

**RESPONSE to UCA ASSEMBLY PAPERS on
MARRIAGE and SAME GENDER RELATIONSHIPS**

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Introduction

The Assembly of Confessing Congregations, through its National Council and Task Group on Marriage welcomes the opportunity to provide a response to the Discussion Paper on Marriage and also comment on the Views of Marriage paper and the Study Guide. This response and other resources and papers about Marriage will be made available for the wider church on our website confessingcongregations.com, and also our resources website: unitingviews.com.

(1) Discussion Paper on Marriage

The theology of marriage in the Uniting Church in Australia: a commentary on the marriage service in *Uniting in Worship 2*.

It is disappointing that this crucial paper by the Assembly Working Group on Doctrine (AWDG) does not compare the Marriage Service in *Uniting in Worship 2* (UW2) with UW1 or draw on the liturgies of UCA's ecumenical partners, particularly those with whom joint statements on marriage have been produced (eg Roman Catholic Church 1999). By uncritically accepting UW2 as the benchmark of the Christian doctrine of marriage it deprives us of the richness of other covenantal and sacramental approaches to marriage.

A comparison of the Marriage Services in *Uniting in Worship 1and2* shows:

▶ The basic structure of the service, including the vows between husband and wife, is retained.

▶ The first part of the Declaration of Purpose (UW1 (5) // UW2 (4)) has been subtly altered to completely change and undermine the meaning of marriage. 'Marriage is appointed by God' becomes 'Marriage is a gift of God and a means of grace.' The latter is undoubtedly true of marriage and friendship, but it weakens the sense of marriage between a man and a woman as a divinely instituted relationship.

UW2 tries to hide this radical shift by speaking about 'the life-long union of marriage,' the 'covenant of love made with us in Christ' and the God 'in whose image we are made, male and female.' Life-long union comes before male and female, implying that there is covenantal marriage that includes but is not limited to male and female. This is emphasised in the Discussion Paper (**Nos 11and12**) where the Imago Dei of Genesis 1 is interpreted to mean that both 'male' and 'female', considered equally as individuals, are made in the image of the covenantal God. It fails to see that the image of God is located in the relationship between male and female which uniquely embodies and symbolises God's purpose for the human community.

This is true of much of the paper which follows UW2 in preferring more egalitarian terms like 'partners' to husband and wife, man and woman, male and female. Despite strong support for the Scriptural basis for marriage between a man and a woman, the paper opens the way for the church to consider blessings for same-gender partnerships such as "brother-making" services of the Byzantine church where 'two friends of the same gender were consecrated using a broad range of scriptural language.' (See below for comment on **No 13**)

▶ Christ's affirmation of marriage between a man and a women (*Mark 10: 6-9*), which was declared in the Proclamation of Marriage in UW1 (13), has been removed in UW2 (14). The words 'Those whom God has joined together no one must separate' have been retained, thus eliminating the link to Christ's specific endorsement of the relationship between man and wife. The misuse of this text severs the integral connection between God's purpose in creation (*Genesis 1and2*) and Christ's redemptive love. Nor has the text been included in the list of Gospel passages to be considered for preaching at weddings.

▶ At the Blessing of the Marriage (UW1 (14) // UW2 (15)) the responsive Acclamations that the 'heavenly Father gives joy to bridegroom and bride,' which is pre-eminent in UW1, becomes the third of four optional blessings and the only one to specifically mention man and woman.

► The procreative and societal aspects of the relationship between man and woman in marriage are downplayed in UW2 (UW2 (5)). The reference to marriage being 'a means of grace in which man and woman become one in heart, mind and body' and 'the sacred and life-long union of a man and a woman' (UW1(4)) is replaced by the more general phrase 'the full expression of physical love between husband and wife.' The liturgy in UW2 avoids the language of 'physical union' which might limit marriage to a covenantal relationship entailing biological complementarity. (This change of emphasis (which was approved by the Eighth Assembly 2004) paved the way for the Sacred Union Ceremony performed at a Uniting Network conference in 2011 which highlighted the union of souls not bodies.)

Instead of marriage being described as a covenant in which 'children may be born and brought up in love' (UW1 (4)), UW2 emphasises being 'entrusted with the gift and care of children.' Once again, the procreative aspect of marriage is weakened, opening the way to the acceptance of artificial means of conceiving, adopting or fostering children by same-gender couples.

This represents a broader social trend to separating the creation and nurture of children from their biological parents. Instead of withstanding this trend, and still supporting children who, for various reasons, cannot live with their parents, UW2 shifts the emphasis from the where 'home and family life may be strengthened (and) society may stand upon firm foundations' (UW1 (4)) to 'sharing the life of a home ... that helps shape a society in which human dignity and happiness may flourish and abound.' (UW2 (5)). The elimination of 'firm foundations' is a weakening of the purpose of marriage in UW1 and implies that support for 'human dignity ...' may involve the acceptance of other forms of marriage that should or could 'shape a society ...

