

## **Lawfully Joined**

Same-Sex Marriage in Light of the Church's Traditional and Liturgical Practice

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**ABSTRACT**

This paper explores same-sex marriage from a pastoral and liturgical perspective. The first portion examines issues of nature and natural law, and Jewish and Christian legal and canonical regulations of sex and marriage, with particular attention to discontinuities with the idealized myth of “lifelong, heterosexual and monogamous marriage.” The second section looks at the marriage rites for different- and same-sex couples, and explores some of the questions remaining to be addressed as the church restructures its concept of marriage and marriage rites.

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## Introduction

It often happens, with regard to new inventions, that one part of the general public finds them useless and another considers them to be impossible. When it becomes clear that the possibility and the usefulness can no longer be denied, most agree that the whole thing was fairly easy to discover and that they knew about it all along.

— Abraham Edelcrantz, *Treatise on the Telegraph*

This paper<sup>1</sup> explores same-sex marriage from a pastoral and liturgical perspective. After a brief introduction, the first portion examines issues of nature and natural law, and Jewish and Christian legal and canonical regulations of sex and marriage, paying particular attention to discontinuities with the idealized myth of “lifelong, heterosexual and monogamous marriage.” This is not an exhaustive survey, but highlights significant changes in each major period. The second section of this study looks at the marriage rites for different- and same-sex couples, and begins to explore some of the questions remaining to be addressed.

The first section shows that the acceptance of same-sex marriage requires of the church little greater pastoral flexibility than it has already demonstrated with regard to different-sex marriage. The second suggests that a critical examination of different-sex marriage, in light of the challenges and questions same-sex marriage raises, provides an avenue for a clearer and more consistent liturgical theology of marriage.

This paper is not an apologia for homosexuality in general, rebutting arguments adduced against it, though it will address such arguments in passing as they relate to the larger concern. As to Scripture, many such apologetic studies exist, and I concur with the conclusion of New Testament scholar Robin Scroggs<sup>2</sup>—

*Biblical judgments against homosexuality are not relevant to today's debate.* They should no longer be used in denominational discussions about homosexuality, should in no way be used as a weapon to justify refusal of ordination, *not because the Bible is not authoritative*, but simply because it does not address the issues involved. (Scroggs 127)

Some apologists seek to interpret the Biblical evidence so as to remove all reference to homosexuality. This strains the credulity of open-minded critics, and provides those of more polemical bent with ready ammunition to undermine even the sound arguments of such apologists. However, in the judgment typified by Scroggs, these passages relate to homosexual rape, homosexuality as punishment for or as a component of idol-worship, cultic practice, prostitution, or pederasty. The early church's broader application of these texts to *all* homosexual acts arose in large part from its interaction with Stoic philosophy and Roman legal structures.

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<sup>1</sup> This paper is very much a work in progress. New material is becoming available at an increasing rate, much of it emerging from consultations lacking sponsorship of ecclesiastical authorities. Given this, some participants take part on condition of anonymity. I have sought to maintain confidentiality by using pseudonyms or generic titles for all material from such sensitive sources. These sources are indicated with the symbol †.

<sup>2</sup> Agreement with Scroggs' conclusion does not indicate my full agreement with all of his arguments. The same is true for others whose work I cite here. Some at the polemical edges of the sexuality discussion entirely dismiss some scholars' work on the basis of minor flaws, errors, or inconsistencies. (The wholesale dismissal of much of Boswell's work is an example.) Unless the flaw lies in a fundamental premise, or the omission (or misrepresentation) of some crucial piece of evidence, conclusions should be given the weight they deserve.

This application on the part of the early church is irrelevant to the question of same-sex marriage, and committed, loving, same-sex relationships. It may appear shocking thus to dismiss the teaching of the early church regarding homosexuality; but as will be shown below, the church has dismissed most of what that early church taught about *heterosexuality* with similar ease. Unless some independent criterion for judgment is supplied, the mere fact that the early church had such-and-such a teaching is no longer a justifiable rationale for retaining it.

Therefore, it is taken as axiomatic that heterosexuality and homosexuality are, as “An Affirmation in Koinonía” states, “morally neutral... and can be lived out with beauty, honor, holiness, and integrity...” (J 1994:155). How the church might better foster the realization of intimate, self-giving, human relationships regardless of the sex of the partners is one aim of this paper. A critical examination of different-sex marriage can provide a rationale for same-sex marriage; and an examination of same-sex marriage may provide avenues for the revitalization, reform and enrichment of different-sex marriage — for which a consistent theology *has yet to be developed*.

### Liturgy before (and with) theology

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For many, the phrase “same-sex marriage” makes as much sense as “vegetarian steak tartare.” The two concepts simply do not jibe; the phenomena of which they speak are from fundamentally different orders of experience. Those who take this view do not see the question facing the church and the state so much as “should we” but as “can we.” These critics come from every point on the political spectrum, from the militant activist who sees “gay marriage” as a surrender to an alien folkway, to the conservative ethicist who wears down the circular path of deontological reasoning (“homosexuals can’t marry because marriage is for heterosexuals”). Even in the middle, the holy ground for Anglicans (especially Anglican bishops), one finds such statements as this concerning theologians and liturgists currently working on the rationale for developing a same-sex marriage rite: “They have not made their theological case, nor do I think they can.” (Marshall 1)

This comment indicates doubt concerning even the possibility of a theology for same-sex marriage, but indicates as well the presupposition that one needs to have a theology before one can develop a liturgy. It may also be, as was suggested to me privately, that Bishop Marshall intended his comment as a spur to urge the theologians (and liturgists) to do their work! However, the idea that theology precedes (or should precede) liturgy, might be answered by observing that liturgy and theology are concurrent manifestations of the same “faith seeking understanding,” and as Aidan Kavanagh notes, liturgy has its own theology. He argues persuasively “that worship ... is what gives rise to theological reflection, rather than the other way around.” (Kavanagh 3) Jesus broke bread and gave the cup long before the church got down to the business of trying to construct a theology of the eucharistic presence; - the rite of baptism in the name of the Trinity preceded by several generations the theological developments that would crystalize in the creed of Nicea (Kavanagh 92); and, more relevant to the study at hand, people married and were given in marriage long before the church developed or promulgated a theology of marriage. Or perhaps it would be better to say *theologies* of marriage — for there has been as little agreement in the church as a whole on a “theology” of marriage as on the mode of Christ’s presence in the eucharist, or the economy of the Trinity — if as much.

## Life before liturgy

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Theology is usually done backwards... Convictions in theology and moral theology are usually arrived at by deep and complex processes nurtured by experience and intuition... These convictions are articulated and tested by means of theological reflection on scripture and tradition. (Thomas 177)

It should not be surprising that sex, of all human capacities and activities, makes the church's head spin; it is, as Paul Ricoeur says, "after all a matter of *eros* and not *logos*," (Sedgwick 29) and since the church is not entirely of one mind even on the Logos (witness the theories of the Atonement and Incarnation) unity should not be expected on questions of sexual morality. The breadth of opinion about sex over the last several millennia is far wider than currently suggested, and I will review the church's teaching and acting on sexuality, prefacing my examination of the liturgical expressions of marriage with an examination of the underlying human phenomena expressed in nature, custom, and law.

There is every good reason to do this. Even liturgy doesn't come first. Before the urge to ritualize finds expression in formal liturgy there must be some human experience which the ritual marks and notes with its own special character: one does not build the temple until well after the *experience* of the Holy and the desire to worship that *mysterium tremendum et fascinans*: the burning bush and the mountain top precede the tent of meeting, which itself precedes the more durable Temple. Though some express discomfort at adding Experience as a fourth leg to the traditional Anglican stool, a moment's reflection makes it clear that Wesley no more invented "Experience" than Anglicans did "Scripture, Tradition, and Reason" — and a careful reading of Hooker will demonstrate that he was not only aware that Experience and Reason were abroad in the world before a word of Scripture was uttered, and before Tradition began its sometimes erring process of ordering and interpreting this wealth of conflicting data, but that natural reason (which involves experience) is a necessity as much as Scripture is — neither stands alone.<sup>3</sup> As Charles Hefling reminds us, citing poet Charles Williams, "The glory of God... is in facts. The almost incredible nature of things is that there is no fact which is not in his glory." (Hefling 157) The *facts* before us do not originate in the theological dicta of the hierarchy, but the experiential data of the faithful: human experience, therefore, must be at least our beginning text for exegesis — and this is all the more true when the Scripture gives us so very little to go on.

### THE BIBLICAL SILENCE AND THE HUMAN RESPONSE

One of the facts before us is that the Bible, while telling us bit about sex and sexuality in descriptions of human acts and legal codes, contains neither a marriage liturgy nor a theology of sexuality. Much of the church's difficulty in finding resolution to the issues before it results from attempting to work backwards from dogmatic or systematic theology to pastoral practice — to formulate rules based on abstract principles — rather than looking at the lives of faithful people and discerning the signs of grace in them. There is little new in the tendency of ecclesiastical hierarchies to work in this way, that is, to seek theological rationales before action. The priest and Levite passed the wounded one by *on theological grounds*; the compassionate Samaritan exercised the merciful but irregular option.

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<sup>3</sup> These citations from Hooker's *Laws of Ecclesiastical Polity* are representative: "It sufficeth therefore that Nature and Scripture do serve in such full sort, that they both jointly and not severally either of them be so complete, that unto everlasting felicity we need not the knowledge of any thing more than these two may easily furnish our minds with on all sides." (I.14.5) "Unless beside Scripture there were something which might assure us that we do well, we could not think we do well, no not in being assured that Scripture is a sacred and holy rule of well-doing." (II.4.2) "Unto the word of God. . . we do not add reason as a supplement of any maim or defect therein, but as a necessary instrument, without which we could not reap by the Scripture's perfection that fruit and benefit which it yieldeth." (III.8.10)

My approach here is to examine what Israel and the church and its members have *done* about marriage — regulations and laws (beginning with the biblical witness, sparse as it is) imposed and obeyed or ignored, then the rites celebrated or forbidden. The goal is to show that the *teaching* on sex and marriage is often in tension with the *facts* of sex and marriage, and that practices the church has come to allow through the pressure of *what people actually do* offer a context in which to place the current “discontinuity between th[e church’s] teaching and experience of many members of this body.”<sup>4</sup>

Discontinuity has long been with us, in part because theologians (especially “official” theologians) are often in tension with the world — but rarely in a prophetic Christ-against-culture mode.<sup>5</sup> More often than not the church resists present change by blessing the cultural institutions of the past — not the ancient past of an undying and constant tradition, but the past of a few generations ago. Because of this lag the church’s official pronouncements are rarely prophetic, often barely relevant to the lives of those to whom they are addressed, and sometimes ludicrously out-of-date — the belated Roman Catholic apology to Galileo, and tardy acknowledgment of Darwin are recent instances.

As late as the 1950 encyclical letter *Humani Generis* the Vatican affirmed the literal reality of Adam and Eve as necessary to a particular understanding of original sin and its transmission. Only by developing new models for the doctrine of original sin have Roman Catholic theologians been able to accommodate the church’s teaching to the findings of evolutionary science. Naturally, little fanfare is given to such massive revisions; matters *Humani Generis* referred to as “data which the sources of revealed truth and the documents of the Church propose concerning original sin” were simply allowed to fall away quietly — or as quietly as the press allowed. (Neuner 125)

This epistemological lag undermines the church’s credibility. If the church is shown to be mistaken in matters of fact which can be tested by empirical standards (the structure of the solar system, the process of evolution through natural selection), and reluctant to alter its teaching even long after the error is demonstrated, then why should it be trusted in those matters which are *incapable* of demonstration or proof? Put more bluntly, “If the church cannot teach accurately concerning what is plain and demonstrable about the things of *this* world, why should it be trusted on what is vague and difficult concerning the life of the world to come?”<sup>6</sup>

It is no solution to excuse the church by allowing it to have been beyond its competence when making pronouncements about the solar system or evolution. It *was* beyond its competence — *but didn’t know it*. In fact, it remained adamant in its claims to competency precisely when it was most deeply and demonstrably in error. Suffering from double ignorance is not a recommendation for being heeded especially in those doctrinal matters which hinge upon specific world-views. Much of the church’s teaching on sexuality is informed by “natural” principles long since shown to be false (Hellenistic and medieval biological theories of human generation). If reevaluation of such a foundational teaching as original sin can be made in the light of evidence that sheds new light on the Scripture and tradition, surely

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<sup>4</sup> General Convention Resolution A104sa, cited in CTD 92.

<sup>5</sup> Some argue that the church’s resistance to same-sex marriage is exactly this sort of bold opposition. This would be a persuasive argument if there were a massive drive for same-sex marriage on the part of the culture; however, the culture (and government) mirror the church’s opposition, resisting same-sex *civil* marriage. Heterosexism binds church and state in an imperfect union. Even John Stott admits that the Gay Christian Movement “is a vote of censure on the church” for its failures of charity, and that “Western culture inhibits the development of rich same-sex friendships by engendering the fear of being ridiculed or rejected as a ‘queer.’” (Stott 29-30)

<sup>6</sup> Cp. Luke 16:11: “If you cannot be trusted with the dishonest wealth, who will trust you with true riches.”

new findings in sexuality should influence an area which even some conservative thinkers admit is *not* a core doctrine of the Christian faith.<sup>7</sup>

Pre-scientific theories of sexuality and human biology have had significant and lasting impact on the church and the world. I use the term *pre-scientific* advisedly, as every age has its own *science*. In the ancient world most people “knew” that babies were the result of the man planting his “seed” (*zarah, sperma, semen*) in the fertile “earth” of the woman; this view is reflected without need for further comment in Psalm 139:14-15. The “seed” contained all that was necessary for the next generation, needing only a place to grow and nourishment, which would be provided by the earth. This view is reflected in Hebrews 7:10 where Levi is described as still being “in” his ancestor Abraham’s loins. By the time of Hippocrates and Aristotle, observant scientists had noted that the menstrual flow ceased with conception, and came to believe that the embryo was “congealed” or “compacted” by the action of the seed upon the blood which was now no longer being lost month by month. Aristotle argued further (*Generation of Animals* 728a10) that the pleasurable feeling experienced by men upon the “planting of the seed” represented the emission of *pneuma* which instilled the soul into the embryo. This view is reflected rather precisely in Wisdom 7:1-2, where “the author is characteristically unable to resist the urge to supply some of the physiological details of the formation of the embryo in accord with the latest findings of the science of his day.” (Winston 165) “Of his day” is the operative in this instance: some beliefs concerning sexuality have demonstrated remarkable resistance to correction, even among scientists. The notion that a woman is merely a passive vessel in procreation, providing fertile soil for the “seed” deposited by the man probably derives from folk perceptions, and was taken as a truism in the patristic era.<sup>8</sup> However, the idea persisted well up into our own “scientific” age; discovery of the microscope *confirmed* the error instead of correcting it. Leeuwenhoeck (in 1678) “found” that sperm contained miniature precursors of animals and humans that would take root and grow in appropriate wombs; this finding was published by the Royal Society and confirmed by university scientists throughout Europe; it was incorporated in scientific and religious teaching for over a century thereafter. (Schmidt 116-117)<sup>9</sup> Secular science is sometimes as resistant to change as the church. The double inertia in the area of sexuality has been costly in terms both of civil liberty and the realization of full human potential in the image of God in Christ, in whom there is “no more male and female.” (Gal 3.28) The extent to which the foregoing mistaken view of human generation, with its emphasis on the importance of the “seed” and the seriousness of the “loss” or “planting in infertile soil” shaped and informed a grave judgment upon male homosexual acts, and a relatively lighter judgment upon female homosexuality, cannot be overemphasized.

Part of the ongoing reformation of the church entails a willingness to challenge the dogmas of the past with the experience of the faithful in the present; and it is particularly vital for the church’s leaders to attend to and respond to the voices of those most directly affected by their teaching.

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<sup>7</sup> As the Minority Report to the 1997 Standing Liturgical Commission Report on the Blessing of Same Sex Unions acknowledges, “It would be wrong, of course, to place the traditional Christian teaching about marriage and sexual behavior alongside 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.” (§1.4) The latter statement represents an example of the tendency of the Minority Report authors to read all biblical references to adultery as condemnations of homosexuality. (§4.2)

<sup>8</sup> This will be explored at greater length beginning on page 11.

<sup>9</sup> It is also important to note that by the 17<sup>th</sup> century a school of Ovists was also in place, who held that it was the *egg* that contributed the major substance of the next generation. The tendency to want to attribute generation to one sex or the other, rather than to both together, seems to be a typical response to the mysteries of human life.

The evidence these voices present ranges from the moving stories collected by Louie Crew in *A Book of Revelations* to the rapidly proliferating liturgies for blessing same-sex relationships in the context of supportive parish families; but it also includes the poignant message scrawled on the flyleaf of a prayer book, “Jim and Tom exchanged their vows here today in the sight of God,” as well as in numberless suicide notes; it stands in the wounded flesh of anonymous lost youth who disappear into the tunnel of despair and self-loathing in the sex-trade of the urban deserts; and in the fabric testimony of a quilt the size of a small town. This is the reality which confronts the church. Countering Wolfhart Pannenberg’s assertion that a church that recognizes same-sex relationships is forsaking the “unanimous witness” of Scripture, we may find that the church that *fails* to recognize same-sex relationships is far less true to the spirit of Christ and the example to which that Scripture bears witness.<sup>10</sup>

### A question of definitions: “Marriage”

Some explanation is needed for the use of the word *marriage*. Firstly, of late there has been a shift from euphemisms such as “union” to use of “marriage,” noted at the 1996 Consultation of Episcopalians on the Blessing of Same-Sex Unions in several presentations.<sup>11</sup> Secondly, as already noted, this paper is not an apologia for gay and lesbian sex; following the Koinonía Statement, the approach here is towards affirmation of homosexual relationships *to no greater nor lesser extent* than heterosexual relationships, in pairings that are, in Jeffrey John’s phrase, “permanent, faithful, stable,” which is to say, marriages: an equal, not a special, rite.

While current teaching presents an ostensibly equal limitation to all persons regardless of sexuality — sex only within a single life-long<sup>12</sup> marriage — since gay and lesbian persons cannot now marry (with the church’s blessing), this stricture amounts to a demand for perfectly continent celibacy for gay or lesbian persons unwilling to seek sexual release in different-sex marriage.<sup>13</sup> Moreover, the stricture is applied so selectively and unevenly that a double standard is established, and even defended.<sup>14</sup>

“No sex outside of marriage” therefore means a very different thing to a gay or lesbian person than to a heterosexual. In this sense the uneven application of the norm becomes a justice issue. As Louis Weil points out, “even Ruth Tiffany Barnhouse, no advocate of the homosexual lifestyle, acknowledges that celibacy can be imposed only at a terrible price” and describes such a demand as “unreasonable and cruel.” (Weil 174) Moreover, since celibacy is seen primarily as a charismatic gift (in the marriage

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<sup>10</sup> Cited by the Ten Presenting Bishops in their “Response to the Opinion of the Court for the Trial of a Bishop” following the issuance of a decision in the Righter case, and in Supplication 3.

<sup>11</sup> This is noted in the CSSU, and in Carol Benedict’s† presentation.

<sup>12</sup> Or “by intention” life-long; or a succession of single relationships (“serial monogamy”).

<sup>13</sup> Using marriage as a “remedy against sin, and to avoid fornication” (BCP 1662) is ethically flawed (however biblical, i.e., 1 Cor 7) even for a heterosexual couple, because it treats the spouse as a means to an end. That the “use” may be — it often isn’t — mutual is an inadequate defense. For gay or lesbian persons to enter such a marriage either as an avenue for sexual release, or as a therapy designed to alter their sexual orientation, the ethical problem is exacerbated.

<sup>14</sup> Archbishop of Canterbury George Carey, in a recent interview released through the Anglican Communion News Service, took a rather tolerant view (on “pastoral grounds”) concerning the remarriage of a divorced person, and said he would have no trouble consecrating Prince Charles as king, in spite of his adulterous relationship and his divorce, but continued to hold a firm line against altering the church’s teaching on homosexuality. This has earned him the epithet, Double Standard Bearer for the Anglican Communion.



liturgies based on the Pauline teaching in 1 Cor 7) it is unreasonable to expect that *all* homosexual persons should possess a gift only given to *some* heterosexuals.<sup>15</sup>

For this reason, my focus is upon *marriage* which I define (for the purpose of this paper) as a *union between two persons recognized by each of them as such, with or without the further recognition of the church or civil authority*. William Eskridge, in his *Case for Same-Sex Marriage*, employs a narrower definition that *includes* social, civil, or religious recognition. (Eskridge 17) However, I begin by adopting the older understanding of marriage as subsisting fundamentally in the consent of the couple. In this sense, marriage existed long before either the civil or church law.<sup>16</sup> The teaching that the ministers of marriage (whether in a sacramental sense or not) are the couple themselves is of venerable date, going back at least to the Roman civic concept that consent of the parties made marriage.<sup>17</sup> Long after formal civil or ecclesiastical recognition was provided, many chose not to avail themselves of it; and even when church and civil authorities made their participation a norm or a formal requirement for valid marriage, “common law” arrangements continued to exist; many couples still enjoy civic and even religious benefits in spite of foregoing all formal, external validation of their unions.<sup>18</sup>

I am choosing, then, not to focus on the question of whether same-sex marriage exists or not — or *should* exist or not — it *does* and *has* under this broader definition in many cultures and places and times under different forms, as Eskridge has demonstrated — even under his more stringent definition (Eskridge 15-50). “For those who have eyes to see, it is evident that such relationships do exist.” (Weil 173) The question is whether the church should add its blessing to these already existing unions or covenants — in short, Should the church *solemnize, celebrate* or *bless* same-sex marriage?

#### **DIFFICULTIES WITH MARRIAGE AS A TERM**

Not all approve of using the term (or the concept) *marriage* in this context. Objections fall into several categories.

- 1) Some simply reject same-sex marriage as a category error, and argue that marriage is an intrinsically heterosexual institution. This is what Eskridge calls the “definitional objection.”

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<sup>15</sup> The unreasonableness of this expectation varies depending on the extent to which one sees homosexual orientation as given or chosen, and the degree to which such an orientation occurs in the population in general. If homosexual orientation is innate or formed early in childhood, and common, the expectation of celibacy is increasingly unrealistic. On the prevalence of homosexuality see the appendix, page 44.

<sup>16</sup> It is *only* in this sense that one could argue that marriage was “instituted of God in the time of man’s innocency” (BCP 1662) or “established by God in creation” (BCP 1979).

<sup>17</sup> Gratian (c. 1140) appears to have been the first to argue that both consent and coitus were required for consummation of marriage, rendering it indissoluble — this still left marriage as largely between the couple. Duns Scotus (1270-1308) appears to have been the first to make a distinction between legitimate marriage and sacramental marriage — the latter requiring the church’s blessing. Aquinas disagreed, as did the Western church as a whole until Trent. (Brundage 236, 432, 564) Trent added the requirement that the consent be given *in the presence of witnesses including the parish priest*; this model of decretal finesse preserved the old teaching that the ministers of marriage were the couple, but effectively removed the capability to marry from their sole control.

<sup>18</sup> Common law marriage is still recognized (as of July 1996) in thirteen states and the District of Columbia.

(Eskridge 89) Some who take this position are simply heterosexist,<sup>19</sup> and see “gay marriage” as blessing or condoning sin.

- 2) At the same time, even some who are tolerant or affirmative of gay and lesbian relationships are reluctant to use the term *marriage* and suggest such euphemisms as *union* or *covenant*. Others suggest terms reflective of the institutions surrounding marriage, as “householding” (Countryman), reflecting the Spanish verb for undertaking marriage, *casar*. (Weil 172) In some cases this may be an effort to calm the fears of those who see same-sex marriage as an attack on different-sex marriage. The Metropolitan Community Church uses the term “Holy Union” because it “wishes to distinguish the church ceremony from the legal entity of marriage” in part to alert its members to the fact that the rite does *not* institute a civil marriage. (Williams 135)
- 3) Some gay liberationists, at the other extreme, see marriage as an “insidious and basic sustainer” of an unjust and destructive social construct. (Eskridge 53) As Paula Ettlebrick puts it:

Marriage runs contrary to two of the primary goals of the lesbian and gay movement: the affirmation of gay identity and culture and the validation of many forms of relationships. (Eskridge 78)

- 4) Finally, a religious sister has observed that marriage as a metaphor for religious dedication (particularly for women) led to distortion in the vocation as well as in the personal relationships of women religious. She concludes that “overlaying the assumptions and expectations of heterosexual marriage has not been helpful to religious and I’m not sure they are adequate in other avenues of human sexual expression.” (Knoor† 2)

A response to these arguments can be summarized here.

- 1) *Marriage* is a far more elastic term than the current discussions suggest;<sup>20</sup> it includes (with the church’s blessing) relationships that are neither (in the long run) monogamous nor lifelong; this study suggests it might also include (with the church’s blessing) relationships that are not heterosexual.
- 2) The terms “union” and “covenant” represent aspects of marriage and can be subsumed within it. “Blessing a union” is precisely how marriage has long been described.<sup>21</sup> As euphemisms they are unlikely to mollify those opposed to same-sex marriage on the grounds of opposition to homosexual sex; in the long run if it looks like marriage, people will think it is, regardless of what it is called, or what the church intends.<sup>22</sup>  
The distinction between civil and church understandings of marriage, while important, have been

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<sup>19</sup> Heterosexism is belief in the moral, cultural, or ethical superiority of heterosexuality. Homophobia is a psychological condition in which a one fears homosexuality (personally or in others), or finds it emotionally troubling or disturbing. The two can exist separately or in combination; the former may have a rational basis, the latter does not. Neither term is pejorative, but descriptive. A comparison might be made with vegetarians who believe vegetarianism to be morally or ethically superior, and people with a food phobia who feel deep disgust or discomfort at the thought of eating meat.

<sup>20</sup> While Marilyn McCord Adams expresses reluctance to “tuck homosexual relationships into conventional cubby-holes by making gay marriage the norm” (Adams 140), “marriage” has its own unconventional history, and if a cubby-hole it is an unusually roomy one. There is a tendency automatically to equate “marriage” with a particular *kind* of marriage, whether based on a reading of Scripture or a viewing of “Ozzie and Harriet.”

<sup>21</sup> See page 37 for more on the relation of blessing to the marriage.

<sup>22</sup> This is part of Boswell’s argument concerning the “brother-making” rites of the early church; regardless of whether the church intended them as “gay marriages” that is what, in some cases, they were understood to be. Some critics have missed this crucial step in Boswell’s argument; see page 33.

intertwined for so long (for different-sex couples) that there is little reason for the church to try to build a wall of separation *only* for same-sex couples. Indeed, recent movement toward the church relinquishing authority to formalize civil marriage has emerged in light of civil restrictions other than those involving sex (pension and social security benefit penalties, for example). To that extent, as *all* marriages come to be seen in terms of “householding” they highlight non-sexual aspects of marriage. It is helpful to remember that the bedroom is only one room in the house — and has more than one use. At the same time “householding” *is* a better term than “cohabitation” if only because free of negative connotations.

