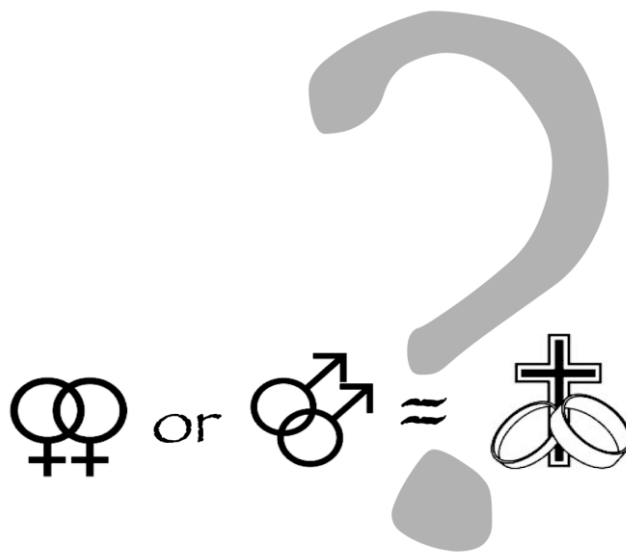# The Nuptial Blessing of Same-sex Couples by the Anglican Church in New Zealand

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A thesis submitted for the degree of

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Abstract

The *Anglican Church in Aotearoa, New Zealand and Polynesia* (*ACANZP*) and the worldwide Anglican Communion are both embroiled in the controversy surrounding Same-sex Sexual Activity and Same-sex Sexual Relationship by Christians who desire to participate fully in the life of the Anglican Church. The controversy has two primary fields of conflict - the blessing of *Committed Same-sex Couples* (*CSsCs*), and the consecration to the episcopacy of a person in a *CSsC* relationship. This thesis will look at the first issue.

The appeal for the *ACANZP* to bless *CSsC* relationships can be understood as a petition for a *CSsC's* relationship to be accepted as a non-legal cultural equivalent to Holy Matrimony for those attracted to persons of the same-sex. We therefore ask: In what ways are the relationships of *CSsCs* legitimately viewed as equivalent to Holy Matrimony? And, in what ways are they not equivalent?

Some people are predisposed towards experiencing relational, romantic or erotic attraction with someone of their own sex, and perceive homosexual attraction as 'natural'. The church need not 'agree' with this view in order to love, accept, and support those who experience such an attraction or are in such a relationship. Where a person experiencing Same-sex (s/s) attraction is unable to be celibate, or to 'convert' to heterosexuality, a monogamous, caring, loving and interdependent relationship seems preferable to a series of fleeting sexual contacts, and/or a life lived without enduring companionship.

The Anglican Church's response to homosexuals should be based upon a compassionate concern for the person(s), and not upon an imagined weight of numbers (either high or low), nor upon preconceived ideas about living perfectly in an admittedly fallen world.

While some aspects of a *CSsC* relationship parallel civil marriage, as recognised in New Zealand's *Civil Union Act 2004* and the *Relationships* (*Statutory References*) *Act 2005,* and while a *CSsC's* relationship can fulfill all the *marital obligations*, it does not fully fulfill a number of the *marital causes* of Holy Matrimony. There are also bioethical, philosophical and theological concerns indicating significant differences between a *CSsC* relationship and the relationship of an opposite-sex couple joined in marriage and especially Holy Matrimony. These differences indicate it would be inappropriate to bless *CSsC* relationships.

This thesis advocates that the *ACANZP* consider approving a public service of "boundaried-acceptance", as a recognition and reception of *CSsC* relationships within the life of its community of faith, which might be entitled: *Recognition of a Committed Same-sex Couple*.

Preface

I wish to acknowledge and give thanks for the following people who assisted with the research and writing of this thesis:

Professor Grant Gillett, Bioethics Centre, *University of Otago,* my thesis supervisor. His innumerable ideas, leads, encouragement and guidance made this thesis possible.

The Revd Dr Murray Rae, Theology and Religious Studies Department, *University of Otago*, whose guidance on a number of systematic theological issues and other key aspects was greatly appreciated.

Dr Angela Ashford (née Mackie), my wife, my chief encourager and confidante, who always has a willing ear, and a sharp eye for grammar and syntax.

Professor Don Evans, Dr Jing-Bao Nie, Dr Neal Pickering and the other staff and post-graduate students at the Bioethics Centre, *University of Otago*, whose encouragement, enthusiasm and open-door policy made my year in residency truly memorable and valuable.

I would like to acknowledge the many parishioners, friends and acquaintances over the years who have enriched my life, and informed me of the human condition, its joys and sorrows.

I am grateful for the financial assistance of a *Bishop Hadfield Trust Scholarship*, administered by the Wellington Diocese, through The Right Revd Dr Bishop Thomas Brown and The Venerable Pat Muxlow (Wellington Diocese) Trustees.

Finally, to my mother Betty Ashford, who some years ago challenged me to integrate the many aspects of my life, instead of continuing them compartmentalised. To a great extent this thesis has been an attempt in that direction.

Despite all the efforts of all those above to inform, advise and point out errors, all mistakes which remain are mine alone.

Ron Ashford

Submitted: 30 September 2007

Interviewees

The Revd Andrew Allan-Johns; Vicar of St John's (Rangiora), Deputy Chair of National Executive of *Mainstream* (NZ) and Coordinator for Christchurch *Mainstream*; Rangiora, 17 February, 2005.

The Revd Christine Allan-Johns; Priest Assistant at St John's (Rangiora), member of *Mainstream*; Rangiora, 16 February 2005.

The Revd Dr George Armstrong; Co-ordinator of Post-graduate Studies at *Te Rau Kahikatea*, and former lecturer in Theology at *St John's Theological College* (Auckland); Auckland, 10 February 2005.

The Revd Bob Barrett; Vicar of St George's (Epsom); Auckland, 19 January 2005.

The Ven Dr Don Battley; Co-Archdeacon of Manukau, (Auckland), chair of *Development Council*, Auckland Diocese; Auckland, 25 January 2005.

The Revd Wally Behan; Vicar of St John's - Latimer Square, (Christchurch); Christchurch, 16 February 2005.

Professor John Bishop; Professor of Philosophy - *University of Auckland*, member of St Luke's - Mt Albert (Auckland), Canon of *The Cathedral of the Holy Trinity* - Auckland; Auckland, 17 January 2005.

The Revd Dr Bryden Black; Examining Chaplain - Christchurch Diocese; Christchurch, 4 July 2005.

The Right Revd John Bluck; Bishop of Waiapu; Napier, 3 February 2005.

The Ven Dr Ken Booth; Director of *Theology House* (Christchurch), previously member of the *Doctrine Commission* and the *Prayer Book* Commission; Christchurch, 17 February 2005.

The Revd Canon Deborah Broome; Vicar of Seatoun-Strathmore (Wellington), Canon Theologian - Wellington Diocese; Wellington, 14 February 2005.

The Revd Colin Brown; former lecturer in Church History - *St John's Theological College* (Auckland); Christchurch, 4 July, 2005.

The Right Revd Dr Thomas Brown; Bishop of Wellington, Anglican Bishop to the New Zealand Defence Force; Wellington, 2 February 2005.

Mr Roger Cann; Barrister and Solicitor (Auckland); Auckland, 1 September 2005.

The Right Revd Brian Carrell; retired "Bishop in the North" (Wellington Diocese); Christchurch, 5 July 2005.

The Revd Dr Peter Carrell; Director of Studies - *Bishopdale College* (Nelson), member of the Diocese of Nelson's *Theology Commission*, and speaker at the Christchurch Diocesan Synod *Conference on Sexuality*; Nelson, 15 February 2005.

The Revd Dr Mary Caygill; Principal and Lecturer in Pastoral Theology - *Trinity Methodist Theological College* (Auckland); Auckland, 9 February 2005.

The Right Revd Dr David Coles; Bishop of Christchurch, former chair of *Tikanga Pakeha Commission on Human Sexuality*, Chair of *Commission on Doctrine*, member of *Primates' Sounding Commission on Sexuality*; Christchurch, 4 July 2005.

The Right Revd George Connor; Bishop of Dunedin, Chair of the *Prayer Book Commission*; Dunedin, 26 May 2005.

The Revd Edrick Corban-Banks; Vicar of St Barnabas (Stoke, Nelson), member of the Mission Council (overseas), Nelson Diocese, and *Church Missionary Society* (*CMS*) Council; Nelson, 15 February 2005.

The Revd Dr Phillip Culbertson; Director of Pastoral Studies, *St John's Theological College* (Auckland); Auckland, 9 February 2005.

The Revd Lloyd Cullen; Priest-in-Charge, Glenfield Parish (Auckland); Auckland, 24 January 2005.

The Right Revd Derek Eaton; Bishop of Nelson; Nelson, 16 February 2005.

The Revd Brian Hamilton; Vicar of Holy Trinity (Tauranga); via phone, 6 December 2004.

The Revd Jennifer Harrison; Co-vicar of Onehunga (Auckland), member of *Changing Attitudes Group* (Auckland), former Director of Field Education, *St John's Theological College*, Auckland, Spiritual Director; Auckland, 11 February 2005.

The Revd Michael Hewat; Vicar of West Hamilton, (Hamilton), member of *Licensed Ministry Council*, Waikato Diocese, founding member of *Mainstream* (NZ), Editor of *Waikato Mainstream*; Hamilton, 4 February 2005.

The Revd Charles Hughes; Vicar of Henderson (Auckland), convenor of *Mainstream* (Auckland); Auckland, 2 December 2004.

'Jack', details withheld.

Mr Juan Kinnear; Assistant to the Principal of the *School of Ministry*, *Knox Theological College* (Dunedin); Dunedin, 25 July 2005.

The Revd Jonathan Kirkpatrick; Chief Executive Officer - AUT Technology Park, *Auckland University of Technology* (*AUT*) (Auckland), and former Dean of St Paul's Cathedral (Dunedin); Auckland, 30 August 2005.

Mrs Diane Lees; Clinical Psychologist, *Child and Adolescence Mental Health Service*, (Tauranga); Kawakawa Bay, Auckland, 18 January 2005.

Dr Hugh Lees; Paediatrician, *Tauranga Public Hospital* (Tauranga); Kawakawa Bay, Auckland, 18 January 2005.

The Revd Howard Leigh; Vicar of St Luke's Mt Albert-Kingsland, Auckland, Archdeacon of Waitamata, Co-Director of Post-ordination Training, Chaplain at *UniTech,* (all in Auckland); Auckland, 10 February 2005.

Dr Peter Lineham; Associate Professor of History, *Massey University*, (Albany, Auckland), Chairman of Board, Auckland Community Church; 10 February 2005.

Captain Peter Lloyd; National Director of *Church Army* (New Zealand), member of *General Synod*, and of Auckland Synod, Chairman of *AFFIRM* (New Zealand)(*Anglicans For Faith, Intercession, Renewal and Mission*); Auckland, 26 January 2005.

Mr John Marchant; Businessman, retired Army officer, (Auckland); Auckland, 8 February 2005.

The Revd John McAlpine; Co-Vicar of Onehunga (Auckland), member of *Changing Attitudes Group* (all in Auckland), Psychotherapist, Spiritual Director; Auckland 11 February 2005.

The Revd Dr Tim Meadowcroft; Dean of Studies and lecturer in Old Testament, *Bible College of New Zealand* (Auckland); Auckland, 24 January 2005.

The Revd David Moore; Vicar of "St-Luke's-in-the-City" (Christchurch); Christchurch, 3 August 2005.

The Revd Graeme Nicholas; Coordinator of *Diocesan Ordination Training* and (former) Acting Diocesan Ministry Educator, Christchurch Diocese; Christchurch, 17 February 2005.

'Patricia', details withheld.

The Right Revd Dr Richard Randerson; Assistant Bishop of Auckland, and Dean of *The Cathedral of the Holy Trinity* (Auckland); Auckland, 25 January 2005.

The Revd Bruce Richardson; Vicar of St George's Papatoetoe (Auckland); Auckland, 10 February 2005.

The Ven Max Scott; Vicar of St Margaret's Hillsborough (Auckland), Chairman of the Council – Anglican *Mainstream*, former Archdeacon of Mangawhau; Auckland, 17 January 2005.

The Revd Carl Somers-Edgar; Vicar of St Peter's, Cavesham (Dunedin); Dunedin, 11 October 2005.

The Revd Canon Peter Stuart; former Canon Theologian - Wellington Diocese; Wellington, 2 February 2005.

Professor Emeritus Richard Sutton; former Professor of Law - *University of Otago*, (Dunedin); Dunedin, 17 October 2005.

Dr Jenny Plane-Te Paa; Te Ahorangi of *Te Rau Kahikatea* (Auckland), member of *Lambeth Commission on Communion* (which produced the Windsor Report); Auckland, 30 August 2005.

The Revd Dr Derek Tovey; Lecturer in New Testament, *St John's Theological College* (Auckland); Auckland, 26 January 2005.

The Revd Jeremy Younger; Officiating Minister at All Saints' Ponsonby and St Andrew's Epsom (Auckland); Auckland, 6 February 2005.

The Revd Paul Williamson; Vicar of All Saints, Hataitai-Kilbirnie (Wellington), Leader of *New Wine* (New Zealand); Wellington, 2 February 2005.

The Right Revd David Moxon, Bishop of Waikato (Hamilton) and The Right Revd Phillip Richardson, Bishop in Taranaki (New Plymouth) replied to my request for an interview by sending a number of previously published texts.

Abbreviations

ACC The *Anglican Consultative Council* (*ACC*), one of four Instruments of Unity of the worldwide Anglican Communion, ref. Glossary *Anglican Consultative Council*

ACANZP *Anglican Church in Aotearoa, New Zealand and Polynesia*

CDP *The Cambridge Dictionary of Philosophy* (1999). 2nd Edition, General Editor: Audi, R. Cambridge: Cambridge University Press.

ANE Ancient Near East(ern culture).

CoC *Code of Canons* of the *Anglican Church in Aotearoa, New Zealand, and Polynesia. (2004)*.

CSsC A *monogamous same-sex couple who have entered a civil union and who are adherents of the Christian faith*, c.f. pp.18f.

EBD *Eerdmans Bible Dictionary* (1987). Myers, A.C. (Ed.) Grand Rapids, MI: William B. Eerdmans Publishing Company.

ECUSA The former abbreviation for the former The *Protestant Episcopal Church of the United States*, the denomination in the United States which is in communion with the Archbishop of Canterbury, through the Archbishop of Scotland, now renamed: *The Episcopal Church*, thus *TEC*.

NT The New Testament.

O/s Opposite-sex.

ODCC *The Oxford Dictionary of the Christian Church*. (1998). 2nd Edition, Editor: Cross, F.L. Oxford: Oxford University Press

OED *The Oxford Dictionary of English*. (1989). 2nd Edition, Prep: Simpson, J.A. Simpson and Wiener E.S.C. Oxford: Clarendon Press

OT The Old Testament, Hebrew Scriptures, Hebrew Bible, 1st Testament.

LXX Septuagint, a Greek version of the Hebrew Bible (or Old Testament), including the Apocrypha.

NAMBLA *North American Man-Boy Love Association*. A Society that promotes acceptance of sexual relations between adults and those under the age-of-consent, i.e., pederasty and/or paedophilia, sometimes referred to as "intergenerational love".

NIDNT *New International Dictionary of the New Testament*, Volume I (1975). Colin Brown (Ed.) Exeter, UK: The Paternoster Press.

NZPB *A New Zealand Prayer Book: He Karakia Mihinare o Aotearoa*. (1989). Christchurch, New Zealand: Genesis Publications

SMR *St. Michael Report: Report of the Primate's Theological Commission of the Anglican Church of Canada on the Blessing of Same-Sex Unions, The* (2005). Toronto, Ontario.

S/s Same-sex.

SsSA Same-sex Sexual Activity (genital).

TDNT *Theological Dictionary of the New Testament* (1964). Gerhard Kittle (Ed.), Geoffery W. Bromiley (Trans.). Grand Rapids: MI: William B. Eerdmans Publishing Company.

TDNT (Abridged) *Theological Dictionary of the New Testament*: Abridged in One Volume (1985). Gerhard Kittle (Ed.), Geoffery W. Bromiley (Trans.). Grand Rapids: MI: William B. Eerdmans Publishing Company.

TDOT   *Theological Dictionary of the Old Testament*, Revised Edition (1977). G. Johannes Botterweck and Helmer Ringgren (Eds.), John T. Willis (Trans.). Grand Rapids: MI: William B. Eerdmans Publishing Company.

TLOT   *Theological Lexicon of the Old Testament* (1997). Ernst Jenn and Claus Westermann (Eds.), Mark E. Bibble (Trans.). Peabody, MA: Hendrickson Publishers, p.269-270.

TEC   *The Episcopal Church,* the denomination in the United States which is in communion with the Archbishop of Canterbury, through the Archbishop of Scotland, formerly called the *Protestant Episcopal Church of the United States*, *ECUSA*.

WR   *Windsor Report* (2004). The report of: *The Lambeth Commission on Communion*. London: The Anglican Communion Office

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Chapter 1
Introduction

The Blessing of Same-sex Couples by the Anglican Church in New Zealand[1]

The Anglican Church in Aotearoa, New Zealand and Polynesia (*ACANZP*) and the world-wide Anglican Communion have become embroiled in the controversy surrounding the appropriateness of *Same-sex Sexual Activity* (*SsSA*) and Same-sex Sexual Relationship by Christians who desire to participate fully in the life of the Anglican Church. This controversy, which has aspects of an ideological war, has two primary fields of conflict: the blessing of *Committed Same-sex Couples*[2] (*CSsC*), and the consecration to the episcopacy of those involved in a *CSsC* relationship. This thesis will look at the first issue.