► In UW1 and 2 the symbolic significance of marriage is weak. *Ephesians 5:21-33* is not included in the suggested readings in either of the liturgies. In UW1, though, marriage between a man and a woman is said to 'signify the mystery of the union between Christ and the church' (4), and to be 'a holy mystery, a symbol of Christ's love for the church' (7). These references have been removed in UW2.

The omission is surprising, not least because the *Final Report of the Assembly Task Group on Sexuality* to the 1997 Assembly stated that 'marriage is the unique sign of the unity which is promised us in Christ', and that the 'Christian understanding of marriage considers it to be the central symbol of God's gift in creation'. (*Interchurch Marriages: Their Ecumenical Challenge and Significance for our Churches* (1999, pp 25-29) The importance in the Report of *Ephesians 5:21-32* for understanding the similarity between the covenantal concept of marriage in the UCA and the sacramental concept in the Roman Catholic Church, makes the failure to incorporate it in UW2 (2004) even more puzzling.

It is encouraging to see that, despite its failure to see the liturgical softening of UW2; the Discussion Paper acknowledges the link between Genesis 1 and Ephesians 5 and insists that 'the foundational importance of these scriptural passages cannot be dismissed.' Moreover, in a passage that invites further reflection, it says 'If ever the Uniting Church was to re-define marriage to include same-gender partnerships, it would remain theologically impossible to bypass this deep scriptural tradition in which male-female duality and male-female union are located right near the heart of the divine purpose.' (**No 13 'Scriptural language'**)

Surprisingly, then, the paper prefers to speak of marriage between a man and a woman, not in terms of symbolising the mystical relationship between Christ and his church' (as in UW1), but, more generally of 'an intimate and mysterious bond between the human speech-act of promise and the divine speech act of blessing (in which) two human partners speak words of love to one another (and) God bestows a word on both of them and makes them one.' (**No 29**) This 'mysticism of words or promise,' which occurs when the blessing of the triune God is invoked, is said to be the 'real centre of the marriage service, 'the heart of it all.' (**No 21, 28 and 29**)

It is a pity that reference to the power of words was not accompanied by a fuller theological treatment of what it means that Christ is 'God's Word' in **No 20** and UW2 (4). In this respect, the AWDG would serve the UCA well if it were to explicate paragraphs 4 and 5 of the Basis of Union in the context of the current debate.

► What is not clear from the paper is how the central theological truth about male and female imaging God is related to blessings upon any two human partners. In fact, it hedges its bets - leaning towards retaining marriage between man and woman and foreshadowing the prospect of blessing other two- person relationships.

► The paper fails to distinguish between life-long same-sex friendships, about which there is no controversy, and life-long unions in which sexual intercourse takes place between people who share the same biological and genital characteristics, about which there is strong disagreement. This undiscussed but crucial distinction is hidden behind the preferred term 'partnership' which covers a range of different forms of intimate relationships. When linked to a general Biblical concept of 'covenant,' the clear word of Scripture on the false covenant of homosexuality (and other sexual practices) - about which the paper is silent - is trumped. Thus, the concept of 'right relationships,' which was used in *Uniting Sexuality and Faith* 1996) and is specifically mentioned in the Views of Marriage (**3.5**) is re-introduced without making this critical distinction.

Theologically speaking, this means that the paper fails to address the fundamental question whether the desire to approve of same-gender 'marriage' is consistent with the personal, social and bodily structure of our creation (unanimously attested in Scripture and clearly endorsed by the incarnate Word of God) or with Gnostic views that privilege mind, spirit or soul over physical characteristics. (In view of the wide circulation of the paper *How Gnostics Mimic Marriage (ACCatalyst April 2012)*, it is strange that this critical issue has not been addressed in the Marriage Discussion paper.)

► Since the establishment of the Sexuality Task Group at the Seventh Assembly (1994) there has been a reluctance to give account of the complex biological, sociological, psychological and volitional factors that influence same-gender attraction. Despite this, arguments are still put forward on the unstated and unexamined assumption that, like ethnicity, it is biologically determined (immutable). This has had the effect of falsely treating opposition to homosexuality and same-gender marriage as a form of racism.

This fiction has been maintained to obtain public support from people who, otherwise, would be horrified to think that, unlike ethnicity, choice and discipline are essential aspects of forming sexual relationships. This is recognised in the homosexual community. Many people are adamant that they are not 'hardwired,' as the paper states (**No 9**), but have chosen to undermine heterosexism.

One wonders what difference, if any, it would make to support for Marriage Equality and/or Pastoral Services of blessing, if choice were found to be a necessarily determining factor?