While it is important that same-sex couples realize that their “union” is not recognized by civil authority, and will not engender the myriad benefits (and responsibilities) currently afforded to (and required of) different-sex couples, such instruction is best imparted as a part of counseling; using *union* or *covenant* is not adequate warning — as both terms are used in many current different-sex rites.

- 3) Shared patterns of behavior borne of oppression exist, but the desirability of such a “gay culture” provokes debates such as those surrounding Ebonics. The critique that marriage is a bad institution bears weight — the statistics on spouse abuse alone give pause<sup>23</sup> — but as Eskridge argues, same-sex marriage may “civilize” its heterosexual counterpart by modeling relationships not built on domination or rigid roles — an inherent weakness in traditional marriage that affords an easy path for abusive relationships. As such, heterosexual marriage *of one sort* is an inadequate model for same-sex relationships; indeed, same-sex marriages that merely imitate structures of dominance and submission provide for the same sort of abuse. This is not, however, a question of culture, but of behavior.
- 4) While it is probably true that marriage is a poor metaphor for religious dedication and profession, and may well have detrimental effects on the lives of women religious and their personal relationships, same-sex relationships are more like different-sex relationships than religious dedication is like marriage. If anything, that the church could deform the construct of marriage to accommodate something as unlike it as religious profession shows just how flexible the church can be when it chooses: virtually all of the canonical requirements for marriage are absent from religious profession. The surmised “consent” of God (as spouse), and the substitution of “mystical union” for procreation-ordered sexual intercourse [see the “Josephite” marriage issue] constitute no more radical a category shift than same-sex marriage. The fact that men, particularly in the Franciscan tradition, could be understood to be “Spouses of Christ” and “Mothers” to each other also witnesses to the capacity for symbolic adaptation among the flexible friars.<sup>24</sup>

This study is descriptive rather than pro- or prescriptive. The question is “should the church bless or celebrate the marriages of same-sex couples” not “should same-sex couples marry.” Given the statistics on divorce it is clear that not all *different-sex* couples *should* marry, at least with the frequency they do. Marriage is a vocation to which not all are called, and no one should be constrained from or obliged to marriage by either church or state. This study’s goal is to see how closely the traditional understanding of marriage — which theoretically limits *all sexual activity* to a single, life-long, monogamous, church-recognized, heterosexual marriage — is matched by the lived reality.

## The Idealized Myth and the Pastoral Reality

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<sup>23</sup> A local Public Radio report (WNYC: March 30, 1997) stated that the majority of the women murdered in New York City over the last five years were killed by spouses or boyfriends.

<sup>24</sup> See Francis of Assisi’s *Letter to the Faithful* 1.8-10, and *Rule for Hermitages* 1.

## The nature of myth

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Myth is story that gives structure to a world. That structure defines what is and is not permitted in that world. Some radical theologians claim that we must be free of our myths; I do not think we can be. As quickly as we demythologize one aspect of the story a new myth will replace it. Perhaps the greatest myth is to believe oneself free from myth.

The true danger arises when the myth no longer adequately corresponds to the reality to which gives structure, or when the myth adequate for one culture is imposed upon another for which it is inappropriate. A wholesome myth requires constant de- and reconstruction if it is to meet changing needs. A young couple convert a room they use for a home office into a nursery, then a child's bedroom, and when the child has grown and moved away, perhaps once again a work space; in the passage of time it may come to be furnished with a hospital bed, as a beloved spouse of over fifty years approaches his final departure towards an eternal dwelling.

What happens when the myth resists adaptation? The couple do not have a child because the office is more important; a child killed in an accident is memorialized in a room left untouched, as painful as an undressed wound, and unavailable for other use; the elderly spouse dies in a clinic because the spare room is a store for discarded things he or she will never use again.

The church's mythological house has many rooms that are not available for the living because they are filled with the luggage of the ghosts of the dead. For this reason the underlying mythology that informs the church and gives it structure must always be examined and rebuilt, dividing walls torn out, ramps and access installed for those less well-abled to make their way, new wings and dormers added. The church should be like the restored Jerusalem, startled to find herself with many children when she thought she was barren (Isa 49.21). Otherwise the church will find itself a forsaken and unvisited museum instead of a vibrant center of hospitality and community. The church's goal and commission is not to tear down except in order to build up. (2 Cor 10.8)

## The substance of the myth at hand

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The "marriage myth" is summed up in the statement that only lifelong, heterosexual, monogamous marriage may receive the church's blessing, and only within such marriage is sexual activity free from sin. John Stott sums up the myth in this way:

...Scripture defines marriage in terms of heterosexual monogamy. It is the union of one man with one woman, which must be publicly acknowledged (the leaving of parents), permanently sealed (he will "cleave to his wife") and physically consummated ("one flesh"). And Scripture envisages no other kind of marriage or sexual intercourse, for God provided no alternative... Every sexual relationship or act which deviates from God's revealed intention is *ipso facto* displeasing to him and under his judgment. This includes polygamy and polyandry (which infringe the "one man-one woman" principle), clandestine unions (since these involve no public leaving of parents), casual encounters and temporary liaisons, adultery and many divorces (which are incompatible with "cleaving" and with Jesus' prohibition "let man not separate"), and homosexual partnerships (which violate the statement that "a man" shall be joined to "his wife." (Stott 16-17)

Stott's description deserves the title "myth" because he bases it entirely (except for his reference to Christ's prohibition of divorce) on his reading of two verses from the second creation myth in Genesis 2.23-24.<sup>25</sup> The myth as Stott presents it is, however, far from consistent with Jewish and Christian practice

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<sup>25</sup> Here are some of the specific difficulties with Stott's reading of Genesis 1) He divorces the verses in question from their broader mythological context of human loneliness and alienation, so that they no longer function as myth. 2) Neither of these verses are directly attributable to or necessarily revelatory of "God's intention" in the text *as it stands*; the first is Adam's reaction to Eve, the second the Yahwist's commentary. 3) God does not "ordain" or "institute" marriage here, but functions as the matchmaker bringing the couple together; it is Adam who, after rejecting the animals as unsuitable,

both in permissiveness and restrictiveness. There is almost no article of this creed<sup>26</sup> that has not, at one time or another, been given a different — or even contrary — reading. The marriage myth is no more a constant representation of the church's teaching than the sole remaining law of Orwell's *Animal Farm* — “All animals are equal, but some are more equal than others” — is of its initial charter.<sup>27</sup>

Nor has the behavior of real people often been “continuous” with an idealized portrayal of marriage. The pastoral reality presents us with an expressionist canvas full of contrasts and edges, and the statistical norm stands in stark contrast with the surmised ethical norm. I do not propose that the ethical norm should be changed simply because few follow it; rather, I note that a norm applied as a double standard is not a norm. If “all have fallen short” yet only certain groups are punished, excluded, blamed, or chastised, or penalized, then the church has missed the message of Romans 1-2.

Statistics collected in *Continuing the Dialogue* indicate the gap between the ethical norm and actual behavior for heterosexuals: Over half of all teenagers have had sex before leaving high school (56); the vast majority of people, even those who consider themselves “very religious,” do not come to marriage as virgins (59); nearly a third of all married Americans have had an extramarital affair (60)<sup>28</sup>; and finally, turning to a truly tragic statistic, nearly a third of all youth suicides are gay (57). Moreover, “police reports show that approximately half of those arrested for homosexual activity in public places are married men.” (John 21)<sup>29</sup> The marriage “myth” is hardly statistically normal, even while there is a desire to make it ethically normative. It is a house in which very few people appear actually to find a place to dwell.

## The nature of law and the law of nature

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Since nature exists before culture, before examining the legal and customary discontinuities with the marriage myth, a few words are in order concerning nature, the nature of law, and natural law more specifically. This is necessary because much of the theological and ethical debate on homosexuality takes a natural law approach.

### ARGUMENTS FROM NATURE: FOR AND AGAINST

At least since the twelfth century, “nature as a cosmological principle” (Brundage 324) has been invoked by philosophers, and long prior to that arguments from nature were used either for or against many

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accepts and “takes” his wife. Jesus' interpretation of this text as representing *God* creating a union, and thereby to forbidding divorce *by man* (the NRSV clouds the point here) is one of the discontinuities between the received teaching of Judaism (which permitted divorce) and Jesus' own standard. Note that Jesus cites the LXX, not the MT, which lacks “the two.” For more on the Genesis myth see pages 19 and 28.

<sup>26</sup> The heterosexual marriage myth can become so foundational to some people's understanding of the church that it becomes part of their “creed.” John Stott, for example, stated in an interview published in *Christianity Today*, in January 1996, that if the church were to approve “homosexual partnerships as a legitimate alternative to heterosexual marriage” that he would “find it exceedingly difficult to stay” within the church, and “if they persisted, I would have to leave.” He equated support of same-sex marriage with denial of the Virgin Birth, the Resurrection and the Incarnation.

<sup>27</sup> Over the last few years those who wish to accommodate the discontinuities with the traditional myth have struggled to come up with a “limit” statement that would allow exceptions for the “majority” discontinuities. For example, “life-long” has been nuanced by adding “by intention” to accommodate divorce. While this reverses the procedure of *Animal Farm* (adding rather than taking away) the result is the same: those in a position to change the rules will change them to their own benefit.

<sup>28</sup> If the study had asked “Have you ever committed adultery?” I imagine the response might have been lower.

<sup>29</sup> For more on the prevalence of homosexuality in the population see the appendix, page 44.

activities. Arguments from nature are notoriously difficult to maintain, though that has not stopped the church from employing them. One of the primary arguments against homosexuality for many years was that it was “unnatural” or “contrary to nature,”<sup>30</sup> though as science has built up the evidence not only for its natural basis,<sup>31</sup> but also for its existence among other species (including the bonobo chimpanzee and the dolphin, among whom homosexual behavior is a positive factor in the welfare and balance of the animal society)<sup>32</sup> there has been a tendency to reverse the rhetoric. The Minority Report to the 1997 Standing Liturgical Commission study, for example, now chooses to praise virtue as “unnatural.” (§4.3-7)

It is, however, faulty to build on the shifting ground of such concepts, given our limited understanding of nature. An example relevant to this study is the faulty understanding of procreation in the Hellenistic world and early church.

### *Clement and the school of nature*

Clement of Alexandria, for example, betrays an inconsistent attitude toward the natural order. In his search for a basis to formulate decisions concerning human behavior, nature is by turns commended or condemned depending upon the goal of his argument. Moreover, the descriptions of natural phenomena in his argumentation, both for and against certain actions or behaviors, are often inaccurate. These observations are based on the medical and biological knowledge of his day, which was significantly mistaken in much of its understanding of human sexuality, reproduction, and animal behavior.

Clement’s use of the animal kingdom is highly inconsistent. He holds up the “natural” monogamy of pigeons and turtledoves as a paradigm to shame unfaithful human spouses, while he portrays the equally “natural” lewdness of hares and hyenas as a warning against pederasty — hares and hyenas being “lewd” in part because of the Mosaic dietary prohibitions. (*Strom.* II.23.139; *Paedog.* II.10.) Clement is not arguing *from* nature but imposing a predetermined moral view *upon* it, in what might be described as a poor proof-texting from nature’s book. Serious wrestling with his examples leads to the conclusion that the presence or absence of a given behavior in animals is irrelevant to moral discourse concerning human beings. “We do not regulate our behavior or derive our moral precepts simply from observation of what nature does or does not do.” (John 11)

How much more absurd when the observations are erroneous, as with the views on sex and reproduction current in Clement’s day (and, as the long life of the homunculus myth attests, for a considerable time thereafter). Few scientific theories have had more lasting or damaging effect upon moral teaching than the mistaken notion that the male “seed” is the creative element in procreation, the woman being merely the passive “field” in which it grows. Clement and others<sup>33</sup> use this understanding of reproduction to prohibit “fruitless sowings” or “planting in a field not one’s own” — including homosexual relations, intercourse during infertile periods (menses<sup>34</sup> and pregnancy), and adultery. The deposition of the fruitful seed in a place where, or at a time when, it cannot fulfill its “nature” is not permitted. (*Paedog.* II.10.90; *Strom.* II.23.143.) Seed exists to grow, and sex exists solely to provide a way to sow the seed. Any sexual activity that does not lead to procreation is ruled out — on mistaken grounds.

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<sup>30</sup> The first Christian use of this rhetoric appears in Rom 1.26-27, which will be addressed in greater detail below.

<sup>31</sup> See the articles in *Scientific American* May 1994 on “Is Homosexuality Biologically Influenced.”

<sup>32</sup> See “Animal Sexuality,” *Scientific American* January 1994:108ff.

<sup>33</sup> See Methodius, *Symposium* 2.1f (“Sowing the seed in the furrows of the womb”; “the living soil of the woman”) and the extended metaphor on adultery in 2.4.

<sup>34</sup> For more on the church’s inconsistency on this matter see page 22.

The two themes (animal examples and sex for procreation alone) are linked in Clement's arguments against sex during pregnancy. He notes that animals "naturally" cease copulation after conception, and argues that if irrational beasts can do what is right, how much more ought rational humans. (*Strom.* II.23.143.) On the contrary, current research into sexual behavior suggests that the human capacity to have sex during infertile periods (including pregnancy) is significant in the development and maintenance of monogamous bonding.<sup>35</sup>

#### TRADITION: CONTRARY TO NATURAL LAW

Natural law of a more sophisticated sort says that actions have appropriate ends, or goals. The natural law argument, articulated by Aquinas, is that the primary end of marriage — procreation — derives from humankind's animal nature; the secondary end — the shared life of the couple — from the human nature; and the third end — sacrament — from the nature of the couple as believers. The problem with this argument lies in its "claim that the primary end of specifically *human* marriage is dictated by a man's generically *animal* nature." (Lawler 61) It is hard to see why a rich human relationship or a life of faith should be subordinated to a biological function. Another problem with the ends-oriented approach of natural law lies in the serious ethical difficulties which arise when this approach is applied to people — this ethical flaw has been recognized at least since Kant: it is inappropriate to treat a person as a means to an end, however lofty that end might be. This will be addressed in more detail (see page 41) in an analysis of marriage as covenant which finds its end only in the beloved.

Another common (and less problematic) sort of natural law falls into the area of "right reason" — this is the Nature to which Hooker turns. Neither of these forms of natural law, however, are native to Jewish tradition, nor are they the primary basis of English law.

Scripture bears little witness to natural law in either sense. In the New Testament the sole instance of a natural law approach is in Paul's Letter to the Romans. In this (but in little else) I follow Richard Hays' critique of John Boswell's broad attempt to defuse the Pauline references about "that which is against nature."<sup>36</sup> Paul *is* in all likelihood at this point using what would come to be called a "natural law" approach; but he is using a language foreign to Jewish idiom to make a point concerning the universality of God's judgment on all of humanity. He begins (Rom 1) by using a *Stoic* argument to critique Gentiles *from a Gentile perspective*, just as he will quickly (Rom 2) turn to the Law of Moses to critique Jews *from a Jewish perspective*. Paul's message is that *everyone has sinned*, within or without the Law (of Moses), Greek and Jew alike have fallen short.

Nature appears in a similar quasi-Stoic context in Wisdom of Solomon 13-14, which Paul echoes in his tirade against idolatry. Wisdom begins by claiming that Gentiles are "foolish *by nature* and ... unable from the good things that are seen to know the one who exists..." (Wis 13.1 cp. Rom 1.19-23) Wisdom then makes an effort to excuse but then finally blames the idolaters for their ignorance (Wis 13.6-9). Paul follows a similar rhetorical structure by first bashing the Gentiles and then unexpectedly turning his rhetoric against his Jewish audience (Rom 1.19-23, 2.1-2). One can well imagine the cheers

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<sup>35</sup> See, for example, C.S. Carter and L.L. Getz, "Monogamy and the Prairie Vole," *Scientific American* 268:6 June 1993, 100. Lactantius anticipates these findings when he observes that human women, unlike other animals [sic], can have sex during pregnancy, so that their husbands won't stray. (*Divine Institutes* 6.23). Similarly recent studies show that sexual activity (including homosexual activity) plays a role in maintaining harmony in colonies of bonobo chimpanzees, and among adolescent male dolphins.

<sup>36</sup> See HSCF 26, n. 7 for a summary of both sides of the argument. I would note that Boswell's errors lie in failing to distinguish between the two types of "nature" I have been discussing here — arguments from nature and natural law, and in dismissing the Stoic and Hellenistic (especially Philo) uses of *nature* in a sense that would become more common in the scholastic era. His basic argument, that Paul is not here addressing homosexuality in particular, but idolatry in general, is sound.

Paul has whipped up — through his stock tirade against idolatry — sticking in the throats of his audience as the rhetorical two-edged sword comes crashing down.

It is significant that the only uses of “nature” (φύσις) in LXX appear in late, apocryphal, or even non-canonical books. It is never used to translate a Hebrew word; indeed, there is no Hebrew word for the concept, *either* as a universal (Platonic) or a particular quality (Aristotelian). (TDNT 266) In Jewish theology, things exist by divine ordinance, not by participation in universal forms, nor by virtue of detachable or innate qualities. It would take the influence of Hellenism to bring these ways of thinking into Judaism.

The usage of “nature” in 4 Maccabees 5 reveals the Jewish recognition of the equivocal quality of natural law, and demonstrates distrust of natural law arguments. Antiochus presents the aged Eleazar with swine’s flesh and argues:

When *nature* has granted it to us, why should you abhor eating the very excellent meat of this animal? It is senseless not to enjoy delicious things that are not shameful, and wrong to spurn the gifts of *nature*. (vv 8-9)

The old Eleazar responds

We... who have been persuaded to govern our lives by the divine law, think that there is no more powerful compulsion than our obedience to the law... [The divine law] instructs us in justice, so that in all our dealings we act impartially, and it teaches us piety, so that with proper reverence we worship the only living God. Therefore we do not eat defiling food; for since we believe that the law was established by God, we know that in the *nature* of things the Creator of the world in giving us the law has shown sympathy toward us. He has permitted us to eat what will be most suitable for our lives, but he has forbidden us to eat meats that would be contrary to this. (vv 16,24-26)

In short, the obedience to the Law is superior to all else that is evident from nature, and offers protection from what would prove harmful to those who might otherwise do “what comes naturally.”

Balancing this view, and moving more in the direction Boswell (1980:110) proposed for Romans (i.e., that the “nature” against which the idolaters go is their *personal* or *proper* nature) is the usage found in 4 Maccabees 13-16 which links φύσις / φύσιν to parenthood or family ties. There, a parent’s love for a child is “natural” to being a parent; it is a personal attribute. This usage is consistent with Boswell’s contention that “nature” in this period is the “nature *of*” rather than nature in a universal sense. While it supports his argument that Romans is aimed at heterosexual persons acting contrary to *their* nature, the parallels with Wisdom suggest that Paul (in Romans, like the Wisdom author) is referring to a broader Stoic concept of nature.<sup>37</sup>

As noted, natural law is not a native Jewish concept, and there is no Biblical Hebrew word for what we would now mean by “nature.” There is no “natural” moral law; everything is according to God’s will as revealed in positive law. Even the natural world comes into being and functions as a result of God’s express command, “Let there be...” Without God’s command the sun would not shine, and the animals would not be fruitful and multiply.

Post-biblical Jewish thinkers continued this general trend against Hellenistic natural-law concepts. The principle was articulated with regard to ethics by Maimonides (*The Eight Chapters*, VI): there is no natural or “rational” moral law, though there may be generally accepted principles (cultural constructs). All so-called law is *given*, whether by God or human authority, and hence is positive.<sup>38</sup> It might be argued, on the basis of Rom 1.20, that Paul regarded the prohibition on idolatry as an exception, since nature teaches that there is a creator-God behind the visible world. However, knowing God as Creator (through nature) does not *necessarily* render illicit the *worship of lesser gods*. That prohibition

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<sup>37</sup> For more on the essentially Greek notion of “nature” in a universal sense see Winston 248-280 *passim* and TDNT 260ff.

<sup>38</sup> See also Rom 1.32, Acts 17.30-31 for the positive nature of so-called natural moral law.



was established in the positive law given at Sinai. The Rabbis held that the prohibition on idols (not lesser gods but material objects “that are no gods”) was also *not* natural, but to have been among those laws given to Noah (and hence binding on all of humanity), an event recorded in the Oral rather than the Written Torah. (Mekilta on Exod 19.2, Sifre Deut 40, Sanhedrin 56a)<sup>39</sup> The Rabbis are firm that there can be no crime unless a prohibition has been given in advance, i.e., a positive law: “The Lord does not punish unless he has previously declared such-and-such an action to be an offense.” (Sanhedrin 56b)<sup>40</sup>

English law reflects a similar attitude. Though classical Anglicans such as Hooker respect and use natural law (understood along the lines of “right reason”), they do not give it the formal authority it finds in Roman Catholic thought.<sup>41</sup> As Sedgwick states it:

Anglican churches reflect the English tradition of common law. In this tradition the rule of law is not, as in Roman law, a matter of principles that are understood to be based on the nature of things and are applied to individual cases. Instead, law arises from individual cases themselves and as such represent the accumulation of a people’s practical wisdom. New cases are addressed in the light of past cases. (Sedgwick 39)

This is remarkably similar to the Talmudic and Rabbinic legal method of *halakah* — a word whose root describes a living law in which one “walks” — a law in some ways more “natural” than what commonly goes by that name.

#### A NOTE ON TABOO / *TOW’EVAH*

When law is divorced from (or not yet married to) reason it is a taboo: a given act is wrong simply because it is declared or believed to be wrong, and usually not because of the *act*, but the *actor*. Taboo is not necessarily the same thing as sin; that is, it may lack any moral overtone, even though it bear a harsh penalty. While lacking a *moral* dimension, a *religious* dimension may well be present; that is, the forbidden object or activity may be particularly holy, or may render the violator unfit for participation in the cult. It is through this religious avenue that “sin” comes to be attached to what might otherwise be considered a morally neutral, though serious, act.

A typical distinction has long been made in Anglican teaching between the “Law given from God by Moses, as touching Ceremonies and Rites” and the “Commandments which are called Moral.” (Article VII) Obedience is due the latter, while the former is binding on no Christian. This is a distinction which orthodox Judaism would find it difficult to make, though Reform and other modern Jewish movements do so.<sup>42</sup> The question at hand is, Why should *any* Christian feel compelled to follow a Jewish law that is only observed by *some* Jews?

Anglicans in particular have, in Article VII, a useful guide to distinguishing what laws are *binding on Christians*. “Moral Commandments” are understood as coterminous with the Decalogue. Richard Hooker clarified the distinction precisely in the *Laws of Ecclesiastical Polity*:

The positive laws which Moses gave... he plainly distinguished afterward from the laws of the Two Tables which were moral... Of the Ten Commandments, it followeth immediately, "These words the Lord spake unto all your multitude in the mount..." (Deut 5.22) But concerning other laws, the people give their consent to

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<sup>39</sup> The Decalogue repeats and reaffirms the prohibition on idols, Exod 20:4.

<sup>40</sup> In Hullin 92a R. Ulla adds homosexual acts to the Noachide list in order to explain the destruction of Sodom on the basis of this principle. However, this suggestion does not concur with the majority view either on the nature of Sodom’s sin nor the content of the Noachide commandment list, about which there is significant disagreement among the rabbis (once one gets beyond the original seven commandments listed at Sanhedrin 56a).

<sup>41</sup> Even Roman Catholic natural law teaching has its flexibility. “As Aquinas had the good sense to remark, one doesn’t really want to quarrel with the more general natural law principles, but as one gets down to specifics, there is increasing room for error. (*Summa Theologica* I-II, Q.94,a.4).” (Cahill 70)

<sup>42</sup> See note 43.

receive them at the hands of Moses (Deut 5.27)... From this latter kind the former are distinguished in many things. They were not both at one time delivered, neither both of one sort, nor to one end. The former uttered by the voice of God..., written with the finger of God,... termed by the name of Covenant,... given to be kept without either mention of time how long, or place where. On the other side, the latter given after, and neither given by God himself, nor given unto the whole multitude immediately from God, but unto Moses...; the latter termed Ceremonies, Judgments, Ordinances, but no where Covenants; finally, the observation of the latter restrained unto the land where God would establish them to inhabit. (III.XI.6)

In spite of the clarity of this position, it is not uncommon to find Leviticus 18.22, and 20.13 advanced against same-sex marriage, though it is clear from the context that these passages meet Hooker's criteria for "statutes and ordinances" as opposed to moral laws. They are given to Moses, not the people (18.1,2) and apply to the land of Israel (18.3). At the same time, it must be confessed that some of these matters still appear weighty: the sacrifice of children, for example (Lev 18.21). Yet others seem relatively trivial (the prohibition on sex during menstruation, Lev 18.19, about which more will be said on page 22). Since Christians, unlike Jews,<sup>43</sup> are not bound by these statutes and ordinances, how are we to distinguish those that are truly relevant for Christians today?

The mere fact of their inclusion in Scripture is insufficient, since within this passage there are matters many if not most Christians consider trivial. Moreover, Scripture itself is inconsistent: the prohibition against marrying sisters (Lev 18.18) was violated by the patriarch Jacob, and metaphorically by God in Ezekiel 23.

Undue weight is sometimes given to the word "abomination" which appears several times in Leviticus and elsewhere. This translates תועבה (*tow'ebah*): the primary meaning of which denotes ritual impurity, a species of taboo. All of the various actions described in Leviticus 18 are summed up at the end of the chapter under the general heading of "abominations" (26-30). Elsewhere in the Hebrew Scripture, "abominations" include the eating of non-kosher foods (Dt 14.3), offering a less-than-perfect sacrifice (Dt 17.1), using dishonest weights (Dt 25.15-16, Pro 20.23), the wearing of clothing "proper" to the opposite sex (Dt 22.5), and the divorce and subsequent remarriage of a woman who has married another in the interim (Dt 24.1-4). Ezekiel adds adultery and lending money at interest (18:10-13) and intercourse during menses (22:10-11).<sup>44</sup>

None of this is to suggest that these actions are anything less than very serious crimes under the Law<sup>45</sup> — to this day the fact that male homosexuality is described as *tow'ebah* renders same-sex marriage

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<sup>43</sup> How far contemporary Jews feel themselves to be bound by laws ordained to be observed in the land of Israel, and the accommodations that have been made since the Babylonian Captivity and the destruction of the Temple has led to considerable division within Judaism. The issue of homosexuality has been addressed by Orthodox, Reform, and Conservative rabbis, as well as by Liberal and Reconstructionist schools. A detailed examination of these divisions is beyond the scope of this paper; I merely observe that within Judaism the debate mirrors the disagreement within and between Christian churches exactly, ranging from absolute interdiction to enthusiastic affirmation. In dealing with the Levitical holiness legislation in particular (chapters 18-20) Bamberger notes that "the Jewish modernist cannot agree" with the traditional view that all commandments are to be observed "whether of not we comprehend them." (Plaut 891).