Continuation of this ecclesiastical war without resolution will result in further destruction. Is another way possible? Miroslav Volf suggests there is:

> The 'will to embrace' precedes any 'truth' about others and any
> construction of their 'justice.' This will is absolutely indiscriminate and
> strictly immutable; it transcends the moral mapping of the social world
> into 'good' and 'evil' . . . truth and justice are unavailable outside of the
> 'will to embrace' the other.[3]

Volf is not claiming that truth, morals, and justice do not matter; for Volf they matter very much, but they follow, rather than precede, "the will to embrace". This willingness is costly, and in Volf's case developed out of a question put to him by Jürgen Moltmann: "But can you embrace a *cetnik*?"[4] Volf, a Croat, was well aware that Serbian fighters, called "*cetnik*" (sing.), had brutalized his country and people. Volf had been speaking on forgiveness, and Moltmann insightfully asked: But what about you, can you forgive?[5]

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[1] *The Church of the Province of New Zealand ~ Te Haahi o te Porowini o Niu Tireni*, hereafter referred to as: The Anglican Church in Aotearoa, New Zealand and Polynesia (*ACANZP*), or the Anglican Church. The world-wide Anglican Communion will be referred to as the Anglican Communion.

[2] *CSsC* is the writer's abbreviation for *Committed Same-sex Couple*, ref. pp.18f.

[3] Miroslav Volf (1996). *Exclusion & Embrace: A Theological Exploration of Identity, Otherness, and Reconciliation.* Nashville: Abingdon Press, p.29.

[4] Volf (1996) p.9.

[5] If we must have the answer to who is right and who is wrong settled before we discuss our differences, we will never speak. In Christ, God was willing to embrace us "while we were yet sinners" (Romans 5:8), and "He sought us out as a shepherd seeks a lost sheep" (Luke 15:3-7).

A willingness to identify with *the other* in their humanity, a *willingness-to-embrace*, precedes progress. This does not mean, necessarily, that we concede our views and concerns. It does mean a willing recognition of *the other* and a willingness to be in the presence of *the other,* recognising that Christ died for *the other,* no less than he died for us.

A willingness-to-embrace has largely been absent from both sides of the dispute[6] concerning the blessing of *CSsC* relationships. Very few of those who oppose the blessing of *CSsC* relationships have had significant interaction (personally or via ministry experience) with people who experience homoerotic attraction or engage in *Same-sex Sexual Activity* (*SsSA*). Conversely, few of those promoting the blessing of *CSsC* relationships appear able to articulate the concerns of those opposed to such a blessing. This lack of willingness-to-embrace results in continued conflict in which no one will win, and many will suffer. This thesis seeks to map out a path for that willingness.

In relation to the dispute at hand, five main points can be discerned:

1. There is considerable positioning and politicking rather than a reflective attempt at resolution.

2. The church, as an institution, has to meet the constraints of loving acceptance and integrity with respect to its own traditions.[7]

3. A reasoned way to position the issue in relatively orthodox thinking is on the *natural normativity* (Foot)/fallen world understanding of the human condition.

4. To do so means that we do not have to include the blessing of *CSsCs* as one of the rites we reserve for those arrangements that are considered to be in God's preferred plan for a blessed human life.

5. We should have a way of recognising the commitment of *CSsCs* as good without blurring the distinction between the partnership of a *CSsCs* and a couple joined in Holy Matrimony.

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[6] The term *dispute* is used, rather than *debate*, for while there is difference, there is, at this point, no significant dialogue.
[7] "We live in troubled and confused times. Considerable time, money, and energy have already been spent in praying and thinking out a process by which we can come through wisely, and above all Christianly. We must stick with that process, and support Dr Williams wholeheartedly as he seeks to put it into operation. The only road to Lambeth lies through Windsor." N.T. Wright (2006). "Why Dr Williams Must Stand Firm". *Church Times*, 31 March 2006, available from: Church Times.co.uk, http://www.churchtimes.co.uk/80256fa1003e05c1/httppublicpages/2114d75b248fca0b802570ca003b2602?open document; downloaded 2 April 2006.

This thesis combines a review of the literature with the results of interviewing fifty-one New Zealand interviewees.

We will examine a number of bioethical, philosophical, scriptural and theological issues, in particular the work of three scholars, Philippa Foot[8] for some aspects of the nature of homosexuality[9] via her *natural normativity* (a form of Neo-Aristotelian ethical thought), David Instone-Brewer[10], for the *marital causes* and the legitimacy of divorce and remarriage within the Christian Church and Kenneth Stevenson[11], for the meaning of the nuptial blessing. The resulting position addresses the significant strands that ought to inform the debate and allows a way ahead.

The Thesis' Premise

This thesis argues that the appeal for the *ACANZP* to bless *CSsC* relationships can be best understood as a petition for a *CSsC's* relationship to be accepted as a non-legal cultural equivalent to Holy Matrimony for those attracted to persons of the same-sex. We assert this for two reasons. **First**, those who are proponents of such blessings and those who are opposed to such blessings, have made statements to this effect. **Second**, other than Holy Matrimony, the church blesses no relationship that explicitly and implicitly incorporates sexual activity.

While other rationales can be promoted for the blessing of *CSsCs*, people intuitively assume that the blessing of same-sex couples equates with Holy Matrimony. Eugene F. Rogers, Jr states:

> Conservatives often claim it's dangerous to practice homosexuality,
> because it might be a sin. I want to propose that the danger runs both

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[8] Phipippa Foot's "Natural Normativity" is a form of Neo-Aristotelian ethical thought, and is propounded in: Philippa Foot (2001). *Natural Goodness*. Oxford: Clarendon Press.

[9] R.V. Young argues that the term "homosexual" and "homosexuality" are medical terms which came into use in the late 19th century, describing not classes of people, as male and female do, but disorders of erotic attraction or activity. Further, the English word "sex" derives from the Latin *sexus* or *secus* meaning to "divide" or "halve", thus male and female, thus Young claims: "If 'sex' is understood in it proper sense, then 'homosexual' and 'heterosexual' are senseless words." Further: "According to the *Oxford English Dictionary,* both 'homosexual' and 'homosexuality' first appeared in English in 1892, along with 'heterosexual' and 'heterosexuality,' in an English translation of Richard von Kraft-Ebing's *Psychopathologia Sexualis* (1886) and turn up again five years later in Havelock Ellis's *Studies in the Psychology of Sex*. In other words, only in the late nineteenth century, when physicians began discussing sexual perversion as a medical rather than a moral problem in Latin treatises intended only for the learned and required a neutral, clinical term, was there a perceived need to refer to 'homosexuality'." R.V. Young (1995). "The Gay Invention: Is a Linguistic as Well as a Moral Error". *Touchstone*, December, available from: http://www.orthodoxytoday.org/articles5/YoungHomosexuality.php, downloaded 5 August 2007.

[10] David Instone-Brewer (2002). *Divorce and Remarriage in the Bible: The Social and Literary Context*. Grand Rapids: MI, Eerdmans Publishing Company.

[11] Stevenson, K. (1982). *Nuptial Blessing: A Study of Christian Marriage Rites*. London: Alcuin Club/SPCK.

ways. It is more than contradictory, it may even be resisting the Spirit, *to attempt to deprive same-sex couples of the discipline of marriage* and not to *celebrate same-sex weddings*.[12]

Rogers is paralleling, if not equating, these two states, admonishing the church and its leaders to do likewise. A significant number of the interviewees also made statements indicating they held these two states to be equal. Interviewees who were academics, bishops, lay people, priests and theologians made the following statements:[13]

> A public rite or blessing for a same-sex couple is akin to marriage.

> Let us equate this relationship with marriage and call it such.

> Therefore, if two want to enter a permanent relationship with the same commitment as marriage, I am prepared to pray God's blessing on their relationship.

> Civil Unions and marriages ought to be honoured equally.

> It would be perceived by people that such a relationship is a marriage.

> The blessing of same-sex relationships would form inextricable links with marriage. If we set aside the moral issue, could we bless the same-sex friendship if it were not thought of as marriage?

> It is important that we don't bless same-sex couples, not because we are homophobic, but from scripture, from God's original intent for marriage. Socially, it devalues marriage and family.

> We don't bless any sexual relationship other than marriage; so approving such a blessing would move same-sex sexual relationships onto the same footing as marriage.

On the other hand, some interviewees[14] stated that there was significant difference between the relationship of a *CSsC* and a couple joined in Holy Matrimony, that is, that they were not equivalent, but nevertheless still worthy of being blessed. Each of the interviewees (clergy and laity) quoted below were favourable to the blessing of *CSsCs*

> The accepting of a same-sex couple is not the same thing as accepting that their relationship is one of marriage. 'Marriage' comes out of the heterosexual worldview. It has a lot to do with raising families, and involves a union of families. With gay relationships, it has more to do

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[12] Eugene F. Rogers, Jr. (2004). "An Argument for Gay Marriage", *The Christian Century*, June 15, pp.26-29, my italics.
[13] The context of these statements may be read in Appendix B: Interviewees' Understanding — Blessing *CSsCs*.
[14] The context of these statements may be read in Appendix B: Interviewees' Understanding — Blessing *CSsCs*.

> with two individuals. There is a certain degree of individualism and narcissism in the Gay Community.
>
> There will be an association of this blessing with marriage. But I don't want everything in one box; we don't need to have one box; it does not need to be a marriage to celebrate it.
>
> The blessing of same-sex couples does not mean there is not a qualitative difference between Holy Matrimony and committed same-sex couples. People have got caught up with the notion that if we bless committed same-sex couples, we are challenging Holy Matrimony.

Perhaps the clearest statement that a Committed Same-sex Couple's relationship should be equated with Holy Matrimony is found in *The St. Michael Report* (*SMR*) "Overview":

> It is the view of the Commission that any proposed blessing of a same-sex relationship would be analogous to a marriage to such a degree as to require the Church to understand it coherently in relation to the doctrine of marriage.[15]

Clearly, a number of church leaders, and at least one Church Commission, hold a view of the relational equivalency of committed same-sex relationships with couples joined in Holy Matrimony. Other church leaders hold a view that these two relationships differ in significant ways, and therefore should not be blessed, since such blessing would lead people to view *CSsC* relationships as a non-legal cultural equivalent with relationship of Holy Matrimony. Finally, other church leaders claim that these relationships differ, but *CSsCs'* relationships should be blessed anyway.

This thesis examines the belief that homoerotic attraction and same-sex sexual relationship result from the fall, or, in *the-world-and-its-conditions-as-we-find-it*, rather than *the-world-as-we-would-prefer-it-to-be*. Such attraction can be understood as an outworking of "original sin" and the subsequent failure of the creation to realise the perfect design of the Creator. This thesis contends that *Conservative* Anglicans can *accept*, or learn to *tolerate*, committed same-sex sexuality as divergence from a state of ideal nature (viewed in a neo-Aristotelian way) without making a value judgement. This allows us room to reserve Holy Matrimony and its blessing for what is in accordance with God's ideal plan and to create another way of inclusively responding to *CSsC* relationships.

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[15] *St. Michael Report: Report of the Primate's Theological Commission of the Anglican Church of Canada on the Blessing of Same-Sex Unions, The* (2005). Matthews, V. (Chair). Toronto, Ontario: General Synod of the Anglican Church of Canada, p.7, para.8, available from: www.anglican.ca/primate/ptc/StMichaelReport.pdf, downloaded 12 September 2006.

We note an important scriptural passage overlooked by many Western Christians today:

> When God created humankind, he made them in the likeness of God.
> Male and female he created them, and he blessed them and named them
> "Humankind" when they were created. When Adam had lived one
> hundred thirty years, *he became the father of a son in his likeness,*
> *according to his image,* and named him Seth. (Genesis 5:1b-3 *NRSV*).[16]

This passage demonstrates that while Adam and Eve were made in the image and likeness of God (*imago dei*), their children, born subsequent to the fall, are born into the image and likeness of their parents' fallen nature, not the perfect, unfallen image and likeness of God. This understanding, continuously held by the Orthodox Church,[17] noted by John Wesley[18] and many Reformers, and in Article 9[19] of the Thirty-Nine Articles, demonstrates that it is incorrect to say that anyone, o/s or s/s,[20] is born with the image of God, but that the divine nature is something offered through Christ, and is developed in sanctification, or via *theosis* – the acquisition of the Holy Spirit.

Thus, one needs to be seeded with Christ, and to nurture Christ's nature through worship, devotion and a vocation (celibate or married). This is often demonstrated by the working of the Holy Spirit in a person and the fruits and works of the Spirit which that person exhibits. It is, therefore, incorrect to say of someone who is relationally, romantically and erotically attracted to a person of the same-sex, that they were made-that-way-by-God, in God's likeness and image. Rather, we are all born in Adam and Eve's likeness and image (fallen), which leads us away from God. Each person must turn to God and ask for help.[21]

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[16] My italics.

[17] Rev. Fr., Dr Ian Nield (2006) Antiochian Orthodox Church, Wellington, fr.ian@antiochian.org.nz, pers comm.

[18] John Wesley (1765). "Commentary on Genesis 5". *John Wesley's Explanatory Notes on the Whole Bible*, available from: www.bible.crosswalk.com/Commentaries/WesleysExplanatoryNotes/wes.cgi?book=ge&chapter=005>. 1754.

[19] Article 9. "Original or Birth-sin: Original sin is not found merely in the following of Adam's example (as the Pelagians foolishly say). It is rather to be seen in the fault and corruption which is found in the nature of every person who is naturally descended from Adam. The consequence of this is that man is far gone from his original state of righteousness. In his own nature he is predisposed to evil, the sinful nature in man always desiring to behave in a manner contrary to the Spirit. In every person born into this world there is found this predisposition which rightly deserves God's anger and condemnation. This infection within man's nature persists even within those who are regenerate. This desire of the sinful nature, which in Greek is called *fronema sarkos* and is variously translated the wisdom or sensuality or affection or desire of the sinful nature, is not under control of God's law. Although there is no condemnation for those that believe and are baptized, nevertheless the apostle states that any such desire is sinful." "A Contemporary Version of the 39 Articles of Religion." Available from http://www.episcopalian.org/efac/39articles/39art.htm, downloaded August 2007.

[20] In the matter before us, the Orthodox Church believes *SsSA* is contrary to all forms of Christian vocation.

[21] C.f. Luke 15:11-13.

Setting out Some Definitions

Several coined-terms (/terms of art) are used throughout the theses, their definitions are:[22]

"Boundaried-Acceptance"

An acceptance that has some limits, as opposed to "unconditional acceptance", can be called a "boundaried-acceptance". Such "boundaried-acceptance" (recognition and support) of *CSsCs* by the *ACANZP,* need not equate that relationship with Holy Matrimony.[23]

CSsC *(Committed Same-sex Couple)*

CSsC is the writer's abbreviation for: A *monogamous same-sex couple who have entered a civil union and who are adherents of the Christian faith*. The term "civil union" has been avoided in the thesis title and this moniker, as the term is open to periodic redefinition by individuals or the State. Two or three months prior to his death, Jacques Derrida told a reporter: "I am a big fan of civil unions, but why stop with two people? Why not three, four or more?" The term *couple* (two adult humans) is chosen to exclude a multiplicity of issues not central to this thesis.

The term "same-sex couple" assumes a sexually active pair of adults whose gonads would both normally produce sperm or would both normally produce (until menopause) ova. There are limitations in using this definition as the determinative factor in identifying a person's sex.[24] This definition has been chosen to avoid becoming entangled in convoluted gender theory[25] which, in the writer's view, is not central to this thesis. The issue at stake is not one of "same-gender relationships", for it has been claimed that there are at least eleven genders, [26] therefore the term "same-gender", is not suitable for our purposes.

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[22] There is also a Glossary. pp.144ff.

[23] Ref. A Proposed "Solution-with-Integrity", pp.139ff.

[24] This sex determination, however, does overcome some issues that would be encountered if we were to use a person's chromosomes as a way of categorising a person's sex. Those who were born inter-sexed, and those who have already received a "sex change", do not neatly fit into a chromosomal determination. This thesis does not, and cannot, deal with those issues.

[25] "The application of the term 'gender' to the difference between men and women thus implies, without the argument ever being made, that the differential roles of men and women in family and society are as arbitrary as the gender of nouns. The routine use of 'gender' to identify as men or women, test-takers, applicants for driver's licences and insurance policies, and virtually all those who fill out almost any kind of document marks the bureaucratic imposition of the feminist view of the sexes on society as a whole." Young, R.V. (1995).

[26] A number of scholars point to a proliferation of genders. A non-exhaustive summary list might be: 1. Male heterosexual, 2. Female heterosexual, 3. Male homosexual, 4. Female homosexual, 5. Male bi-sexual, 6. Female bi-sexual, 7. Hermaphrodite, 8. Male pseudo-hermaphrodite, 9. Female pseudo-hermaphrodite, 10. Male transgender, 11. Female transgender, 12. Male transsexual, 13. Female transsexual (it could be argued that the

The term *CSsC* further assumes that the couple have formally entered into a legal commitment, such as a civil union,[27] or they have been 'married' in a foreign country under that country's same-sex marriage laws.[28] Only within the context of the Marriage Liturgies[29] does the *ACANZP* authorize the blessing of opposite-sex (o/s) couples; it does not liturgically bless couples who are not married to each other. It would therefore be anomalous to consider blessing a *CSsC* who have not formally and legally entered into a legally committed relationship, such as a civil union in New Zealand; otherwise, such blessing would additionally, be the blessing of a *de facto* s/s couple.

"Solution-with-Integrity"

A position that seeks to honour all people involved in a conflict and their concerns. It is not a mathematical or political mechanical compromise.[30]

The positions: *Proponent*, *Medicament* and *StatusQuo*

This thesis has also identified and named three significant positions held in relation to the question: *Should the ACANZP formally and publicly bless same-sex (s/s) couples?* Such classifications may not, necessarily, apply in relation to other issues with which the *ACANZP* wrestles. The positions have been named ***Proponent***, ***Medicament***, and ***StatusQuo*** in regard to s/s blessings.