► While the importance of discussing the issues in the context of creation, fall and redemption is welcome (**No 9**), it is wrong to suggest that both parties have 'shared convictions about marriage' (Introduction), only disagreeing on the details. If the image of God is the community forming relationship of male-and-female attested in creation, and if the fall includes not only but also same-sex relationships, and if redemption means being saved from the fall, then 'convictions about marriage' (and the meaning of the Gospel) are not shared. It begs the questions to be decided!

► The discussion of Declaration in UW2 and the section on *Changes in marriage?* (**No 15**) suggest that changes in social attitudes towards sexual intercourse, which have loosened the 'unique connection between marriage and childrearing,' help us realise the wisdom of John Chrysostom's view that 'companionship, rather than child-bearing, is the true purpose of Christian marriage.' By elevating companionship above childrearing, and not seeing them as complementary, the way is prepared for the acceptance of same gender unions as more or less equivalent to marriage.

The paper is realistic about what such a change would mean:

'It is clear that same-gender marriage is not simply about making marriage more inclusive, but about altering the definition of marriage.' (**No 16**).

► It is disappointing that the paper doesn't consider the theological and social implications of life-long unions between bisexual and transgender partners. Presumably companionship is possible in these, and many other forms of sexual partnership, but the use of 'same-gender marriage' would seem to exclude both groups, something that an inclusive church would be loath to accept.

In this regard, it is surprising that the paper does not discuss its use of 'same-gender' rather than 'same-sex,' to describe these relationships, particularly when the latter is more common in public debate. Is the term 'same gender relationships' used here and in Assembly resolution 12.31 to soften for public consumption the actual context of homosexual sexual activity?

(2) Views of Marriage in the UCA

Report on a consultation process - 2013

(by Robert Bos)

► The Report states the obvious. There have been diverse marriage customs between and within communities through the ages and strong differences of opinion today in the UCA and other churches on sexual relationships in general and same-gender marriage in particular. But it doesn't provide accurate, research-based evidence for its findings. We aren't told which groups, apart from those mentioned in the Assembly resolution were chosen or why they were chosen, or what percentage of respondents or groups held the various opinions reported.

Nor does it articulate the theological, social and personal grounds on which people disagree. We are told that there are 'a range of views' held by 'some' or a 'few' or 'many' people. While there is no indication of the relative strength of these views, the paper implies that most people are pro same-gender marriage. In short, it is not the kind of thorough research to be expected of such a report.

► In reporting the findings Robert Bos doesn't distinguish between cultural and liturgical traditions and social roles that recognise the union of a man and a woman in marriage, and those that do not. By linking two completely different forms of diversity - one ethnic and cultural, the other theological and biological - he gives the impression that same-gender marriage is simply another form of marriage.

Responses are presented to contrast those who hold 'static' views of marriage and those who favour 'more flexible' loving sexual unions, including same-gender marriage. Opponents of change are not said to uphold the splendour of marriage but are assumed to be 'a few' narrow-minded people who have 'a particular view,' (eg p24) in contrast to the perceived majority who, it is assumed, have a view that is universally agreed by broadminded people who are inclusive and welcome changes taking place in Australian society.

The impression is given that 'enlightenment' moves from narrow, exclusivist Biblicism and cultural primitivism to open, inclusive love. The conclusion (p24) unmasks the underlying prejudice that masquerades as objective research. Clearly, Robert Bos approves of the fact that among 'a wide range of views' 'many demonstrated openness to change and reviewing their position.' Thus the high moral ground is claimed, dissent by indigenous, migrant-ethnic and evangelical voices is discouraged, and the outcome skewed in favour of changing the UCA's doctrine of marriage.

► This effect is enhanced by the failure to honestly represent the serious theological concerns raised by the Assembly of Confessing Congregations within the UCA and other orthodox groups, especially in relation to the misinterpretation of Scripture and the Gnostic presuppositions of Sacred Union Ceremonies that bless same-sex unions.

► Despite the appearance of objectivity, the Report follows the consultation process in committing two serious logical errors:

1. It assumes that describing things as they are is reason to affirm their truth and goodness. Philosophers have long recognised that we cannot derive an 'ought' from an 'is'. (Genetic fallacy) The Christian prophetic tradition moves in the opposite direction, countering much of what 'is' with what 'ought to be' according to the mercy and righteousness of God embodied in Christ.
2. It assumes that what is modern is superior to what is ancient, appealing to our desire to 'be on the side of history.' The myth of moral and social progress is not measured by popular opinion or international acceptance, as implied pp1and2, but by God's self-revelation in Christ.

These errors render the Views of Marriage Report useless in assisting the church to determine this matter theologically. Its appeal to personal experience and socio-cultural analysis cannot be the basis for determining what the church should do, unless it is already pre-determined by the unexamined and untheological doctrine of diversity that underlies the whole consultative and reporting process!