<sup>44</sup> For more on the particular horror with which this was regarded, and the serious penalty invoked (a fate worse than death) see page 22.

<sup>45</sup> Greenberg (195f) criticizes Boswell (1980:100) for minimizing the "abomination" issue, equating it with ritual uncleanness. He notes that there are forms of uncleanness that are not "abomination" and that any act defined by the term is a "grave offense" in Hebrew eyes. Greenberg also emphasizes, as I have tried to do as well, that "Boswell's distinction between acts that are truly evil and those that are mere ritual violations is completely extraneous to the authors of Leviticus, for whom everything prohibited by Yahweh is totally wrong." Clearly male homosexual acts were regarded as very serious crimes under Jewish law, and it is misleading to suggest otherwise. It is the relevance of these laws *to Christians* that is in question. (Jewish reevaluation of the relevance of Leviticus has been noted (see note 43).

an impossibility for some Jews and a difficulty for others — but Christians, specifically in this case Anglicans, *do* distinguish between ritual and moral law, so some other grounds for this distinction must be sought.

The fact that the death penalty is attached to some of the prohibited acts (including male homosexual sex)<sup>46</sup> is not a sufficient indicator of how grave a Christian should consider them. Death is *precisely* the punishment meted out in the case of clearly cultic violations. The most obvious, of course, is idolatry. But gathering sticks on the Sabbath (Num 15:32-36), the improper eating of dedicated food (Num 18:32), wrongful exercise of priesthood (Num 3:10), and trespass of the sacred precincts by a non-Levite (Num 1:51) are all punishable by death. These are all purely cultic violations, *for in the absence of the cult there would be no crime*: one of the determining factors in taboo.

The only rational solution is to apply some ethical standard for determining the relevance of such prohibitions for the Christian church. Taboo and ethics occupy different philosophical realms. To date no convincing *ethical* argument has been raised against same-sex marriage — the “natural law” arguments inevitably run up against their own circular reasoning.<sup>47</sup> Clearly much of the weight of opposition to homosexual acts in general and same-sex marriage in particular goes back to a taboo mentality: it is wrong because it is wrong.<sup>48</sup>

Another marker of taboo is the fact that mere *questioning* of the tradition, quite apart from its violation, produces concern and anxiety in the culture that holds it. The recent furor in the Episcopal Church reflects precisely this phenomenon. It is not the *fact* of homosexual clergy or the existence of stable relationships between committed same-sex couples that is causing the church such emotional turmoil; nor is mere *awareness of this fact* the problem. Only the invincibly or deliberately ignorant could be unaware that the Episcopal Church has its share of sexually active gay clergy and couples, and probably always has. (Thomas 179, John 20f) It is, rather *acknowledgment of the fact perceived as a challenge to the taboo* that has brought us to the current state of affairs.

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<sup>46</sup> That Jewish Law, and much of the ancient world, regarded same-sex relationships between women as little more than a curiosity (unless adulterous; see Boswell 1980:82) has been noted by numerous scholars. Whether Romans 1.26 refers to lesbianism or women engaging in non-procreative sex is an open question. Augustine (*On Marriage and Concupiscence* 2.20) takes the latter view, and says Rom 1.26 refers to the use of “any part of the body which is not meant for generative purposes.”

<sup>47</sup> See Eskridge 97ff for a particularly sharp response to John Finnis’ “incoherent” efforts to update Augustinian natural law arguments against same-sex marriage. Particularly odd is Finnis’ assertion that “Parenthood and children and family are the intrinsic fulfillment of a communion which . . . can exist and fulfill the spouses even if procreation happens to be impossible for them.” If the “fulfillment of communion” can come about without procreation, it is difficult to see how it is “intrinsic.” Victor Austin has articulated a similar thesis: “Our tradition holds that a married couple of ‘this man and this woman’ has the potentiality for children regardless of their age or their health, simply by their bodies being male, on the one hand, and female, on the other. There may be contingencies in a particular marriage which prohibit the coming to be of children. A potentiality need not be actualized in order to be real.” (*Episcopal New Yorker*, Jan/Feb. 1993). Clearly a potential need not be actualized to be *real*, but it must be *capable* of actualization *in order to be a potential*. The essence of sterility lies precisely in the absence of potential for procreation. Unless the church is willing to deny marriage to the sterile, or dissolve marriages at menopause, it is difficult to see the validity of this line of argument against same-sex marriage.

<sup>48</sup> Such an argument is no more convincing than the argument from tradition (“this is what has always been taught, ergo we must keep teaching it”) or one that rests solely on the authority of the teacher: On the issue of the ordination of women, the Vatican, even while acknowledging that “the arguments adduced in the past in favour of the traditional teaching are scarcely defensible today” asserts “It is well known that in solemn teaching infallibility affects the doctrinal affirmation, not the arguments intended to explain it.” (Official commentary on *Inter Insignores*, WP 24,38)

What I hope to demonstrate in the remainder of this section of my study is that the discontinuities with the “taboo ideal” — for it is as such that the mythic “lifelong, heterosexual, monogamous marriage” is functioning — are so many and so various that same-sex marriage should be less of an engine of dismay than it has become for so many. While the love that dare not speak its name has of late been shouting from the roof tops, it has not broken a decorous silence, but merely added another voice to the ongoing chorus of witnesses to the rich diversity of the wounded Body of Christ.

## A survey of the discontinuities in the tradition

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In this section I will catalogue a few of the many departures from the “ideal myth” that run through Jewish and Christian history. Many well-educated Episcopal clergy and laity are aware of most if not all of these historical and legal details; but many appear to be inclined to forget them, perhaps in the heat of emotion or debate — and this leads them to fall back on repetitions of the driving myth as if it were a reality instead of an idealization: usually phrased as “the biblical teaching that only lifelong, heterosexual, monogamous marriage” is an appropriate venue for sexual conduct, and, moreover, that this is God’s intention for humanity. Various nuances are given to this statement: substituting “New Testament” for “biblical” (CTD 93), or finessing “lifelong” by adding “by intention” — but the myth (or taboo), with divine mandate in place, remains. What follows is meant to serve both as a reminder of the discontinuities, and an appeal to consider that same-sex marriage is no more discontinuous, and in some ways less so, than many of these acts and customs.

### PROCREATIVITY

A key feature of the myth is that “sex is for progeny.” We have already noted that in the biological realm sex serves numerous functions apart from producing offspring. There is a double discontinuity at work here: Procreation has served as an “end of marriage,” but at some points in the tradition, (particularly in Judaism) procreation was so highly valued that divorce, prostitution, polygamy and even incest (by affinity if not consanguinity) were permitted or even mandated. On the other hand, in spite of the emphasis on procreation as a primary end of marriage, *in the Jewish and Christian tradition infertility has not generally been an impediment to marriage, while impotence often has.*<sup>49</sup> Neither is infertility considered grounds for Christian divorce or annulment (Brundage 164, 201) except, in current Roman Catholic Canon Law, when deliberately concealed (Canon 1084 §3). This marks a significant pair of discontinuities with a common aspect of the myth of marriage.

### THE LAW OF MOSES AND THE RABBIS

The creation stories in Genesis have been appealed to by Stott and others as the *locus classicus* against homosexuality — much as Jesus took them to be the *locus classicus* against divorce. However, the creation accounts are, particularly when taken together in Rabbinic tradition, open to quite broad interpretations.

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<sup>49</sup> The idea that impotence rendered marriage impossible could only develop with the concept that it was sexual congress that consummated the marriage, an idea that reached its full flower only in the middle ages. (Brundage 92). Infertility was another matter, under certain circumstances. Under Rabbinic law, a common priest was forbidden to marry a sterile woman (Mishnah Yebamoth 6.5) and infertility was grounds for divorce. Indeed, such divorces were mandated (6.6): if a woman remained childless after 10 years of marriage her husband was to divorce her, and she was free to remarry. This law fell into disuse in time, as the sexual and emotional companionship of marriage came “to be valued for its own sake, even when procreation was impossible or contraindicated medically.” (Boyarin 56) The touching reassurance of Elkanah to Hannah (1 Sam 1.8) represents one of the few recorded instances of matrimonial affection in the Old Testament; but Elkanah had another wife (Peninah) in order to comply with the law to be fruitful and multiply.

### ***Adam, his wives, and his pets***

Because of the desire to reconcile the two accounts into one continuous narrative, the eighth century *Alphabet of Ben Sira* posited that Adam had two wives: the first creation account describes Adam's first wife, Lilith, who rebelled against Adam and claimed equality with him. (Graves 65; EJ 11:246; Boyarin 95) The authors of one sexuality study note that the second creation account emphasizes "common humanity as well as the differences of male and female." (HSCF 44) One stream of Jewish tradition would agree, for when God created the animals in a first effort to find a *suitable companion* for him (Gen 2.18-20), Adam "tried coupling with each female in turn, [but] found no satisfaction in the act." Only then did God make Eve from Adam's rib. (Graves 65, Yebamoth 63a) Thus the Adam of at least part of the tradition engaged in bigamy and bestiality, the latter apparently with God's permission, prior to the creation of a suitable helpmate. More importantly, God allowed Adam to *experience* in order to find a mate suitable for himself, and was willing to accept Adam's judgment as to what suited him.

### ***The impulse to procreation***

Another principle the Rabbis derive from the creation accounts — one that forms a key element in Orthodox Judaism — is that the First Commandment (of 613) is, "be fruitful and multiply." Taken in conjunction with the judgment that "it is not good that the man should be alone" the result is that "celibacy is contrary to nature," as Rabbi Hertz bluntly puts it. Jewish tradition avers that celibate life is without blessing: "He who has no wife abides without good, help, joy, blessing, or atonement." (Hertz 9, 931) Celibacy is not an option. A man who fails to produce offspring in marriage "is as if he shed blood, diminished the Image of God, and made the *Shekinah* to depart from Israel" and "he will have to account for his actions in the world to come." (EJ 11:1028)<sup>50</sup>

### ***Monogamy and polygamy***

While a monogamous ideal has been read into the early biblical texts, "in biblical times polygamy was common among the upper classes." (EJ 11:1026) There is clearly no biblical prohibition, though polygamy "all but disappeared in Israel after the Babylonian Exile" (Hertz 932) and by the Common Era, "while theoretically still possible, was discouraged, and was almost unknown among the Talmudic rabbis." (EJ 11:1028) It was eventually prohibited in the medieval period, in a ban attributed to R. Gershom b. Judah. (EJ 11:1031) This adaptation towards the monogamous ideal arose primarily out of practical (and in this case permissible) accommodation to the surrounding Gentile culture, not religious motivations. Contrary to Stott's contention that monogamy is the only form of marriage envisioned by scripture, polygamy was recognized as "marriage" under Jewish law. If this were not the case, then most of the patriarchs would have been law-breakers.

### ***Other discontinuities***

The Jewish marriage laws indicate other striking discontinuities with the marriage myth: the laws governing adultery (a man could only violate another man's marriage, a woman only her own; that is, a man could consort with a prostitute without committing adultery) and divorce (again with a double standard favoring the husband) are well enough known not to require elaboration here. Contrary to the

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<sup>50</sup> The contrast with Christian teaching on celibacy is obvious, particularly in its most definitive form: "Jesus said to them, 'Those who belong to this age marry and are given in marriage; but those who are considered worthy of a place in that age and in the resurrection from the dead neither marry nor are given in marriage.'" (Lk 20.34-35) It is precisely those who refrain from marriage who are worthy of the world to come. This is among the most revolutionary statements attributed to Jesus, and one of the few dealing directly with marriage (as opposed to divorce); see page 21 for further discussion of this issue.

prevailing myth, Jesus' judgments against divorce are not so novel as they are sometimes held to be; the prophetic material indicates a counsel against, if not an outright prohibition of, divorce (e.g., Mal 2.15-16). Less well known is the prohibition on a man taking his wife back after she has had an affair — he may forgive her, but he must divorce her; and she is not free to marry her lover, even after her husband's death. (EJ 11:1052)

However, the most striking discontinuity with the marriage myth is the Levirate Law, by which a man must marry his brother's widow if the brother dies without issue. (Dt 25.5-6) In this situation, marriage (*kiddushin*) was held to come about immediately *ipso facto* and was binding unless the woman was released to marry another through the *chalitzah* ceremony. The principle continues to exist in modern Jewish law, though eventually, in part because of R. Gershom's prohibition of polygamy among the Ashkenazim, *chalitzah* came to have priority over Levirate marriage. (EJ 11:120-128)

### THE LAW OF CHRIST AND PAUL

I have noted Jesus' teaching on divorce as an intensification of a trend already present in late prophetic tradition. The most startling thing about Jesus' teaching is the absoluteness with which it is expressed (CTD 46), including making remarriage after divorce the equivalent of adultery (a capital crime). Our culture's casual acceptance of divorce, and remarriage after divorce, leads us to overlook the significance of this prohibition. The Matthean exception is the only loophole in the Gospel: "But I say to you that anyone who divorces his wife, except on the ground of unchastity, causes her to commit adultery; and whoever marries a divorced woman commits adultery." (Mat 5.32) The latter was already forbidden to the priestly class (Lev 21.7) and Jesus here reflects a Pharisaic<sup>51</sup> tendency (as elsewhere in Matthew's account of the Sermon on the Mount) to extend the Law and interpret it with greater strictness *though on a moral rather than taboo basis* (if the Matthean exception is authentic, an assumption that has been challenged for some time.)

Paul (1 Co 7.10-16) continues the divorce prohibition as "from the Lord," but introduces the "Pauline privilege" allowing a person with a pagan spouse to separate, though even this is not recommended but merely permitted. This provision, as the following verse makes clear, concerns the maintenance of the *status quo*. There is no question of a Christian man or woman marrying a pagan: if one is to marry, it must be "in the Lord." (1 Co 7.39)<sup>52</sup>

### *Celibacy*

The most striking feature of New Testament teaching is the preferential emphasis on celibacy. Again, this is well enough known not to require elaboration, but the comments above on the Rabbinic view of celibacy should serve to indicate to what extent this teaching was novel or unusual (though perhaps shared with some of the contemporary sectarian Jewish movements.) It should also be clarified that the most positive thing Paul says about marriage is that it "is not sin" (1 Co 7.28,36). The "great mystery" of Ephesians 5.32 is *the church*, not marriage, although this fact is obscured in most translations.<sup>53</sup>

A less well known feature of Jesus' teaching on marriage is his grounding of marriage firmly in this world, and not in the next. It is striking but not surprising that many if not all of the essays on the "Biblical doctrine of marriage" emanating from conservative apologists entirely fail to mention this teaching. Even the relatively balanced Pastoral Study Document fails to include the relevant passages in

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<sup>51</sup> The use of this word as a pejorative is inappropriate; Jesus can be seen as within the Pharisaic tradition or school of thought. (Note John 1.24-27.)

<sup>52</sup> This prohibition on mixed marriage is still in effect in most of catholic Christendom, the Episcopal Church excepted. See page 23.

<sup>53</sup> Christopher Webber is one of the few scholars to make this point. (Webber 67-70).

its section on the “Witness of Scripture” (CTD 40ff); even more surprisingly, Christopher Webber’s excellent reevaluation of the institution of marriage also fails to cite this text. Given the fact that Jesus said very little about marriage, it is odd to omit a principle aspect of his teaching in works ostensibly presenting his views.<sup>54</sup>

While it would be an exaggeration to call marriage “an impediment to entering the kingdom of heaven,” (CTD 47) it is clear from Jesus’ teaching that *marriage is not of the world to come, but of this world*. This is expressed most strongly in the Lucan version of the dialogue with the Sadducees<sup>55</sup> concerning marriage and resurrection; unlike the parallels (Mt 22.30, Mk 12.25) it contrasts the earthly and the resurrection life: “Jesus said to them, ‘Those who belong to this age (lit. *the sons of this age*) marry and are given in marriage; but those who are considered worthy of a place in that age and in the resurrection from the dead neither marry nor are given in marriage.’” (Lk 20.34-35) The “earthliness” of marriage is echoed in an earlier Lucan passage that relates to the end times, describing the days of Noah (Lk 17.26 || Mt 24.37) — marriage is, in short, “business as usual” in the kingdom of this world. The only marriage in the life of the world to come is that of the Lamb and his Bride, the church (Rev 19.7).

Finally, in Revelation (14.4) we find the most striking encomium for celibacy: the vision of the 144,000 who “have not defiled themselves with women.” While some suggest that this betrays an Encratite teaching (Cross 873), it is in keeping with Jesus’ description of those who have “made themselves eunuchs for the sake of the kingdom of heaven” (Mt 19.12) — if this is taken figuratively; that is, referring not to persons who have castrated themselves but to those who choose to remain celibate.

#### ***Wholesome examples (?)***

Finally, note the restriction placed on marriage of bishops, presbyters, deacons and widows in the pastoral epistles (1Ti 3.2, Tit 1.5-6, 1Ti 3.12, 5.9). In all cases they are to be “married only once.” This may be the only explicit reference to monogamy in the New Testament;<sup>56</sup> more likely it indicates a restriction on marriage after widowhood that would in the post-apostolic era be extended to the laity (though enforced with laxity, in light of Paul’s concession to widows, 1 Co 7.39-40). Second marriage, even after widowhood, remained a strict impediment to ordination in the early church.<sup>57</sup>

#### **THE TIME OF GREAT STRICTNESS: WHAT THE *PENITENTIALS* TELL US**

The middle ages saw a growth in restrictions on marriage, and some rather strict penances imposed on sexual behavior that has come to be considered harmless. From the late sixth to early eleventh centuries the main departure from the “marriage myth” is from the idea that “anything goes” within marriage. James Brundage’s magisterial study gives an exhaustive history of this period, from which one illustration follows. The documentary evidence stems from the detailed penitentials prepared for the guidance of confessors. Brundage presents a medieval husband’s “sexual decision-making process” as an amusing chart (Brundage 162), adapted and presented here as a checklist. The basic principle is that you must be

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<sup>54</sup> The Eastern Orthodox tradition also has difficulty with this text, since the Orthodox teaching is that marriage creates an eternal spiritual bond between the parties. This in part explains the need for priestly benediction in order to effect marriage, and the absence of nuptial blessings from second marriages. See the Appendix, page 46.

<sup>55</sup> The case involves Levirate marriage. A man who died without issue would be, from the perspective of the Sadducees who denied the resurrection, effectively cut off from his people; his name would have perished.

<sup>56</sup> The possibility that this represents a “higher standard” requiring clerical *monogamy* in a generally polygamous culture is unlikely. As noted above, Jewish polygamy had become rare by the beginning of the Common Era, and Roman law opposed it.

<sup>57</sup> Canons 17 and 18 of the *Apostolic Canons*.

able to answer “Yes” to each and all of the questions in the Yes column, and “No” to all the others in order to engage in sin-free sexual relations, and even then there are provisos, listed at the end:

YES	NO		
Are you married?	Is your wife menstruating?	Is it Whitsun week?	Is it Wednesday, Friday, Saturday or Sunday?
Is this your wife?	Is she pregnant?	Is it Easter week?	Is it daylight?
Have you been married more than three days?	Is she nursing a child?	Is it a feast day?	Are you naked?
Do you want a child?	Is it Advent or Lent?	Is it a fast day?	Are you in church?
If you can answer Yes to all of the questions listed above under YES, and can answer No to all those under NO, you may have sex; HOWEVER: no fondling, lewd kisses, oral sex, or strange positions are allowed; you may do it only once (and try not to enjoy it...) and wash afterwards.			

Clearly marriage did not mean “anything goes” as far as the church was concerned. How much or little the church’s teaching affected people’s bedroom behavior is unknown: the existence of the penitentials implies at least suspicion. It is difficult to imagine a man and wife remembering all these rules in the heat of passion — and it is hardly likely they followed handy charts in a less than fully literate society. Even today, with the wealth of information concerning AIDS, many remain ignorant, and others continue to risk infection rather than take the relatively easy precautions available. It is hardly likely that medieval lovers were any better informed or more fastidious.

**Menstruation**

The prohibition on sex during menstruation goes back to Leviticus 18.19 (only a few verses away from the Levitical proscription on male homosexual acts). It was a *serious* matter for earlier cultures, Jewish and Christian. Greenberg rightly notes, in his critique of Boswell,

That intercourse with a menstruating woman is also classified as an abomination along with homosexuality is an indication not, as Boswell suggests, that the latter offense was considered trivial, but rather that the former was considered extremely grave. However silly they may seem to contemporary rationalists, menstrual taboos are taken very seriously in many primitive societies. Late biblical Palestine was one of them. (196)

Ezekiel classifies sex during menstruation with idolatry and adultery (Ezek 18.10-13, 22.10-11); he does *not* include homosexual acts in his list. Leviticus 20.18 indicates that the punishment for sex during menstruation was *karet*: being “cut off.” *Karet* could mean exile, though some authorities interpreted it to imply the death penalty; others felt that it meant a punishment only Heaven would impose, whether in shortening one’s life or in dying childless. More seriously, some held *karet* to imply a “cutting off of the soul in the future life, in the hereafter,” the consequence of a crime for which “unlike all others, death does not serve as an expiation...; hence, the culprit has no share in the world to come” unless some physical punishment is added. (Goldin 40-41)

Brundage catalogs the church’s early prohibition on sex during menstruation. Christian writers offered various explanations for this in addition to the biblical injunction, chief of which was the idea that a child conceived during this period would be hideously deformed. (Brundage 156) Aquinas condemned it as a mortal sin on this ground (*On the Sentences* 4.32.1.2.2). Of course, as we know, it is unlikely that a child could be conceived as a result of sex *during* menstruation. Indeed, this led to a turnabout in policy on the part of the Roman Catholic Church: recognition of a “licit” method of birth control approved by Pius XI in 1930 (*Casti Connubi*), by Pius XII in 1951 (*Allocution to Midwives*) and Paul VI in 1968 (*Humanae Vitae*), where specific reference is made to “natural rhythms immanent in the generative functions” and “legitimate use of a natural disposition.” This discontinuity with tradition is all the more striking because of the Roman Catholic reliance on the continuity of teaching.



### ***Masturbation***

Masturbation was seen as a grave and serious sin throughout the early and medieval period (some, including Brundage 60, suggest that *malakoi* in 1 Cor 6.10 refers to masturbation), though the penitentials regarded it fairly lightly (if 3 years on bread and water can be considered light — this is the heaviest penalty imposed on masturbation in the penitentials reviewed by Brundage 600; most levied penance on the order of 30 or 40 days). In the period of the medieval reforms, Peter Damian, alone of all the canonists, regarded masturbation as a species of sodomy worthy of all the punishments attendant to that class of sin, on the grounds that it was “against nature.” (Brundage 213) Generally, while still regarded as a serious matter, masturbation was dealt with via the confessional rather than the court. (Brundage 400) Masturbation is still (1975) regarded as “an intrinsically and seriously disordered act” by the official teaching authority of the Roman Catholic Church (the Sacred Congregation for the Doctrine of the Faith), which applies *the same terminology* to homosexuality. (*De Persona Humana* 8-9)

It is therefore all the more striking that masturbation should become a subject for jocularity when the General Convention, meeting in Phoenix, Arizona in 1991, was debating a canonical resolution that would have made “genital sexual activity outside of marriage” grounds for deposition from or an impediment to ordination. The debate in the House of Deputies was becoming intense when someone asked, on the basis of the wording of the resolution — and judging from his tone of voice, in all seriousness — “What about masturbation?” After a few seconds of hushed silence, an unidentified speaker was heard to say, “That matter will be left in the hands of the individual.” The hilarity attendant lasted for several minutes, until Dean Collins was able to restore order. Sadly, the comment did not make it into the Journal of the General Convention.

While amusing, this incident illustrates one significant discontinuity in the Episcopal Church with the traditional teaching on sexuality. I will now turn to examine four other areas of discontinuity in the Episcopal Church and Anglican Communion.

## **Discontinuities in Anglican/Episcopal teaching and policy**

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All of these departures from the “marriage myth” were made under the pressure of pastoral concern and the desire to minister effectively. The Episcopal Church has done this while at the same time trying to uphold the myth: and it is this tension that has introduced the awareness of “discontinuity” and the dangerous possibility of hypocrisy.

### **MIXED MARRIAGE**

The most striking, but hardly well-known, departure from the church’s traditional teaching on marriage made by the Episcopal Church was the amendment to the marriage canons in 1946, whereby marriage in which only one of the parties was baptized became permissible. In examining the Journal for that year, it appears that this “indefensible anomaly” (Ervin 60n) slipped through with almost no debate; of greater concern was the inclusion within the canon a full list of impediments and grounds for annulment — contrary to the recommendation of the Joint Commission on Holy Matrimony, who preferred to leave the decision up to the local Bishop and a Court. (J 1946:442f)<sup>58</sup>

As already noted, mixed marriage is contrary to Scripture,<sup>59</sup> and, interestingly enough, Tertullian borrowed the Scriptural phrase from the Sodom story — “strange flesh” (Jude 7) — to oppose marriage

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<sup>58</sup> See page 25 for a discussion of the debates on divorce and remarriage, when this recommendation was finally taken up in substance.

<sup>59</sup> 1 Cor 7.39; the provisions for “unbelieving partners” earlier in the Epistle relate to marriages contracted before either party was baptized.

of a Christian with one unbaptized (*To His Wife* 2.2). Those who objected to the change in 1946 did so on the grounds that it is “implicit in the nature of Holy Matrimony that it be solemnized only for baptized Christians.” (WD I:414) This is clearly the position of the Eastern Orthodox who regard marriage with an unbaptized person to be incapable of liturgical celebration in a eucharistic context. (Meyendorff 29f) The Roman Catholic Church holds such unions to be invalid, though a process of dispensation is provided by which the parties can be married. However, the idea of “Christian marriage” seems strained when one of the partners (who are understood to be “the ministers of the sacrament”) is not a Christian.

This discontinuity is exacerbated by recent canonical and liturgical developments: the current (1994) Episcopal canons define Holy Matrimony as “a spiritual union... entered into *within the community of faith*” (Canon I.18.2.b, italics mine), and the 1979 Book of Common Prayer seems to expect (though it does not require) a celebration of the Eucharist, which would be meaningless if one member of the couple could not receive. This is clearly a case where the church’s pastoral flexibility has been exercised perhaps without full attention to all of the implications.

### **CONTRACEPTION**

Another area in which the Anglican Communion has departed significantly from the tradition is in the allowance of contraception. Although two Lambeth Conferences (1908 and 1920) and the Episcopal House of Bishops (1925) passed resolutions condemning contraception in no uncertain terms (Smith 185) the meeting of the Lambeth Conference in 1958 saw an abrupt turnabout. Building on resolutions of Lambeth 1930 that began to express concern about overpopulation and world poverty, it assigned parents the “responsibility for deciding the number and frequency of children.” (Resolution 115) The 1968 Lambeth Conference responded specifically to *Humanae Vitae*, stating its inability to agree with the pope “that all methods of conception control other than abstinence from sexual intercourse or its confinement to the periods of infecundity are contrary to the ‘order established by God.’” (Resolution 22)<sup>60</sup> The church that has introduced a separation between the posited “natural end” of sex (procreation) and the sexual act should find it easier to reevaluate its teachings on marriage than the Episcopal Church is now finding it.