The ***Proponent*** position can be summarised: All that God made is good, including those with a s/s attraction. Since committed s/s couples embody love, care and faithfulness, God's character, we should bless these relationships. Marriage and sexuality are not limited to

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final two categories could be subsumed into #s 10 and 11). Anne Fausto-Sterling's work on intersex is well known; ref. A. Fausto-Sterling (2000). *Sexing the Body: Gender Politics and the Construction of Sexuality.* New York, NY: Basic Books; (2000). "The Five Sexes, Revised: The Varieties of Sex Will Test Medical Values and Social Norms". *The Sciences*, July/August 2000, pp.18-23; (1993). "The Five Sexes: Why Male and Female Are Not Enough". *The Sciences*, March/April 1993, pp.20-25; (1985). *Myths of Gender: Biological Theories about Women and Men*. New York: Basic Books. Supporting this line of reasoning, Professor Zillah Eisenstein of Ithaca College wrote: "labeling someone a man or a woman is a social decision . . . masculinity and femininity are cultural conceits . . . [the] 'two party system' of sex is a social construction . . . our sexual bodies are 'indeterminate' and therefore 'policed' to become male and female; and man and woman." Z. Eisenstein (2005). "The Court and Gender Decoys — What's a Woman Anyway?" Available from Woman's Human Rights Network, http://www.whrnet.org/docs/issue-what_woman.html; downloaded 29 December 2005.

[27] As defined by the *Civil Union Act 2004,* New Zealand.

[28] As New Zealand does not currently recognize same-sex marriages performed overseas, such a couple needs to enter into a New Zealand civil union if they wish their union to be considered legal in New Zealand. We will not, however, pursue the legitimacy of same-sex marriage rites conducted overseas.

[29] Ref. *NZPB,* pp.779-805; *CoC*, Title G, Canon III, 2.10, "Blessing of a Civil Marriage".

[30] Ref. "A Proposed "Solution-with-Integrity", pp.139ff.

procreation. The church accepts marriages which cannot, or choose not to, produce children, therefore, a s/s couple's inability to procreate (without third party assistance) should not lead to their rejection by the church. Not to bless such relationships is discriminatory and excludes these people and their relationships; exclusion is contrary to God's character. The rejection of s/s couples has little to do with the *Bible,* but is predicated upon a heterosexual patriarchal hegemony which does not mirror the Kingdom of God. Since s/s sexual activity is 'normal' for homosexuals, the church should bless committed s/s couples in the same way it blesses heterosexual marriages. Persons holding a *Proponent* position ask: Is the decision to bless s/s couples one that can be made by an individual priest, bishop or province subsidiarily, at the 'nearest' geographical level?

The ***Medicament*** position can be summarised: We live within a fallen creation of which s/s attraction is one of many examples. Being part of a committed s/s couple is a way of living faithfully for those not attracted to the opposite sex. The church should extend God's grace in this area, as it does in many other areas, by publicly accepting such couples and possibly by offering a new service created for such relationships. Those supporting the *Medicament* position think that a way should be found to deal pastorally and compassionately with those attracted to members of the same-sex.[31]

The ***StatusQuo*** position can be summarised: Homosexual sexual activity is identified in the *Bible* as sin. To bless a sexually active s/s couple would be blessing sinful activity, something in which the church should not engage. Homosexual activity leads to unhealthy lifestyles for the individual, families and society; such relationships should not be encouraged or supported by the church. The current position[32] of the Anglican Communion on s/s relationships is contained in Lambeth (1998) 1:10: "This Conference . . . cannot advise the legitimising or blessing of same sex unions nor ordaining those involved in same gender unions."[33]

Those holding a *StatusQuo* position state: S/s sexual activity is authoritatively spoken against in the scriptures. The policy of the church on this matter should be changed only if there were

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[31] Note: This thesis argues for a *Medicament* position in respect of s/s couples, that is, for a 'boundaried-acceptance' which balances the integrity of the historic Christian faith and belief, with compassion and concern for all the fallen.

[32] A number of commentators in the *ACANZP*, *TEC*, Canada, and elsewhere have argued that Lambeth (1998) 1:10 (p.178) has no *legal* authority, but is merely the majority opinion of the bishops at that Lambeth Conference. The writer accepts that Lambeth Resolutions have no *legal* authority, but it is generally understood within the Anglican Communion that such decisions have a *moral* authority. NOTE: Lambeth (1998) 1:10 did not simply pass, but was passed by a vote of the bishops 526 to 70. Further, 1:10 was affirmed in *The Windsor Report*, and at the Primates' Meetings of Dromantine - 2005 and of Dar es Salaam - 2007.

[33] Lambeth (1998) Resolution 1.10, e) - Human Sexuality. Ref. Appendix C, available from: http://www.lambethconference.org/resolutions/1998/1998-1-10.cfm, downloaded 14 May 2007.

convincing arguments based on scripture and theology, resulting in a significant majority decision by the Anglican Communion that such activity was acceptable within a committed relationship.

A Personal Positional Statement

I have been ordained within the *ACANZP* for sixteen years, and am concerned about the damage this issue is causing the church internally and in public.

At the beginning of this research, I was on the softer edge of the *StatusQuo* position, resisting the acceptance of s/s sexual activity by faithful members of the Christian Church, based on scripture and tradition. As the research progressed, however, I became convinced that another position was more appropriate, that of a "boundaried-acceptance" of *CSsC*s, a position which is consistent with a *Medicament* view.

Bioethical Aspects

Theology,[34] Philosophy, Medicine, and Law are the four foundational disciplines of Bioethics. That theology has not featured significantly in most recent bioethical debates (outside the United States at least) is symptomatic of the decline of the role of the church in contemporary society. This thesis draws on theology as well as key bioethical terms and considerations.

What is beneficent and non-maleficent for a different sexually oriented individual? Do we always "do good" when we assist and further other people's choices and desires and "cause harm" if we hinder or restrict them? To what extent are we acting with beneficence and non-maleficence if we leave someone in a state where his or her life path is going to be difficult, especially when people are influenced in their well-being by acceptance within their social context and cultural mores?

Medical professionals deal with people facing diverse problems: a person may request the removal of a healthy leg,[35] or female genital mutilation,[36] or active euthanasia. The medical

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[34] See especially: S.E. Lammers and A. Verhey, Eds. (1987). *On Moral Medicine: Theological Perspectives in Medical Ethics*. Grand Rapids, MI: Eerdmans.

[35] Such as the request by Kevin Wright to have his left leg amputated, though this operation was not medically indicated. "My left foot was not part of me". *The Observer*, 6 February 2000.

[36] The hypothetical request of a woman to doctors in the United States for female 'circumcision' prior to her return to her homeland in Africa. Such an operation performed in the United States hospital would be safer than traditional methods in the African bush with no recourse to medical staff, anesthesia, or antibiotics. Julie Zuzumi

professional will give consideration to the patient's request, but they also have a "responsibility of care", and must consider matters that the patient may have overlooked or disregarded. Medical professionals are not bound to fulfil any and all requests put to them, but must weigh all the relevant issues.

> A second provision of the Hippocratic Oath is that one ought to act in the best interests of the patients, or for their benefit, or 'to keep them from harm and injustice'. Thus, we have a duty to determine what the welfare of the patient requires us to do, and to do it in such a way as to maximise the chances of the patient getting the best possible outcome in terms of his or her life and purposes.[37]

Just as the medical profession does, the church and its clergy must consider ethical and moral matters which a person may have overlooked or marginalised, including the teleological aspects of *SsSA* in regard to increased levels of un-wellness in physical or psychological health, increases in crime, addiction, suicide and transient relationships, which are statistically higher in those who participate in *SsSA* than for those who participate in o/s sexual activity only.[38]

The pertinent question is: How can the church best help people who experience homoerotic attractions, and/or are involved in *SsSA*? The church needs to anticipate those who may wish to change their sexual attraction and response from one of homoerotic attraction and activity to one of celibacy, or heteroerotic attraction, commitment and activity. Inevitably, dilemmas will arise. If the church allows the blessing of *CSsCs*, how should a priest advise a person, who is part of a *CSsC* relationship which has been blessed, but who now wishes to cease *SsSA*, or wishes to move into a committed relationship with an o/s person? Should the priest counsel continuing the s/s sexual relationship, as is done from time to time within Holy Matrimony? This might be seen as encouraging *SsSA* over celibacy, or over a committed o/s sexual relationship which may lead to Holy Matrimony. No literature mentioning this aspect was discovered in the course of the research.

Young (2002). "Female Genital Mutilation". *MSJAMA*, Vol. 288, 4 September 2002, p.1130, available from: http://www.ama-assn.org/sci-pubs/msjama/articles/vol_288/no_9/jms0904021.htm; downloaded 5 February 2003. See also: Peter P. Moschovis (2002). "When Cultures are wrong"; Kyle Brothers (2002). "Covenant and the Vulnerable Other"; Matalie Catharine Moniago (2002). "A Woman's Rite to Health", and Sara Cichowski (2002). "Beatrice's Choice*", all in cited issue of *Medical Student Journal of American Medical Association* (*MSJAMA*).

[37] Alastair Campbell, Grant Gillett and Gareth Jones (2005). *Medical Ethics.* 4th ed. Melbourne: Oxford University Press, p 10.

[38] See: fns. 38, 39, 41, 63, 67, 72, 73.

If the church can respond compassionately to those caught up in other aspects of the fall (e.g., leprosy, drug addiction, divorce, etc.)[39] regardless of whether they are personally responsible or not, then it should be able to respond compassionately in this case.

This thought parallels Philippa Foot's *natural normativity*[40] in which the recognition that a state is not ideally in accord with optimal design should not prejudice our moral stance toward individuals in such a state (so that we can love and accept someone with Down's Syndrome, for instance). However, the issue at hand is not the recognition of s/s *individuals*, but the blessing of s/s *relationships*. We tend to the view that homoerotic inclinations are a departure from a biologically-based conception of function, arising from irregular development in the womb, through childhood, or later trauma, deprivation, a combination of these effects or even, in some cases, such as in Political Lesbianism[41] (Lesbian Separatists), from systems and/or relationships deemed oppressive of women.

Stanley Hauerwas voices a dilemma for many Christians who express moral outrage towards 'gays' on the one hand, yet are ambivalent towards other issues of sexual immorality:

> We allegedly live in a monogamous culture, but in fact we are at best serially polygamous. We are confused about sex, why and with whom we have it, and about our reasons for having children. This moral confusion leads to a need for the illusion of certainty. If nothing is wrong with homosexuality, then it seems everything is up for grabs,[42] but the condemnation of gays hides that fact from our lives.[43]

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[39] Leprosy, drug addiction and divorce are each clearly not something God intended, thus orthodox theology considers that they result from the fall.

[40] Foot *Natural Goodness* (2001); cf. P. Foot (1978). *Virtues and Vices, and Other Essays in Moral Philosophy*. Oxford: Basil Blackwell.

[41] "Within the MLF [Women's Liberation Movement] there are many groups, yes, which call themselves lesbians. Many of these women, thanks to the MLF and the consciousness groups, are now capable of saying openly that they are lesbian, and that's great. It didn't used to be that way at all. There are other women who have become lesbian out of a sort of political commitment: that is, they feel that it is a political act to be lesbian." In an interview with Simone de Beauvoir (1976), by John Gerassi. "The second sex 25 years later". *Society*, Jan-Feb. 1976, available from: http://www.marxists.org/reference/subject/philosophy/works/fr/debeauvoir-1976.htmn; downloaded 17 November 2005.

[42] Such as those engaged in, or promoting (such as the *North American Man-Boy Love Association*, *NAMBLA*: http://216.220.97.17), pederasty and/or paedophilia point out how, since homosexual acts are *now* acceptable within society, the spotlight of condemnation has fallen on men who has sex with adolescent boys. *NAMBLA,* and others, are using the same arguments for the acceptance of their 'lifestyle' (or 'orientation'), as were used by homosexual activists to gain support for *MSM* and *WSW* activity. "The issue of love between men and boys has intersected the gay movement since the late nineteenth century, with the rise of the first gay rights movement in Germany. In the United States, as the gay movement has retreated from its vision of sexual liberation, in favor of integration and assimilation into existing social and political structures, it has increasingly sought to marginalise even demonize cross-generational love. Pederasty — that is, love between a man and a youth of 12 to 18 years of age — say middle-class homosexuals, lesbians, and feminists, has nothing to do with gay liberation. Some go so far as to claim, absurdly, that it is a heterosexual phenomenon, or even 'sexual abuse.' What a travesty! Pederasty is the main form that male homosexuality has acquired throughout Western civilization — and not

Hauerwas is pointing out that, to some degree, our brazen public condemnation of the 'obvious' sinfulness of homosexuality conceals the fact that we have not actively engaged in a reflective critique of what many Christians have come to accept without significant protest, that is, inconvenient truths such as serial marriage, lustful sexuality, and the procreation of children to inherit our wealth, carry on our 'name', or to live out our desires and aspirations.

Blessing and Nuptial Blessing

What does a blessing mean, or do? Certainly blessing conveys a very positive disposition towards a person, thing or act, but it appears phantasmagoria-like, without any agreed distinct definition. Indeed, if a person wished to make use of a term which was generally perceived as positive, but also extremely vague, then *blessing* is a very good candidate. In order to define blessing and specifically nuptial blessing,[44] we will need to review how these terms and acts have been understood and used for over 4,000 years, paying particular attention to the development of the Christian practice of nuptial blessing developed from the first century C.E. onward.

The Allowance of Divorce; Remarriage in the *ACANZP*

A seemingly winsome argument has been raised in support of the blessing of s/s couples in the form of changes made in the 1970s by *The Church of the Province of New Zealand*:[45] "The marriage service of a person who has been divorced may be conducted by a minister even though the other party to the prior marriage is still living."[46] The argument proceeds as

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only in the West! Pederasty is inseparable from the high points of Western culture — Ancient Greece and the Renaissance." David Thorstad (1998). *North American Man-Boy Love Association* (*NAMBLA*). "Pederasty and Homosexuality*", available* from: http://216.220.97.17/pederasty.htm; downloaded 16 November 2005.

[43] Stanley Hauerwas (1994). "Why Gays (as a group) are morally Superior to Christians (as a group)*"*. In *Dispatches from the Front: Theological Engagements with the Secular.* Durham, NC: Duke University Press, p.153. The writer notes that Hauerwas is arguing in this article that Christians should also be excluded from military service, just as homosexuals are excluded from the US military. But he also concisely outlines what many of the *MSM* interviewed said regarding how tolerant the Church is with remarriage (serial monogamy, or as Hauerwas here: serial polygamy), divorce, children born out of wedlock, in the present day, yet they remain steadfastly opposed to same-sex sexual activity.

[44] **Nuptial Blessing**: The most common use of the term "Nuptial Blessing" is in conjunction with the Roman Catholic marriage service called "Nuptial Mass". However, the term is also used in the Anglican Communion, though more rarely. It is the (third) blessing given to the couple within the liturgy of Holy Matrimony.

[45] In the 1970s, the Anglican Church in New Zealand was known as "The Church of the Province of New Zealand". Its name was changed to the *ACANZP*, in 1992.

[46] *Code of Canons* (*CoC*) Title G, Canon III, 2.9 - *Marriage of divorced persons.* See also: *CoC*, Title G, Canon III, Schedule I. The following marriages are forbidden under this Canon. "4. In this Schedule, unless the context otherwise requires, the term 'wife' means a former wife, whether she is alive or

follows: Since the *ACANZP* allows its members to divorce and remarry, the *ACANZP* should also allow the blessing of committed s/s couples. This argument implies that the church's allowance of divorce and remarriage was not based on scripture or tradition, but on pastoral grounds,[47] and, or, a relaxing of moral and ethical considerations. This thesis will demonstrate that contrary to scripture and early tradition,[48] the Roman Catholic Church[49] altered the Early Church position which permitted divorce and remarriage, and that the churches of the Reformation reacted variously to the Roman position, rather than returning to a scriptural and early church position. Nevertheless, beginning with Henry VIII and most recently with Prince Charles, the Church of England has found politically expedient ways of accommodating divorce, remarriage and the giving of a nuptial blessing (even in the Royal Family), while not explicitly rejecting a 'scriptural position' nor returning to the Early Church position of allowing divorce and remarriage.

The Interview Procedure

To begin the interview process, the writer wrote in November 2004 to all the *ACANZP* bishops who were then in full-time ministry, requesting an interview for the purposes of informing this thesis. The bishops were also asked for any names of people they thought the writer should interview (from any side of the dispute). The writer also wrote to a number of people he knew to be leaders in promoting or opposing the blessing of s/s couples[50]. Each person was sent an "Information Sheet for Participants" (an outline of the Ethics Committee-approved procedures from the University of Otago), and a "Consent Form For Participants" (also in regard to ethics approval). The writer informed the potential interviewees that he would take written notes, that a copy of these notes would be sent to them for review and amendment, and that if he wished to quote them, he would send them a copy of the quote in context for their review, correction and approval (or otherwise) prior to formal submission of the thesis. The writer offered each person the opportunity to use a unique identifier,

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deceased, and whether her marriage was terminated by death or divorce or otherwise; and the term 'husband' has a corresponding meaning. Note: The marriages forbidden by the Church under this Schedule are identical with the marriages forbidden by the New Zealand Marriage Act 1955 and amendments thereto up to and including 1997."

[47] I accept that pastoral grounds were some, amongst many, of the considerations which lead to the allowance of divorce and remarriage within "The Church of the Province of New Zealand".

[48] And the continuing tradition within the Orthodox Church.

[49] In this thesis, the term Roman Catholic (Church) will be used, regardless of the specific technical terminology for a given 'age', for the Christian denomination headed by the Pope of Rome.

[50] It is therefore in keeping with the qualitative techniques using intentional sampling and the snowball technique and aims to disclose a range of views and their rationales rather than statistically sample a defined population.

mentioning he hoped as many as possible would be willing to be identified with their statements. He acknowledged that some would wish to remain anonymous in their statements for a variety of reasons. However, following consultation with his supervisors, the writer decided to ensure that all interviewees' unpublished comments remained anonymous.