The unstated assumption that theology is primarily the outworking of our diverse personal and social experience, rather than the articulation of the reality of God attested in Scripture, needs to be argued, particularly as it also determines whether the doctrine of the UCA on this and other fundamental matters is consistent with our confession of faith in the Basis of Union.

► The sections on the Bible, hermeneutics and theological method (3.1-3.4) are disappointing, not only because Biblical texts and comments are simply listed (somewhat repetitively) rather than being reported in a coherent way, but because the writer interposes his own position at length. Having unaccountably omitted Mark 10:6-9 from the list of Bible passages in 3.1, Robert Bos says that 'There is actually very little specifically about marriage in the gospels. Jesus attended a wedding in Cana and spoke about divorce - that's about it.' (3.2) The last five paragraphs are devoted to his assertions that 'the quality of relationships rather than the formalities' is crucial and that, on marriage, 'Scripture has diversity of views' which are culturally determined and not to be understood legalistically.

Summary

The Views of Marriage Report shares the presuppositions of the resolution at the Thirteenth Assembly (2012) and the way in which the consultations took place. Robert Bos' conclusion that 'A resource document on the theology of marriage which thoughtfully and fairly considered the issues, rather than seeking to persuade people to a particular point of view, would be well received,' (p24) is a pre-emptive strike for the 'particular point of view' that prizes diversity over Christ-centred unity.

The orientation of this approach begs the question whether the outcome is pre-determined? The open, inclusive church that Robert Bos, and 'many' or 'some' or 'few' (?) respondents, clearly desire, cannot deny life-long same-gender relationships either by approving same-gender 'marriage' and/or providing blessing services that closely resemble the current marriage service.

The Report makes it clear that the issue will be decided, not by arguing from basic theological principles, but by the desire to accommodate incompatible beliefs about the sanctity of marriage. On a superficial reading, this will satisfy the ideology of diversity that pervades postmodern culture and the UCA. But, in practice, it will marginalise those who uphold orthodoxy. Once orthodox faith and doctrine is regarded as one form of diversity, it is inevitable that the ecumenical faith of the church attested in Scripture and affirmed in the Nicene and Apostles' Creeds will become optional.

(3) Study Guide for Discussion Paper on Marriage

The Study Guide includes the resolution at the Thirteenth Assembly (12.31) with its 'acknowledgment' of the 'current position on marriage' at the Eighth Assembly (97.31.12). It asks participants to be well informed by reading the *Discussion Paper on Marriage* and the report *Views of Marriage in the UCA* and urges groups to proceed in a respectful manner.

The 'RESPECT' guidelines state that 'mutual understanding' and 'sensitivity to differences' is the ultimate goal of the process. Participants are told to 'trust ambiguity. We are not here to debate who is right or wrong.' As important as it is to listen to others and test our own beliefs, the ultimate purpose of Christian conversation is to 'respect' God's Word as it has been embodied in Jesus Christ, attested in Scripture and disclosed by the Holy Spirit.

It is unfortunate that the Study Guide doesn't encourage deeper engagement with the Biblical and theological materials related to the sanctity of marriage, some of which are included in the Discussion Paper on Marriage. By setting-up a process that is focussed primarily on respecting each others' sincerity and feelings, rather than honouring God, the outcome is inevitable. Our differences on same-gender marriage will have to be accommodated at the Fourteenth Assembly in 2015 by resolutions that are sensitive to all parties and ignore questions of truth. The inevitable outcome of the process is evidenced in the Response Form.

The first question that should be asked is relegated to **No 4**, *after* issues raised by possible government legislation approving same-gender marriage and appropriate pastoral responses by the UCA (**Nos 2and3**). One would have thought that the Uniting Church's 1997 statement on marriage, which was 'acknowledged' in 2012, would be the starting point from which contrary views would have to give biblical, theological, ethical and pastoral warrant?

In view of the acknowledgment in the *Discussion Paper on Marriage* of the foundational significance of Genesis 1 and Ephesians 5, and its insistence that 'the importance of these scriptural passages cannot be dismissed,' it is regrettable that they are not specifically included in the questions.

The following passage in the *Discussion Paper on Marriage* should also have invited further reflection: 'If ever the Uniting Church was to re-define marriage to include same-gender partnerships, it would remain theologically impossible to bypass this deep scriptural tradition in which male-female duality and male-female union are located right near the heart of the divine purpose.' (**No 13 'Scriptural language'**) This could have been combined with a question from UW2 and the *Report on a consultation* (p15) on what it means for same-gender unions to 'reflect the love of Christ for his church' and the quote from John Chrysostom (**No 15**).

A question could also have been asked about the statement in the *Discussion Paper on Marriage* that, 'It is clear that same-gender marriage is not simply about making marriage more inclusive, but about altering the definition of marriage.' (*Same-gender marriage* **No 16**)