### **POLYGAMY**

Another pastoral departure from the tradition came with Resolution 26 of the 1988 Lambeth Conference, which amended standing policy to allow a newly baptized man with several wives to retain all of them, though he was restrained from taking more. This was a departure not only from Christian tradition, but also from previous Lambeth decisions, though groundwork for study and change had been laid by Resolution 120 of Lambeth 1958, which noted the pastoral dilemma without offering any solution beyond further study. The pastoral concern for the hardship imposed on a wife suddenly “put away” by her husband in a society in which women are not free agents was the driving consideration in making the change. A number of African bishops reacted negatively to the Resolution, feeling it undercut their evangelism efforts, though others welcomed it as a recognition that “first world” values do not always easily adapt to the “third world.”

### **DIVORCE AND REMARRIAGE**

The most obvious discontinuity we currently live with in the area of sexual relationships is the practice of divorce and remarriage which stands in the face of Jesus’s explicit prohibition against both the dissolution of and the contracting of subsequent marriages found in the synoptic gospels, in particular, Mark 10 2-9. (CTD 14)

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<sup>60</sup> While remaining strong in opposition towards contraception, the Vatican Council did moderate the earlier positions on the primacy of procreation as an “end” of marriage. See note on page 41.

Many, including some of the most vocal opponents of same-sex marriage have availed themselves of the church's pastoral toleration of remarriage after divorce. How did the church come to this tolerant position, given the seemingly unambiguous witness of Scripture and tradition? Stevick (157ff) outlines the process, and a full canonical review can be found in White and Dykman (I:398ff).

English Canon Law of 1603 forbids remarriage after divorce. In America, the first mitigation of this rule was a recognition of the Matthean exception (for adultery) by resolution (not canon) in 1808. As White and Dykman note, this exception

does not appear in the parallel passages... and is thought by many scholars to be an early insertion into the text. Neither Western canon law generally, nor the canons of the Church of England, permitted divorce on this ground. (WD I:405)

It was not until 1868 that the first "remarriage canon" was introduced; it repeated the disallowance of remarriage except in the Matthean case, and introduced a second possibility: the remarriage of a divorced couple. Little of note developed for our purposes until 1931, when the provision for annulment by a bishop or ecclesiastical court, on the basis of listed impediments, was introduced. In 1937 a sea-change began, largely because "the Church's views on divorce and remarriage were being increasingly ignored by the public." (WD I:409) A report by the Joint Commission on Holy Matrimony noted:

It is repeatedly said that neither an individual Bishop nor the Church itself has the power to take any action contrary to Christ's Teaching. Many leaders in the Church assert without hesitation that the teaching of Christ in this matter is perfectly clear: viz., that the re-marriage of any divorced person constitutes adultery and that such re-marriage sanctions and condones a definite sin.

(1) The obvious reply is that we should not be discussing this matter at all if Christ had made his mind perfectly clear.

(2) The pamphlet edited by Dr. [Howard Chandler] Robbins shows that different Churches, the Eastern Orthodox Church, the Roman Church, our own Church and various Protestant Churches have interpreted His mind in different ways.

(3) The opinion of the leading scholars is contrary to the above views . . . (WD I:409-410)

The report was received, but the suggested discretionary clause leaving the decision up to the bishop was defeated. In 1946, the Matthean exception was removed, but instead of the simple guidelines suggested by the commission, the long list of impediments was maintained, and the procedure for obtaining a decree of nullity moved to a separate canon. Finally, in 1973, the list of impediments was removed (and any reference to them), and the wording altered to remove the distinctions concerning prior and subsequent impediments. The standing (since 1946) authorization that the Bishop or Ecclesiastical Authority shall determine whether a marriage still exists "in the eyes of this Church" effectively granted full discretion and local option to that authority. This marked, as noted in WD I:421, the possibility for effective recognition of divorce in the Episcopal Church.

## Concluding observations: Pastoral perspectives and approaches

In 1958, Committee 5 of the Lambeth Conference reported:

Monogamous marriage, especially as it developed among the people of the Middle East and in the New Testament, is not the idea or invention of western civilization, or of so-called Christian countries. It is a fundamental truth about the nature of man and woman as God has created them, reinforced by the explicit teaching of Christ, valid for all mankind, in every society... Thus, the Church must steadfastly uphold the standard of life-long monogamy. Yet, in doing so, the Church must be prepared to face, frankly and sympathetically, the problems this teaching creates, and must accept responsibility to work wholeheartedly towards their solution. Discipline in this matter may sometimes differ in various provinces of the Church, according to what is thought to be wise....

The first part of this statement represents a particularly hyperbolic manifestation of the “marriage myth.” There are two ways to address the “problems this teaching creates.” One is to revise the teaching itself; a second, and more moderate, solution is to look at the pastoral reality that has coexisted with the ideal myth, and recommend the use of local option and discretion as suggested in the last section of this citation from Lambeth. Pastoral exceptions to the ideal myth have already been allowed, some of them in stark contrast with the clearest aspects of the myth itself. This has sometimes been accomplished, as in the 1937 joint commission report to General Convention, by asserting that Christ has *not* been as clear on the subject as has been claimed, and asserting that the existence of debate itself indicates that lack of clarity. If this can be claimed in the matter of divorce — about which a legal “prudent man” encountering the Scripture and Tradition for the first time would likely take the matter to be rather clearer than not — how much more can the claim be made when the question of same-sex marriage arises, about which, as the shelves of commentary and endless argument have shown, there is considerable debate, and about which Christ said nothing at all?

Also of concern is the fact that some of the most vocal defenders of a strict application of the prohibitions they exegete against gays and lesbians are far more casual in their application of the prohibitions against divorce and remarriage to themselves. It is troubling to find so many in the church willing to apply a hermeneutic of suspicion only to those texts which might make demands upon them, while insisting on a rigorous interpretation of texts that govern only the behavior of others. This is morally dangerous to them and to the church. Those who strain out gnats and gulp down camels, who set obstacles in the way of the little ones who seek Christ, who bar the door against others while not entering themselves, and who tie heavy burdens for others but do not lift a finger to carry them are those most sternly judged in the day of the great King's Advent.

### ***Sodom or Jerusalem?***

As the Epistle of Jude (v7) notes, the sin of the men of Sodom lay in their assault upon those deemed “strange.”<sup>61</sup> What the men of Sodom did was to “go after strange flesh” (Jude 7 KJV), or, as we would say, they sought the flesh of strangers, perhaps intending to rape or abuse them.<sup>62</sup> However, the men of Sodom (Gen 19) were not themselves gay (at least not all of them, or not exclusively—witness Lot’s sons-in-law, v14); nor did they see gay sex as something good: when Lot begged them to turn aside from their intended “wickedness” they threatened to “do worse to him than to them.” (vv7,9) It was the men in the house, Lot’s visitors, God’s angels, whom the Sodomites regarded as strange, foreign, different, *queer* — and they meant them harm because of it.

The destruction of Sodom stands as a warning — not to gay and lesbian persons, but to those who revile them, demean them, or impose upon them a greater discipline than they themselves are willing to bear. The church has a choice to turn its back on or persecute “the others” in its midst, or to open its gates in welcome. It is in how we treat “the others” that we are judged.

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<sup>61</sup> “Strange” is simply KJV English for “foreign”(as in “strange woman,” Jdg 11.2, 1 Kg 11.1, Ezra 10.2, etc.) The overlap in the meaning of the two Greek roots (*heter-* and *allogri-*) translated in KJV by “strange” is broad. They both have the basic sense of “other.”

<sup>62</sup> See the extended analysis of this passage in the appendix, “Hey Jude.”

## The Liturgical Background

Any attempt to craft a Blessing of Same-Sex Unions must engage a review of the history of the rite of marriage and the history of Same-Sex Blessings. We must look for a structural “shape” of marriage: some more or less constant pattern in the rite that can show us by contrast the unessential aspects present... (Oliver 216)

This section follows Juan Oliver’s suggestion and begins with an examination of the marriage rites of the Episcopal Church, including key Scriptural allusions and citations embodied in them, with an eye to determine how closely the Scripture which informs the marriage rites relates to heterosexual marriage. A critique of the structure of the current Episcopal rite is offered. Finally, some of the classical rites for “blessing” same-sex relationships and the proliferating modern versions of “gay marriage” are reviewed. Out of this mix some signposts towards a liturgical theology of marriage will begin to emerge.

### Changing structures and meanings in Episcopal marriage rites

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#### COMPARISON OF THE RITES FROM 1662 THROUGH 1785/6 TO 1979

Beginning on page 47 is an extensive and detailed “harmony” of the authorized marriage rites of the Episcopal Church (1789, 1892, 1928 and 1979), with the rootstock (the 1662 English rite), several branches (the 1785 King’s Chapel version, and “Franklin’s Prayer Book”) and a few intermediate stems (the 1785/6, 1958, and 1970 proposals).

The first thing to strike one in these rites is the great variation in language: scarcely a clause or a paragraph has remained untouched in the course of revision. What *has* remained constant may be taken to represent either “core” language, or totemic incantations (where the significance lies not in *what* is said but in *that* it is said) — liturgical history provides examples of both. Second, one is struck by the massive ritual pruning between 1662 and 1785. About eighty percent of the Anglican rite was removed from the Episcopal, only a tiny fraction of which was replaced in the 1789 edition. Over the years since bits of the older rite have crept back in (and back out again) but the current rite has restored much of what was removed at the Revolution, and added some features — with mixed results.

The formal movement towards the drastic 1785-1789 revision can be traced to the instigation of New England deputies whose Boston meeting of September 1785 proposed

That the Introduction to the Marriage Service, containing the reasons why matrimony was ordained, be omitted, from the words, “holy matrimony,” to “therefore if any man can shew any just cause,” &c... [and] that the words, “with my body I thee worship [...]” in giving the ring, be omitted. (McGarvey 57\*)

These suggestions were included in the proposal at the first General Convention in 1785; the Convention moved deleting plighting and pledging troths, and the long exhortation after the blessing. (McGarvey 63\*). Between 1785/6 and formal adoption in 1789/90 the only significant changes were the restoration of this short section of the opening charge:

which is commended of Saint Paul to be honourable among all men: and therefore is not by any to be entered into unadvisedly or lightly, but reverently, discreetly, advisedly, soberly, and in the fear of God. Into this holy estate these two persons present come now to be joined.

and the reappearance of the betrothal language.

The changes proposed in 1785/86 are far more radical than the kinds of alterations made in other venues. Two examples are given for comparison: the King’s Chapel rite, which made some quite progressive alterations — and appears to be the only marriage liturgy to include Jesus’ teaching that

marriage is not a part of the world to come — and “Franklin’s” Prayerbook, which made some significant abridgments (the authors priding themselves, as the Preface states, on making no additions.)<sup>63</sup>

The removal of the “ends” or “causes why marriage was instituted” is a striking change in 1785, and their reappearance, even in altered sequence, in 1979 is unfortunate, for reasons to be discussed at greater length on page 41 in connection with the concept of covenant.

#### SCRIPTURAL ALLUSIONS AND READINGS

More astounding than the 1785 changes in the opening exhortation is the fact that every Scriptural reference save that to Isaac and Rebecca, and the declaration from Matthew 19.6, was removed from the marriage rite: gone is any reference (even obliquely) to Genesis, to Cana, to Ephesians. Over the course of revision, various Scriptural passages or allusions were woven back into the text, which will be examined below. The wedding at Cana hardly needs comment: it is difficult to see what relevance this passage has to marriage in the Western tradition.<sup>64</sup> The standard allusions to Genesis and Ephesians deserve greater attention, however.

#### *“Instituted by God”*

The commonplace that God “instituted” marriage is not born out by the narratives of Genesis. The most that can be said for Genesis 1 is that God instituted sex. It is not possible to read matrimony into the command “be fruitful and multiply” which God addresses to humankind unless one is willing to give the same weight to the same command addressed a few verses earlier to the birds and the fish. Similarly, Genesis 2 does not portray marriage, but a parable of the human need for companionship. While God appears in this passage in part as matchmaker (an observation made by Tevye in *Fiddler on the Roof*), there is hardly any consistent marriage doctrine to be derived from this passage except that human companionship is necessary, lasting, and brings about a change in the relationships a spouse has with their family of origin. We have already established (page 19) the multivalency of this passage in Jewish tradition. Westermann notes that while some have claimed the Genesis 2 passage to be about the establishment of monogamy, “it is not concerned with the foundation of any sort of institution, but with primeval event.” (Westermann 232) Von Rad points out that men did not in fact, in ancient Israel, forsake their fathers and mothers to cleave to their wives: quite the contrary — as a rule wives were taken into the husband’s family.<sup>65</sup> This story is about sexual union, not monogamy. (von Rad 85)

#### *“A great mystery” of Ephesians 5*

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<sup>63</sup> Franklin stated in correspondence that he worked only on the Catechism and the Psalter at Francis Dashwood, Lord Le Despencer’s request, when he was unable to complete the work. (Hatchett 35) Only three extant copies of this volume appear to survive. The copy in the Morgan Library, which I consulted, and from which the rite is transcribed, contains a note in the flyleaf stating Franklin to have been the author of the Preface as well. The Preface states, “The form of solemnization of Matrimony is often abbreviated by the officiating Minister at his discretion. We have selected what appear to us the material parts, and which, we humbly hope, will be deemed sufficient.” The Morgan Library copy bears the following note in Bishop William White’s hand:

This Book was presented to me in y<sup>e</sup> year 1785, while y<sup>e</sup> Liturgy was under Review by M<sup>rs</sup> Sarah Bache, by Direction of her Father, D<sup>r</sup> Benj.<sup>n</sup> Franklin; who with Lord Le De Spenser, she said, were y<sup>e</sup> Framers of it. WW.

<sup>64</sup> It should be noted, however, that in the Eastern tradition this gospel is used to link marriage to the sacraments of baptism and eucharist, symbolized by the water and wine. This sort of typology is not likely to resonate with a contemporary congregation.

<sup>65</sup> The earliest concept of Hebrew marriage lies in this definitive act of a man “taking” a woman to his home. It is interesting to note in passing: “Saul *took* him [David] that day and would not let him return to his father’s house.” 1 Sam 18.2.

The marriage that Paul applied as a metaphor for the relation between Christ and the church was a marriage few would want to see reproduced today. It was based on inequality of the partners, submission of one, dominion of the other. This harked back to imagery from the Hebrew Scriptures in which God was husband (= Lord) and Israel his bride (or one of his brides — God as a Middle Eastern potentate could have many brides, while the brides could only have one husband; see Ezekiel 23, for example. This is the root of the metaphorical connection between idolatry and sexual license that runs through so much of Hebrew legal, prophetic, and poetic literature: those who go after other gods are “adulterers” or fornicators.)

In our day, this model of marriage has been rejected, and a new one is beginning to emerge, based more on equal partnership. One of the positive contributions of same-sex marriage has been to help break down the notion of stereotyped sex-based roles of dominance and submission — indeed, this may be what some who are invested in the old system of male privilege find most distressing and threatening. It may also be the case that the gradual equalization of marriage roles in contemporary society forms part of the underlying pressure towards same-sex marriage: there may be a synergy at work towards a new model of marriage that is, if anything, a better model for the relationship between Christ and the Church than the one advanced by Paul. This will be addressed at greater length in the discussion of covenant on page 41.

### *Marriage in the other passages from the current rite*

Of the remaining passages in the current rite, only two deal directly with marriage: Tobit 8.5b-8, and Mark 10.6-9,13-16. All of the rest deal generically with love or fidelity, but are neither sexual in content, nor limited to heterosexuals. The readings from 1 Cor 13 and John 15.17 were commonly used in the same-sex rites documented by John Boswell (Boswell 1994:216) and occur in a number of the same-sex rites outlined below.

The reading from Song of Songs (8.6-7) is interesting chiefly in light of Rabbinic tradition: The Song of Songs Rabbah (Midrash) states (translation, Neusner 223)

“For love is as strong as death” — as strong as death is the love with which Jonathan loved David: “And Jonathan loved him as his own soul.” (1 Sam 18.1) “Jealousy is as cruel as the grave” — the jealousy of Saul against David: “And Saul eyed David.” (1 Sam 18.9) Another explanation: “Love is as strong as death” — as strong as death is the love with which a man loves his wife: “Enjoy life with the wife whom you love” (Qoh 9.9) “Jealousy is as cruel as the grave” — the jealousy that she causes in him and leads him to say to her, “Do not speak with such-and-so.” If she goes and speaks with that man, forthwith: “The spirit of jealousy comes upon him and he is jealous on account of his wife.” (Num 5.14)

It is significant that one of the few uses of Song of Songs in the Episcopal liturgy should be a passage as suitable to a same-sex couple as to a heterosexual one. Indeed, the only other use in the BCP is in the proper Of a Monastic I. It is fascinating to see how a given text can be applied to marriage, a covenant relationship between two people of the same sex,<sup>66</sup> and the memorial of a celibate.

This brief review of the language and scriptural allusions in the rites has not revealed the basic underlying structure of those rites. What has been revealed is that the scriptural passages are multivalent, and with very few exceptions as capable of application to same-sex marriage as to different-sex marriage (or to celibate commitment, for that matter). It is significant that the texts which most clearly address marriage in earlier rites (Ephesians, 1 Peter) have been dropped as no longer culturally adequate for use in marriage rites today. Given the fluidity of the surface language, an examination of the deeper structure of the marriage rites is in order.

### **THE STRUCTURE OF THE RITES**

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<sup>66</sup> This much at least can be said of David and Jonathan.

Certain key elements have been part of the marriage rite since the Renaissance—the time at which the West<sup>67</sup> finalized the church’s control over marriage — rendered definitive for Roman Catholics at Trent, and for the Church of England through Lord Hardwicke’s Act of 1763. (Ervin 58,59) Both declared that the church made a marriage valid *not* by means of blessing but by witnessing the consent of the parties. Hardwicke’s Act did not govern the church in the American colonies; and the provision added to the 1789 rite to allow marriage in a private house would not have been possible under Hardwicke. Moreover, Hardwicke was reversed even in England in 1836, when marriage at the registry office gained legal status, “thus in effect restoring the true and ancient principle that the consent of the parties, and not the purely disciplinary requirement of the nuptial blessing, determines the validity of the marriage.” (Ervin 59)

An outline of the structure of the authorized rites from 1662 through to the present reveals a core structure, which has remained far more consistent than the verbal particulars until the latest revision.

*Structures of the rites*

<i>1662</i>	<i>1789</i>	<i>1892</i>	<i>1928</i>	<i>1979</i>
Exhortation with “causes” of marriage	Exhortation (no causes)	Exhortation (no causes)	Exhortation (no causes)	Exhortation with “intentions”
Inquiry to assembly for impediments	Inquiry to assembly for impediments	Inquiry to assembly for impediments	Inquiry to assembly for impediments	Inquiry to assembly for impediments
Charge to couple for impediments	Charge to couple for impediments	Charge to couple for impediments	Charge to couple for impediments	Charge to couple for impediments
Consents	Consents	Consents	Consents	Consents (bride first)  Consent of assembly to support couple
Giving of bride	Giving of bride	Giving of bride	Giving of bride	[Optional giving of bride, groom, or both]  Ministry of the Word Prayer, Reading(s), [Psalmody,] [Homily]
Exchange of vows with joining of hands	Exchange of vows with joining of hands	Exchange of vows with joining of hands	Exchange of vows with joining of hands	Exchange of vows with joining of hands
Giving of ring	Giving of ring	Giving of ring	Giving of ring	[Optional blessing of ring]  Giving of ring(s)  Declaration of marriage  Matt. 19.6
Prayer for blessing	Lord’s Prayer	Lord’s Prayer	Lord’s Prayer	Lord’s Prayer [omitted if Eucharist follows]
	Prayer for blessing	Prayer for blessing	Prayer for blessing	Prayers for couple
			[Optional prayer for children]	[including optional prayer for children]

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<sup>67</sup> For reasons explained in the Appendix (page 46) this paper focuses on the Western marriage tradition.



1662	1789	1892	1928	1979
				Additional prayers
			[Optional prayer for couple]	[One of two prayers for couple]
Matt. 19.6	Matt. 19.6	Matt. 19.6	Matt. 19.6	
Declaration of marriage	Declaration of marriage	Declaration of marriage	Declaration of marriage	
Solemn blessing	Solemn blessing	Solemn blessing	Solemn blessing	Solemn blessing
				The Peace
			[Proper provided for optional Eucharist]	[Optional Eucharist]
Procession to altar with Psalms				
Kyrie, Lord's Prayer and Preces				
Prayer for couple				
[Optional prayer for children]				
Blessing of couple				
Prayer for couple				
Exhortation / Sermon on duties of marriage				

The structure of the rite remained relatively unchanged until 1928, with the exception of the deletion of all following the 1662 solemn blessing. The 1979 rite, in addition to (optionally) restoring an extensive liturgical section to the post-blessing position, makes a number of other changes that effectively transform a relatively focused rite, in which actions follow close upon each other, into a sort of layer-cake. Whether this is seen as enrichment will depend on one's point of view. The basic pre-1979 order is

- 1) welcome, exhort
- 2) establish right to consent
- 3) ask passive consent of couple
- 4) present the bride
- 5) couple give active consent (vows) with liturgical act of hand-joining and ring-giving
- 6) pray for blessing
- 7) pronounce indissolubility
- 8) declare marriage, and finally
- 9) bless the marriage.

The 1979 rite makes these changes

- 3b) asks the assembly if they will support the couple
- 4) makes giving of bride optional, or adds giving of groom
- 4b) adds Ministry of the Word
- 4c) adds optional blessing of ring before the vows (introduced in 1928)
- 5b) moves and reverses the declaration of marriage and pronouncement of indissolubility

- 5) adds long sequence of prayers, without particular reference to blessing
- 10) provides for optional eucharist after the peace

Several of these features seriously detract from the unity of the rite, and two of them are of questionable value, though it is possible to discern thoughtful and valuable intentions at work in their inclusion.

Asking the will of the assembly to support the couple comes at a point in the service at which analogous questions are asked in the Baptismal, Ordination, and Institution liturgies. Though the question and response simply promise support of the couple, the placement immediately after the consents of the couple is symbolically misleading, and highlights an ecclesial aspect of the service at the wrong point. Marriage is not ecclesial in its initiation, but in its ongoing life. At its beginning marriage is *only* between the couple. They are not becoming part of the congregation (Baptism) nor entering into a special relationship with it (Institution) nor is the active consent of the congregation required beyond the absence of impediments (Ordination). The essential character of marriage is the free consent of the individuals being married: anything that clouds that clarity at this or any other point in the service is out of place.

It is for this reason that the option to omit the “giving of the bride” is a positive development. The addition of the possible giving of the groom, which suggests sponsorship, is utterly out of place *at this point*. The spouses are, and must be seen as, speaking only and freely for themselves, *sponsoring* themselves (as the root of the word shows) and making a personal commitment *to each other in God’s presence*.

If there is a desire for a note of “sponsorship” it is best established in a separate rite some time *prior* to marriage, as the 1996 CSSU rite suggests (see below). This restores the ancient separation of betrothal from marriage which has been conflated in our rite since the middle ages — rather like the truncated catechumenate of the medieval and modern baptismal rites. In short, the congregation should be most involved in the period of discernment leading up to marriage and in support of the marriage after the wedding has taken place — but the marriage itself deserves the liturgical clarity of an act of interpersonal commitment, thereby held, as it were, as a jewel in its setting.

If the note of sponsorship is moved (with the declaration of consent) to an earlier rite, the note of ongoing support from the congregation *for the married life* is still welcome. This is, admittedly, the purport of the text at hand; but its brevity and its structural placement taken together mitigate against the text conveying that meaning most effectively. A better means of establishing this support emerges in connection with the placement of the prayers in the 1979 rite.

The position of the Ministry of the Word in that rite mirrors the structure of the ordination rites, leading, as the ordination rites lead to consecration, directly to the solemnization of the vows, followed immediately and appropriately by the declaration of marriage. However, the solemn blessing is then unaccountably delayed by the insertion of a long sequence of prayers. These prayers would better be placed, as in the ordination rite, *prior* to the Ministry of the Word, at the position now occupied by the question concerning the support of the assembly. Ideally, these prayers could then be recast in litany form, and the congregation’s participation would then convey their support far more eloquently than the current short question and answer, and could be phrased so as to remove any suggestion of “sponsorship” instead of ongoing support.<sup>68</sup> This also would close the unaccountable gap between declaration of marriage and blessing upon marriage.

Finally, the blessing of the ring, which made its appearance in 1928, seems extraneous, rather like the “blessing” of the water used at the eucharist. It obscures the point that the “sign” of marriage *is the*

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<sup>68</sup> See also, below, the 1994 Honoring an Abiding Relationship, in which the couple themselves ask for the congregation’s support in a short three-part litany following the exchange of vows, leading into the peace.

*couple themselves*; it gives undue prominence to the Celebrant exactly at the point at which, liturgically speaking, she is completely unnecessary.<sup>69</sup>

This brief review of the structure of the Episcopal rites has already made some suggestions towards adaptation. An even greater adaptation, of course, would be to produce a rite capable of use by same-sex as well as different-sex couples, such as that suggested in the CSSU rite. We have already seen that much of the scriptural language is sex-neutral. The structure of the rite itself seems open to the possibility. What, if any, adaptations can be found in the tradition, or in the experiments at parallel rites now coming into existence, is the subject of the next section.

### Same-sex rites: Purported and adopted

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Having examined the marriage rites of the Episcopal Church, with a few anticipatory glances at current same-sex rites, I now will examine some of these rites in greater detail. As noted, the difficulty of laying out parallel texts is great even in rites as directly derivative as those used in the Episcopal Church's marriage liturgy; how much more difficult to do such a comparison of the various rites for "blessing unions" or same-sex marriage. Nonetheless, I will attempt to highlight similarities in structure and content, and certain key elements will be seen to emerge.

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<sup>69</sup> It is amusing to note that this is the point at which the "accustomed duty" for the Priest and Clerk was laid "upon the book" with the ring in the 1559 and 1662 rites.