The interviews ranged from 40 minutes to 5 hours in length, the average being 105 minutes. The interview consisted of formal questions.[51] In addition, each interviewee was asked for names of other potential interviewees from any side of the dispute.

In all, fifty-one people from all over New Zealand were formally interviewed for this thesis between 2 December 2004 and 17 October 2005. The interviewees consisted of seven bishops, two deans, three archdeacons, three canon theologians, twelve vicars and parish priests, several members of *Changing Attitudes* (a group promoting the blessing of s/s couples), several members of *Mainstream* (a group opposing the blessing of s/s couples),[52] ten professors and lecturers (of Philosophy, Ethics, Law, History, Theology, Pastoral Theology, Old and New Testament), a paediatrician, a psychologist, a solicitor, two heads of theological colleges, two artists, a business leader, and three leading lay people. Some interviewees overlap two or more categories. While a different selection of interviewees may have yielded slightly different responses, the writer contends that the entire range of views held within the *ACANZP* was canvassed; no known position was knowingly left unvoiced.

It was comparatively easy to place each interviewee within one of two categories, *Proponents* or *StatusQuo* (pp.19ff.), in regard to their overall view of whether or not the *ACANZP* should authorise a public rite of blessing for s/s couples, since the following question was put to each: "*Please outline why you are personally – favourable or unfavourable — to clergy conferring a blessing on same-sex couples*". Once the interviews began, however, it became obvious that a new 'mid-way' category presented itself and was subsequently named: "*Medicament*".[53] This category embraced those who indicated a position of accepting, possibly with some limitations, s/s couples within the life of the church, while not insisting such relationships be accorded blessing, or, equivalence with Holy Matrimony.

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[51] See Appendix A: Interview Questionnaire, p.153.
[52] I discovered a group whose name and membership he has been asked to keep confidential, its inclination is broadly *Medicament*.
[53] Placement of interviewees in the *Medicament* category is an assignment of the writer. Once this mid-way position became obvious, the writer considered rewriting the interview questions to reflect this new data, but decided against such action, realizing that he would have to re-interview all those already interviewed. This was not possible due to time and financial constraints, as well as creating a distinction between those who would have been interviewed once and those interviewed twice.

In analysing the responses, an approximately equal number of respondents held views of the two main positions *Proponent* (x18) and the *StatusQuo* (x20). The writer identified eight interviewees who held views which appeared, to him, to approximate a *Medicament* position. Had this latter position been identified prior to the start of the interviews, the writer suggests that those opting for the *Medicament* position may have been higher, possibly significantly higher.

Among the interviewees, laity were significantly under-represented.[54] The clergy interviewed, for the most part, held senior positions within the *ACANZP*. The intention was to gain the opinions of those who influence the theological decision-making processes within the *ACANZP*; these processes are generally clerically dominated. It was felt to be of particular importance to survey those who were known to be sympathetic to those who experience same-sex attraction, as well as those who held a high regard for a traditional reading of scripture in this issue. Finally, it was important to interview some people who were continuing to be sexually active with a person of the s/s, and some who were no longer sexually active with those of the s/s.

The aim was, therefore, not to do a survey but to explore the issue through people entangled in it and likely to have diverse views and some familiarity with theological thinking. This material is a cross-section of opinion with the church at a particular point in time, coloured by the perceptions of the author but validated by those interviewed as fairly representing their opinions.

Why is THIS Issue so Problematic?

For many people, the church's consternation over the blessing of *CSsC* relationships is bewildering, especially in an age where people will tolerate anything "as long as nobody else is harmed". The understanding of harm within such a statement is usually limited to physical or emotional violence, and to theft.[55] People also say: "Whatever an adult does with a willing

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[54] In general, lay members of Anglican parishes do not have sufficient theological training to work through the issues which the request to bless *CSsCs* raises. For some parishioners, their point of reference is a family member or friend who is not heterosexually attracted, and they, understandably, wish to accept them. Alternatively, some parishioners are strongly repulsed by the though of *SsSA*, and do not wish to pursue any discussion on the matter.

[55] Robert A.J. Gagnon points out that consensual sexual relationships (such as incest and polyamory), do not produce "intrinsic, scientifically measurable harm", but none the less are identified by scripture as immoral. Robert A.J. Gagnon (2007). "Case Not Made: A Response to Prof. John Thorp's "Making the Case" for Blessing Homosexual Unions in the Anglican Church of Canada", p.26, available from: http://www.robgagnon.net/articles/homosexThorpCanadaResp.pdf, downloaded 1 July 2007.

adult in the privacy of his or her bedroom should be of no concern to anybody else." This cliché overlooks the interrelatedness of people as members of society and worldwide humanity. The claim that people should be allowed to do "whatever" and that the church should not comment (but *bless*), also overlooks the integrity of a faith community and their need to take a stand on significant moral issues. Finally this assertion overlooks humanity's creatureliness, the importance of the body, and their relationship with their Creator.

Why is THIS issue so problematic? — it will be helpful to invoke a medical analogy. Impetigo[56] ("school sores") is most often caused by a staphylococcus infection resulting in skin sores resistant to healing by non-antibiotic means. Where a local infection is treated early, usually with an antibiotic ointment, healing can occur, but if the infection takes hold and is not treated promptly, the infection may become systemic requiring systemic antibiotics. The persistent dispute over the blessing of *CSsC* relationships in the Anglican Church parallels impetigo. Many people see the obvious sore, mistakenly believing that the dispute can be adequately treated by a topical application of some curative ointment. The balms of *inclusiveness*, *diversity*, *tolerance*, *justice* and *acceptance* have each been suggested. The problem however runs deep with underlying causes: the discounting of sin, the supporting of a Foucaultian licence of sexuality (perhaps including promiscuous homosexuality, promiscuous heterosexuality, practised bisexuality, and polyamory), and, in some cases, the supporting of a radical Marxist/Feminist hegemony. These issues require a *solution-with-integrity*.

The dispute over the blessing of *CSsC* relationships is not only about sex, sexuality[57] and relationship, but also about the doctrines of creation and redemption, sin and soteriology, authority, the divinity of Jesus, and anthropology.[58] Each of these issues is alluded to in the *Windsor Report*[59] (*WR*). The extent to which the Anglican Church should allow these aspects to impact on its theology, decision-making, and liturgy is a pivotal issue in this study.

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[56] **Impetigo**: A contagious bacterial skin infection, usually of children, that is characterised by the eruption of superficial pustules and the formation of thick yellow crusts, commonly on the face, hands, arms and legs.

[57] The broad topic of human sexuality includes heterosexuality and homosexuality. Yet it also includes hermaphroditism (inter-sex), bi-sexuality, transgender issues, promiscuity, abusive sex, polygamy and polyamorous relationships, etc. This thesis will not cover any of these latter issues in detail but their very existence points to the fact that the resolution of these issues is a more complex matter than might be supposed.

[58] To name several major doctrines and issues which are involved in this dispute. "In some cases, there is a long history of suspicion and division over a range of issues, and the concern over homosexuality has merely provided the focus for reaction on the part of Anglican Christians whose motivation is to be faithful to Christian truth and values as they have understood them. But in all cases, this is a situation which cries out for healing and reconciliation." (*WR*, par. 147b). The *Windsor Report* is the formal report of *The Lambeth Commission on Communion.*

[59] The *Windsor Report* is the formal outcome of *The Lambeth Commission on Communion*, established by the

The *WR* recommends a continuation and expansion of discussions regarding all these issues. It is in that spirit that the writer undertook this topic for his thesis, which presents them as they are seen from the perspective of a broadly traditional Anglican parish priest.

Many of those promoting or opposing the blessing of *CSsCs* are guilty of selective reading, and a failure to deal with these broad issues. As Edith Humphrey states:

> Why, I have questioned, did we not recognize the current divide over more central or creedal issues, such as the uniqueness and divinity of Jesus the Christ? Why, for example, in my own ACC [*Anglican Church of Canada*], did quantifiable dissent not erupt over Michael Ingham's *Mansions of the Spirit,* when it was published in 1997, or in *ECUSA*,[60] over the ongoing spate of books by John Spong?
>
> Unlike Gnosticism, the Christian Way does not teach that what is done in the body is irrelevant, or that what is 'spiritual' is more important than what is 'physical.' On the contrary, our salvation comes to us through the Incarnation of the Son, who takes on our frail human flesh, as Jesus is born of a woman, at just the right time, as he dies our death, and is raised to new life.[61]

There is strong feeling by many of the *Conservative* members of the *ACANZP* that a number of developments have taken the church too far from historic Christianity, and that the church needs to return to an orthodox foundation.

The church, its prophets and its leaders are called to warn people, much as a "watchman" would,[62] in an attempt to turn people from sin. A conservative reading of scripture and tradition holds that any *SsSA*[63] is sin, so the church and its leaders would be remiss not to

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Archbishop of Canterbury in response to the authorisation of a public liturgical blessing for *CSsC* relationships in the Diocese of New Brunswick, British Columbia, Canada, and the consecration to the office of Bishop of the Diocese of New Hampshire, United States, of a priest openly involved in a *CSsC* relationship. In doing so the Commission dealt with issues of Communion, authority, and policy change, rather than issues of homosexuality *per se*.

[60] *ECUSA*: *The Episcopal Church of the United States*, the denomination in the United States which is in communion with the Archbishop of Canterbury, through the Archbishop of Scotland. In some respects it is effectively the Anglican Church in the United States, except for the fact that there are now a number of denominations which have spilt away from *ECUSA* and have included the term Anglican within their new moniker.

[61] Michael Ingham's *Mansions of the Spirit* outlines the claim for Christianity's acceptance of multi-faith worship, partially based on the non-uniqueness of Christ. John S. Spong's corpus advocates a new 'enlightened' form of Christianity. Both Ingham and Spong are advocates for the blessing of *CSsCs*. E. Humphrey (2003). "Why This Issue?" Available from: http://www.augustinecollege.org/papers/EH_30June03.htm; downloaded 8 August 2005.

[62] Cf. "Ezekiel's Watchman", Ezekiel 3:17, 33:6 and James 5:20.

[63] Richard B. Hays (1996). *The Moral Vision of the New Testament: A Contemporary Introduction to New Testament Ethics*. San Francisco: HarperSanFrancisco, pp.379-406; Robert A. J. Gagnon, (2001). *The Bible and Homosexual Practice: Texts and Hermeneutics*. Nashville, TN: Abingdon Press; Colin Becroft, and Ian Hooker (1993). "Homosexuality". In *Sane Sex*. Ed. F. Foulkes. Homebush West, NSW: ANZEA Publishers, pp.121-152; Harold Turner (1993). "Gender and Homosexuality". In *Sane Sex*, Ed. F. Foulkes. Homebush West, NSW:

warn of the dangers of such activity and of the possible consequences of blessing s/s relationships.

Why Equivalence is Important for the Justice Argument

A pivotal issue raised by those advocating the blessing of *CSsC* relationships is that heterosexuals who are married enjoy especial rights and privileges that persons in a *CSsC* relationship cannot access as they cannot enter Holy Matrimony. *Proponents* claim this is an injustice, an inequity that must be put right by blessing these couples. This argument for *justice* calls for everybody to be dealt with in the same way regardless of any categories to which they may, or may, not belong. Whatever one person is allowed to do, or whatever privileges they receive, it is asserted, all should be allowed as well. The claimed *advantages* of Holy Matrimony and blessing are access to protection under law, societal respect and rights of adoption. [64]

Plato rightfully claimed that for justice to be done, equals should be dealt with equally, and unequals unequally. In order for *CSsCs* to be treated equally (the same as) with couples joined in Holy Matrimony, one should be able to demonstrate that these two groups are, in fact, equal, something that proponents of the blessing of *CSsCs* have not done successfully, to date.

In writing about the impending consecration of The Revd Jeffery John as Bishop of Reading, England (prior to his withdrawing from that appointment), Michael Prowse of the *Financial Times* wrote an 'opinion-editorial' in defence of the appointment and expected consecration:

> Rowan Williams, the liberal Archbishop of Canterbury, will be giving
> Gay relationships the British establishment's formal blessing. But the
> time is right; and if it causes another split in the Church, that is a price he
> should be prepared to pay. *Justice demands it.*[65]

This argument for *justice* as the "sameness of rights", responsibilities and privileges is predicated upon the claim that certain, or perhaps all, types of partiality or discrimination, based on certain types of characteristics, are indefensible or unjustified. Everyone, it is

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ANZEA Publishers, pp.153-179; Derrick Sherwin Bailey (1955). *Homosexuality and the Western Christian Tradition*. London: Longmans, Green and Co. But also see those who moderate or discount these positions: L.B. Smedes (1994). *Sex for Christians*. Grand Rapids, MI: William B. Eerdmanns Publishing Company, pp.48-59; John Boswell (1994). *Same-Sex Unions in Premodern Europe*. New York: Vintage Books; Gareth Moore (2003). *A Question of Truth: Christianity and Homosexuality*. London: Continuum; Daniel A. Helminiak (2000). *What the Bible Really Says About Homosexuality*. Tajique, NM: Alamo Square Press.

[64] These first two, legal protection and societal respect, have been granted by the *Civil Union Act 2004*. Adoption does not flow from Holy Matrimony, but from civil law.

[65] M. Prowse (2003). *Financial Times*, quoted in: Edith Humphrey (2003), my itlaics.

claimed, should be treated exactly the same. This claim raises two questions. **First**, should people who are not married be given the same (real or imagined) benefits as those who are married? **Second**, is it reasonable to allow any two (or more) people to be married, or to be considered already married, on the basis of their residency, or their desire, or their sexual acts, as does the *Relationships* (*Statutory References*) *Act 2005*? Since neither of these claims looks to be sustainable, we ask: What response is most fitting in the light of all the considerations as a more nuanced interpretation of justice (as fittingness to the situation) considered in the light of social and moral/ethical desiderata?

We do not, for instance, treat children the same as adults, because their limited abilities, knowledge and experience impair their ability to make good judgements. Criminals are not treated the same as law-abiding citizens. It is accepted that no one should have *unjust* privileges, or punishments, over and above another. Yet categories exist in society. To claim that categories are superfluous to the organization of society is naïve.

Because people, or groups, share similarities in some respects does not mean they share similarities in all respects. Both similarities *and* differences need to be tracked. The mistaken ideal of identical rights and privileges for those who share *some* similarities can be represented thus:

> **A**:   *J* are people given special rights and privileges who belong to category *X*.
>
> **B**:   *R* are people and also belong to *X*.
>
> ∴   *R* should have the same rights and privileges as *J*.

Suppose that in this argument, *J* are doctors who have the right and privilege to prescribe opiate pain relief to their opiate-addicted patients.[66] *R* are people who have a spouse who is addicted to opiates. Because both *J* and *R* are people who care for addicts **(X)**, those who are *R* (those who have an opium addicted spouse) should have the same rights and privileges as those who are *J*. Thus, those who are *R* should be allowed to prescribe opiate pain relief to their spouse (or any addict they care for). There are fishhooks in this argument; we therefore need to clarify just what kinds of rights and privileges are justifiably based on what kinds of qualifying conditions, so that, for instance:

> **A**:   Some people caring for addicts can prescribe and dispense opiates.
>
> **B**:   The spouses of addicts care for their addicted spouse.

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[66] I acknowledge Professor Grant Gillett's assistance in outlining the medical and logical aspects of the administration of opiate pain relief to addicts; I transferred the medical analogy to the thesis topic.

∴ The spouses of addicts should be able to prescribe opiates to their spouse.

But since not all carers can (or should) prescribe opiates, we need to bring in the appropriate qualifiers:

A_1: Those carers who can prescribe opiates to addicts are professionally trained to do so in ways that will not worsen the harm to the addict concerned.

A_2: Doctors and nurses are appropriately trained to prescribe opiates for addicts.

A_3: The spouses of addicts are not trained[67] to administrate opiates to addicts in ways that will not worsen the harm to the addict concerned.

∴ Doctors and nurses, but not the spouses of addicts,[68] should be able to prescribe opiates.

Society correctly prohibits some actions (murder, rape, theft, etc.) and restricts others (e.g., the prescription of opiates to special classes of people, doctors and nurses). These prohibitions and restrictions can be ridiculed for being moralistic restraints on individual freedom, or they can be seen as ethically justified for the betterment of society as a whole, and for the individuals concerned.

Let us use a highly controversial, but pertinent, example to show the illogic of: **Justice demands everyone be treated the same!** Those who are *J* are people in a non-conventional relationship (such as a *CSsC* relationship). The *Homosexual Law Reform Act 1986* has given those in a *CSsC* relationship protection from prosecution for *SsSA*.[69] Further, via the *Civil Union Act 2004* and the *Relationships* (*Statutory References*) *Act 2005* people who wish to be enter a same-sex relationship are enabled to obtain society's legal protection and support in regard to their person, and their property rights (if they have been in a *de facto* relationship for three years) or have entered a civil union. Those who are *R* are paedophiles, or pederasts, who would like their sexual orientation to be treated "justly". Because the law prohibiting sex acts between consenting same-sex adults has been revoked, and some of those who are *J* can enter into a civil union (those whose non-conventional relationship is a *CSsC* between adults), those who are *R* claim they should be able to practise their sexual 'orientation' without any

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[67] Obviously, some spouses of addicts are doctors or nurses who have been appropriately trained for such care. It would, however, be an exceptional rather than normative situation where it would be ethical for them to prescribe such relief.

[68] Ethically, a medical practitioner would not normally treat a family member. An exception would include a rural doctor or nurse, or in emergencies. In the case of a doctor or nurse whose spouse was addicted to opiates, it would be unethical, and highly unwise, for them to administer opiates to their addicted spouse unless a medical emergency dictated such action.

[69] Assuming their acts are consensual and non-violent.

legal constriction as they are people who are in a non-conventional sexual relationship. Further, any **R** should be able to enter into a civil union/civil marriage with a consenting child or an adolescent.[70]

Thus, those who are **R** should receive the full support and acceptance of society as is enjoyed by **J**, for any relationship they choose to enter, providing it is mutually consensual. Yet:

> **A.**　　Two different groups have some similarities in categories.
>
> **B.**　　These two groups have some differences in categories.
>
> ∴　　To point only to similarities of categories is insufficient; we need to track both similarities and differences.

