of the whole nation would be affected.

### **Sacramental Marriage is the Issue**

There can be little doubt that marriage is the issue. The entire report is couched in terms of marriage, and the language commending those living in committed, monogamous, homosexual relationships is marital language.

The Majority Report points out that both “extremes” agree that Resolution CO42s involves the revising the church’s doctrine of marriage. Traditionalists argue that the nature of the man/woman relationship, and the terms of the marriage covenant are God-given, and that the Church lacks authority to make such a change. Liberationists argue that marriage is culturally relative, and that therefore the church does have such authority.

The need to be clear about the meaning of marriage, or of any rite that looks like marriage, is crucial to the self-understanding of the Christian Church. As the Prayer Book, says, marriage “signifies to us the mystery of the union of Christ and his Church.” It should be evident to all that revision of that powerful symbol is “not to be entered into unadvisedly or lightly.”

The Majority Report, on the other hand, seems to indicate that by experimenting with semi-official same-sex unions, the “experience” of what marriage really is in our day and time will somehow be “clarified.” “...The different imaging that homosexual and heterosexual marriages would hold up for the church *require* (italics added) that marriage as such needs rethinking.”

A theological methodology which recommends, “do it first, then think about it” is hardly a responsible one.

Even more troubling is the paragraph on same-sex marriages where the normative nature of heterosexual marriage is questioned. It states, “the necessity of two sexes is ...not derived by any kind of logic.” Quite apart from the issue of whether it might be derived by revelation, such a line of reasoning would leave little room for the church to question other forms of sexual configurations, such as polygamy and bisexual relationships.

### **The Biblical Evidence**

The report admits that “the Bible’s norm for marriage is a heterosexual one.” However, it goes on to suggest that the biblical norm does not address today’s situation. In one place, it even suggests that conservative scholars fail to see that “the only appropriate way to understand the Bible is to understand it in its context.” This is ingenuous.

The report’s minimal selection of “primary texts condemning homosexual relations” make it appear that they are very few. In fact, if all texts referring to adultery and fornication were to be included, the list would be a great deal longer.



The contention that the texts hostile to homosexual intercourse “all presuppose a heterosexual person engaging in ‘unnatural’ sexual activity” is a highly suspect and debatable interpretation. Besides which, the unspoken assumption that if a particular behavior can be shown to be “natural,” it must be approved, if not encouraged, by the Christian community is a red herring which unnecessarily confuses the issue. In our fallen state, virtue is always “unnatural.”

The only place in the New Testament where the words “natural” and “unnatural” are used with regard to sexual behavior are in Romans 1:26-27, where Paul uses them in reference to the Creation story where unfallen nature is represented by male and female.

Elsewhere, the teaching of the Gospels and of the Pauline letters is univocal in asserting that condemnation is reserved for what, in the fallen creation, has become “natural,” and praise is bestowed on the “unnatural.” “The works of the flesh (‘natural’ fallen humanity) are obvious: fornication, impurity, licentiousness, etc. (Gal. 5:19-21) And praise is reserved for those who ‘have crucified the flesh with its passions and desires,’ and therefore produce the fruit of the Spirit (not the fruit of ‘nature’) such as ‘love, joy, peace, patience, kindness, generosity, faithfulness, gentleness, and self-control.”

The words of Jesus are similar, “out of the heart come evil intentions, murder, adultery, fornication, theft, false witness, slander.” (Matt. 15:19) And at the Last Judgment, those who have engaged in the “unnatural,” i.e., chosen and Spirit-led, acts of feeding the hungry, clothing the naked, housing the homeless, etc. are the ones to hear, “Come, you that are blessed by my Father.”

The fact that such virtues as courage, integrity, fidelity, and honesty are almost universally applauded is indicative of the value we place on unnatural activity. Courage has no meaning unless our natural tendency is to be cowardly, and fidelity is an empty word unless we are naturally unfaithful.

#### **Pastoral Considerations**

The Majority Report inadvertently confuses the issue when it says, “If the church were to decide to condemn homosexual unions, some would have won, but others would have lost.” The language is unnecessarily inflammatory. No question of “condemning” has been raised. To decline to authorize something is far from condemning it. If anything, the Episcopal church has taken great pains in recent years to affirm that, in the words of the Majority Report, “gay and lesbian persons would continue to be given all other pastoral ministries of the Church and supported in their full civil rights and protections.” The phrase also seems to indicate that by failing to authorize same-sex marriages, something would be taken away from gay and lesbian people. That simply is not true. A thing that has not been given cannot be taken away.

The primary pastoral consideration is how the church, as a community of faith, deals with those of its members who experience a discontinuity with the church’s teaching. Needless to say, that includes all of us at one time or another. All people, inside and outside the church are to be treated with great love, humility, and respect. There is no room for self-righteousness on anyone’s part.

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At the present time, and under its current official teaching, this means that the church must struggle to find the most appropriate form of extending the love of Christ to its homosexual members. That this is done well in many individual cases is beyond dispute, and no doubt a heightened awareness of the pain suffered by many such people will lead us to continue and improve such pastoral care.

In T.S. Eliot's play, "Murder in the Cathedral," Thomas a Beckett, wrestling with his conscience, cries, "This is the last and greatest treason, to do the right thing for the wrong reason."

The tilt or bias of the Majority Report offers perhaps an even more dangerous seduction, "to do the wrong thing for the right reasons."

The "right reasons" would be a desire to alleviate the suffering experienced by many people whose sexual behavior has often made them the object of covert ridicule and overt persecution, to correct past injustices perpetrated in the name of religion against homosexual people, and to demonstrate compassion and "inclusivity" toward those so frequently marginalized by both church and society. The "wrong thing" would be for the Christian Church to capitulate to the current pressure to normalize or bless same-sex marriages.

A temporary moratorium might not satisfy any of the parties to the debate, but would appear to be the only responsible way ahead. Given the complexity of the issue, and of the enormous ecumenical implications of attempting to alter unilaterally such a fundamental church teaching, serious conversation with other parts of the Anglican Communion, as well as with our ecumenical partners appears to be urgently required.

Respectfully submitted on January 8, 1997 by the following members of the Theology Committee of the House of Bishops:

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