### THE CASE FOR “ANCIENT RITES” — ASSESSMENT OF BOSWELL

First, note must be taken of the work John Boswell has done in bringing the “brother-making” rites of the Eastern church to wider attention. Boswell’s work remains controversial, in part because careless reading (and his own admittedly ill-advised pre-publication talks) led many to assume he was making greater claims than he actually did. His primary claim was that, whatever the hierarchs may have intended, the “brother-making” rites came to be seen as, and were used as, “same-sex union” ceremonies, at least in some cases. Boswell was hardly the first to make this observation. Martin Smith, SSJE, noted in an Advent 1982 sermon (the year Boswell was beginning his work),

In the Orthodox Church there is a rich sacramental rite of blessing friends called *bratotvornenie*. An expert tells me it is admitted ruefully that devout homosexual partners have used this service to covenant their relationship. (Cowley 12)

Boswell documented as well the suppression of these rites, which only became necessary, from the church’s perspective, because they were being “misunderstood.” Whatever the intent of the framers of the rites, or the precise nature of the “misunderstandings” surrounding them, same-sex couples who took part in them, and the congregations who witnessed them, sometimes saw them as the equivalent of marriage, and there is no doubt that a sexual component “was a dimension of the relationship in many cases.” (Stuhlman 89)

This is where a crucial concept in liturgical studies comes in: reception. Ultimately it does not matter what the theologians say a rite “means,” they can only try to be as clear as possible about what they *intend* — the “meaning” of the rite will take form in the minds of the assembly, *and only there*. The *intention* of the liturgist/theologian will always translate to *meaning* in the minds of the worshipers. This basic rule of communication theory has long been overlooked in the church, in spite of its experience and knowledge that the law of worship constitutes and establishes the law of belief.<sup>70</sup>

Boswell’s strongest point along these lines involves the visual symbolism of the rites, where the greatest similarity with marriage rites lies.

The sight of a couple standing hand-in-hand at the altar, being joined and blessed by the priest, would last longer in imagination and memory than the precise wording of any ceremony, heard every now and then by congregants but not available in premodern societies with much lower rates of literacy and no printed books. The principle structural similarities between the ceremony of same-sex union and heterosexual nuptial offices were binding with a stole or veil, the imposition of crowns, the holding of a feast after the ceremony for family and friends, the making of circles around the altar, the use of a cross, occasionally the use of swords, and—virtually always—the joining of right hands. (Boswell 1994:206)

If the liturgists who crafted these rites did not want them to be seen as marriages, they were not counting on the power of symbols at their disposal.

Whatever flaws Boswell’s work has,<sup>71</sup> he is owed a debt for bringing much of this material to light, and providing original texts and translations for further study, adaptation, and use — even if the use does not match the intent of the original authors.

### rites used for same-sex marriage

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<sup>70</sup> This principle, enunciated by Prosper of Aquitaine in the fifth century has received renewed attention in recent years in the work of Odo Casel and Aidan Kavanagh. See Kavanagh 90ff for a carefully reasoned and balanced discussion.

<sup>71</sup> Boswell’s greatest weakness lies in the fact that he is working in an area outside his primary specialty. He is an historian, not a liturgist. He also is not fully familiar with Old Testament criticism. For example, he appears to be unaware that the composition of Leviticus and Deuteronomy postdates the folkloric material in 1 Samuel. (Boswell 1994:136n)

The following are outlines of some of the same-sex rites either in use or proposed. Scriptural citations are included, and a brief commentary on specific issues raised by the structures, prayers, and scriptures used follows each rite. General observations appear at the end of this section.

***Early 14th century Serbian Slavonic (Boswell 1994:317)***

- Entrance
- Joining of right hands on Gospel Book, cross in left hands
- Trisagion, Lord's Prayer, Hymn of the day
- Litany including prayers for couple
- Prayer for couple
- Prayer with reference to God who "fashioned humankind after thine image" and naming of paired saints
- Switching crosses and candles
- Psalm 68.26
- 1 Cor 12.27-31, 13.1-8
- Alleluia (Ps 112.1, 80.1)
- Gospel: John 17.1,18-26
- Peace and prayer
- Couple kiss Gospel book and each other
- Reception of communion by couple
- Couple led, hand in hand, around the sanctuary, singing Ps 80.14-15, 112.1, 133.1, Gloria patri
- Invocation of martyrs, Gloria patri
- Marian hymn
- Departure

Perhaps the most striking thing in this rite is the reference to Gen 1.27. The tendency of secondary theology to coopt this verse for heterosexual marriage makes its appearance in a same-sex rite (whether a marriage ceremony or not) welcome.

***1980s Metropolitan Community Church "Service of Holy Union" (Eskridge 194ff)***

- Welcome and exhortation
- Inquiry to assembly for impediments
- Charge to couple for impediments
- Consents ("so long as there is love")
- Hymn
- Exhortation with citation of Ruth 1.16-17
- Homily
- Exchange of vows written by couple
- Blessing and exchange of rings
- Declaration of union
- Solemn blessing

This rite closely follows the Episcopal rite of 1789 — probably too closely. It even declares "holy union" to be "an honorable estate, instituted of God..." The close parallel renders the alteration of "as long as you both shall live" to "so long as there is love" all the more startling. This rewrite falls short the inherent unconditional quality of covenant (see below, page 41). The use of Ruth 1.16-17 becomes problematical in this light — contrasting a pledge of permanent loyalty until death ("where you die, I die, there will I be buried") with what appears a subjective criterion.

These verses present another problem. Unlike the story of David and Jonathan, there is no hint in the story of Ruth and Naomi of anything other than personal devotion of a daughter-in-law to her mother-

in-law. However, these verses represent one of the most beautiful statements of personal fidelity in Scripture.<sup>72</sup> This may well be a case where knowledge of context will have to be set aside in favor of the words actually cited. Certainly other passages used at weddings (e.g., 1 Cor 13) are similarly “stretched.”

***1996 Celebration and Blessing of a Covenant in Love, Episcopal***<sup>73</sup>

- Introductory declaration of purpose to celebrate relationship
- Welcome to the couple
- Prayer for couple and congregation
- Declarations of consent
- Affirmation by the community
- Ministry of the Word: Song of Songs 3.1-4, John 15:9-17
- Exchange of vows with joined hands
- Blessing and exchange of symbols<sup>74</sup>
- Declaration of unity, prayer for light and love
- Prayers for the couple
- Blessing of couple

The pattern followed here is standard. The reading from Song 3.1-4 is suitable for this service for two men (even in a non-inclusive translation) since the gender of the one seeking “the beloved” is not identified. This passage was used by John of the Cross as an allegory for his own personal search for Christ.

***1994 Honoring an Abiding Relationship and giving thanks, Episcopal***

- Acclamation and hymn
- Welcome to congregation
- Litany, ending with prayer for blessing of couple
- Proclamation of the Word: Zephaniah 3.14-20; Psalm 23; 2 Cor 5.17-20; Luke 10:21-24
- Hymn (Love divine, all loves excelling)
- Prayer of thanksgiving
- Renewal of vows of commitment, love and trust, with joined hands
- Couple asks congregation for support in three-part litany
- Peace
- Holy Communion
- Postcommunion
- Blessing of whole congregation with couple standing in the midst

This rite (for two women) represents the single most interesting of the “handmade” rites collected here, and shows a remarkable liturgical sensitivity to a number of the deficiencies in the current marriage service described above. Passive consents are omitted — though perhaps because this was an anniversary thanksgiving service. The placement of the litany at the beginning (as in the ordination rites) provides a prayerful entry into the ceremony, and sets a thanksgiving tone. The innovation of having the couple themselves ask the congregation for support *after* the renewal of vows, is so obvious and effective one

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<sup>72</sup> I disagree with Boswell’s contention that the Hebrew original is “less memorable and dramatic” than the KJV. (Boswell 1994:138) I find the power of the Hebrew verse at this point, with its incredible economy of language, almost unbearably poignant.

<sup>73</sup> This rite was loosely adapted from the New Zealand Prayer Book.

<sup>74</sup> The diocesan bishop allowed the service to proceed on the grounds that the rings were not referred to as such in the rite.

wonders why it hasn't appeared more frequently. It seems quite natural to allow adults capable of making commitment to each other to ask the support of their extended family. Similarly, having the couple process to the midst of the congregation to receive and share in the solemn blessing is inspired.

The choice of readings shows considerable originality and careful thought as well. The 2 Cor 5 reading captures the theological import of marriage as sign of Christ's redemptive work making all things new.

***1995 Celebration of 15th Anniversary and Blessing of Covenant, Episcopal***

- Procession
- Opening exhortation
- Consent of couple
- Consent of congregation
- Ministry of the Word: Collect, Micah 4.1-3,6-8; 1 Cor 13.1-7,13; Anthem; Matt. 5:14-16
- Homily
- Exchange of vows
- Blessing and exchange of rings
- Declaration of unity and covenant; Matt 19.6
- Anthem
- Prayers for the couple
- Blessing of couple
- Peace
- Holy Communion
- Postcommunion
- Solemn blessing of couple
- Retiring procession

This rite is closely modeled on the BCP 1979. The opening exhortation states "the union of two persons in heart, body and mind is intended by God for their mutual joy, for the help and comfort given one another in adversity, *and that their love may be a blessing to all whom they encounter.*" This variation is welcome. The note of justice and witness in the readings from Micah and Matthew provide a note of "the couple as inspiration to the community." This is welcome in light of the fact that many marriage prayers seem to look towards weakness and need for support rather than leadership and overflowing joy.

***1995 Celebration and Blessing of Commitment, Episcopal***

- Entrance hymn
- Welcome and explanation grounded in the Mandatum commandment
- Consents
- Question to congregation: will you pray and work for the honoring of all committed relationships?
- Ministry of the Word: Collect; reading from Maya Angelou; 1 Cor 13.1-13; John 17.1,18-26
- Homily
- Exchange of vows, hands joined
- Blessing or rings
- Exchange of rings
- Declaration of covenant; Matt 19.6
- Prayers (litany) for couple and the world
- Blessing of the couple
- Kiss of peace
- Holy Communion

- Postcommunion, Blessing, Dismissal

Again a standard structural form. The reference to the Mandatum in the opening welcome, and the question to the congregation placing the focus not on the specific couple but on all relationships enhance a communitarian theme.

***1996 Celebration of Holy Eucharist with Blessing of Covenant of Holy Union, Episcopal***

- Entrance, acclamation; Collect for Purity, Collect of Easter 7
- Reading: Luke 6.32-38
- Hymn (Ode to Joy)
- Gospel: Mark 12.28-34
- Homily
- Consent of couple
- Consent of congregation (double)
- Exchange of covenant with joined hands
- Blessing of rings
- Exchange of rings
- Prayers of the People (standard form), but beginning with petition for couple
- Blessing in berakhah form, with laying on of hands
- Peace
- Holy Communion

This form follows the 1979 standard closely, and was celebrated as part of a Sunday liturgy. Thus the prayers of the people were Form 1 with an added petition. This unfortunately highlights the gap between making of vows / blessing of couple. However, the use of a classic berakhah form of blessing, and the use of laying on of hands for the blessing is simple and eloquent (far more than some of the exotic imports suggested in the CSSU rite, which while having Eastern precedent bear less relevance in a Western church; see below.)

***1996 Rite for the Celebration of Commitment to a Life Together, Episcopal (CSSU)***

*First part: Declaration of Intent (during Sunday Eucharist)*

- Welcome, explanation
- Song of Praise, Collect, Readings of the day appointed
- Further explanation
- Couple states their intent to seek support and prayers
- Couple make passive consent in response to president
- President asks sponsors if they support the couple; they respond, "We will. Blessed be God who appears to us in their love."
- The president similarly queries the congregation, who respond as above.
- Prayers over the couple
- Peace, Offertory, Communion

*Second part: Celebration of Commitment (During Sunday Eucharist)*

- Welcome
- Song of Praise
- [Short form of Declaration of Consent only if long form not used earlier — no consent of the congregation]
- Prayer for couple
- Readings (if not on Sunday)



- Song of Solomon 2.10-13,8.6-7; 1 Sam 18.1b,3, 20.16-17,42a; Ruth 1.16-17, Ecclesiastes 4.9-12
- Psalms 67, 85, 111, 127, 133.1-3, 149
- Rom 12.9-21; 1 Cor 3.1-13; Col 3.12b-16a, 1 John 4.7-12
- Matt 7.24-27; Luke 6.20-23; John 2.1-12a; John 15.9-17; John 17.1, 18-26
- Vows, with hands joined, expressed mutually (I give; I take) with response elicited from people: Blessed by God who appears to us in their love.
- Blessing and exchange of rings, with response of people
- Prayers of the people: litany covering standard petitions, including, but not ending with prayer for couple
- Optional ritual acts (joining hands on Gospel, crowning, anointing, procession around the altar, draping in veil or tying with cord) during which an anthem extolling famous couples and models of God’s preservation
- Elaborate blessing of couple in form of a litany with president, deacon and people, with tripartite praises of God as source of life, Liberator of the world, and Renewer of the earth, ending with a blessing in the name of the living God, the Source, the Word, and the Spirit
- Peace, during which Ps 85.10,22 is sung

This rite is a frustrating mix of good ideas and wrong turns. Already noted is the wise separation of the declaration of consent and its placement in a separate service. The mutual expression of the vows is a thoughtful innovation, emphasizing the mutuality of gift and reception. The problem of the position of the prayers of the people has been noted — it is exacerbated here because the service is intended for use on a Sunday.

A major weakness of this rite, perhaps overcompensating for the era in which marriages were family rather than church affairs — much like Baptism before the current Prayer Book revision — is the emphasis on the congregation at inappropriate moments in the rite, and to an inappropriate extent. Marriage, unlike Baptism, does not admit one to the ecclesial community, so the role of the community is different in marriage than in Baptism. I have noted above the elements of sponsorship and support, and these are adequately expressed at other points in the rite without the repeated exclamations during the vows and at the solemn blessing — these are moments that belong to the couple, and the most appropriate liturgical mode of participation by the assembly at these points would be silent attention.<sup>75</sup> The constant interruption by the deacon and the congregation might well be perceived as annoying.

Moreover, the form of the exclamation, “Blessed be God who appears to us in their love,” appears to stem, per the theological rationale in the Consultation report, from the desire to ground the rite in the doctrine of the Trinity. This is simply a mistake. Marriage isn’t about the Trinity.<sup>76</sup> It is about the Incarnation: it is an image of the primal gift of the self-above-all to the other who becomes the body of that self — *kenosis* and *pleroma* all in one.

One advantage of same-sex marriage over different-sex marriage is that there is no “natural” role assignment based on stereotypes of male = Christ and female = “the church.” Each partner can represent the kenotic Lord to the other, bearing each others burdens, sharing each others joys. More will be said on this in the section on covenant, page 41.

## CONCLUDING COMMENTS

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<sup>75</sup> Word-oriented liturgists tend to forget silent attention.

<sup>76</sup> Augustine explicitly rejected this connection in *De Trinitate* XII.5-6. See also Haller 1996:17.

The outlines of rites collected here show that the essential elements of marriage have remained fairly constant. The major issue becomes how to place the elements in such a way as to focus attention on what the couple are doing in the midst of the church gathered in prayer and thanksgiving. As I have noted, it is the added role for the congregation (beginning in 1979) that creates the greatest difficulties and opportunities for breaking the pattern or rhythm of the rite. Several suggestions have emerged in the discussion of rites proposed and performed over the last few years. The next years may bring refinement and clarity, and ultimately, blessing upon the church and those who are nourished in her.

## “Blessing” as a pointer towards a theology of marriage

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On the other hand, the church can continue on its way as if nothing has happened. It did this with Galileo and Darwin with unhappy results. It appears that the church has several options (in addition to doing nothing):

- ▶ The church could decide that it has erred in getting involved with marriage at all. Marriage existed as social institution long before the church became rather reluctantly involved as a stabilizing witness. There is nothing to prevent the church desacramentalizing marriage in the same way it did the subdiaconate — or, in the Reformation churches, ceased to recognize religious vows, and dispensed with clerical celibacy.
- ▶ The church could simply add same-sex marriage (or blessing of same-sex unions) with appropriately crafted rites of no greater theological depth than the ones currently used for different-sex marriage.
- ▶ Or the church could seize this opportunity to reevaluate and redeem a struggling institution, seek new forms, images, and vitality for marriage, and focus on what it as church brings to the marriage: blessing and ecclesial community.

In this final portion of my study I will seek to chart out a course for carrying the third option forward — an option already well under way through the work of the CSSU. Since the church’s only unique faculty in marriage is in conferring its blessing, this is the fulcrum point with which I will attempt to leverage a model of marriage that is both flexible and inclusive for both same- and different-sex couples, though perhaps celebrated less often, and with a greater degree of commitment.

### WHAT IS BLESSING?

The question of *what blessing is* is open; it is a liturgical phenomenon for which the church has yet to develop a clear theology. However, the following can be observed:

There are three basic types of blessing, which I will call *benediction*, *purification*, and *sanctification*. These three forms of blessing have roots in Jewish worship, under the root-forms of *brkh*, *kpr* or *thr*, and *kdš*, commonly expressed in such rites and prayers as the many berakoth, the ritual of Yom Kippur, and the marriage agreement *kiddushin*. In many of the church’s “blessings” these types are mixed,<sup>77</sup> though a careful analysis of the rites can tease the strands apart.

**Benediction** is the common form of blessing in Jewish prayers from the Rabbinic period on, and it is God, rather than the person or the gift, that is most often blessed; “Blessed art thou O Lord, etc., who

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<sup>77</sup> In both Jewish and Christian blessing-modes there is considerable overlap. See TDOT on *brk* for the full range of meanings, for example. All four of these roots occur with considerable frequency in the Hebrew Scripture.

It will also be noticed that while Christians normally bless in the name of the Trinity, in the prayer language of various blessings there is a certain “economic attraction” of benediction to the Father, purification to the Son, and sanctification to the Spirit.

givest us X so that we may Y.” The primary note is *thanksgiving*. The Eucharist may well derive its characteristic shape from this type of blessing, in particular the *birkat hamamazon* that ended meals. (Talley 1976)

**Purification** is a very ancient form of blessing, with deep psychological roots. It is tied up with taboo and notions of ritual cleanness. It is also related to exorcism. This kind of blessing has a long association with sexuality. (Oliver 221) Many of the cleansing rituals of the Hebrew law revolve around seminal and menstrual emissions (Lev 15.32-33), and a rite of purification was required after sexual intercourse (Lev 15.18). The primary notes are *cleansing* and *atonement*. Baptism, even today, retains clear elements of this ancient blessing-mode in language of *cleansing* from sin. (BCP 307)

**Sanctification** “makes the common holy” and sets it apart (a primary note in the Jewish *kiddushin* or betrothal — see Bokser 166). Sanctification imparts a special condition to some object, place, or person. Unlike purification, which removes a negative, sanctification adds a positive, with a sense of dedication to some particular holy end. In Gen 2.3 the Sabbath is both blessed (*brk*) and hallowed (*kdš*) by God. The primary note in sanctification is *holiness*. Various rites contain elements of sanctification of things (baptismal water, eucharistic elements, altars and fonts), places (dedication of a church), or people (Baptism, ordination).

This closer look at blessing can help articulate (and some day perhaps solve) two of the knotty problems with which the current Episcopal marriage rite, and several of the proposed same-sex or unified rites present us.

The *minister* of blessing has traditionally been a priest — at least in the blessing of persons.<sup>78</sup> This is emphasized in the current marriage rite in the permission for a deacon to officiate at a marriage *and omit the nuptial blessing*. However, this provision can only create confusion — is such a marriage a “church marriage” or a civil marriage?

Another major problem with which our current rite faces us is the provision for marriage in which one of the parties is not a Christian. Is such a marriage a “Christian marriage?” We have already noted the canonical difficulties above, on page 24. But this option also creates liturgical/theological difficulties. If marriage signifies the union of Christ and the church, how can it do so if one of the parties in the marriage is not a member of that church? Carol Benedict†, in his presentation on Same-Sex Unions (20-22), appears to lose sight of this fact in his enthusiasm to push for a more ecclesial understanding of marriage. One possible way out of this dilemma is to suggest that the baptized party “sanctifies” the unbaptized — an idea that Paul suggested in 1 Cor 7.14 (though referring to persons married before baptism). This may also help answer the question of the deacon just considered: if a lay baptized person can baptize, and a lay baptized person can sanctify a spouse, why should the sanctification of the couple by a deacon be impermissible? Who, in fact, is doing the sanctifying?

This takes us to a very basic question: who blesses, the priest, or God? And when a priest bids the blessing (for the language of the blessing makes it clear that is what is happening) is the priest doing so *in se* or as the president of the assembly? Eucharistic theology has in recent years shifted focus from the priestly celebrant to the priestly people *with the priest as president*. Given the long tradition that it is the couple who are the *ministers* of the rite, and that by Western tradition the nuptial blessing (originating in a blessing *of the bride alone*, Roman Catholic practice until Vatican II) is optional, it seems that the specific reliance upon *sacerdotal* rather than *presidential* blessing may represent a hangover of a totem/taboo modality that is more connected with purification than sanctification.

### ***The decriminalization of sex***

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<sup>78</sup> The BCP has provision for a lay person to perform the blessing of palms on Passion Sunday. The Jewish berakthoth are used by the laity, with the exception of the Aaronic Blessing, no doubt due to its specific connection with the Name of God. (Num 6.27) The berakthoth inform and infuse all of life in giving thanks for it.

The connection of impurity with sex — going back to prehistoric times, and linked (in the West) with original sin through the controversy between Saint Augustine and the Pelagians — has deformed human society and individual human lives ever since. It is time for the church resolutely to put behind it all suggestion of some inherent impurity in sex that needs to be exorcised before sanctification can take place.

The traditional myth of marriage makes the claim that the church's blessing of marriage renders licit something (sex) that without the church's blessing would be sinful. However, this fails to meet the evidence of human experience and the biblical witness.

Long before the church blessed marriage, the inappropriateness of "fornication"<sup>79</sup> was established; but the marriage of which Saint Paul speaks when he says (1 Cor 7.9) "it is better to marry than to burn" *is not church marriage*; there *was* no "church marriage" in the New Testament period; all marriage at that period was civil or cultural (i.e., what we would call "common law") marriage. Full appreciation of the fact that the church's blessing need not be required to "render sex licit" offers a number of possibilities. The church could get out of the "marrying business" as agent of the state in witnessing civil marriage. The church would reserve that which it alone bestows — benediction and the forum for sanctification — to those for whom ecclesial marriage is a vocation. Moreover, the church could begin to develop, as Christopher Webber has suggested, a *formational* approach towards marriage. (Webber 207-222) Marriage would then have its own *novitiate* (equivalent to the baptismal catechumenate) in which a couple could grow before deciding to make the sacramental commitment to a life together.

This is not so radical as it might at first appear. The distinction between civil and church marriage has existed for centuries in this country, and since the nineteenth century in England. For those uncomfortable with a common-law novitiate, civil marriage could always be undertaken and experienced for a period of time before seeking the church's benediction and sanctification in the sacramental rite. This raises the question of what a sacrament is, and how marriage as a way of life relates to it.

#### **IS MARRIAGE A SACRAMENT OR A WAY OF LIFE—OR BOTH?**

We have already established that, following the classic Roman pattern, consent, not consummation (the Northern European view) or the church's blessing, makes the marriage. However, the church's blessing in some sense *makes a marriage Christian*. I suggest that the debate over whether (or in what way) marriage is a sacrament, and at what point the marriage is "made" is misplaced, and resembles the debates over the "moment of consecration" in the Eucharistic rite.

#### ***What are sacraments?***

The Book of Common Prayer (857f) defines sacraments narrowly: "The sacraments are outward and visible signs of inward and spiritual grace, given by Christ as sure and certain means by which we receive that grace." Grace is further defined as "God's favor towards us, unearned and undeserved; by grace God forgives our sins, enlightens our minds, stirs our hearts, and strengthens our wills."

Under these definitions marriage hardly appears at first glance to be a sacrament:

- ▶ the outward and visible signs (joining of hands, exchange of rings as symbolic of consent and vows) are not universally observed or "ordained by God," as Article XXV puts it;

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<sup>79</sup> It is not always clear whether (and if ever, when) πορνεία refers to "sex outside of marriage" instead of "resort to prostitutes." Given the prevailing common law view of marriage, most biblical "fornication" probably refers to prostitution, which is certainly sex outside of marriage. However, Paul implies that by sleeping with a prostitute a man has to some extent "married" her — that is, some form of union is created as the man and prostitute become "one flesh." (1 Cor 6.16)

- ▶ there is no indication of marriage having been “given by Christ” — it could hardly be so given if it was also “instituted by God in the time of man’s innocence...”;
- ▶ while the marriage service includes prayers for God’s favor, it does not appear that marriage in itself is a *means* of that favor’s transmission. Marriage, as Peter Lombard (whom the Reformers followed on this) saw it, was a *sign* of grace rather than a *cause* or *means* of grace. (Lawler 61) “The reluctance of the BCP to entitle it a Sacrament (though it is so called in the Homilies...) arises from the same hesitation of theologians to recognize as such a rite which did not appear to be manifestly productive of grace.” (Cross 873)

### ***Rite and estate***

These criticisms reflect the concerns and controversies of the Reformation. The Reformers wished to give the name “sacrament” only to those rites that were *productive*, and focused on the *performance of the rite as a grace-producing appliance*. Paradoxically, at the same time they also emphasized the semiotic aspect even of the dominical sacraments, and renewed the understanding that the importance of the sacraments does not lie in the sacraments themselves, but in that towards which they point — this was the heart of the debate over transubstantiation and eucharistic devotions. The third element in sacraments or sacramental rites lay in the sense in which they marked an entry into an estate as well as serving as the act by which that estate was entered. Baptism displays this liminal / transitional quality most clearly: it is a one-time rite that marks the *entry into the baptized life*. Ordination also bears this quality.

Granting the deficiency of marriage as “grace-producing,” the two remaining elements that can be termed “sacramental” if not “sacraments” (except in Lombard’s signficatory sense) remain true of marriage. Marriage is both a one-time rite and a processional “state of life” (Article XXV) — it is not so much a means of grace as an *opportunity* for grace, or, to use Byron Stuhlman’s felicitous phrase, an *occasion* of grace — and it is the entry to a life that can be filled with grace by God’s free gift, not simply as a one-time response to a specific act of piety. In this sense, Christian marriage is *both* a sacramental sign and a way of life. But what is it a sacramental sign of?

### ***Of what is marriage sacramental?***

The reluctance of Christian authors writing on the subject of marriage to cite Jesus’ only specific comment on marriage (as opposed to divorce) has been noted (see page 21). This reticence is tragic: for it is in Jesus’ teaching in Luke 20.34 (“those who attain to the resurrection do not marry”) that a better understanding of what marriage — and all the sacraments — signify can be found.

There is, Jesus assures us, no marriage in the life of the resurrection. But neither is there Baptism or the Eucharist. What we are to experience in the resurrection is that towards which Baptism and the Eucharist and Marriage all point: freedom, union, fidelity, and participation in the divine life. In this sense the church itself is a sacrament of the kingdom of God, a bride in the process of preparing for her wedding.

In a time of betrayal, marriage can be a sacramental sign of commitment. Just as Jesus’ celibacy was an eschatological sign in an era when marriage was the norm, so faithful marriage can be an eschatological sign in an era when transient and casual relationships (that falsely usurp the name of marriage) are the norm. Same-sex marriage offers a way for all marriage to discover its power as such a sign, to be more than the blessing of a cultural norm, by shattering the last taboo, by tearing down the last of the three dualities Paul promised would be destroyed in Christ: the racist dualism of Jew and Gentile, the social dualism of slave and free, and the sexual dualism of male and female.