The *justice* argument for the blessing of *CSsC* relationships is based on the claim that it is just to treat all people, and their relationships, the same.[71] It is predicated upon the independence of the individual from church order and responsibility. Yet, the *Proponents'* argument requires, from the church, its support, affirmation and blessing.[72]

Phillipa Foot states that reasons for actions must be considered, and that, in reviewing these considerations, some actions should not be done for a variety of reasons, some of which concern the goodness or justice of the action.

> The description 'just', as applied to a man or a woman, speaks of how it is with him or her in respect of the acceptance of a certain group of considerations as reasons for action . . . Likewise, [s]he recognises certain limitations on what [s]he may do even for some virtue-given end;

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[70] Argued by the *North American Man-Boy Love Association* (*NAMBLA*) and others, that a child or adolescent should be allowed to make up his or her mind about participating in Adult-Child sexual activity; cf. fn.42. It is conceivable that paedophiles will ask to have their relationships blessed using the same arguments that have been used to promote the blessing of *CSsC*. *NAMBLA* is using the same arguments for the legalisation and acceptance of "intergeneration love" as were used to gain public acceptance of *SsSA;* cf. *intergenerational sex*: a term sometimes used instead of pedophilia (adults who are sexually attracted to children), or pederasty (adult men who are sexually attracted to adolescent boys). "In 2003 the American Psychiatric Association held a symposium debating the removal of the paraphillias, pedophilia included, from the *DSM*, on the same grounds as homosexuality had been removed . . . In particular, many have a long history of advocating the casting aside on principle — that same principle by which homosexuality was originally removed from the *DSM* — traditional restrictions not only on homosexuality, but on pedophilia, sado-masochism, incest, and bestiality". J.B. Satinover (2005). "The Trojan Couch: Medical Diagnostics, Scientific Research and Jurisprudence to the Subverted in Lockstep with the Political Aims of their Gay Sub-Components". *National Association for Research and Therapy of Homosexuality* (*NAMBLA*), Conference Reports 2005, pp.5-11, available from: http://www.narth.com/docs/TheTrojanCouchSatinover.pdf; downloaded 14 March 2006.
[71] Plato asserted that: equals should be dealt with equally and unequals unequally.
[72] We acknowledge that in this scenario appropriate qualifications include the fact that the non-conventional relationship (s/s) is between consenting adults. A non-conventional relationship where such informed consent does not occur (non-medically trained spouses of addicts) is not strictly equivalent in all relevant respects.

> as [s]he may not kill an innocent person even for the sake of stopping
> someone else from killing a greater number.[73]

One might argue that there are reasons for distinguishing between Holy Matrimony and a *CSsC's* relationship the status of which, vis-à-vis the justice or goodness of a blanket approval, is not yet clear and therefore we might want to persist with certain limitations even though the end (for some) is in sight. To be inclusive in our dealings with relationships within church is virtuous, where these inclusions do not carry an associated harm.[74]

We must also recognise that the marginalisation of some homosexual people through verbal and physical violence still occurs. This is a justice issue! As mentioned earlier, the writer was concerned at the limited contact that most of the interviewees upholding the *StatusQuo* had had with those involved in *SsSA* or *CSsCs*. Moreover, a majority of those interviewees stated they had never had a discussion regarding homosexuality with such a person, personally or professionally. While this absence/avoidance could hardly be called abusive, it is a form of marginalisation. All Christians, on all sides of this conundrum, should be able to talk with those with whom they disagree, and with those they do not understand.[75] Only if they do so are they likely to appreciate the human situation about which they are making judgments and to do so without that appreciation is not virtuous because it is ill-informed. (note one of Aristotle's reasons for failures in action was ignorance) This, it would seem, is a path towards a virtuous end, that is, based on loving inclusiveness which represents the common ground and good.

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[73] Foot (2001), p.12. Cf. "It makes for nothing but confusion to centre an argument about practical reason around one particular expression cut off from its genuine application . . . the evaluation of human action depends also on essential features of specifically human life." Foot (2001), p.14.

[74] Though the lack of harm to those practicing same-sex sexual activity within a *CSsC* relationship would need to be proven in order to establish the need to be fully inclusive.

[75] Other examples would include being able to discuss with a Muslim or a Jew what they do, and do not, believe.

Chapter 2
The Doctrine(s) of Marriage and Holy Matrimony

In order to compare and contrast the nature of a *CSsC's* relationship with the nature of a couple joined in Holy Matrimony, we need to define the nature of marriage and Holy Matrimony, observing its fluctuations throughout history.

> Marriage is presented in the Bible as an essential aspect of social life. It is the outcome and intention of God's creation of [hu]mankind as male and female, counterparts of each other, capable of reproduction and indeed commanded to reproduce (Genesis 1:27, 2:18-24).[1]

The Greek word for marriage is *gamos*,[2] hence the terms monogamy and polygamy. Strictly, monogamy is having *one marriage* in a lifetime, though, in common usage it means having sex with only one person at a time. Strictly, polygamy is a person of one sex having concurrent marriages with two, or more, members of the opposite sex.

Doctrines of Marriage can be traced through the literature for nearly four millennia. We will examine the progression and development of marriage from the position held by the Ancient Near East (*ANE*) cultures (surrounding early Judaism), through to the Early Christian Church period, when marriage had already changed from being a form of polygamous patriarchy to a relationship of intended mutuality between one man and one woman for life. As the Christian Church expanded geographically and numerically, three distinct Doctrines of Marriage and practices developed: (Eastern) Orthodox, Roman Catholic, Protestant, with the Anglican position straddling the latter two.[3]

John Boswell and Joseph Matros,[4] (each supporting a *Proponent* view regarding the blessing of s/s couples) have claimed that the Doctrine of Marriage has significantly changed throughout history and, further, that the Christian Church was not involved in weddings and marriage until the 12th century. The claims, that the church entered into the ordering of marriage very late in its history, and substantially and whimsically altered its ordering hold

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[1] *Eerdmans Bible Dictionary* (1987). Allen C. Myers (Ed.) Grand Rapids, MI: William B. Eerdmans Publishing Company, p.693.

[2] *Theological Dictionary of the New Testament* (Abridged) (1985). Gerhard Kittel (Ed.), Geoffrey W. Bromiley (Trans.). Grand Rapids: MI: William B. Eerdmans Publishing Company, p.111.

[3] The Church of England and, subsequently, the churches of the Anglican Communion are often referred to as being both "catholic and Reformed".

[4] Joseph Martos, stated by R. Scott Appleby, in: "Until a 'lack of discretion' do us part", available from: http://www.smp.org/resourcepage.cfm?article=189, downloaded 4 April 2006;

some validity, if one is primarily considering post-Constantine Western Christianity. But such claims are not correct if examining the Early Church or the Orthodox Church. Thus, it is important to distil, as far as possible, a non-historical bias that can serve as a theological constraint on historical shifts of opinion, hence, a discussion of *causes*/*purposes*.

Marriage as Covenant/Contract in the Old Testament

"Marriage is called a 'covenant' (Hebrew: *berith*) throughout the Pentateuch"[5] and the rest of the Old Testament (OT). There are a number of examples of covenants within the OT: God's marriage covenant with Israel (Ezekiel 16:60), a treaty between God and his people (Ezekiel 37:36), and a covenantal oath: "I will be your God and you shall be my people" (Leviticus 26:12, Deuteronomy 29:13). In each of these covenants, God makes a binding agreement with his people.

The concept of covenant also appears in all the cultures surrounding Ancient Israel. The term covenant covered treaties, labour hire, marriages, etc., and formed part of the understanding of the early followers of YHWH[6] (Yahweh). Abraham came from one of these surrounding cultures.[7] God's unfolding revelations to him and his descendants acquired greater scope and substance over time, with a resulting development away from the surrounding cultures' mores. The understanding of covenant in this period was a mutually binding conditional *contract*:

> Marriage in the Ancient Near East was contractual, involving payment, agreed stipulations, and penalties. If either party broke the stipulations of the contract, the innocent partner could opt for a divorce and keep the dowry.[8] Exact parallels are found in the Pentateuch.[9]

Recorded evidence, such as the code of Hammurabi (ca. 1760 B.C.E.),[10] demonstrates how both the *ANE* and early Jewish cultures treated marriage as *contract*. To form a marriage, there had to be mutual consent, stated verbally, in the presence of witnesses:

> H. '(Be) my wife, this day and forever.'

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[5] Instone-Brewer (2002), p.1.
[6] **YHWH** (also **YHVH** or **JHVH** or **JHWH***) n.* The Hebrew *Tetragrammaton* representing the name of God, in English, commonly: Yahweh)
[7] *Ur* of the Chaldeans, Genesis 11:27-28.
[8] For a detailed treatment of dowry, 'bride price', its payment and its return if divorce, see Instone-Brewer (2002), especially pp.1-19, and also pp.23, 73-74, 79, 83-84, 202, 250.
[9] Instone-Brewer (2002), p.1.
[10] The code of Hammurabi appears to be the first record of a wife being allowed to divorce her husband if he were at fault.

        W. '(Be) my husband.'[11]

In addition, the marriage was sealed by the payment of a stipulated amount of money or goods (dowry or bride price). Often there was a written contract delineating the conditions that each party of the marriage had made and was bound to keep, stipulating penalties for failure to keep the agreement, should a divorce result. Not all of these *obligations* were specifically recorded, but were understood to be binding on marriages; for example, death was the penalty for adultery.[12]

Monogamy and Women Affirmed, Polygamy Condemned, by the time of the Intertestamental Period

Two significant developments occurred within the Intertestamental period in regard to marriage, the marginalisation of polygamy and an increasing regard for the role of women. While polygamy had been *allowed* in the Mosaic law (Exodus 21:10; Deuteronomy 21:15-17), this allowance might more correctly be termed *tolerance*, with the concept of monogamy being the ideal.[13] It is possible for Genesis 2:24[14] to be interpreted as offering a 'monogamist ideal', an ideal that was not developed until the Intertestamental period. Instone-Brewer points out that while "several [OT] passages speak about divorce,[15] none of them condemns or even discourages" the practice.[16] By the Intertestamental period, the distinction between the Hebraic culture, and that of the *ANE* cultures had become clearly delineated.[17]

A heightened regard for, and the role of, women occurred during the Intertestamental period, as further examples of Yahweh's developing a unique people. Within Judaism, husbands alone could divorce their wives, though wives could request a divorce from their husband, or they could appeal to the elders to be released from a marriage, if their husband had not kept the *marital obligations*.[18]

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[11] Where H. = Husband and W. = Wife. Quoted in Instone-Brewer (2002), p.13, and fn.53.

[12] However, the Mosaic Law (Deuteronomy 17:6; 19:5) required two or three adult male witnesses to prove a charge requiring death. In most cases of adultery, or s/s sexual activity, this requirement would be difficult to fulfil, especially compared with, say, assault, etc. "On the evidence of two witnesses or of three witnesses he that is to die shall be put to death; a person shall not be put to death on the evidence of one witness", (Deuteronomy 17:6 *NRSV*).

[13] The excesses taken by "leaders and kings like Gideon, Samson, David and Solomon" with their many wives and excessive lifestyles helped discourage public approval for polygamy. C.f. Isaiah 50:1; Jeremiah 2:2; Ezekiel 16:8; Proverbs 12:4; 19:14; 31:10 and Psalm 128:3.

[14] The marriage of one man, Adam, with one woman, Eve.

[15] Exodus 21:10-11; Deuteronomy 21:14, 22:19, 29; 24:1-4.

[16] The exception being that a man was forbidden from divorcing his wife if he had raped or shamed her.

[17] Instone-Brewer (2002), pp.60.

[18] The Jewish Elders could apply penalties to the husband to encourage him to keep the vows, or to encourage

A Hebraic woman freed from a marriage was to be given a divorce certificate (*get*) that stated: "She may go wherever she wishes" which was later reflected in rabbinic divorce certificates which stated "you are free to marry any man"[19] (except the man she divorced).[20] The importance of the certificate is the creation of an institutional safeguarding of the welfare of the less politically powerful party in the relationship so as to create an especial legal context for that partnership as distinct from other liaisons. [21]

Within Judaism, the development of equal rights for women (within the Law of Moses as far as possible) was coupled with "Rabbi Gershom of Mayence decree[ing] an end to the theoretical right of a husband to divorce his wife" without *just* cause. In addition, "Simeon ben Shetah tried to discourage divorce among Jews [by a variety of methods which] . . . resulted in greater financial security for divorced women."[22] As we will see, Jesus and Paul would later back these and other efforts to limit divorce to *valid* grounds.

Jesus' Teaching Regarding Marriage

Having set out the prevailing OT understanding of marriage, as understood and practised in Israel at the time of Jesus, we now examine how he agreed, and disagreed, with some of the prevailing mores of their day. The passages which set out Jesus' teaching are found in Matthew 19:1-12 and Mark 10:1-12, with his oft quoted summary found at Matthew 5:32 and Luke 16:18.

Jesus outlines four historically conditioned reservations regarding marriage in the present age. **One**, there are times of serious difficulty when it may be best not to marry (Luke 17:27). **Two**, marriage makes it very difficult to fulfil, unreservedly, God's call on one's life (Luke 14:20; Matthew 22:14). **Three**, some are given the gift of celibacy (Matthew 19:12). **Four**, in the age to come (the Kingdom of God in its fullness) there will be no marrying or giving in marriage (Mark 12:25). Of these, we will review, points **Two** and **Three**.[23]

There are two further issues regarding Jesus' attitude towards marriage we need to mention, namely childlessness and societal pressure to remarry and produce children. As will be set-out

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him to divorce his wife. However, they could not force a divorce against the husband's will. Instone-Brewer (2002), p.80, 85-90.

[19] Instone-Brewer (2002), p.14.

[20] There are other exceptions: near relations, priests, etc.

[21] Regardless of the circumstances, without a divorce certificate there would be the appearance that a remarrying woman would be committing adultery with her new husband.

[22] Instone-Brewer (2002), p.76-84.

[23] *TDNT* (1977), Vol. I, pp.650-651.

(pp.118f), Jews understood that there was a God-given command to "be fruitful and multiply and fill the earth"[24] (Genesis 1:28). Men and women were, therefore, expected to marry and produce children. When Jesus' disciples asked him, in consideration of his exacting standard on divorce and remarriage, whether they would be better off never marrying since it was so hard to get rid of a wife, Jesus responded:

> For there are eunuchs who have been so from birth, and there are
> eunuchs who have been made eunuchs by others, and there are eunuchs
> who have made themselves eunuchs for the sake of the kingdom of
> heaven. Let anyone accept this who can. (Matthew 19:12 *NRSV*).

Jesus is stating that not everyone need marry, and thus, not every person is under obligation to produce children,[25] some may be celibate for a variety of reasons. By extrapolation, people who have been married and are now widowed, or the innocent party of a valid or invalid divorce, are not *required* to remarry (to produce children). People are free to refrain from sex, marriage and childbearing but such choices are expected to be quite rare: "Let anyone accept this who can" (v.12).

Jesus' views regarding marriage appear simplistic but are in fact very nuanced. Instone-Brewer offers the following summary of the principles of marriage apparently upheld by Jesus, although, on the basis of the arguments in the above, and following, sections I have made some amendments to Instone-Brewer's summary:

1. Monogamy
   — an individual can only be married to one person at a time

2. Marriage should be lifelong
   — and it is against God's will to break up a marriage.

3. Divorce is not compulsory
   — even in cases of adultery[, *porneia*, or the breaking of the three marital obligations].

4. Divorce is allowable
   — if there is stubborn refusal to stop committing adultery

5. Marriage is not compulsory
   — so infertility is not a ground for divorce.

6. Divorce for "any matter" is invalid
   — and so remarriage after ~~this~~ divorce [if there were not valid grounds,] is adulterous.[26]

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[24] A further factor would have been the importance of perpetuating the family name.
[25] Thus, barrenness is not a valid reason for divorce.
[26] Instone-Brewer (2002), p.178. The writer has quoted Instone-Brewer*'s* text, and indicated where he has

While the above summary of Jesus' teaching on marriage, divorce and remarriage is not an explicit teaching, we have examined sufficient scripture and contemporaneous documents to establish that a good case can be made for each of these postulations.

Holy Matrimony within the Christian Tradition — Some Key Features

By the time of Jesus' resurrection, marriage for Christians and Jews was understood to encompass mutual respect and equality between husband and wife, and a commitment to sexual exclusivity and the fulfilment of the three marital vows, food, marital rights and clothing. As the Christian Church developed, the *marital causes* were clarified. The importance of, and conflict regarding, sexuality, divorce and remarriage can be observed in some of the important milestones of the Church's development of Holy Matrimony.

Paul stressed the importance of both sexual fidelity and the obligation of marital rights:

> *But because of cases of sexual immorality, each man should have his own wife and each woman her own husband.* The husband should give to his wife her conjugal rights, and likewise the wife to her husband. For the wife does not have authority over her own body, but the husband does; likewise the husband does not have authority over his own body, but the wife does. Do not deprive one another except perhaps by agreement for a set time, to devote yourselves to prayer, and then come together again, so that Satan may not tempt you because of your lack of self-control. This I say by way of concession, not of command. I wish that all were as I myself am. But each has a particular gift from God, one having one kind and another a different kind. To the unmarried and the widows I say that it is well for them to remain unmarried as I am. But if they are not practising self-control, they should marry. For it is better to marry than to be aflame with passion. (1 Corinthians 7:2-9 *NRSV*, my italics).

Paul is clearly stating that one's sexuality is to be *channelled* in and through marriage, and that both husband and wife have a right to expect their spouse to meet their obligation in this area.

Since both husband and wife have, as a requisite condition of marriage, to not refuse unduly the other sexually and emotionally, Paul as Jesus, regarded the possibility of people voluntarily choosing to be a 'eunuch' (celibate) as very desirable to allow fuller service to

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removed or replaced some words with a somewhat more nuanced version based on his own analysis.