For marriage to take on the function of eschatological sign will mean some considerable reevaluation of marriage practice in the church, some of it difficult, much of it painful. Same-sex marriage will call the church to place even higher standards on what is expected of those who marry with the

church's blessing. For the traditional "ends" or "purposes" of marriage will no longer be adequate, in whatever order they are placed. As long as the marital relationship is seen in terms of a "marriage debt" or the *jus ad corpus*, "the right to the use of the body of the spouse" (Webber 100) — standard concepts of the essence of marriage in the middle ages and not uncommon today, though going by different names — marriage will be a matter of commerce rather than a sign of the kenotic self-giving of Christ. So long as marriage is seen in terms of ends, as a means achieve to those ends; so long as marriage is seen as something with a purpose, marriage will be cursed with the nature of contract, rather than blessed with the freedom of covenant.

#### THE ROLE OF "COVENANT" IN A MARRIAGE THEOLOGY

If love depends on some thing, and the thing passes away, the love passes away too; but if it does not depend on some thing it will never pass away. Which love depended on some thing? This was the love of Amnon and Tamar. And which did not depend on some thing? This was the love of David and Jonathan. (Mishnah Avot 5.16)

Covenant is — at its purest<sup>80</sup> — exactly that sort of living and loving that we would hope marriage to be: it is not based on any thing except the gift of the self to "the other." Covenant, unlike contract, is not based on a *quid pro quo* that looks for goods, results, ends, intentions or purposes, but on a promise to be faithful — to love, honor and cherish, for better, for worse, until death. It is not enough to prioritize or rejuggle the order of goods, ends, or purposes, as does the current Episcopal rite — following the momentous reevaluation of the ends of marriage begun by Pius XI and continued (not without controversy) by Vatican II, and the Lambeth pronouncements of the mid-century and later.<sup>81</sup> The problem isn't with the order of the ends *but in having ends at all*: the supralapsarian bliss of Adam and Eve (in Genesis 2, as opposed to Genesis 1) lies simply and solely in their unity, not their productivity: they find their fulfillment *in each other*. For this reason, all reference to ends or purposes of marriage should be removed from the rite (as the Episcopal Church did until 1970).

#### *The question of complementarity*

It will be asked at this point if a person of the same sex can be an appropriate "other." Some who oppose same-sex marriage lay great store on the supposed "complementarity" of the sexes (e.g. Stott 14). But such a view "fails to recognize persons of the same gender as distinct other persons" and is

based on a truncated human development for both men and women in which both must remain "half" people who need the other "half" in order to be "whole." (Ruether 24)

As I have shown in my response to Bishop Fairfield's dissent from the Righter trial decision, such a notion is both illusory and potentially (and actually) dehumanizing, especially to women. People are not

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<sup>80</sup> Covenant can, naturally, blur into contract. As with *blessing*, I am overstating the distinction to some extent in order to develop a more precise meaning.

<sup>81</sup> See Lawler 65-72. Pius, in *Casti Connubi* of 1930 for the first time since Augustine articulated that mutual love between the partners could be "the chief reason and purpose of marriage, if marriage be looked at not in the restricted sense as instituted for the proper conception and education of the child, but more widely as the blending of life as a whole and the mutual interchange and sharing thereof." Nonetheless, Pius remained firm on the question of birth control as frustrating the natural end of marriage. The most significant Vatican II statement is in *Gaudium et Spes*, where marriage is "a conjugal covenant of irrevocable personal consent" which, even in the absence of procreation "retains its character of being a whole manner and communion of life." (48, 50)

“incomplete” if unmarried, and each individual fully represents the image of God (Haller 1996:17).<sup>82</sup> Ultimately “complementarity” is based on a theology of *deficiency* rather than *abundance*.

The lesson of Genesis 2 is not that the union of spouses makes them “human,” but that it fulfills the human need for companionship. God allows Adam a subjective response in providing the gift of a “suitable” mate — and Adam finds the human rather than the animal to be suitable: it is Eve’s *likeness* to him (bone and flesh of his bones and flesh) *not* her alleged “complementarity” that makes her his suitable companion. This same subjective reception of a suitable partner is necessary in order for consent — and marriage — to be fully realized.<sup>83</sup>

### ***Who is my neighbor?***

It is forbidden for a person to betroth a woman until he sees her, lest he find something repulsive in her and she will become loathsome to him, whereas the All Merciful One ordained: “You shall love your neighbor as yourself.” (Lev 19.18) bKiddushin 41a

It might seem odd that the rabbis applied this Levitical command to marriage. However, the Hebrew word *re’a* often has erotic and amatory overtones, though its range covers everything from simply “other” through neighbor, friend, “mate” (in every sense of the word) and love-partner. This word and its derivative form *ra’yah* are used throughout the Song of Songs for the most intimate and explicitly sexual relationships; moreover, the latter form is the modern Hebrew word for “wife.” (Bokser 171) The lovers in the Song of Songs find their ends and reasons to exist *in each other* (“my beloved is mine and I am his,” 2.16, 6.3) — and this mutual self-giving is not dependent on their sexual dimorphism.

Discomfort with the overlap of friendship and erotic love is common. Some have denied the possibility or the wisdom of such an overlap. For example, one of the most glaring flaws in the English Bishops’ statement on sexuality lies in their refusal to recognize or account for the overlap except to dismiss it dogmatically. While acknowledging the wide range of *friend* and *neighbor* in former times, they specifically omit the relevant biblical witness to the erotic element in the Song of Songs, and see sex as simply having “no place in friendship.” (IHS §3.12-3.14) While it might well be true that sex has no place in a causal friendship, doesn’t friendship have a place in a marital relationship? The effort to divorce these elements of human companionship and togetherness into discrete categories fails to recognize the complexity of human relationships, and may lead to an impoverishment of conjugal life.

One other couple in Hebrew Scripture, in addition to the bride and bridegroom of the Song of Songs, are described as having loved with complete selflessness and self-giving: Jonathan loved David<sup>84</sup>

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<sup>82</sup> It must be acknowledged that there is a rabbinic tradition which holds that a single man is “incomplete” — this constitutes part of the opposition to celibacy described above (page 19). In this aspect of Jewish teaching, “the telos of marriage is a return to the condition of completeness or even of *imago dei* in the act of marriage that reconstructs the Divine Image in which the original androgyne was created.” (Boyarin 46) This echoes a tradition also articulated in Aristophanes’ address in Plato’s *Symposium*. However, it is not consistently applied even within Genesis (9.6): one need not kill a married couple to deface the image of God. From a Christian perspective, the dignity of each human being in the image of Christ (who is *the* image of God) is more important. Marriage is a union of two in a community of fellowship. Moreover, this notion of the “man’s” incompleteness (this is the usual phraseology) reduces the woman to an accessory or stopgap to “complete” the male: an altogether unsatisfactory anthropology.

<sup>83</sup> According to a 1970 decision of the Roman Rota, highest marriage tribunal of the Roman Catholic Church, “Where marital love was lacking, either the consent is not free, or it is not internal, or it excludes or limits the object which must be integral to have a valid marriage... Lack of marital love is the same as lack of consent.” (Lawler 20) This decision was reached in order to provide a broader basis for issuing annulments.

<sup>84</sup> It is beyond the scope of this paper to explore in depth the quality of this relationship beyond noting, as the rabbis did, its exemplary quality. The question of whether it contained an erotic component is open. That many say introducing a

“as his very self,” (1 Sam 18.1-4) his *nepheš* — another word with a wide range of meanings, translated as *soul*, *self* or *body*, the latter in its complete range of meanings from physical body (= corpse) to *person* as in “*somebody*.”

Boswell is incorrect in his statement that this text has “no parallel” except in the most limited sense of verbal equivalence. (Boswell 1994:137n) The soul (*nepheš*) is used elsewhere in connection with amatory and erotic affection (Gen 34.3,8), and that passage also echoes the role of the spouse’s father in “taking” or “getting” the partner (Gen. 34.4 ≈ 1 Sam 18.2, cp. Gen 2.24!). For our purposes the most significant parallel is the Pauline language in Ephesians — the classic text for marriage as sacrament — describing the intimate self-giving and self-sacrifice of Christ and the church, and husband and wife, echoing Lev 19.18 and prefiguring the passage from bKiddushin cited above:

In the same way, husbands should love their wives as they do their own bodies. He who loves his wife loves himself. For no one ever hates his own body, but he nourishes and tenderly cares for it, just as Christ does for the church. (Eph 5.28-29)

It is this partnership of self with other to such a degree that selfhood and otherness is overcome for which marriage is a sacrament and sign. And the sex of the partners is irrelevant to its achievement.

## Concluding reflection

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There is no doubt that changing the shape of marriage to accommodate persons of the same sex will change the shape of the church. Changing the symbols of our worship can make powerful changes in our lives — what kind of shifts in theology and ecclesiology took place in concert with the return of the chalice to the laity, or the movement from eucharistic loaf to individualized hosts and back again? What is the difference between the dramatic immersion of adults in ancient baptismal rites compared with the parsimonious dripping across the brow of an infant held over a teacup on a stick?

Same-sex marriage will drive the church to reconsider all of the mixed messages its current marriage rite has been communicating: women (or men) still “given away”; a list of “purposes” laid on as duties where there should be only gift; a bundle of proof-texts barely relevant to the rite at hand — all of this will find itself crumbling as the true foundation of marriage emerges: the consent of two human beings to present themselves to each other in perfect freedom and devotion, as perfect gift; the promise to remain in that relationship unconditionally; and the blessing of the church bestowed in, with, and through all its members. All of this may help to restore the primal reality towards which this sacrament, and all sacraments ultimately point: the love of God in Christ.

We have come very far from the notion of marriage as a “remedy for fornication.” We are on the boundaries of a new country, a strange country, where unexpected things are likely to happen. But, in the words of W.H. Auden, now enshrined in Hymn 463 of the Episcopal Church’s *Hymnal 1979*: “at your marriage all its occasions shall dance for joy.” (*For the Time Being*, 1941-2)

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sexual component somehow trivializes the relationship is indicative of the problems some have with sexuality. I have already noted a number of the features that suggest a sexual component in the relationship (Haller 1994): the bowdlerization of David’s lament over Jonathan in the Old Latin and Vulgate versions; the “love-at-first-sight” quality of the initial meeting; the nuptial imagery of 1 Sam 18:1-4. Other points include the curious omission of the opening verses of 1 Sam 18 from the LXX; the verbatim parallel between Song of Songs 7.11 and 1 Sam 20.11; and the fact that the Hebrew becomes “corrupt” precisely at the point where a sexual incident might most likely have occurred. (1 Sam 20.41) “Every time the reader seems to get too close to understanding the more intimate details of David and Jonathan’s relationship, or the contents of their mysterious ‘Lord’s covenant,’ the text becomes suddenly unintelligible.” (Culbertson 86)



## Appendices

### Appendix: The minority that dare not speak its name

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It has become common in recent polemical discussion for conservatives to claim that homosexuality appears only in a small minority of the population, smaller than earlier studies have suggested. This claim is difficult to prove or disprove, for several reasons. How a society (or a survey) decides even what it means to “be homosexual” (whether based on orientation or behavior) may minimize the reported proportion of gay and lesbian people in direct proportion to the negative judgement upon being gay and lesbian within that society.

Many statistical studies focus solely on sexual behavior, reserve “homosexual” for those who predominantly or exclusively engage in sexual relations with members of the same sex, but then extrapolate to make such statements as, “The rate of homosexuality as a stable life orientation in our culture is certainly not 10 percent [the classic Kinsey study figure]. There is good evidence to suggest that less than 3 percent, and perhaps less than 2 percent, of males are homosexually active in a given year.” (Jones 109f) Jones appears to be unaware that he has made a leap from being “active” to “orientation.” Jones’ definition would not include as “homosexual” the married man who uses “homosexual fantasies to maintain potency”<sup>85</sup> when having sex with his wife — and, more importantly, *neither would the man himself*. On the other hand, the celibate monk who is aware of and positive about his homosexuality, might have no difficulty describing himself as “gay” even though not “active,” but he too would not show up on the surveys that base their findings on reported sexual contact.


There is no way to look into people’s souls, but a recent study that took a look at another portion of the anatomy suggests that homosexuality, broadly understood in the examples I have described, may be more prevalent than Kinsey or Jones’ studies suggest. One small-sample study examined a group of self-identified heterosexual college students, divided into homophobic and non-homophobic groups on the basis of a questionnaire. The study found a strong correlation between anti-gay attitudes and latent homosexuality. The latter was discerned on basis of measuring penile circumference of student test subjects while they watched gay and strait erotic films; *over half* of the homophobic men exhibited arousal when watching the gay films, compared to less than one-fourth of the non-homophobic control group.<sup>86</sup> This was the first study of its kind; until further work is done along these lines, statistics on the prevalence of homosexuality will have to be taken with a grain of salt.

Homophobia in our culture no doubt affects the accuracy of statistics concerning homosexuality (whether estimated at 1 percent or 10 percent of the population). One cannot determine how many people would identify themselves as gay or lesbian in the absence of intense societal pressure against such self-identification. An examination of a different culture might give different results. Aristophanes’ myth in Plato’s *Symposium* suggests that sexual orientation is evenly divided in the population; this suggestion was made in a culture that did not presume homosexuality to be inferior.<sup>87</sup>

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<sup>85</sup> R.A. Isay, *Being Homosexual: Gay Men and Their Development*. (New York: Farrar, Straus & Giroux, 1989), quoted in Burr 118.

<sup>86</sup> Shankar Vedantam reported this story in the Knight Ridder Tribune News Service, August 1, 1996, based on Henry E. Adams’ article in the *Journal of Abnormal Psychology*.

<sup>87</sup> This classic work also contradicts the often repeated assertion that the ancient world did not have a concept for sexual orientation, though perhaps “affectional preference” is more appropriate to the situation described in this Platonic dialogue. The word *homosexual* may be a novelty from late in the last century, but Aristophanes’ description in *Symposium* is (barring the inferred emphasis on  — and that too may be less a consistent reality than Dover

A second indicator of the true prevalence of homosexual orientation, or inclination, is the degree to which cultures that oppose it seek means to prevent, change or control it. For example, Pachomian monasticism imposed strict safeguards to minimize instances of gay sex, which suggests that the inclination to engage in such activity, absent these precautions, might have been significant; one does not normally take draconian measures against non-existent problems:

Monks must avoid tempting their brother monks, and must cover their knees when sitting together. [2] They must not tuck up their tunics too high when washing clothes together. [69] Monks must avoid looking at others, whether it be at work [7] or at mealtimes [30]... and must certainly not bathe and apply ointments to a brother. [93] Monks had no opportunity to be alone in pairs [89, 112, 95, 118]... They might not talk to one another in the dark [94] nor hold hands. [114] (Pachomius, *Precepts* in Rouselle 155-156)

Even when prohibition against homosexual activity is in place in a culture, it sometimes becomes so common as to be virtually “normal.” The British Public School System is but one example, in which, as C.S. Lewis attests in his autobiography, homosexual love, “however great an evil in itself, was, in that time and place the only foothold or cranny left for certain good things” in a “burning desert of competitive ambition.” (Lewis 109)<sup>88</sup> When such behavior becomes the “norm” for those in control of the society it ceases to be identified by terms reserved for deviants. Those who grew up in this Public School system would adapt it to their adult lives as well. Yet few of these individuals would identify themselves as “homosexual.” As Rosemary Radford Ruether noted,

When we look at this practice of sexuality among ruling-class males, in, say, British upper-class society, it becomes apparent that patriarchy does not rule out either promiscuity or homosexuality... Both are winked at as long as they remain discreet within a public system of heterosexual marriage that will produce legitimate offspring. (Ruether 32)

A similar phenomenon may be at work in the violent comments made in 1995 by President Mugabe of Zimbabwe, seconded by the Anglican bishop, to the effect that homosexuality was a foreign import designed to corrupt and destroy the African people.<sup>89</sup> Not only was the Mugabe administration embarrassed this year at the revelations of homosexual liaisons by the former President but, as numerous anthropological studies have shown, homosexual activity among tribal people was not unusual in the past, and in some cases enculturated as part of initiatory rites or societal adaptations: though for that very reason perhaps not seen as “homosexuality.”<sup>90</sup> Homosexual behavior was not a European import into Africa — the European import, 19<sup>th</sup> century evangelical Christianity, sought to eradicate these folkways.

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suggests) is a familiar portrayal of the range of sexual preference, orientation and activity. See also Boswell 1994:59.

<sup>88</sup> Chapters six and seven of this autobiography should be read by any Evangelical moved to adopt Lewis as an ally in an assault on gays; he would not have approved. While he regarded homosexuality as a vice, he regarded it as less morally dangerous than the priggish class system that also dominated so much of British Public School life.

<sup>89</sup> The tendency to attach homosexuality to an “enemy culture,” or to do the reverse by attaching some other negative attribute to homosexuals is of long standing in heterosexist societies. Examples include such constructs as the “Jewish homosexual communist psychiatrists” of McCarthyism, or the assertion that sadomasochism, Nazi regalia, bondage, pederasty, and the use of feces and urine during sex are somehow proper to homosexuals. (Hood 156, cited as authoritative in Supplication 7) Such wild accusations scarcely deserve a response except to note their incongruity, and the fact that such sexual practices as those listed by Hood are demonstrably common among heterosexuals. There are, no doubt, many curious homosexual subcultures, but to bring them into a discussion of same-sex marriage is as irrelevant as discussing similar heterosexual fetishes is to heterosexual marriage. Moreover, as it now stands, if a heterosexual married couple want to dress up as SS guards or do other “kinky” things in the privacy of their bedroom, neither the church nor the state would deny them the benefits of marriage. (See also Eskridge 106)

<sup>90</sup> See, for example, Eskridge 27-34, and Eugene Patron’s 1996 study, *Africa: Heart of Lavender*.

The martyrdom of the “Martyrs of Uganda” is an example of this clash in cultures and religions, though all sexual references have been omitted from the account in *Lesser Feasts and Fasts*.

So the proportion of “homosexual” persons in any given population is almost impossible to determine given the elasticity of the term, and the ability to rationalize or euphemize gay sex out of existence. However, one American study indicates that “more than one in four boys and girls enter adolescence unsure of their sexual identity”; the intense societal pressure that “acculturates all youth to presume they are heterosexual” (CTD 57) may contribute to a *functionally* heterosexual majority, many of whose members would, *mutatis mutandis* consider themselves to be gay or lesbian. This is one of the unknowns with which the current discussion is burdened; but it is one of the factors that makes anecdotal and experiential evidence so important.

### Appendix: Why not the Orthodox?

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The focus in this paper is upon Western rites. The Eastern Church has an very different liturgical and theological understanding of marriage, which it is beyond the scope of this paper fully to explore. Suffice it to say that the reception of the nuptial eucharist (which is not permitted to non-Orthodox) is an essential element in the Orthodox understanding of marriage as a sacrament, in which unitive theology takes precedence over the procreative emphasis typical in the Western tradition (witnessed in the blessing at the nuptial bed.) One might say that the West favors a “Genesis 1 theology” (“be fruitful and multiply”) while the East favors a “Genesis 2 theology” (“it is not good for the man to be alone”). The importance of Baptism and the Eucharist in marriage is reflected in the use of the Cana pericope, water and wine standing for the two great sacraments of unity. Because of this close connection with the Eucharist, the East also disagrees with the West as to the “minister” of the sacrament: in the East it *is* the priest, not the couple themselves, who finalize the marriage in the eucharistic rite. (Meyendorff 24,26; Stuhlman 100f)

This might at first appear a promising avenue for same-sex rites (indeed several proposed rites draw on Eastern sources or attempt to graft aspects of Eastern theology onto a Western stock). However, this course is problematical precisely because of its focus on *spiritual* communion rather than *physical* relationship. While one certainly hopes that a married couple, of whatever sex, will enjoy spiritual communion, marriage is not, and never has been, the sacrament of spiritual union that Baptism and the Eucharist have been, for a number of reasons, the most important of which are:

- ▶ It is limited to two persons (generally), unlike Baptism and the Eucharist.
- ▶ It is an earthly phenomenon rather than a heavenly one, as noted in the discussion of Luke 20.35 (see page 21). The failure to take full account of this marks a distinct weakness in the Eastern tradition, which forbids second marriages (with greater or lesser strictness) even after widowhood, on the grounds that marriage creates an *eternal* bond; the West has come to take the position that marriage creates a bond that endures “till death do us part”—a view more in keeping with the admittedly slim Biblical witness. While some might welcome this spiritualization as a way to downplay the erotic component of same-sex marriage in a move for greater tolerance, such a course is unlikely to be successful in overcoming opposition.
- ▶ While there is an ontological change in a married couple—they “become” spouses—the focus in marriage is on *action* rather than *being*. As with religious life, marriage entails vows to act in certain ways, and to refrain from acting in other ways: it is about *loving* rather than *being in love*. Marriage is about self-giving in an ongoing, living relationship.

At some point I hope to pursue a more detailed examination of the Eastern background. For the present, however, and for these reasons, I am not including extensive reference to the Eastern marriage tradition in this paper.

## Appendix: Episcopal (and Other) Marriage Rites

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In the tables that follow

- ▶ citations of Scriptural allusions are indicated in <angle brackets>;
- ▶ editorial comments appear in {braces} in a reduced size;
- ▶ material appearing out of sequence (for comparison with parallels) appears in «guillemets» and a slightly smaller size.
- ▶ Where the text is completely or substantially identical in adjacent columns the text spans (or is centered within) the columns. When the text itself is not sufficient to span the columns, an em-dash (—) at either the beginning or the end of the line will clarify in which direction the spanning should continue.
- ▶ In a few cases where a long passage of text is unique to a given version or versions, the columns are dispensed with to conserve space. In all such cases a notation will appear indicating to which version the text belongs.
- ▶ Minor variants of not more than short phrases are indicated between vertical lines (“|”) with slash marks (“/”) separating the usage in the versions in the same order as the columns. In such cases, omissions are indicated with underscores (“\_\_\_”). For example, the deletion of the word “holy” in the King’s Chapel version of the 1662 rite is indicated: “be joined together in |holy / \_\_\_| Matrimony...”
- ▶ A few insignificant or secondary details (orthography, capitalization, and italicization, spelling errors in the printed editions) have been regularized without comment. For example, the use of “M.” for the woman’s name and “N.” for the man’s in the 1662 rite is not considered substantive for the purpose of the comparisons which follow. The introductory paragraph mark “¶” used with rubrics in some editions is removed, and rubrics printed in small roman type in the 1979 BCP appear in italics here for the sake of consistency.

### ***From 1662 through 1789/90***

The first table shows the marriage rite from the 1662 Book of Common Prayer of the Church of England, the 1785 adaptation used at King’s Chapel in Boston, the “Abridgement of the Book of Common Prayer” undertaken by Dashwood and completed by Benjamin Franklin, the proposals presented to the 1785/86 General Conventions, and the version adopted in 1789.

<i>1662 BCP</i>	<i>King’s Chapel 1785</i>	<i>“Franklin” 1773</i>	<i>BCP Proposed 1785/6</i>	<i>BCP 1789/90</i>
THE FORM OF SOLEMNIZATION OF MATRIMONY	MATRIMONY	THE FORM OF SOLEMNIZATION OF MATRIMONY	MATRIMONY	
			<i>The Laws respecting Matrimony, whether by publishing the Banns in Churches or by Licence, being different in several States; every Minister is left to the Direction of those Laws in every Thing that regards the civil Contract between the Parties.</i>	
<i>First the Banns of all that are to be married together must be published in the Church three several Sundays, during the time of</i>	<i>First the Banns of those who are to be married, may be published in the Church three several Sundays or Holy days,</i>	<i>First the Banns of all that are to be married together must be published in the Church three several Sundays or Holydays in the time</i>	<i>And when the Banns are published,</i>	

1662 BCP	King's Chapel 1785	"Franklin" 1773	BCP Proposed 1785/6	BCP 1789/90
<p><i>Morning Service, or of Evening Service, (if there be no Morning Service,) immediately after the second Lesson; the Curate saying after the accustomed manner,</i></p>	<p><i>in this manner:—</i></p>	<p><i>of Divine Service, immediately before the Sentences for the Offertory; the Curate saying after the accustomed manner,</i></p>		<p><i>it shall be in the following form:</i></p>
<p>I PUBLISH the Banns of Marriage between M. of ——— and N. of ———. If any of you know cause, or just impediment, why these two persons should not be joined together in [holy / ___ / holy] Matrimony ye are to declare it. This is the first [<i>second, or third</i>] time of asking.</p>				<p>I PUBLISH the Banns of Marriage between M. of ——— and N. of ———. If any of you know cause, or just impediment, why these two persons should not be joined together in holy Matrimony ye are to declare it. [<i>This is the first. second, or third time of asking</i>].</p>
<p><i>And if the persons that are to be married dwell in divers Parishes, the Banns must be asked in both Parishes; and the Curate of the one Parish shall not solemnize Matrimony betwixt them, without a Certificate of the Banns being thrice asked, from the Curate of the other Parish.</i></p>		<p><i>And if the persons that are to be married dwell in divers Parishes, the Banns must be asked in both Parishes; and the Curate of the one Parish shall not solemnize Matrimony betwixt them, without a Certificate of the Banns being thrice asked, from the Curate of the other Parish.</i></p>		
<p><i>At the day and time appointed for solemnization of Matrimony, the persons to be married shall come into the body of the Church</i></p>	<p><i>When</i></p> <p><i>the persons to be married are assembled</i></p>	<p><i>At the day and time appointed for solemnization of Matrimony, the persons to be married shall come into the body of the Church</i></p>	<p><i>At the day and time appointed for Solemnization of Matrimony,</i></p>	<p><i>At the day and time appointed for Solemnization of Matrimony, the Persons to be married shall come into the Body of the Church, or shall be ready in some proper house, with their Friends and Neighbours; and there standing together, the Man on the Right Hand, and the Woman on the Left, the Minister shall say,</i></p>
<p><i>with their friends and neighbours; and there standing together, the Man on the right hand, and the Woman on the left, the Priest shall say,</i></p>	<p><i>with their friends,</i></p> <p><i>the Minister shall say,</i></p>	<p><i>with their friends and neighbours; and there standing together, the Man on the right hand, and the Woman on the left, the Priest shall say,</i></p>	<p><i>the Minister shall say to the persons assembled,</i></p>	
<p>DEARLY beloved, we are gathered together here in the sight of God, and in the face of this congregation, to join together this Man and this Woman in holy Matrimony; which is an honourable estate, instituted of God in the time of man's</p>	<p>DEARLY beloved, we are gathered together here in the sight of God, and in the face of this congregation, to join together this man and this woman in matrimony; which is an honourable estate, instituted of God in the time of man's</p>	<p>DEARLY beloved, we are gathered together here in the sight of God, and in the face of this congregation, to join together this Man and this Woman in holy Matrimony; which is an honourable estate,</p>	<p>DEARLY beloved, we are gathered together here in the sight of God, and in the face of this congregation, to join together this Man and this Woman in holy Matrimony;</p>	<p>DEARLY beloved, we are gathered together here in the sight of God, and in the face of this company, to join together this Man and this Woman in holy Matrimony; which is</p>

1662 BCP

King's Chapel 1785

"Franklin" 1773

BCP Proposed 1785/6

BCP 1789/90

innocency, signifying unto us the mystical union that is betwixt Christ and his Church; which holy estate Christ adorned and beautified with his presence, and first miracle that he wrought, in Cana of Galilee; and is commended of Saint Paul to be honourable among all men: and therefore is not by any to be enterprised, nor taken in hand, unadvisedly, lightly, or wantonly, to satisfy men's carnal lusts and appetites, like brute beasts that have no understanding; but reverently, discreetly, advisedly, soberly, and in the fear of God; duly considering the causes for which Matrimony was ordained.

First, It was ordained for the procreation of children, to be brought up in the fear and nurture of the Lord, and to the praise of his holy Name.  
Secondly, It was ordained for a remedy against sin, and to avoid fornication; that such persons as have not the gift of continency might marry, and keep themselves undefiled members of Christ's body.  
Thirdly, It was ordained for the mutual society, help, and comfort, that the one ought to have of the other, both in prosperity and adversity.

Into which holy estate these two persons present come now to be joined. Therefore

if any man can shew any just cause, why they may not lawfully be joined together, let

innocency;  
  
which estate Christ adorned and beautified with his presence, and first miracle that he wrought in Cana of Galilee; and is commended of Saint Paul to be honourable among all men; and therefore is not by any to be enterprised or taken in hand, lightly or unadvisedly;  
  
but reverently, discreetly, advisedly, soberly, and in the fear of God.

« {The first and third "causes" are expanded upon in the Exhortation after the marriage, below.} »

and which Christ adorned and beautified with his presence,  
  
and therefore is not by any to be taken in hand unadvisedly, lightly, or wantonly,

but discreetly, and in the fear of God; duly considering the causes for which Matrimony was ordained.

First,  
For the procreation of children:

Secondly,  
For a remedy against sin:

Thirdly,  
For the mutual society, help, and comfort, that the one ought to have of the other, both in prosperity and adversity.

Therefore

[i/i/I]f any \_\_\_ / man / man] can shew any just cause, why they may not lawfully be joined together, let him now speak, or else hereafter for ever hold his peace.

commended of Saint Paul to be honourable among all men: and therefore is not by any to be entered into

unadvisedly or lightly,

but reverently, discreetly, advisedly, soberly, and in the fear of God.

Into this holy estate these two persons present come now to be joined.

him now speak, or else  
hereafter for ever hold  
his peace.

*And also, speaking to the persons who are to be married, he shall say,*

I REQUIRE and charge you both, as ye will answer at the dreadful day of judgement when the secrets of all hearts shall be disclosed, that if either of you know any impediment, why ye may not be lawfully [joined / united] together in Matrimony, ye do now confess it. For be ye well assured, that so many as are [coupled / joined] together otherwise than God's Word doth allow

are not joined together by God; neither is their Matrimony lawful.

*At which day of Marriage, if any man do alledge and declare any impediment, why they may not be coupled together in Matrimony, by God's Law, or the Laws of this Realm; and will be bound, and sufficient sureties with him, to the parties; or else put in a Caution (to the full value of such charges as the persons to be married do thereby sustain) to prove his allegation; then the solemnization must be deferred, until such time as the truth be tried.*

*If no impediment be alledged,*

*then shall the [Curate / Minister / Curate] say unto the Man,*

M. WILT thou have this Woman to thy wedded wife, to live together after God's ordinance in the [holy / \_\_\_] estate of Matrimony? Wilt thou love her, comfort her, honour, and keep her in sickness and in health; and, forsaking all other, keep thee only unto her, so long as ye both shall live?

I REQUIRE and charge you both, that if either of you know any impediment, why ye may not be lawfully joined together in Matrimony, ye do now confess it.

*At which day of Marriage, if any man do alledge and declare any impediment, why they may not be coupled together in Matrimony, by God's Law, or the Laws of this Realm; and will be bound, and sufficient sureties with him, to the parties, or else put in a Caution (to the full value of such charges as the persons to be married do thereby sustain) to prove his allegation; then the solemnization must be deferred, until such time as the truth be tried.*

N. WILT thou have this Woman to thy wedded wife, to live together in the holy estate of Matrimony? Wilt thou love her, comfort her, honour, and keep her, in sickness and in health; and, forsaking all other, keep thee only unto her, so long as ye both shall live?

—The man shall answer,—

*And|, \_\_\_ / also| speaking unto the Persons who shall be married, he shall say,*

I REQUIRE and charge you both, as ye will answer at the dreadful day of judgement when the secrets of all hearts shall be disclosed, that if either of you know any impediment, why ye may not be lawfully joined together in Matrimony, ye do now confess it. For be ye well assured, that [so many as / if any persons] are [coupled / joined] together otherwise than God's Word doth allow

are not joined together by God; neither is their Matrimony lawful. their marriage is not lawful.

*The Minister, if he shall have reason to doubt of the lawfulness of the proposed Marriage, may demand sufficient surety for his indemnification: but*

*And if no Impediment be alledged,*

*then shall the Minister say unto the Man,*

M. WILT thou have this Woman to thy wedded wife, to live together after God's ordinance in the holy estate of Matrimony? Wilt thou love her, comfort her, honour, and keep her in sickness and in health; and, forsaking all others, keep thee only unto her, so long as ye both shall live?

*if no impediment shall be alledged, or suspected, the Minister shall say to the Man,*

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—I will.—

*Then shall the |Priest / Minister / Priest| say unto the Woman,*

*Then shall the Minister say unto the Woman,*

N. WILT thou have this Man to thy wedded husband, to live together after God's ordinance in the |holy / \_\_\_| estate of Matrimony?

N. WILT thou have this Man to thy wedded husband, to live together in the holy estate of Matrimony?

N. WILT thou have this Man to thy wedded husband, to live together after God's ordinance in the holy estate of Matrimony?

Wilt thou obey him, and serve him, love, honour,

Wilt thou love him, comfort him, honour

Wilt thou obey him, serve him, love, honour,

Wilt thou obey him, and serve him, love, honour,

and keep him, in sickness and in health; and, forsaking all other, keep thee only unto him, so long as ye both shall live?

—*The woman shall answer,*—

—I will.—

—*Then shall the Minister say,*—

—Who giveth this Woman to be married to this Man?—

*Then shall they give their troth to each other in this manner.*

*Then shall they engage themselves to each other in this manner:*

*Then shall they give their Troth to each other in this manner.*

*The Minister receiving the woman at her father's or friends hands, shall cause the man with his right hand, to take the woman by her right hand,*

*and to say after him as followeth:*

I M. take thee N. to my wedded wife, to have and to hold, from this day forward, for better for worse, for richer for poorer, in sickness and in health, to love and to cherish, till death us do part, according to God's holy ordinance,

and the laws of the land.

and thereto I plight thee my troth.

*Then shall they loose their hands, and the woman with her right hand, taking the man by his right hand, shall likewise say after the Minister:*

I N. take thee M. to my wedded husband, to have and to hold from this day forward, for better for worse, for richer for poorer, in sickness and in health, to love, cherish,

and to obey, till death us do part, according to God's holy ordinance;

till death us do part, according to God's holy ordinance, and the laws of the land.

and thereto I give thee my troth.

*Then shall they again loose their hands, and the Man shall give unto*

*Then shall they again loose their hands, and the man shall give unto*

*and the Man shall give unto*

*and to say after him as followeth.*

I M. take thee N. to my wedded wife, to have and to hold, from this day forward, for better for worse, for richer for poorer, in sickness and in health, to love and to cherish, till death us do part, according to God's holy ordinance;

and thereto I plight thee my troth.

*Then shall they loose their hands; and the Woman, with her right hand taking the Man by his right hand, shall likewise say after the Minister,*

I N. take thee M. to my wedded husband, to have and to hold from this day forward, for better for worse, for richer for poorer, in sickness and in health, to love, cherish,

and to obey, till death us do part, according to God's holy ordinance;

and to obey, till death us do part, according to God's holy ordinance;

and thereto I give thee my troth.

*Then shall they again loose their Hands, and the Man shall give unto the Woman a Ring.*



1662 BCP	King's Chapel 1785	"Franklin" 1773	BCP Proposed 1785/6	BCP 1789/90
<p><i>the Woman a Ring, laying the same upon the book with the accustomed duty to the Priest and Clerk. And the Priest, taking the Ring, shall deliver it unto the Man, to put it upon the fourth finger of the Woman's left hand. And the Man holding the Ring there, and taught by the Priest, shall say,</i></p>	<p><i>the woman a ring, laying the same upon the book.</i></p> <p><i>And the Minister taking the ring shall deliver it unto the man, to put it upon the fourth finger of the woman's left hand. And the man holding the ring there and taught by the Minister, shall say,</i></p>	<p><i>the Woman a Ring, laying the same upon the book with the accustomed duty to the Priest and Clerk. And the Priest, taking the Ring, shall deliver it unto the Man, to put it upon the fourth finger of the Woman's left hand. And the Man holding the Ring there, and taught by the Priest, shall say,</i></p>		<p><i>And the Minister taking the Ring shall deliver it unto the Man, to put it upon the fourth Finger of the Woman's left Hand. And the Man holding the Ring there and taught by the Minister, shall say,</i></p>
<p>WITH this Ring I thee wed, with my body I thee worship, and with all my worldly goods I thee endow: In the Name of the Father, and of the Son, and of the Holy Ghost.</p>	<p>WITH this ring I thee wed;  and with all my worldly goods I thee endow;  and to thee only do I promise to keep myself, so long as we both shall live. Amen.</p>	<p>WITH this Ring I thee wed, with my body I thee worship, and with my worldly goods I thee endow:</p>	<p>WITH this Ring I thee wed;  and with all my worldly goods I thee endow;  In the Name of the Father, and of the Son, and of the Holy Ghost.</p>	
<p>Amen.</p>	<p>Amen.</p>	<p>Amen.</p>	<p>Amen.</p>	
<p><i>Then the Man leaving the Ring upon the fourth finger of the Woman's left hand, they shall both kneel down; and the Minister shall say,</i></p>	<p><i>Then they shall both kneel down, and the Minister shall say,</i></p>	<p><i>Then the Man leaving the Ring upon the fourth finger of the Woman's left hand, they shall both kneel down; and the Minister shall say,</i></p>	<p><i>Then the Man leaving the Ring upon the Fourth Finger of the Woman's left Hand,</i></p>	<p><i>the Minister shall say,</i></p>
<p>Let us pray.</p>		<p>Let us pray.</p>	<p>Let us pray. &lt;Lord's Prayer&gt;</p>	
<p>O ETERNAL God, Creator and Preserver of all mankind, Giver of all spiritual grace, the Author of everlasting life; Send thy blessing upon these thy servants,</p>		<p>O ETERNAL God, Author of everlasting life; Send thy blessing upon</p>	<p>O ETERNAL God, Creator and Preserver of all mankind, Giver of all spiritual grace, the Author of everlasting life; Send thy blessing upon these thy servants,</p>	
<p>this man and this woman,</p>		<p>this man and this woman,—</p>		
<p>whom we bless in thy Name; that, as Isaac and Rebecca lived faithfully together, so these persons may surely perform and keep the vow and covenant betwixt them made, (whereof this Ring given and received is a token and pledge,) and may ever remain in perfect love and peace together, and live</p>	<p>whom we bless in thy name.</p> <p>Enable them to perform the covenant which they have now made in thy presence. May they seriously attend to the duties of the new relation in which they stand to each other; that it may not be to them a state of temptation and sorrow, but of holiness</p>	<p>that they may keep the vow and covenant betwixt them made, (whereof this Ring given and received is a pledge,) and may ever remain in perfect love and peace together</p>	<p>whom we bless in thy Name; that, as Isaac and Rebecca lived faithfully together, so these persons may surely perform and keep the vow and covenant betwixt them made, (whereof this Ring given and received is a token and pledge,) and may ever remain in perfect love and peace together, and live</p>	

1662 BCP	King's Chapel 1785	"Franklin" 1773	BCP Proposed 1785/6	BCP 1789/90
according to thy laws; through Jesus Christ our Lord. <i>Amen.</i>	and comfort; may they live together in peace and love; and wilt thou the God of peace and love be always with them, and lead them in the paths of innocence and virtue to eternal life; through Jesus Christ our Lord. <i>Amen.</i>	<i>Amen.</i>		
<i>Then shall the  Priest / Minister  join their right hands together, and say,</i>			<i>Then shall the Minister join their right hands together, and say,</i>	
Those whom God hath joined together let no man put asunder.			Those whom God hath joined together let no man put asunder.	
	<i>Then shall the Minister speak unto the People.</i>		<i>Then shall the Minister speak unto the Company.</i>	
FORASMUCH as M. and N. have consented together in holy wedlock, and have witnessed the same before God and this company, and thereto have given and pledged their troth either to other, and have declared the same by giving and receiving of a Ring, and by joining of hands; I pronounce that they be Man and Wife together, In the Name of the Father, and of the Son, and of the Holy Ghost. <i>Amen.</i>	FORASMUCH as M. and N. have consented together in wedlock; and have witnessed the same before God and this company, and thereto have engaged and pledged themselves to each other, and have declared the same by giving and receiving a ring, and by joining hands; I pronounce that they be Man and Wife.	FORASMUCH as M. and N. have consented together in holy wedlock, and have witnessed the same before God and this company,  I pronounce that they be Man and Wife.  <i>Amen.</i>	FORASMUCH as M. and N. have consented together in holy wedlock, and have witnessed the same before God and this company, and  have declared the same by giving and receiving of a Ring, and by joining of hands; I pronounce that they be Man and Wife together, In the Name of the Father, and of the Son, and of the Holy Ghost. <i>Amen.</i>	FORASMUCH as M. and N. have consented together in holy wedlock, and have witnessed the same before God and this company, and thereto have given and pledged their troth, each to the other, and have declared the same by giving and receiving of a Ring, and by joining hands; I pronounce that they are Man and Wife; In the Name of the Father, and of the Son, and of the Holy Ghost. <i>Amen.</i>
{The following appears only in the King's Chapel rite at this point.}				
<i>Then shall the Minister say,</i> <Lord's Prayer>. O MERCIFUL God and heavenly Father, who art the guide, the support, and the felicity of all who put their trust in thee; we beseech thee to bless these thy servants, and give them grace to fear and serve thee all the days of their life. May their hearts be united in the closest bonds of love and purity; may they be blessings and comforts to one another, sharers of each other's joys, consolers of each other's sorrows, and helpers to one another in all the changes and chances of the world; and grant that they may so faithfully discharge the duties which belong to the condition into which they have entered, that they and all who may be committed to their care, may meet together in that world of perfect felicity which thou hast revealed to us by Jesus Christ our Lord. <i>Amen.</i>				
<i>And the Minister shall add this Blessing.</i>	<i>Then shall he add this blessing.</i>		<i>And the Minister shall add this Blessing.</i>	
GOD the Father, God the Son, God the Holy Ghost, bless, preserve, and keep you;	THE Lord God Almighty bless, preserve, and keep you;		GOD the Father, God the Son, God the Holy Ghost, bless, preserve, and keep you;	
the Lord mercifully with his favour look upon you; and so fill you with all spiritual benediction and grace, that ye may so live together in this life, that in the world to come ye may have life everlasting. <i>Amen.</i>			the Lord mercifully with his favour look upon you; and fill you with all spiritual benediction and grace, that ye may so live together in this life, that in the world to come ye may have life everlasting. <i>Amen.</i>	

{The following occurs only in the 1662 rite.}

*Then the Minister or Clerks, going to the Lord's Table, shall say or sing this Psalm following.*

<Psalm 128>

*Or this Psalm.*

<Psalm 67 >

*The Psalm ended, and the Man and the Woman kneeling before the Lord's Table, the Priest standing at the Table, and turning his face towards them, shall say,*

<Kyrie>

<Lord's Prayer>

*Minister.* O Lord, save thy servant, and thy handmaid;

*Answer.* Who put their trust in thee.

*Minister.* O Lord, send them help from thy holy place;

*Answer.* And evermore defend them.

*Minister.* Be unto them a tower of strength,

*Answer.* From the face of their enemy.

*Minister.* O Lord, hear our prayer.

*Answer.* And let our cry come unto thee.

*Minister.*

O GOD of Abraham, God of Isaac, God of Jacob, bless these thy servants, and sow the seed of eternal life in their hearts; that whatsoever in thy holy Word they shall profitably learn, they may in deed fulfil the same. Look, O Lord, mercifully upon them from heaven, and bless them. And as thou didst send thy blessing upon Abraham and Sarah, to their great comfort, so vouchsafe to send thy blessing upon these thy servants; that they obeying thy will, and always being in safety under thy protection, may abide in thy love unto their lives' end; through Jesus Christ our Lord. *Amen.*

*This Prayer next following shall be omitted where the Woman is past child-bearing.*

MERCIFUL Lord, and heavenly Father, by whose gracious gift mankind is increased; We beseech thee, assist with thy blessing these two persons, that they may both be fruitful in procreation of children, and also live together so long in godly love and honesty, that they may see their children christianly and virtuously brought up, to thy praise and honour; through Jesus Christ our Lord. *Amen.*

GOD, who by thy mighty power hast made all things of nothing; who also (after other things set in order) didst appoint, that out of man (created after shine own image and similitude) woman should take her beginning; and, knitting them together, didst teach that it should never be lawful to put asunder those whom thou by Matrimony hadst made one: O God, who hast consecrated the state of Matrimony to such an excellent mystery, that in it is signified and represented the spiritual marriage and unity betwixt Christ and his Church; Look mercifully upon these thy servants, that both this man may love his wife, according to thy Word. (as Christ did love his spouse the Church, who gave himself for it, loving and cherishing it even as his own flesh,) and also that this woman may be loving and amiable, faithful and obedient to her husband; and in all quietness, sobriety, and peace, be a follower of holy and godly matrons. O Lord, bless them both, and grant them to inherit thy everlasting kingdom; through Jesus Christ our Lord. *Amen.*

*Then shall the Priest say,*

ALMIGHTY God, who at the beginning did create our first parents, Adam and Eve, and did sanctify and join them together in marriage; Pour upon you the riches of his grace, sanctify and bless you, that ye may please him both in body and soul, and live together in holy love unto your lives' end. *Amen.*

*1662 BCP (Exhortation after marriage.)*

*Omissions made in Franklin 1773 are struck out*

*After which, if there be no Sermon declaring the duties of Man and Wife, the Minister shall read as followeth.*

ALL ye that are married, or that intend to take the holy estate of Matrimony upon you, hear what the holy Scripture doth say as touching the duty of husbands towards their wives, and wives towards their husbands:

Saint Paul, in his Epistle to the Ephesians, the fifth Chapter, doth give this commandment to all married men; Husbands, love your wives, even as Christ also loved the Church, and gave himself for it, that he might sanctify and cleanse it with the washing of water, by the Word, that he might present it to himself a glorious Church, not having spot, or wrinkle, or any such thing, but that it should be holy, and without blemish. So ought men to love their wives as their own bodies. He that loveth his wife loveth himself: for no man ever yet hated his own flesh, but nourisheth and cherisheth it, even as the Lord the Church, for we are members of his body, of his flesh, and of his bones. For this cause shall a man leave his father and mother, and shall be joined unto his wife; and they two shall be

*King's Chapel 1785 (Exhortation after marriage.)*

*Exhortation to the parties after marriage.*

IT will become you to consider seriously the sacred and important engagement into which ye have now entered. Marriage was ordained for the continuance of the human kind; and is the union of one man with one woman for their joint happiness, and for the pious education of children, where God gives them: and by the original appointment of God, confirmed by our Saviour (*Gen. ii. 24. Matt. xix. 4, 5, 6*) this union is to be perpetual, to be dissolved only by death. It was intended by the benevolent Parent of mankind, to be a source of the purest satisfactions, to soften the unavoidable cares, and increase the innocent pleasures if life, by affording opportunities of sharing them with a most intimate friend and partner. By Christians in particular it is to be looked upon as a state of perfect indissoluble friendship, in which ye are to carry your regards for each other beyond the grave, that ye may so live in virtue and holiness here, that ye may live hereafter in that state, *where there will be no marrying nor giving in marriage, but ye shall be as the angels in heaven.* Study then to correct what is amiss in your respective tempters and dispositions, which may disturb your mutual

1662 BCP (Exhortation after marriage.)  
 Omissions made in Franklin 1773 are struck out

King's Chapel 1785 (Exhortation after marriage.)

~~one flesh. This is a great mystery, but I speak concerning Christ and the Church. Nevertheless, let every one of you in particular so love his wife, even as himself. <Eph. 5.25-33a>.~~

~~Likewise the same Saint Paul, writing to the Colossians, speaketh thus to all men that are married; Husbands, love your wives, and be not bitter against them.<Col. 3.19>.~~

~~Hear also what Saint Peter, the Apostle of Christ, who was himself a married man, saith unto them that are married; Ye husbands, dwell with your wives according to knowledge; giving honour unto the wife, as unto the weaker vessel; and as being heirs together of the grace of life, that your prayers be not hindered. <1 Pet. 3.7>.~~

~~Hitherto ye have heard the duty of the husband toward the wife. Now likewise, ye wives, hear and learn your duties toward your husbands, even as it is plainly set forth in holy Scripture.~~

~~Saint Paul, in the aforementioned Epistle to the Ephesians, teacheth you thus; Wives, submit yourselves unto your own husbands, as unto the Lord. For the husband is the head of the wife; even as Christ is the head of the Church, and he is the Saviour of the body. Therefore as the Church is subject unto Christ, so let the wives be to their own husbands in every thing.<Eph. 5.22-24>.~~

~~And again he saith; Let the wife see that she reverence her husband.<Eph. 5.33b>. And in his Epistle to the Colossians, Saint Paul giveth you this short lesson; Wives, submit yourselves unto your own husbands, as it is fit in the Lord.<Col. 3.18>.~~

~~Saint Peter also doth instruct you very well; thus saying; Ye wives, be in subjection to your own husbands; that, if any obey not the Word, they also may without the Word be won by the conversation of the wives; while they behold your chaste conversation coupled with fear. Whose adorning, let it not be that outward adorning of plaiting the hair, and of wearing of gold, or of putting on of apparel; but let it be the hidden man of the heart, in that which is not corruptible; even the ornament of a meek and quiet spirit, which is in the sight of God of great price. For after this manner in the old time the holy women also, who trusted in God, adorned themselves, being in subjection unto their own husbands, even as Sarah obeyed Abraham, calling him lord, whose daughters ye are as long as ye do well, and are not afraid with any amazement. <1 Pet. 3.1-6>.~~

~~It is convenient that the new-married Persons should receive the holy Communion at the time of their Marriage, or at the first opportunity after their Marriage.~~

love and peace. And be severe censors of yourselves, but exact not too much one from another; and bear with each others infirmities, for there is nothing perfect here below. None are faultless but all are to endeavour to become such. Cultivate in yourselves, and in each other, the knowledge and practice of virtue, and true religion, as the only foundation of present comfort and future hopes. Study the scriptures and the precepts and example of Christ, who alone hath the words of eternal life. And be not extravagant in your expectations from the world; for although it abound with many innocent joys and pleasures, yet it is no, nor is intended to be a place of unmixed prosperity and enjoyment, but a transitory scene of trial and improvement for a better and more enduring state.

The other great end of marriage is for the well ordering of families and right education of children. This is a matter of the highest moment. For families are the nurseries and schools, in which the successive generations of men are to be instructed and fitted for their different stations and employments in life, to bear their part and burden in it, to be helpful to others, good citizens, useful magistrates, faithful husbands, virtuous wives, patterns of all that is excellent and worthy in every relation. Of a number of families united, nations are composed: and of all of them together, the whole community of mankind. And as these little seminaries are well tutored and governed, or neglected, kingdoms, nations, and the world, are happy or miserable.

Take heed therefore to set an example of piety and virtue yourselves; and then ye may with authority require those who belong to you, to follow it. Let the God of heaven be publickly acknowledged and worshipped each day in your families. At least let not his name and worship be forgotten in it, on the Lord's day. Keep a strict watch over all who depend upon you; and suffer no vice to go unreproved, or to remain in your house persisted in and unamended. For this would be to encourage it, and put a snare before others. By this domestick care, and godly discipline, ye may be a blessing, to your family, your neighbours, and country: but which is above all to be valued and sought for, ye will be approved by Almighty God, and rank with prophets and apostles in that future world, where we are told, that *they who are wise shall shine as the brightness of the firmament; and they who turn many to righteousness as the stars forever and ever.*

**From 1892 to 1979**

This table includes versions of the marriage rite from the BCP 1892, 1928 and 1979, together with two of the interim proposed rites (1958 and 1970).

BCP 1892	BCP 1928	PBS X Proposed 1958	PBS 24 Proposed 1970	BCP 1979
		HOLY MATRIMONY		Concerning the Service
		<i>Before the Solemnization of any Marriage, the Minister shall have required that the parties sign the</i>		Christian Marriage is a solemn and public covenant between a man and a woman [___ / in the presence of God . In the Episcopal Church it is required that one, at least, of the parties must be a baptized Christian; that the ceremony be attested by at least

BCP 1892

BCP 1928

PBS X Proposed 1958

PBS 24 Proposed 1970

BCP 1979

*following Declaration:*  
We, A.B. and C.D.,  
desiring to receive the  
blessing of Holy  
Matrimony in the  
Church, do solemnly  
declare that we hold  
marriage to be a  
lifelong union of  
husband and wife as it  
is set forth in the Form  
of Solemnization of  
Holy matrimony in the  
Book of Common  
Prayer. We believe it is  
for the purpose of  
mutual fellowship,  
encouragement, and  
understanding, for the  
procreation (if it may  
be) of children, and  
their physical and  
spiritual nurture, for the  
safeguarding and  
benefit of society. And  
we do engage  
ourselves, so far as in  
us lies, to make our  
utmost effort to  
establish this  
relationship and to seek  
God's help thereto.

*And when the Banns  
are published, it shall  
be in the following  
form:*

I publish the Banns of  
Marriage between N. of  
———, and N. of  
———. If any of you  
know cause, or just  
impediment, why these  
two persons should not  
be joined together in  
holy Matrimony ye are  
to declare it. This is the  
first [second, or third]  
time of asking.

two witnesses; and that the marriage conform to the laws of the State and the canons of this Church. A priest or a bishop normally presides at the Celebration and Blessing of a Marriage, because such ministers alone have the function of pronouncing the nuptial Blessing, and of celebrating the Holy Eucharist.

When both a bishop and a priest are present and officiating, the bishop should pronounce the Blessing and preside at the Eucharist.

A deacon, or an assisting priest, may deliver the charge, ask for the declaration of intention, read the Gospel, and perform other assisting functions at the Eucharist.