God, stating that if a person can practise sexual self-control[27] (continence or celibacy), and if they remain unmarried, then they are better able to direct their energy into serving the Lord.

This call for celibacy was taken up by a number of Church Fathers in the East and the West, and celibacy was sometimes claimed as being superior to marriage. Some Fathers even called for celibacy within marriage, contrary to Paul's teaching.

The Orthodox Church has always viewed marriage as a good, and has always allowed divorce and remarriage in a manner distinct from the Western Church (which was to follow Augustine of Hippo[28]). Chrysostom taught that "marriage . . . [is] a fellowship for life",[29] and that "the love of husband and wife is the force that welds society together",[30] that "marriage is not an evil thing, *marriage is a natural remedy to eliminate fornication*",[31] in agreement with Paul.

Augustine (354-430), who lacked an ability to translate Greek, developed a significant change in the doctrine and policy of divorce and remarriage.[32] He used the Vulgate's translation of the Greek *musterion* (mystery) into the Latin *sacramentum* (sacrament) for his elucidation of Ephesians 5:32.[33] Augustine developed as an analogy for marriage, Christ's relationship with the Church (Body of Christ), claiming that marriage was an unbreakable sacrament. Therefore, marriage was not just "a *vinculum* ('link, joining')[34] but it was also a *sacramentum*" [sacrament], "the ordained means of procreation (*proles*), the guarantee of chastity (*fides*), and the bond of sacred union (*connubi sacramentum*)."[35]

> He taught that the indestructible or ontological nature of the marriage bond is due to the sacramental nature of marriage. Like baptism, which is our marriage to Christ, human marriage is irreversible.[36]

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[27] Less than one in a thousand, according to Luther (fn.39), are able to maintain complete celibacy.

[28] Augustine claimed that marriage was a *connubi sacramentum* (an inviolate sacrament) not as the Eastern Church which held that marriage was a *musterion* (mystery). Augustine also claimed that Original Sin resulted in guilt and penalty, rather than Orthodoxy's view that Adam's and Eve's sin resulted in separation from God, and thus death.

[29] John Chrysostom, *How to choose a Wife*, in: *Chrysostom on Marriage andFamily Life*, pp.89-114.

[30] John Chrysostom, Homily, 20, 43, 43, in: John Witte, Jr. (1997). *From Sacrament to Contract: Marriage, Religion and Law in Western Tradition*. Louisville, KY: Westminister John Knox Press, p.21.

[31] John Chrysostom, (1986). *Sermon on Marriage*, in *St. John Chrysostom on Marriage and Family Life*. Crestwood, NJ: St Valdimir's Press, p.85, my italics.

[32] Augustine's inability to translate Greek also led to errors in his development of the Doctrine of Original Sin, see: http://www.augnet.org/default.asp?ipageid=158

[33] Instone-Brewer (2002), p.259.

[34] E.g. *De bono conjugio* 26; *De nuptiss et concupiscentia*, 11.13.18; *In johannem* 9.2, cited in Stevenson (1982), p.29.

[35] Augustine, *On Original Sin*, Chapter 39, in *Fathers Library*, 5:251, cited in: Witte (1997), p.21; see also: *De bono conjugio* 26; *De nuptiss et concupiscentia*, 11.13; 17.19; *De genesi* 9.7, cited in Stevenson (1982), p.29.

[36] Instone-Brewer (2002), p.253, see: Augustine, *On Marriage and Concupiscence* I.11 [X], Augustine, *Retractions* I 18; and, *De Bono coniugali*, Chapter 15.

Thomas Aquinas, in the 13th century, systematized Augustine's teachings leaving out some of the "more subtle nuances that were hinted at in Augustine's later rethinking."[37] Aquinas argued that marriage was ontologically indissoluble, and a "*cause* of grace" (as opposed to a *means* of grace). Aquinas further claimed that divorce in the New Testament (NT) referred to *separation* and not true *divorce*.

Luther (1483-1546), in his criticm of the Roman Catholic Church, returned to the doctrines based on scripture and the early Church Fathers. One of his efforts involved bringing change to the mandatory celibacy of all Roman Catholic priests.[38]. Luther claimed that all should marry except those who had received God's gift of continence: "Such persons are rare, not one in a thousand, for they are a special miracle of God."[39] John Witte, Jr. cites and summarizes Luther, who held that mandatory celibacy led to:

> 'Great whoredom and all manner of fleshy impurity . . . hearts filled with thoughts of women day and night' . . . Christians and non-Christians alike are infused with lust, and a life of celibacy and monasticism only heightens the temptation.[40]

If Luther is basically correct that, at best, one in a thousand have a God-given gift of continence, is it any wonder that the Roman Catholic Church's requirement that all priests and religious were to be celibate (rather than be allowed to marry) ran into trouble? The Anglican Communion's current position, of not allowing s/s marriage, and mandating celibacy outside of marriage, appears to be setting a similarly impossible path for the majority of s/s Anglican communicants.

The 24th Session of the Council of Trent (1563) confirmed and reaffirmed the early teaching of Augustine and Aquinas regarding the sacrament of marriage:

> The bond of matrimony cannot be dissolved on account of the adultery of one of the married parties [and that . . .] neither spouse may contract a

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[37] Augustine, *On Faith and Works* (Acw. No. 48), in: Instone-Brewer (2002), p.254-255.

[38] "There is a big difference between celibacy for priests and celibacy for those in the religious orders. Celibacy for members of religious orders is intrinsic to the state; they are by definition under the vows of obedience, poverty and chastity i.e. celibacy. Being called to be a monk or a nun or a brother or a sister is a call to celibacy, and is understood and embraced as such, in all branches of the Church which have religious orders (RC, Orthodox, Anglican, Lutheran, and Taize which is Reformed/ecumenical). Celibacy for priests is a question of discipline, and there continues to be debate within the (RC) Church about the appropriateness of that discipline; and also exceptions are made (e.g. the Uniate Churches, and married clergy from Anglicanism converting to Rome)." Peter Stuart (2007), pers comm., c.f. Max Thurian (1959). *Marriage and Celibacy*. Trans Norma Emerton. London: SCM Press.

[39] Luther, *Luther's Works*, 45:18-22; 28:9-12; 27-31, cited in: Witte (1997), p.50.

[40] Witte (1997), p.50.

second marriage during the lifetime of another without committing adultery.[41]

Ironically, while the Council of Trent strengthened the Roman Catholic Church's teaching on the indissolubility of marriage, they systematized annulment procedures, expanding the range of "impediments" which enabled a person to get a declaration from the church that a *true* marriage had never taken place. This practice would be highly criticised by theologians, priests and pastors from the Reformation onwards. On the other hand, the development and expansion of annulments countered, or in part balanced, the inviolability of marriage. Annulments were a 'pragmatic solution' to mitigate some of the results of failed marriages while retaining intact the Sacrament of Marriage. While it was a solution, it was a poorly thought through solution, resolving a few problems, while creating many more.

The English reformers were heavily influenced, or restricted, by state politics, with swings oscillating between Protestant and Catholic, resting for a time with the "Elizabethan Settlement". Tensions grew again with the Puritan revolt followed by another Catholic v Protestant conflict in 1688.

Article XXV of *The Thirty-Nine Articles* (1571), "explicitly denies the sacramental quality of marriage as a matter of Church dogma",[42] and affirmed that only baptism and the "Supper of the Lord" (Eucharist) were Sacraments of the Church of England. In addition, Article XXXII specifically allowed the marriage of Bishops, Priests and Deacons, at their own discretion. Abstaining from marriage, with the Church of England, was not mandated for clergy, as it was in the Roman Catholic Church.

Civil Unions, Marriage and Holy Matrimony within the *ACANZP*

By way of overview, the *ACANZP* requires the bride and groom to use one of the declarations[43] and one of the vows[44] (or approved variations), found within *A New Zealand Prayer Book* (1989) (*NZPB*). In the declaration, the bride and groom each state they are willingly entering into marriage with this person, with the intention to love, comfort, honour and keep them, and come what may, forsake all others and be faithful as long as both live.

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[41] *Council of Trent* Session 24 Canon 7 from *The Canons and Decrees of the Sacred and Ecumenical Council of Trent*, (1848) J. Waterworth (Ed.). London: Dolman, in: Instone-Brewer (2002), pp.255-256.
[42] Witte (1997), p.156.
[43] *NZPB*, pp.781, 786, 792-793; the Declarations are a combination of a marriage consent and a betrothal. "The minister shall use one of the marriage services or a composite of the required elements of the authorized services provided in the Formularies of the Church.", *CoC*, Title G, Canon II, 2.6.
[44] *NZPB*, pp.783, 788, 794.

The subsequent vow fulfils these declarations. In the declaration and vow, therefore, both the bride and groom are stating they intend to fulfil the *marital obligations* of Ancient Israel, that is physical and emotional support (food, marital rights and clothing), and the Christian *marital causes* (love, chastity, and procreation and nurture) and specifically commitment to life-long marriage and sexual exclusivity.

The law within New Zealand allows a minimalist marriage vow for civil marraige: "I *AB*, take you *CD*, to be my legal wife (or husband)."[45] Subsection (c) of the Act allows for additions to this minimalist vow, while not requiring such. It thus anticipates religious bodies, such as the *ACANZP*, who require enhanced conditions.

In the same way, because the State allows civil unions, it is not imperative that the *ACANZP* authorise civil unions, since such unions, at least in the case of s/s couples, fail to meet the *ACANZP's* requirements for marriage.[46] The minimalist requirements of the State, thus, are not *all* that can be rightfully required by a church (or other body).

Conversion of a Civil Union to Civil Marriage (and vice versa) in New Zealand

Another challenge has been raised regarding the nature of civil unions vis-à-vis Holy Matrimony: If the NZ Government were to decide that s/s couples in a civil union can convert their relationships to civil marriage, or if s/s couples were allowed to access civil marriage directly, would the *ACANZP* be required to accept s/s civil marriages as Holy Matrimony and thus be required to bless such relationships?

The *Civil Union Act 2004*,[47] allows for the converting of a civil union to a civil marriage (and *vice versa*) but only o/s couples are (currently) able to enter civil marriage. It has been argued that civil unions are a politically expedient way to allow s/s couples[48] to enter civil marriage

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[45] New Zealand Marriage Act 1955, Part 5 Solemnisation of Marriage, Section 31, Subsection 3:
   [[(3) During the solemnisation of every such marriage each party must say to the other—
   (a) "I AB, take you CD, to be my legal wife or husband"; or
   (b) words to similar effect; or
   (c) in the case of the solemnisation of a marriage in accordance with the rules and procedures of a specified body that require different words to be used as a marriage vow than those set out in paragraph (a), those words.**]]** The "New Zealand Marriage Act 1955", available from: http://www.legislation.govt.nz/browse_vw.asp?content-set=pal_statutes, downloaded 3 May 2007.

[46] These requirements Are: That this man (groom) declares and vows food, marital rights and clothing, and sexual exclusivity for life to this woman (bride) who mutually declares and vows to this man food, marital rights and clothing and sexual exclusivity for life.

[47] *Civil Union Act 2004*, Part 2, Clauses 17 and 18, available from: http://www.legislation.govt.nz/, downloaded, 15 March 2006.

[48] It is noted, however, that "(1) Two people who are in a civil union with each other and who are otherwise eligible to marry under the Marriage Act 1955 may marry each other." The *Civil Union Act 2004*, Part 2, 18.1. Thus, the couple must be a man and a woman, not a same-sex couple, to take this further step.

in all but name. Bishops David Moxon and Phillip Richardson in their submission to the Select Committee regarding the *Civil Union Bill,* claimed that the proposed legislation blurs "the distinctiveness of the marriage covenant":

> The Anglican Church is committed to upholding this vision,[49] including the possibility it offers for procreation, and stable, mutual, role models in the upbringing of children. We oppose any provision that allows married couples to easily translate their covenants into the new status of civil union. The church understands marriage in sacramental terms and does not believe this is respected by easing the transition from one form of relationship to the other, as described in Clauses 17 and 18 . . . We do not believe that marriage for heterosexual couples should be offered as one among several options that seem to be much the same, thereby relativising the distinctiveness of the marriage covenant.[50]

The state, of course, is authorised to order the life and laws of its land and people. In New Zealand, the parliament has determined that for the purpose of ordering society, inheritance, and property settlements in case of separation, etc., civil marriage and civil unions are intended to be virtual legal equivalents.[51]

The question before the church is not whether there is a substantial equivalency between civil union and civil marriage; the New Zealand parliament has lawfully decreed there is a substantial equivalency. The matter which the church has to decide is the nature of the relationship between Holy Matrimony and civil marriage/union. Bishops Moxon and Richardson point out that Holy Matrimony entails a "forsaking all others . . . until we are parted by death"[52] and involves:

> A covenant between a man and a woman deriving from a biblical theology of life-long intention, mutuality, sexuality, faithfulness, respect, interdependence and the desire for each to see the other spouse realise their god-given potential in the partnership. This vision of marriage is expressed and commended and honoured in our liturgies and is reflected to some extent in our current Marriage Act legislation.[53]

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[49] Bishops Moxon and Richardson have previously quoted a statement on marriage from the *NZPB*, p.779, ref. p. 9.

[50] D. Moxon and P. Richardson (2004). "Draft Submission to the Select Committee on the Civil Union Bill", available from: bishop@hn-ang.org.nz

[51] With the (current) exception that same-sex couples are not allowed to enter civil marriage.

[52] *NZPB*, p.781-782.

[53] D. Moxon and P. Richardson (2004). "Synod Charge", Waikato Diocese Synod, 2004, available from: bishop@hn-ang.org.nz

Further, an Anglican priest is required to "provide education to the parties seeking marriage on the Christian understanding of marriage."[54] The *Code of Canons* (*CoC*) of the *ACANZP* suggests to the priest that a civilly married couple who wish to be blessed use one of the approved *Liturgies of Marriage* prior to Blessing the couple's relationship.[55] Thus, while the state has the authority to order civil marriage/union as it sees fit, the *ACANZP* has a responsibility to order Holy Matrimony and its blessing of couples. I note that even though a couple committing to Holy Matrimony enter that state with a "life-long intention [of] mutuality, sexuality, faithfulness, respect, interdependence and the desire for each to see the other spouse realise their god-given potential in the partnership",[56] this does not bind either partner to any notion of the inviolability of marriage (as in the Roman Catholic Church).

Summary

The Jewish and early Christian understanding of marriage involved sexual exclusivity, and the provision of food, marital rights and clothing. Divorce and remarriage were discouraged, but allowed where there were valid grounds for divorce. Over time, the Christian church established a number of *marital causes*: love, *proles*, and *fides*. The Roman Catholic Church came to the view that Holy Matrimony was a *connubi sacramentum*, an inviolate sacrament, and therefore did not allow divorce or remarriage. The Reformers returned to an Early Church, pre-Augustinian, view that marriage was not a sacrament and some therefore allowed divorce, while others allowed both divorce and remarriage.

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[54] *CoC*, "Title G, Canon III, 'Of Marriage', 1.3: "*The minister shall provide education to the parties seeking marriage on the Christian understanding of marriage,* or see that such education is provided by some other competent person, in accordance with any Guidelines that General Synod may from time to time issue. In particular *the minister shall ascertain that the parties understand that Christian marriage is a physical and spiritual union of a man and a woman, entered into in the community of faith, by mutual consent of heart, mind and will, and with the intent that it be lifelong. The Church's teaching on Christian marriage is enshrined in the Formularies of the Church and is expressed in all the marriage services in the Formularies and in the introduction for the congregation to Christian marriage in A New Zealand Prayer Book* — He Karakia Mihinare o Aotearoa, (See Schedule II of this Canon)", my italics.

[55] *CoC*, Title G, Canon III, 'Of Marriage', 2.10: "If *any persons have contracted marriage before a civil registrar or secular marriage celebrant and desire to have their marriage blessed* according *to the rites of the Church, a minister may use for such a blessing one of the marriage services provided in the Formularies of the Church*, PROVIDED: (1) it is certified to the minister that the marriage has been contracted already; (2) the marriage service is modified by alteration of the appropriate words to indicate that the contract of marriage has already been made; and (3) the provisions of this Canon are observed. No licence is required for such a service, and no record is to be given to the relevant civil authority, but an appropriate record shall be kept for the Church." From this section, and especially subsection (1), it is clear that the Anglican Church cooperates with the State as far as the marriage licence is concerned, but it is also clear from subsection (3), that the Anglican Church operates independently of the State with regard to the Blessing it declares, (my italics).

[56] Bishops Moxon and Richardson (2004). "Synod Charge", Waikato Diocese synod 2004, available from bishop@hn-ang.org.nz.

While some peripheral aspects of weddings such as the use of veils, rings, flowers, etc., have varied tremendously throughout church history, the essential core of Christian Marriage, the vows and the *marital causes*, developed stably through to 1928. It is also clear that the church began its involvement with weddings and marriages more than one thousand years before the 12th century, and thus, its practices and policies are not as varied, or as late, as has often been implied by *Proponents* for the blessing of *CSsCs*.

Chapter 3
Aspects of Equivalence —
CSsC vis-à-vis Marriage and Holy Matrimony

There are a number of equivalent aspects shared by the relationships of a *CSsC* and couples who are joined in civil marriage or in Holy Matrimony. In this chapter we will examine these equivalencies, namely, sexual intimacy, the intention of life-long fidelity, the *marital obligations*, *henosis* and the *marital causes*. To begin we will clarify the legal and other status of various relationships as they relate to the law in New Zealand.

Virtual Legal Equivalency, Civil Union/Marriage and Holy Matrimony

Traditionally, the relationships of civil marriage and of Holy Matrimony have been legally binding relationships exclusively between a male and a female. From 1 April 2001, however, the Netherlands allowed allowing s/s civil marriage.[1] Clearly, the Netherlands, or any other nation, may choose to allow s/s marriage. Equally, the church need not revise its marriage canon simply because the government of the day alters its laws. With the changes in the law in the Netherlands and elsewhere, it is no longer the case that civil marriage always involves o/s couples. However, within New Zealand civil marriage currently involves an o/s couple. Worldwide, Holy Matrimony has always involved an o/s couple.