Where it is permitted by civil law that deacons may perform marriages, and no priest or bishop is available, [the / a] deacon may use the service which follows, omitting [only the priestly Blessing, beginning "God the Father, God the Son . . ." / the nuptial blessing which follows The Prayers.]

It is desirable that [\_\_\_ / the] Lessons from the Old Testament and the Epistles be read by lay persons [and that the newly married couple present the offerings of Bread and wine at the Offertory / \_\_\_\_]. In the opening exhortation (at the symbol of *N.N.*), the full names of the persons to be married are declared. Subsequently, only their Christian names are used.

Additional Directions [and Suggestions may be found / \_\_\_\_ are | on [pages 35-36 / page 437].

THE FORM OF  
SOLEMNIZATION OF  
MATRIMONY

*The Laws respecting  
Matrimony, whether by  
publishing the Banns in  
Churches or by  
Licence, being different  
in several States; every  
Minister is left to the  
Direction of those Laws*

THE FORM OF SOLEMNIZATION OF  
MATRIMONY

{Rubric on licenses and  
Banns at end of service.}

THE CELEBRATION AND BLESSING OF A  
MARRIAGE

BCP 1892

BCP 1928

PBS X Proposed 1958

PBS 24 Proposed 1970

BCP 1979

*in every Thing that regards the civil Contract between the Parties.*

*And when the Banns are published, it shall be in the following form:*

I PUBLISH the Banns of Marriage between M. of ——— and N. of ———. If any of you know cause, or just impediment, why these two persons should not be joined together in holy Matrimony ye are to declare it. This is the first [*second, or third*] time of asking.

*At the day and time appointed for Solemnization of Matrimony, the Persons to be married shall come into the Body of the Church, or*

{ Rubric on Banns before service. }

*if urgent cause require*

*shall be ready in some proper house, with their friends and neighbours;*

*and there standing together, the Man on the right hand, and the Woman on the left, the Minister shall say,*

DEARLY beloved, we are gathered together here in the sight of God, and in the face of this company to join together this Man and this Woman in holy Matrimony; which is an honourable estate,

instituted of God [in the time of man's innocency / \_\_\_\_], signifying unto us the mystical union that is betwixt Christ and his Church; which holy estate Christ adorned and beautified with his presence and first miracle that he wrought in Cana of Galilee,

and is commended of Saint Paul to be honourable among all men:

and therefore is not by any to be entered into unadvisedly or lightly,

*At the time appointed, the persons to be married, with their witnesses assemble [with the Minister / \_\_\_\_] in the church or*

*some other appropriate place.*

<i>During their entrance, a Psalm, Hymn, or Anthem may be sung; or instrumental music may be played.</i>	<i>During their entrance, a hymn, psalm, or anthem may be sung, or instrumental music may be played.</i>
--	--

*Then the [Presiding Minister / Celebrant], facing the People and the persons to be married, with the woman [on his / to the] right and the man [on his / to the] left, addresses the congregation and says*

[Good people, / Dearly beloved:] we have come together in the presence of God to witness and [proclaim / bless] the joining together of this man and this woman in [marriage / Holy Matrimony]. The bond \_\_\_\_ / and covenant[ of marriage was established by God at creation, and our Lord Jesus Christ [himself / \_\_\_\_] adorned this manner of life by his presence and first miracle at a wedding in Cana of Galilee. It signifies to us the \_\_\_\_ / mystery of the] union between Christ and his Church, and Holy Scripture commends it to be honored among all [men / people].

The union of [man and woman / husband and wife] in heart, body, and mind is intended by God for their mutual joy; for the help and comfort given one another in prosperity and adversity; and, when it is God's will, for the procreation of children and their nurture in the knowledge and love of the Lord. Therefore marriage is not to be entered into unadvisedly or lightly, but reverently, deliberately,

BCP 1892

BCP 1928

PBS X Proposed 1958

PBS 24 Proposed 1970

BCP 1979

but reverently, discreetly, advisedly, soberly, and in the fear of God.

Into this holy estate these two persons present come now to be joined.

If any man can show just cause, why they may not lawfully be joined together, let him now speak, or else hereafter for ever hold his peace.

*And also speaking unto the Persons who are to be married, he shall say,*

I REQUIRE and charge you both, as ye will answer at the [dreadful / dread] day of judgment when the secrets of all hearts shall be disclosed, that if either of you know any impediment, why ye may not be lawfully joined together in Matrimony, ye do now confess it. For be ye well assured, that if any persons are joined together otherwise than as God's Word doth allow their marriage is not lawful.

*The Minister, if he shall have reason to doubt of the lawfulness of the proposed Marriage, may demand sufficient surety for his indemnification: but if no impediment shall be alleged, or suspected, the Minister shall say to the Man,*

M. WILT thou have this Woman to thy wedded wife, to live together after God's ordinance in the holy estate of Matrimony? Wilt thou love her, comfort her, honour, and keep her in sickness and in health; and, forsaking all others, keep thee only unto her, so long as ye both shall live?

*The Man shall answer,*

I will.

*Then shall the Minister say unto the Woman,*

N. WILT thou have this Man to thy wedded husband, to live together after God's ordinance in the holy estate of Matrimony? Wilt thou obey him, and serve him, love, honour, and keep him in sickness and in health; and, forsaking all

N. WILT thou have this Man to thy wedded husband, to live together after God's ordinance in the holy estate of Matrimony? Wilt thou love him, comfort him, honour, and keep him in sickness and in health; and, forsaking all others, keep thee only unto him, so long as ye both shall live?

and in accord with the purposes for which it was instituted by God.

Into this holy union *N.N.* and *N.N.* now come to be joined.

If any of you can show just cause why they may not lawfully be married, speak now, or [\_\_\_ / else] for ever hold your peace.

*Then the [Minister / Celebrant] says to the persons to be married*

I require and charge you both, [in the Name / here in the presence] of God, that if either of you know any reason why you may not be united in marriage lawfully and in accordance with God's Word, you confess it now.

**The Declaration of Consent**

{Note the reversal of order, woman first, then man}

*If no impediment be alleged or suspected, the Minister shall say to the Man,*

*The Minister then says to the man*

*The Celebrant says to the woman*

*N.*, Will you have this woman to be your wife, to live together in a holy marriage? Will you love her, comfort her, honor and keep her, in sickness and in health, and forsaking all others, be faithful to her as long as you both shall live?

*The man answers*

I will by God's help.

*The Minister then says to the woman*

*N.*, Will you have this man to be your husband to live together in a holy marriage? Will you love him, comfort him, honor and keep him in sickness and in health, and forsaking all others, be faithful to him as long as you both shall live?

*N.*, will you have this man to be your husband; to live together in the covenant of marriage? Will you love him, comfort him, honor and keep him, in sickness and in health; and, forsaking all others, be faithful to him as long as you both shall live?

*The Woman answers*

I will.

*The Celebrant says to the man*

*N.*, will you have this woman to be your wife; to live together in the covenant of marriage? Will you love her, comfort her, honor and keep her, in sickness and in health; and, forsaking all others, be faithful to her as long as you both shall live?

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others, keep thee only  
unto him, so long as ye  
both shall live?

—*The Woman shall answer,*—

—I will.—

*The woman answers*

I will by God's help.

*The Minister address  
the following question  
to the wedding party  
and congregation:*

Will you who witness  
these vows do all in  
your power to support  
and uphold this  
marriage in the years  
ahead?

*Answer* We will.

*The Man answers*

I will.

*The Celebrant then  
addresses the  
congregation, saying*

Will all of you  
witnessing these  
promises do all in your  
power to uphold these  
two persons in their  
marriage?

*People* We will.

*If there is to be a  
presentation or a giving  
in marriage, it takes  
place at this time. See  
page 437.*

*Then shall the Minister say,*

*Then may the Minister  
say,*

*Here the Minister may  
ask*

«*After the Declaration of  
Consent, if there is to be a  
giving in marriage, or  
presentation, the Celebrant  
asks.*»

Who giveth this Woman to be married to this Man?

Who gives this woman  
to be married to this  
man?

*The father, or a friend,  
says*

I do.

*Then the Minister,  
followed by the Man  
and the Woman, may go  
to the Lord's Table;  
while there may be sung  
a Psalm, Hymn, or  
Anthem.*

*The Minister receives  
the woman at her  
father's or friend's  
hand and causes the  
man to take the  
woman's right hand in  
his.*

«Who gives (presents) this  
woman to be married to this  
man?»

*or the following*

Who presents this woman and  
this man to be married to each  
other?

*To either question, the  
appropriate answer is, "I  
do." If more than one person  
responds, they do so  
together.»*

*A hymn, psalm, or  
anthem may follow.*

### **The Ministry of the Word**

*The [presiding Minister / Celebrant] then says to the  
people*

The Lord be with you.

*Answer* And also with *People* And also with





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love is of God)

*Between the Readings, Psalm 128, 113, or 100, or some other Psalm, Hymn, or Anthem may be sung or said.*

*Between the Readings, a Psalm, hymn, or anthem may be sung or said. Appropriate Psalms are 67, 127, and 128.*

*When a passage from the Gospel is to be read, all stand, and the Deacon or Minister appointed says*

The Holy Gospel of our Lord Jesus Christ according to \_\_\_\_\_.  
*People* Glory to you, Lord Christ.

*« The Gospel.*

St. Matthew xix.4 <Matt. 19.4-6> »

THE GOSPEL

Matthew 5:13-16

Matthew 5:1-10 (The Beatitudes)

Matthew 5:13-16 (You are the light ... Let your light so shine)

Matthew 7:21,24-29

Matthew 7:21,24-29 (Like a wise man who built his house upon the rock)

Mark 10:6-9

Mark 10:6-9,13-16 (They are no longer two but one)

John 15:11-17

John 15:9-12 (Love one another as I have loved you)

*After the Gospel, the Reader says*

The Gospel of the Lord.  
*People* Praise to you, Lord Christ.

*After the Readings (or after the homily if there is one, the Service continues with*

*A homily or other response to the Readings may follow.*

THE MARRIAGE

**The Marriage**

*Then shall they give their Troth to each other in this manner. The Minister, receiving the Woman at her Father's or Friend's hands, shall cause the Man with his Right Hand to take the Woman by her Right Hand, and to say [after him / \_\_\_] as followeth.*

*All stand, and the man facing the woman, and taking her right hand in his, says*

*The Man, facing the woman and taking her right hand in his, says*

I M. take thee N. to my wedded Wife, to have and to hold, from this day forward, for better for worse, for richer for poorer, in sickness and in health, to love and to cherish, till death us do part, according to God's holy ordinance; and thereto I plight thee my Troth.

\_\_\_ / In the Name of God, I, N., take you, N., to be my wife, to have and to hold from this day forward, for better for worse, for richer for poorer, in sickness and in health, to love and to cherish, until we are parted by death. This is my solemn vow

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*Then shall they loose their hands; and the Woman, with her Right Hand taking the Man by his Right Hand, shall likewise say after the Minister:*

*Then shall they loose their hands; and the Woman, with her right hand taking the Man by his right hand, shall likewise say after the Minister:*

*Then they loose their hands, and the Woman, still facing the man, takes his right hand in hers, and says*

I N. take thee M. to my wedded Husband, to have and to hold from this day forward, for better for worse, for richer for poorer, in sickness and in health, to love, cherish, and to obey, / \_\_\_ / \_\_\_ | till death us do part, according to God's holy ordinance; and thereto I give thee my Troth.

\_\_\_ / In the Name of God, I, N., take you, N., to be my husband, to have and to hold from this day forward, for better for worse, for richer for poorer, in sickness and in health, to love and to cherish, until we are parted by death. This is my solemn vow.

*Then shall they again loose their Hands, and the Man shall give unto the Woman a Ring.*

*They loose their hands.  
The [Minister / Priest] may ask God's blessing on a ring or rings as follows*

*; and the Woman may likewise give a Ring unto the Man. And the minister, receiving the Ring or Rings, may say,*

BLESS, O Lord, this Ring (*these Rings*), that both the giver and wearer may abide in thy peace and continue in thy favour, unto their life's end; through Jesus Christ our Lord. Amen.

Bless, O Lord, this ring that *he* who gives it and *she* who wears it may live in your peace, and continue in your favor, all the days of their life; through Jesus Christ our Lord. *Amen.*

Bless, O Lord, *this ring* to be a *sign* of the vows by which this man and this woman have bound themselves to each other; through Jesus Christ our Lord. *Amen.*

*[And / on this wise:] the Minister taking the Ring shall deliver it unto the Man, to put it upon the fourth finger of the Woman's Left Hand. And the Man holding the Ring there and taught by the Minister, shall say,*

*Then, the giver of the Ring shall take the same, and put it upon the fourth finger of the left hand of the other party; and holding it there, and taught by the minister, shall say,*

*The giver places the ring on the ring-finger of the other's hand and says*

WITH this Ring I thee wed, and with all my worldly goods I thee endow: In the Name of the Father, and of the Son, and of the Holy Ghost. Amen.

WITH this Ring I thee wed:

In the Name of the Father, and of the Son, and of the Holy Ghost. Amen.

N., I give you this ring as a symbol of my vow, and with all that I am, and all that I have, I honor you, in the Name of [God / the Father, and of the Son, and of the Holy Spirit (or in the Name of God)].

*And, before delivering the Ring to the Man, the Minister may say as followeth.*

«Transposed to before the giving of Rings.»

BLESS, O Lord, this Ring, that he who gives it and she who wears it may abide in thy peace,

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and continue in thy  
favour, unto their life's  
end; through Jesus  
Christ our Lord. Amen.

*Then the |Minister / Celebrant| joins the right hands  
of |the / \_\_\_| husband and wife and says*

Now that *N.* and *N.* have given themselves to each  
other by solemn vows, with the joining of hands and  
the giving and receiving of a *ring* |(or rings) / \_\_\_|, I  
pronounce that they are husband and wife, in the  
Name of the Father, and of the Son, and of the Holy  
Spirit.

Those whom God has joined together let |not man /  
no one| put asunder.  
|*The Congregation responds / People*| Amen.

*Then the Man leaving the Ring upon the fourth  
Finger of the Woman's Left Hand, the Minister shall  
say,*

*When Communion is to  
follow, the Service  
continues on page 33.  
When there is no  
Communion, the service  
continues on the  
following page.*

THE BENEDICTION

THE BLESSING OF  
THE MARRIAGE

**The Prayers**

Let us pray.

*Minister.* Let us pray.

|*The Minister says / All standing, the Celebrant  
says*|

Let us pray together in the words our Savior taught  
us.

*Then shall the Minister and the People, still  
standing, say the Lord's Prayer.*

*Standing, all say*

*People and Celebrant*

<Lord's Prayer>

<Lord's Prayer>  
*Then shall the Minister |add / say|,*

<Lord's Prayer  
{contemporary language  
only}>  
{Note: from this point the  
options presented follow the  
form appointed if the  
Eucharist follows. Prayers  
said by the presiding Minister  
(omitted here) substantially  
duplicate the intercessions  
which follow.}

<Lord's Prayer {two  
versions}>  
*If Communion is to  
follow, the Lord's  
Prayer may be omitted  
here.*

AT THE EUCHARIST:  
THE BLESSING OF  
THE MARRIAGE

*For the Intercessions,  
the Deacon or other  
person appointed says*

*The Deacon or other  
person appointed reads  
the following prayers,  
to which the People  
respond, saying, Amen.*

*If there is not to be a  
Communion, one or  
more of the prayers*

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O ETERNAL God, Creator and Preserver of all mankind, Giver of all spiritual grace, the Author of everlasting life; Send thy blessing upon these thy servants, this man and this woman, whom we bless in thy Name; that

Almighty God, in whom we live and move and have our being: Look graciously upon the world which you have made, and on the Church for which your Son gave his life; and especially on all whom you make to be one flesh in holy marriage:

*may be omitted.*  
Let us pray.

Eternal God, creator and preserver of all life, author of salvation, and giver of all grace: Look with favor upon the world you have made, and for which your Son gave his life, and especially upon this man and this woman whom you make one flesh in Holy Matrimony. *Amen.*

, as Isaac and Rebecca lived faithfully together, so these persons

they, living faithfully together,

may surely perform and keep the vow and covenant betwixt them made, (whereof [this Ring / this Ring / *this Ring*] given and received is a token and pledge,) and may ever remain in perfect love and peace together, and live according to thy laws; through Jesus Christ our Lord. *Amen.*

Give them wisdom and devotion in the ordering of their common life, that each may be to the other a strength in need, a counselor in perplexity, a comfort in sorrow, and a companion in joy. *Amen.*

Grant that their wills may be so knit together in your will, and their spirits in your Spirit, that they may grow in love and peace with you and one another all the days of their life. *Amen.*

Give them grace, when they hurt each other, to recognize and acknowledge their fault, and to seek each other's forgiveness and yours. *Amen.*

Grant that their lives together may be a sacrament of your love to this broken world, so that unity may overcome estrangement, forgiveness heal guilt, and joy overcome despair. *Amen.*

Make their life together a sign of Christ's love to this sinful and broken world, that unity may overcome estrangement, forgiveness heal guilt, and joy conquer despair. *Amen.*

Grant that *N.* and *N.* may so live together, that the strength of their love may enrich our

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common life and become an example of your faithfulness. *Amen*

*The Minister may add one or both of the following prayers.*

*The following suffrage may be omitted:*

O ALMIGHTY God, Creator of mankind, who only art the well-spring of life; Bestow upon these thy servants, if it be thy will, the gift and heritage of children; and grant that they may see their children brought up in thy faith and fear, to the honour and glory of thy Name; through Jesus Christ our Lord. *Amen.*

Grant that they may have children, if it be your will, and may bring them up by your help to know and love you. *Amen.*

[Bestow on them, if it is your will, the gift and heritage of children, and the grace to bring them up to know you, to love you, and to serve you. *Amen.*]

[Grant / Give] them such fulfillment of their mutual affection that they may reach out in love and concern for others. *Amen.*

Grant that all married persons who have witnessed [this exchange of / these] vows may find their [union / lives] strengthened and their [loyalty / loyalties] confirmed. *Amen.*

Grant that the bonds of our common humanity, which unite every man to his neighbor, and the living to the dead, may be transformed by your grace, that justice and peace may prevail and your will may done on earth as it is in heaven. *Amen.*

Grant that the bonds of our common humanity, by which all your children are united one to another, and the living to the dead, may be so transformed by your grace, that your will may be done on earth as it is in heaven; where, O Father, with your Son and the Holy Spirit, you live and reign in perfect unity, now and for ever. *Amen.*

**The Blessing of the Marriage**

*Then, while the congregation remains standing, the husband and wife kneel, and the Priest says the following prayer:*

*The people remain standing. The husband and wife kneel, and the Priest says one of the following prayers*

{This prayer appears only in the 1979 rite.}

Most gracious God, we give you thanks for your tender love in sending Jesus Christ to come among us, to be born of a human mother, and to make the way of the cross to be the way of life. We thank you, also, for consecrating the union of man and woman in his Name. By the power of your Holy Spirit, pour out the abundance of your blessing upon this man and this woman. Defend them from every enemy. Lead them into all peace. Let their love for each other be a seal upon their hearts, a mantle about their shoulders, and a crown upon their foreheads. Bless them in their work and in their companionship; in their sleeping and in their waking; in their joys and in their sorrows; in their life and in their death. Finally, in your mercy, bring them to that table where your saints feast for ever in your heavenly home; through Jesus Christ our Lord, who with you and the Holy Spirit lives and reigns, one God, for ever and ever. *Amen.*

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or this

O GOD, who hast so consecrated the state of Matrimony

that in it is represented the spiritual marriage and unity betwixt Christ and his Church;

Look mercifully upon these thy servants,

that they may love, honour, and cherish each other, and so live together in faithfulness and patience, in wisdom and true godliness,

that their home may be a haven of blessing and of peace;

through the same Jesus Christ our Lord, who liveth and reigneth with thee and the Holy Spirit ever, one God, world without end. *Amen.*

*Then shall the Minister join their Right Hands together, and say,*

Those whom God hath joined together let no man put asunder.

*Then shall the Minister speak unto the Company.*

FORASMUCH as M. and N. have consented together in holy wedlock, and have witnessed the same before God and this company, and thereto have given and pledged their troth, each to the other, and have declared the same by giving and receiving of [a Ring / a Ring / a Ring], and by joining hands; I pronounce that they are Man and Wife; In the Name of the Father, and of the Son, and of the Holy Ghost. Amen.

<i>And the Minister shall add this Blessing:</i>	<i>The Man and Wife kneeling, the Minister shall add this Blessing.</i>	<i>The Husband and Wife kneeling, a Priest shall add this Blessing.</i>
--	---	---

GOD the Father, God the Son, God the Holy Ghost, bless, preserve, and keep you; The Lord mercifully with his favour look upon you; and fill you with all spiritual benediction and grace; that ye may so live together in this life, that in the world to come ye may have life everlasting. *Amen.*

O God, who consecrated the state of Marriage to be a sign of the spiritual unity between Christ and his Church; Bless these your servants,

that they may love, honor, and cherish each other in faithfulness and patience, in wisdom and true godliness, and that their home may be a haven of blessing and peace;

through Jesus Christ our Lord, who lives and reigns with you and the Holy Spirit, one God, now and for ever. *Amen.*

*«Then the [Minister / Celebrant] joins the right hands of [the / \_\_\_] husband and wife and says»*

*«Those whom God has joined together let [not man / no one] put asunder.»*

*«Now that N. and N. have given themselves to each other by solemn vows, with the joining of hands and the giving and receiving of a ring [(or rings) / \_\_\_], I pronounce that they are husband and wife, in the Name of the Father, and of the Son, and of the Holy Spirit.»*

<i>The husband and wife still kneeling, the Priest pronounces this nuptial Blessing</i>	<i>The husband and wife still kneeling, the Priest adds this blessing</i>
---	---

God the Father, God the Son, God the Holy Spirit, bless, preserve, and keep you; the Lord mercifully with his favor look upon you, and fill you with all spiritual benediction and grace; that you may faithfully live together in this life, and in the age to come have life everlasting. *Amen.*

*The Peace is then exchanged.*  
{When there is no eucharist, the rubric reads}  
*«The Peace may now be exchanged.»*

*« {From additional directions:} At the Peace, the newly married couple shall first greet each other, after which greetings may be exchanged throughout the*

**The Peace**  
*The Celebrant may say to the people*  
The peace of the Lord be always with you.  
*People* And also with you.  
*The newly married couple then greet each other, after which greeting may be exchanged throughout*

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*congregation.»*

*« As the wedding party leaves the Church, a Psalm, Hymn or Anthem may be sung; or instrumental music may be played.»*

*the congregation. When Communion is not to follow, the wedding party leaves the church. A hymn, psalm, or anthem may be sung, or instrumental music may be played.*

*Here, except when there is a Communion, the Minister may dismiss the Congregation as follows, saying*

*«One of the Ministers may dismiss the Congregation.»*

{The following appears only in the 1958 proposed revision}

The Lord be with you.  
*Answer.* And with thy spirit.

*Minister.* Let us pray.  
ALMIGHTY God, our heavenly Father, who settest the solitary in families; We commend to thy continual care the homes in which thy people dwell. Put far from them, we beseech thee, every root of bitterness, the desire of vain-glory, and the pride of life. Fill them with faith, virtue, knowledge, temperance, patience, godliness.

Knit together in constant affection those who, in holy wedlock, have been made one flesh; turn the heart of the fathers to the children, and the heart of the children to the fathers; and so inkindle fervent charity among us all, that we be evermore kindly affectioned with brotherly love; through Jesus Christ our Lord.  
*Amen.*

<Aaronic blessing>

{The following appears in this position in the 1958 proposed revision. The Collect and Readings appear on page 267 of the 1928 BCP}

THE COMMUNION

*The Collect*

O ETERNAL God, we humbly beseech thee, favourably to behold these thy servants now (*or about to be*) joined in wedlock according to thy holy



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ordinance; and grant that they, seeking first thy kingdom and thy righteousness, may obtain the manifold blessings of thy grace; through Jesus Christ our Lord. *Amen.*

*The Epistle.* Ephesians v.20

<Eph. 5.20-33>

*The Gospel.* St. Matthew xix.4

<Matt. 19.4-6>

*The Liturgy continues with the Offertory.*

«{From additional directions:} *At the Offertory it is desirable that the bread and wine be offered to the Ministers by the newly married persons.*»

**At the Eucharist**

*The liturgy continues with the Offertory, at which the newly married couple may present the offerings of bread and wine.*

{See also Additional Directions.}

*The following Proper Preface may be used at the Eucharist*

Because you have ordained the solemn covenant of love between husband and wife as a witness of the union of your son Jesus Christ with the holy fellowship of all faithful people:

*Preface of Marriage*

«Because in the love of wife and husband, you have given us an image of the heavenly Jerusalem, adorned as a bride for her bridegroom, your Son Jesus Christ our Lord; who loves her and gave himself for her, that he might make the whole creation new.»

{The 1979 rite concludes in this way.}

*At the Communion, it is appropriate that the newly married couple receive Communion first, after the ministers. In place of the usual postcommunion prayer, the following is said*

O God, the giver of all that is true and lovely and gracious: We give you thanks for binding us together in these holy mysteries of the Body and Blood of your Son Jesus Christ. Grant that by your Holy Spirit, *N.* and *N.*, now joined in Holy Matrimony, may become one in heart and soul, live in fidelity and peace, and obtain those eternal joys prepared for all who love you; for the sake of Jesus Christ our

Lord. *Amen.*

*As the wedding party leaves the church, a hymn, psalm, or anthem may be sung; or instrumental music may be played.*

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{Notice concerning licences and Banns at the beginning.}	<p><i>The laws respecting Matrimony, whether by publishing the Banns in Churches, or by Licence, being different in the several States, every Minister is left to the direction of those laws, in every thing that regards the civil contract between the parties.</i></p> <p><i>And when the Banns are published, it shall be in the following form: I publish the Banns of Marriage between N. of—, and N. of—. If any of you know cause, or just impediment, why these two persons should not be joined together in holy Matrimony, ye are to declare it. This is the first [second or third] time of asking.</i></p>	{Equivalent moved prior to rite.}	Additional Directions	Additional Directions {include}
			<p>...</p> <p><i>At the Offertory it is desirable that the bread and wine be offered to the Ministers by the newly married persons.</i></p>	<p><i>If Banns are to be published, the following form is used</i></p> <p>I publish the Banns of Marriage between N.N. of ——— and N.N. of ———. If any of you know just cause why they may not be joined together in Holy Matrimony, you are bidden to declare it. This is the first (or second, or third) time of asking.</p> <p>...</p> <p><i>At the Offertory, it is desirable that the bread and wine be presented to the ministers by the newly married persons.</i></p>

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Note: Certain classical, Rabbinic, and patristic texts are cited in this paper by their traditional chapter and section designations. The same is true for such works as Hooker's *Laws*. Works cited only as "see ..." references are not included in this bibliography, as full information is given in the notes. Names with a dagger (†) are pseudonymous.

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