Apart from the recent changes to allow s/s marriage in the Netherlands, Belgium, Canada, South Africa, Spain and the State of Massachusetts, marriage involves o/s sexual relationships. In New Zealand, a *CSsC* is now able to enter a legally binding civil union, placing such relationships on a legal footing virtually equivalent with civil marriage and Holy Matrimony.[2] There are only two caveats to this equivalency. **First**, a s/s couple may enter a civil union and not a civil marriage. **Second**, adoption is restricted to o/s married couples, or one person of an unmarried couple, and to people who are unpartnered. S/s couples cannot adopt in New Zealand.

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[1] Previously, that Government had allowed, from 1 January 1998, "registered partnerships" (Dutch: *geregistreerd partnerschap*), which is very similar to New Zealand's *Civil Union Act 2004*. "Same-sex marriage in the Netherlands", available from: http://www.religioustolerance.org/hom_marh.htm, downloaded 17 August 2007.

[2] From a legal standpoint, Holy Matrimony is civil marriage with the additional church requirements fulfilled. There are no added or reduced legal aspects involved.

Sexual Intimacy and Life-long Fidelity

That a *CSsC's* relationship, a civil union, a civil marriage, or Holy Matrimony involve sexual intimacy *appears* to be a point of equivalence. However, of these four relationships, only Holy Matrimony explicitly involves sexual intimacy: "With my body I honour you", *NZPB* p.784. It is generally understood that the relationships of *CSsCs* and civil union/marriage also involve sexual intimacy, but this is not explicit, for the minimalist vow[3] required by the *Civil Union Act 2004* and the *Marriage Act 1955* make no mention of sexual intimacy. For the sake of the argument, however, we see no reason not to accept that intimate sexual relationship is implicit within the relationships of a *CSsC*, civil union/marriage, as it is explicit in Holy Matrimony.

It is generally thought that *CSsCs*, civil union/marriage and Holy Matrimony each involve *intentional life-long fidelity*. Once again, it is only Holy Matrimony which explicitly requires such commitments: "Will you . . . forsaking all others be faithful to her/him as long as you both shall live? I will", *NZPB* p.781. As above, relationships of *CSsCs*, civil unions/marriage do not require these commitments but they may be added into the vow. Unlike the assumed sexual intimacy aspect, some *Proponents*[4] have argued against fidelity and life-long commitment within s/s relationships, claiming these are heterosexual mores and should not apply to 'gay' relationships. 'Patricia', a former Lesbian Separatist stated that sexual exclusivity was understood to be part of the heterosexual patriarchal hegemony used to keep women within their place as chattels of their husbands. Life-long sexual fidelity was, therefore, rejected on political grounds. The church, valuing life-long fidelity, may be able to help and guide s/s couples by offering acceptance and support, provided there is an intention to commit to self-restriction via life-long sexual fidelity.

The Three *Marital Obligations*

In addition to sexual faithfulness, Hebraic and Christian husbands and wives enter into three mutually binding *marital obligations* termed: *food*, *clothing* and *marital rights*, based on (Exodus 21:10-11):

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[3] Though, of course, a couple may add this aspect into their vows if they wish. However, it is not required, c.f. fn.45,
[4] Two clerical interviewees and at least one author have made statements along these lines. See also: Michael Shernoff (2005). *Without Condoms: Unprotected Sex, Gay Men, and Barebacking*. London: Routledge.

> If he takes another wife to himself, he shall not diminish the *food*,
> *clothing*, or *marital rights* of the first wife. And if he does not do these
> three things for her, she shall go out [of the marriage] without debt,
> without payment of money. (Exodus 21:10-11, *NRSV*, my italics)

Initially, complete sexual faithfulness was required only of the wife. A husband could marry and have sexual relations with subsequent wives (and concubines) while continuing to retain and have sexual relations with previous wives. But a husband was forbidden consensual sexual relationships with another man's wife and was not allowed to rape any woman, even his wife[5] (ref: fns.5, 16). Since a woman could be married to only one man (at a time), sexual relationships between a married woman and any man not her husband (adultery) might result in her divorce or death. However, a husband or wife could forgive their partner's adultery, or failure to meet the three mutual *marital obligations*.

Food[6] was a duty of provision by the husband, either produced or purchased, to be given to his wife for her, their children and his sustenance. A corresponding duty for the wife was to prepare the food.

Marital Rights is as a euphemism for mutual conjugal rights within the marriage.[7]

Clothing was a duty of supply by the husband to the wife. As with the provision of food, his responsibility was to ensure that his wife was supplied with enough fabric to enable her to make clothing for herself, their children and for him.

It would appear to be indisputable to accept that a *CSsC* is fully able to meet each of the three *marital obligations*, food, marital rights and clothing.

Henosis: "One-flesh" Marriage within Christianity

Closely aligned with Christian marriage is the concept of the unitive aspects of marriage, the "One-Flesh" union (*henosis*[8]), involving body, spirit and soul: "and the two shall become One-Flesh [*sarx*]. So they are no longer two, but one flesh," (Mark 10:2 *NRSV*).

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[5] These conjugal 'rights' have been used as justification by some husbands to force their wives to have sexual relations against their will (rape). "*b. 'Erub.* 100b has third-century C.E. traditions condemning men who force themselves on their wives." Instone-Brewer (2002), p.107, fn.77. Yet some such rapes continue to occur (based on some of the writer's pastoral conversations) in the modern era despite these actions being illegal.

[6] Sometimes stated as "grain", which could be bartered. Money could also be supplied to buy food.

[7] "And moreover <the husband> shall not be able not to do (i.e., to refuse) to <name of wife> his wife the law of one or two of his colleagues' wives. And you shall strive to do with me all that proper women do wi[th] their husbands, in purity and cleanness." Friedman, *Jewish Marriage in Palestine*, p.9.

[8] C.f. pp.50ff.

Jesus referred to God's original intent that man and woman in marriage were to be joined and the two were to become "One-Flesh" (Matthew 19:5 and Mark 10:7-8). Jesus cited the combination Genesis 1:27 and 2:24 (later termed: *gezerah shavah*), and implied Genesis 7:9, thus affirming that marriage consisted of a monogamous pair-bond of a man and a woman who were called upon to be fruitful and multiply.

Interestingly, the term "sex" derives from the Latin *sexus*, to divide. *Proponents* have argued, based on Plato's *Symposium*, that *most* people primordially were made male/female and subsequently divided, thus men and women. To become whole, man and woman unite in marriage. However, *some* were originally made male/male, or female/female. For these people to be become whole, they needed to join with a member of their own sex. This *Symposium*-view is a *made-that-way* understanding of s/s attraction, obviously not based on any genetic link, whereas the position this thesis has adopted is that s/s attraction is an anomaly due to the fallen nature of all creation. For the sake of the argument, however, I am willing to concede, with the above caveat, that a *CSsC* can fulfil the unitive aspect, *henosis*, of marriage without accepting *Symposium's* anthropology or rationale.

CSsCs and the *Marital Causes (Purposes)*

To determine what amount of congruence *CSsCs* have with Holy Matrimony in relation to *marital causes* (*purposes*), we need to review these *causes*.[9]

Two of the *marital causes* (Western Christianity), or "*purposes*" (Eastern Orthodox), are stated in Genesis 1:28, 2:18, procreation[10] and companionship.[11] Following the fall, the *marital cause* of companionship appears to have been marginalized (for it is largely absent in the OT subsequent to Genesis 2:18), leaving only procreation (and nurture). These limited *marital causes* were subsequently added to, and their order variously arranged in the NT and at different times in the history of the church.

From Augustine on, many systematic theologians have written regarding marriage, and have established an ordered list of three *marital causes*. The major exception to this is the Orthodox Church which names several *purposes*[12] in a non-ordered list.

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[9] These *causes* do not necessarily apply to civil marriage/union whose *causes* might be best described as property, inheritance and child care rights, which apply when there is a divorce or the death of one spouse, that is, when the marriage/union ends.

[10] The nurture of the children produced is implied as part of the responsibility (dominion) that Adam and Eve are given.

[11] As will be noted, the order of the causes does not always follow this pattern.

[12] The Orthodox Church uses the term "purposes" for what the West describes as "causes" of marriage.

The question — What are the *causes* of (or reasons for) marriage? — was a topic of controversy during the Reformation. Calvin altered Augustine's ordered list of the *marital causes* from: *proles* (procreation), *fides* (chastity), and *sacramentum* (sacrament), "symbolic expression of Christ's love for his church",[13] thus permanent union); to: "**1)** the mutual love and support of husband and wife, **2)** the mutual procreation and nurture of children [*proles*], and **3)** the mutual protection of both parties from sexual sin [*fides*]."[14]

Cranmer, following "Hermann von Wied's Canon of 1536", states the 'causes' for marriage were: "the procreation of children (*proles*), a remedy against sexual frustration (*fides*), and companionship."[15] In this way, the Church of England followed the Roman Catholic Church in placing procreation and bounded sexual activity as the two main *causes*. Cranmer and Calvin both dropped the *sacramentum* of marriage[16] and adopted companionship, with Calvin placing it first and Cranmer placing it third.[17]

The English Commission in 1972 was set the task of revising the *Book of Common Prayer*. In the draft of the new Matrimonial Service 1975, they altered the *marital causes* to: companionship; a means of grace for one's sexuality (*fides*); and procreation (*proles*). This effectively reversed Cranmer's order. This *Prayer Book* made it explicit that it was the couple

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[13] Witte (1997), p.219.

[14] Witte (1997), p.96, summarizing Calvin, *Commentary on Genesis* 1:27, 1:28, 2:18; 2:21, 2:22; *Commentary on 1 Corinthians* 9:11; *Commentary on Ephesians* 5:30-32; *Sermon on Ephesians* 5:28-30.

[15] Stevenson (1982), p.135.
The 1559 *Book of Common Prayer* on Holy Matrimony: "[H]oly Matrimony . . . is an honorable estate, instituted of God in paradise 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 St Paul to be honorable among all men, and therefore is not to be enterprised nor taken in hand unadvisedly, lightly, or wantonly, to satisfy men's carnal lusts and appetites, like brute breasts that have no understanding, but reverently, discreetly, advisedly, soberly, and in the fear of God, duly considering the causes of which matrimony was ordained. One was, the procreation of children to be brought up in the fear of the Lord, and praise of God. 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, for the mutual society, help, and comfort, that the one ought to have the other, both in prosperity and adversity." "Form of Solemnization of Matrimony," in: *The Book of Common Prayer 1559* (1976). John E. Booty (Ed.). Charlottesville: University of Virginia Press, pp.290-291.

[16] Milton also challenged the doctrine that marriage was a sacrament, its inviolability and therefore its indivisibility: "For me I dispute not now whether matrimony bee a mystery or no; if it bee of Christ and his Church, certainly it is not meant of every ungodly and miswedded mariage, but then only mysterious when it is a holy, happy, and peacefull match . . . Since therefore none but a fit and pious matrimony can signfiy the union of Christ and his Church, ther cannot be any hindrance of divorce to that wedlock wherein ther can be no good mystery . . . If the husband must bee as Christ to the Wife, then must the Wife bee as the Church to her Husband. If ther bee a perpetuall contrariety of minde in the Church toward Christ, Christ himself threat'ns to divorce such a Spouse, and hath often don it. If they urge, this was no true Church, I urge again, that this was no true Wife. Milton, *Works*, 2:236-237, 591, 601-602, 607, 630-631, 732, cited in: Witte (1997), p.183.

[17] Thomas Becon (1511-1567), Chaplain to Thomas Cranmer, listed the three *marital causes* as: love (companionship), procreation, and deterrence from fornication ("fornication, adultery, incest, Sodomitry, and all other kinde of uncleannesse.") Becon (1542). *The Booke of Matrimonie*, summarized and quoted in: Witte (1997), p.144.

themselves, and not the priest, who bound themselves by their vows in the marriage. This new service also stressed the "complementarity of the sexes."[18]

Interestingly, the *ACANZP* does not list three, but only two, *marital causes* and, even then, it drops an aspect of one of the two which remain. What is strikingly absent from the *ECUSA/TEC* and from the *ACANZP* lists of *causes* is the cause of chastity (be it: channelling of sexuality, *fides*, avoidance of extra-marital sexual relations, or remedy for sexual frustration). This cause, present in all formulations since the first-century C.E., was first removed[19] by the (then) *Church of the Province of New Zealand* in their "Christian Marriage Services 1976". The Episcopal Church of the United States (now *TEC*) in their *Book of Common Prayer* 1979, also dropped chastity as a *marital cause*.

Roderick J. Redmayne contrasts the *1928 Prayer Book*[20] and the New Zealand "Christian Marriage Services 1976", listing the following main scriptural points of the *1928 Prayer Book*:

(i)   marriage was instituted by God.

(ii)   it signifies the union between Christ and His church.

(iii)   marriage was supported by Jesus.

(iv)   it has a threefold purpose — procreation, proper expression of "natural instincts" and mutual support.

(v)   God has placed limits on who may marry. [21]

In contrast, the "Christian Marriage Service 1976" includes points (i) and (ii), omits (iii), and excludes procreation from (iv) as a purpose of marriage.[22] Though Redmayne fails to mention it, (v) has also been omitted from that service book.

In a similar, but more advanced, way the *NZPB* (1989) takes further steps away from the Doctrine of Marriage found in the *BCP* 1662 and 1928 *Prayer Book*: (i) is included, (ii) and (iii) are omitted, (iv) omits procreation, (v) is omitted.[23] This appears to be *progressive* change from the received Doctrine of Marriage. While accepting that the new liturgies incorporate "truly current English", nevertheless:

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[18] Stevenson (1982), pp.190-191.

[19] Based on the discovered documents.

[20] The Solemnisation of Marriage in the *BCP* (1662) and the 1928 Prayer Book are virtually identical.

[21] Roderick J. Redmayne (1983). "Marriage, Divorce & Remarriage in the New Testament". Dissertation in New Testament, Submitted to The Faculty of Theology, University of Otago, Dunedin, New Testament, Stage 3, p.32. Copy available from: *Kinder Library*, St John's Theological College, Auckland. Redmayne is currently the Vicar of Akaroa-Banks Peninsula, Canterbury, New Zealand.

[22] Redmayne (1983), p.32-33.

[23] These restrictions are found in the *CoC*, but not within the *NZPB*.

> There remains the impression that the 1976 services, while containing
> some material that is specifically scriptural, is far more a service where
> teaching is more general moral advice; albeit that that advice accords
> with scripture. This move away from easily recognizable Biblical
> teaching is unfortunate in that it reduces the value of the service as an aid
> to instilling Christine doctrine.[24]

The criticisms raised by Redmayne of the 1976 marriage liturgies could be stated with even more confidence regarding the 1989 *NZPB*. Its omission of the instruction, that marriage signifies the union of Christ and the church and that Jesus supports marriage is puzzling. The lack of these theological position statements may have been made to make a marriage service[25] within an Anglican Church more palatable to non-confessing couples, but it raises the question of whether such a service enhances such a couple's marriage other than by adding sacral decorum and a series of choice photo opportunities.

The (continued) omission of procreation as a *cause* of marriage within the *NZPB*[26] (while retaining the nurture of children) as a *cause* of marriage may have occurred due to 'pastoral' concern rather than theological reasoning. Anecdotal evidence suggests that it may indicate a desire to avoid offending those who had previously procreated outside *this* marriage, or via IVF, or those who received children through adoption. On the other hand, procreation may have been removed in anticipation of the blessing of s/s couples.

Even though s/s couples are not able to procreate without third-party assistance, they are able to nurture children. The nurture of children (without their procreation) as a *cause* of marriage would strengthen the argument that a s/s couple's relationship does, or can, equate with an o/s couple's relationship who are joined in Holy Matrimony.

In summary, the non-ordered *marital causes* as understood by the Christian Church, have been consistently held to be: companionship, love and support; channelling of sexual activity, chastity and a remedy for lust; and the procreation and nurture of children. To this non-ordered list the Orthodox Church adds mutual salvation of the married partners, as marriage is

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[24] Redmayne (1983), p.33.
[25] *ECUSA/TEC*, and subsequently the *ACANZP*, helpfully added mutual joy via prayers for joy[25] within the marriage (though joy is not listed amongst its *causes*). As noted with the changes made by the Anglican Church in New Zealand regarding divorce and remarriage, there appears to be little recorded information as to why such these changes, helpful as they are, were made.
[26] The *CoC* cites the three causes of matrimony as found in the *1928 Prayer Book*. In the writer's experience of supervising parish priests, it is likely that many priests would be unaware of this teaching, and would therefore not pass it on, see: *CoC*, Title G, Canon III, Schedule II, 6.

seen as a Christian "vocation [in] the same [way] as that of monasticism: [facilitating] *theosis* or eternal participation in the life of God."[27]

The alteration to the *marital causes*, and their order, can be displayed:

Alterations in the 'Causes' (*Purposes*) of Marriage			
	1st	**2nd**	**3rd**
Genesis 2	Companionship	Procreation	
Early Hebraic	Procreation		
1st c. C.E.	Companionship	Channelling of sexuality	Procreation
Chrysostom	Non-ordered list:[28] unity in love & holiness, chastity, procreation & nurture, [29] mutual salvation[30]		
Augustine of Hippo	*Proles* (procreation)	*Fides* (chastity)	*Connubi sacramentum* (sacrament)
Tridentine & Vatican II[31]	Procreation & nurture	Mutual help	Remedy for concupiscence (lust)
Calvin	Mutual love & support	Procreation & nurture	Protection from sexual sin
Cranmer	Procreation	Remedy sexual frustration	Companionship
***BCP* 1559 & 1662**	Procreation & nurture	Chastity	Mutual support & Comfort
***1928 Prayer Book*[32]**	Procreation	Direct aright "natural instincts"	Mutual support
NZ Anglican, *CoC*, 1972[33]	Mutual love & support	Right use of 'natural instincts'	Procreation and nurture
NZ *Marriage Services 1976*	Union, support & love	Nurture of children	
***ECUSA BCP 1979*[34]**	Mutual joy	Help & comfort	Procreation & nurture
***ACANZP NZPB*[35]**	Union, support & love	Nurture of children	

Table 1: Alterations in the *Marital Causes* (*Purposes*) and their order.

CSsCs and the *Marital Cause* of *Love*

It has been argued by a number of people holding a *Proponent* position that the *love* within a *CSsC* renders such a relationship a non-legal cultural equivalent[36] to that of an o/s couple joined in Holy Matrimony. The argument summary: Since "John and Bill", or "Mary and Susanne", *love* each other, as do "Tom and Belinda", then the church should bless these s/s couples just as they bless an o/s couple in, or entering into, Holy Matrimony.

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[27] Breck (1998). *The Sacred Gift of Life*. Crestwood, NY: St Vladimir's Seminary Press, p.79.

[28] Orthodoxy does not 'order' (or prioritise) the *purposes* of marriage.

[29] Chrysostom, according to Stanley S. Haraka (1980). "For the Health of Body and Soul: An Eastern Orthodox Introduction to Bioethics", available from: http://www.goarch.org/en/ourfaith/articles/article8076.asp, downloaded 4 June 2007.

[30] Breck, (2000), p.68.

[31] *Catholic Culture*, available from: http://www.catholicculture.org/docs/doc_view.cfm?recnum=5822, downloaded 5 June 2007.

[32] *Officially: "The Deposited Book", commonly known as "The 1928 Prayer Book". The Book of Common Prayer with the Additions and Deviations Proposed in 1928 (1928). Church of England. Oxford: Oxford University Press.*

[33] Canon (Title G, Canon III), 1. (a) – (g). *Proceedings of the Fortieth General Synod* (1972). The Church of the Province of New Zealand. Christchurch: Simpson & Williams Ltd, p.139.

[34] *The Book of Common Prayer* (1979). New York: The Episcopal Church. p.423, available from: *http://justus.anglican.org/resources/BCP/formatted_1979.htm, downloaded 5 June 2007.*

[35] *NZPB*, pp.779-780.

[36] There is a recognised exception in that, currently, s/s couples can access civil unions but cannot access civil marraige, whereas o/s couples can access either state.

This argument: Since the *love* within a *CSsC* relationship is equal to the *love* within Holy Matrimony, therefore, *CSsC* relationships should be treated as equivalent, overlooks the various types of *love* clearly expressed in the Greek language. Even on a simplistic level one distinguishes between the *love* of a parent and child and the *love* between a man and a woman. The latter incorporates *agape* (self-sacrifical), *phileo* (personal endearment) and *eros* (erotic) forms of *love*.[37] However, the *love* between a parent and child includes *agape* (from the adult), *storge* (family affection) and *phileo*. The very inclusion of *storge* and/or the lack of *eros* render a parent-child relationship, despite it encompassing *love*, unsuitable for marriage. *Eros* coupled with *storge*, if acted upon, would be incest. Thus, some kinds of *love*, or their lack, are an impediment to marriage.

In a different way, *eros*, *phileo* and *agape* may exist between a man and his two *de facto* female spouses. Yet the church does not consider, despite these marital types of *love* being present, that polyamorous/polygamous relationships are equivalent (legally or otherwise) to the relationship of a couple within, or entering into, Holy Matrimony. This is because a *poly* relationship does not lead to marital chastity — monogamous sexual fidelity within the marriage of a man and a woman. Thus, some form of monogamy — serial or synchronic, is essential for Holy Matrimony and for the blessing of such a couple. On the other hand, a s/s relationship which intended monogamous life-long sexual fidelity, if it included *agape*, *phileo* and *eros*, could meet the *love* requirement of Holy Matrimony. *Love*, however, is but one of three *marital causes*.

SsSA within a *CSsC* and the *Martial Cause* of *Fides*

The *marital cause* of chastity (*fides*) could only be fulfilled by a committed s/s relationship if it were established that s/s genital activity was not sinful when occurring within a committed s/s couple's relationship. No such theological arguments have been successfully formulated to date.

> The Church of England has not altered its stance on the underlying moral
> questions. There has not been a Synodical debate directly on the subject
> since 1987, when Synod clearly and unambiguously reaffirmed the
> biblical and traditional teaching of not only the Anglican Communion
> but almost all Christians worldwide, namely that sexual relations are to

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[37] As declared in their vows of Holy Matrimony.

> be celebrated within, and only within, the marriage of a man and a woman.[38]

A critical issue from a Christian standpoint can be stated: Is same-sex sexual activity, even within a *CSsC's* relationship, always sinful? We will examine two aspects of what is broadly termed chastity. **First**, chastity as the channelled sexual activity (immediately below). **Second**, chastity as the avoidance of all extra-marital sexual activity (next chapter).

The Nature of *Fides* as Channelled Sexual Activity within a *CSsC*

Of the two aspects of *Fides* (above), the aspect of exclusive channelled sexual activity can be fully achieved by a *CSsC*. Another word for this state is monogamy. Just as clearly, monogamy does not, in and of itself, establish equivalency with marriage, let alone Holy Matrimony. A man and a woman might well be monogamous and not married, nor have any intention to marry. Conceivably, a man joined in Holy Matrimony might have a monogamous sexual relationship with his mistress while not having sex with his wife. We fully accept that a *CSsC* can fulfil an aspect of *fides*, monogamy (channelled sexual activity). However, we will still need to examine the issue of chastity within a *CSsC*.

Procreation and Nurture (*proles*) within a *CSsC* Relationship

The *marital cause* of procreation and nurture (*proles*) is also problematic for a s/s couple. **First**, s/s couples are universally unable to procreate without third party intervention. **Second**, while this thesis accepts that some s/s couples nurture children to the same standard as those raised by many o/s couples, the ability of s/s couples to nurture children to the same standard as occurs within the relationship of their stable biological parents has been questioned by a number of researchers (fns.67, 72, 73). We will examine these concerns in the following chapter.

To What Extent Can a CSsC *Fulfil the Marital Causes of Holy Matrimony?*

We are now able to chart the extent to which a *CSsC's relationship* is able to meet the three *marital causes*, that is *love, proles* and *fides*, as held by the early Christian Church and maintained by the Eastern Orthodox and Protestant churches. The only significant change, apart from the *ACANZP* and the *TEC* (who dropped chastity as a *cause* of marriage in the

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[38] N.T. Wright (2005). "Durham: Bishop says he cannot support same-sex blessings*".* 12 December 2005, available from: http://www.anglican-mainstream.net/Dec05/15dec05.html; downloaded 26 December 2005. See also: Lambeth (1998) 1:10, p.178.

1970s) is the change in the order of causes, primarily undertaken by the Protestant churches during the Reformation. If we give a nominal value of 1 (one) to each category, 'love', *proles* and *fides*, subdividing *love* into the three Greek classes of marital love *agape*, *phileo* and *eros,* then subdivide *proles* into procreation and nurture, and finally subdivide *fides* into chastity and *channelled sexuality*, we can quantitatively establish to what extent a *CSsC's* relationship can meet some, but not all, of the *marital causes*.

	'Love' = 1			***proles*** = 1		***fides*** = 1		**Total**
Ideal o/s couple in Holy Matrimony	*agape* = .4	*phileo* = .3	*eros* = .3	Procreation = .5	Nurture = .5	Chastity = .5	*Channelled sexuality* = .5	**3.0**
If *SsSA* is never Chaste	.4	.3	.3	.0	.1 - .49	.0	.5	**1.6 - 1.99**
If *CSsC SsSA* is Chaste	.4	.3	.3	.0	.1 - .49	.5	.5	**2.1 – 2.49**

Table 2: To What Extent Can *CSsCs* Fulfil the *Marital Causes* (*Purposes*)?

It is my view, that a *CSsC* is fully able to fulfil the *marital cause* of *love* (and companionship). The inability of s/s couples to procreate without third party intervention is insurmountable, but closely parallels the inability of some o/s couples to procreate without outside assistance, if at all. Further, the concerns regarding s/s couples raising children is, in the writer's opinion, similar to any number of o/s couples who make less than ideal parents, noting that it is possible to identify some such couples prior to marriage or conception. Therefore, we conclude that a *CSsC* can meet several, but not fully all, of the *marital causes*.

Summary

The aspects of equivalence — *CSsC* relationships and the relationships of civil marriage and of Holy Matrimony — are: **First**, a *CSsC* who has entered a New Zealand civil union has the legal protection and rights of the civil marriage and Holy Matrimony, apart from the ability to enter a civil marriage and the right to adopt. **Second**, a *CSsC* is able to fulfil fully the *marital obligations*, food, marital rights and clothing. **Third**, apart from the complementary nature of an opposite-sex relationship, it is reasonable to accept that a *CSsC* can form a pair bond relationship which forms *henosis* (union). **Fourth**, a *CSsC's* relationship can fulfil some of the *marital causes*. The *cause* of *love* (and companionship) can be fully fulfilled. There is a failure, however, to fulfil the procreative aspect of *proles*, and there is difference of opinion as to how well s/s couples can fulfil the nurture of children aspect of *proles*. **Fifth**, we accept that a 'monogamous'[39] s/s couple fulfils the *channelled sexuality* aspect of *fides*. However, we

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[39] Strictly, monogamous means having married only once in life, but today is usually used to mean that somebody is only having sex with one person in a given time period.

will cover, in the following chapter, the *chastity* aspect of fides, that is, the avoidance of all extra-marital sexual activity.

Clearly, there are a range of ways in which *CSsCs* are able to fulfil aspects of marriage and even Holy Matrimony. However, our search for equivalency requires that we track not only similarities but also differences, to which we now turn.

Chapter 4
Aspects of Divergence —
CSsC vis-à-vis Marriage and Holy Matrimony

The divergences to be discussed in this chapter are in addition to the most obvious one, that Holy Matrimony involves one man and one woman, whereas a *CSsC* involves two men or two women.

The first divergence we will examine concerns the nature of chastity, that aspect of *fides* defined as *avoidance of extra-marital sexual activity*. We will then examine, through a bioethical and philosophical lens, several aspects which indicate that same-sex attraction is a *defect,* or an *anomaly*, in a species where opposite-sex attraction is the life-form based norm. This leads into another divergence concerning the mental and physical health of those who engage in *SsSA*.

A further pair of divergences occurs since there is no possibility of biological offspring resulting from any s/s relationship without third party intervention. While some o/s couples are biologically infertile and others are intentionally childless, the biological infertility of all s/s couples highlights a significant divergence between s/s and o/s couples, married, or not. Subsequently, a divergence between s/s and o/s couples occurs with the raising of children. S/s couples often create the unintentional, or intentional, exclusion of one or the other sex as an enduring role model for the children they raise.[1]

SsSA with a *CSsC*: Chaste (*fides*) or *Porneia* (sexual immorality)?

The *ACANZP Code of Canons* states: "Chastity is the right ordering of sexual relationships."[2] Thus we need to ask: Is it possible for sexual activity within a Committed Same-sex Couple's relationship to be considered chaste? This question arises since every scriptural reference to same-sex sexual activity identifies such activity as being sinful.

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[1] It is acknowledged that some people who engage in *SsSA* make an especial effort to involve members of the o/s with their children to enable their children to engage with positive role models from both sexes.

[2] *CoC*, Title D, Canon I, 10.4, CHASTIY. Admittedly this section is dealing with ordained ministers. There is no received teaching that the writer is aware of that suggests that laity are allowed to be unchaste, but clergy are explicitly required to be chaste. However, if this Canon were to apply *only* to clergy, then it would be beneficial for someone to argue such a case, something which has not been done to date.

Augustine used the term *fides* when describing the *martial causes*, a Latin term which meant reliability, a sense of trust between two people within a relationship.[3] *Fides* indicates a mutual and reciprocal confidence implying privileges and responsibilities.[4] As used by Augustine, it meant that there was to be a sexual relationship within, and only within, the marriage in question. Fidelity derives from *fides*.

The church, prior to Augustine, used the term chastity, which became confused with celibacy. Chastity derives from the Latin term *castilas*, cleanliness or purity. It does not mean renouncing all sexual relations, but intemperate ones, which include all sexual relations outside one's marriage. If a person were unmarried, then any and all sexual relations were unchaste. Thus, chastity means avoiding all fornication, all extra-marital sexual relationships, whereas celibacy means the avoidance of all sexual relationships whatsoever.

The definitions of these two distinct terms, chastity and celibacy, became confused, with some people arguing for celibacy following Paul's statement that he wished all were "just as I am", celibate and single (1 Corinthians 7:7). On the other hand, some understood 1 Timothy 3 as requiring an elder and a deacon to be married, to be faithful to his wife and to be able to control his children, thus *chastity* rather than *celibacy*.

We have acknowledged above that a monogamous s/s relationship is a form of *fides*, that is *channelled sexuality*. Holy Matrimony incorporates chastity, an abstaining from all extramarital sexual relations. Holy Matrimony, with *fides*, has been declared *the* means to channel one's sexual drive (Paul), and is a "medical grace" to calm the sexual desire (St. Benevantine), a remedy for concupiscence (lust) (Tridentine and Vatican II), a protection from sexual sin (Calvin), and a way to "direct aright the natural instincts" (1928 Prayer Book). To add another *means of grace*, that is, *SsSA* within a *CSsC* relationship would be a significant step after more than 2,000 years of agreement that marriage was the only proper arena for sexual relations.

By definition, chastity means the avoidance of all extra-marital sexual relations. When this definition was formed, there was no political allowance for same-sex marriage and thus it is argued nothing explicit needed to be stated to exclude all same-sex sexual relations. However, now that some political jurisdictions allow same-sex marriage, it might be asserted that same-sex acts which take place within a same-sex marriage are by definition chaste. Such a

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[3] Not necessarily a sexual relationship, it could also involve a business, or other, relationship.
[4] See: "The Roman Concept of Fides", available from: http://www.csun.edu/~hcfll004/fides.html, downloaded 20 August 2007.

contention is faulty, since a change has occurred in one of the explanatory terms. It is thus reasonable to call for a review of the entire definition.

A further point, *porneia* is considered to be so damaging to a marriage, that it is explicitly identified as a legitimate ground for divorce.[5] *Porneia* is defined as sexual immorality, including *having sexual relations with a person of the same-sex*.[6]

If a person commits themselves to sexual fidelity with another person, that commitment makes it easier, or possible, to control the fires of sexual lust. If the church is willing to acknowledge and encourage such commitments by o/s couples via Holy Matrimony, should not the church be willing to consider similarly encouraging sexual fidelity of s/s couples so as to make it easier, or possible, to control the fires of sexual lust for people who are s/s attracted?

There is an urgent need to definitively determine whether or not *SsSA* is always sinful, even within a *CSsC*. If it were to be established that *SsSA* within a *CSsC's relationship* could be chaste, it is my view that the case for blessing *CSsCs* would be established. This, however, needs to be the subject of a study in its own right.

It is (not) Natural! — Arguments from 'Nature'

In debating whether or not the Anglican Church should bless *CSsC* relationships, those holding *Proponent* and those hold *StatusQuo* positions each appeal to what is "natural" to bolster their claims. This is not surprising, for the call to evaluate whether something is *natural* (or otherwise) has a significant history at least as far back as Aristotle. *All-natural* foods, fibres, and 'nature tours' are the catch-cries of today's marketing, so it is not surprising that appeals to "what is natural" are brought to bear in the marketplace of ideas as well.

Those opposing the blessing of *CSsC* relationships argue that homosexuality is *unnatural*; crudely put, the male organ is not designed to fit into anything but the vagina. The *coup de grace* in their argument is that neither male nor a female *CSsCs* can produce a child without outside involvement of one sort or another. This, it is claimed, demonstrates that homosexuality is not *natural,* and therefore should be discouraged in all instances.

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[5] C.f. Matthew 5:32, 19:2.

[6] **Porneia *n.* (fem.)** illicit sexual intercourse, adultery, fornication, **homosexuality**, **lesbianism***,* intercourse with animals etc.; sexual intercourse with close relatives; Lev. 18; sexual intercourse with a divorced man or woman; Mark. 10:11; metaph. the worship of idols; of the defilement of idolatry, as incurred by eating the sacrifices offered to idols. Thayer and Smith. Greek Lexicon entry for 'Porneia'. *The NAS New Testament Greek Lexicon*. <http://www.biblestudytools.net/Lexicons/Greek/grk.cgi?number=4202&version=nas>. 1999, (my italics).

By contrast, those in favour of blessing *CSsC* relationships cite the history of homosexuality within most cultures, and the observation of apparent homosexuality amongst animals.[7] These incidents, it is claimed, demonstrate that homosexuality is *natural*, and so homosexuality should be allowed, sanctioned, and blessed, as being part of God's good creation and will. Let us examine this appeal to *nature* a little further.

First, simply because something is *natural* (e.g., occurs in nature), does not imply that it necessarily has intrinsic value or that it could be called *good*[8] in the ordinary sense. How *good* is the natural occurrence of illness or disease (e.g., smallpox or polio)? **Second**, using the animal world to justify human behaviour can lead us on a dangerous and unhelpful course. The black widow spider kills her mate following copulation. Surely we should not take this example from nature into the human sphere. **Third**, many arguments for and against *nature* imply or claim a *moral* or *ethical* value.

In examining the world, Aristotle claimed that certain occurrences are *natural* for a species, and that low or excessive occurrences of these aspects are 'defects'. A classic example would be the observation that seagulls, as a species, have two wings. Thus, a particular seagull with two wings would be a *good*[9] seagull, assuming it had a full complement of all other seagull aspects. A seagull with only one wing would be seen to have a *defect*,[10] for it would be a seagull that was deficient in an important aspect of what it means to be a seagull.

In the same way, a person who is blind or lame would have a *defect* in an aspect of what it means to be a person (i.e., to be able to see or to walk), but they would not be *bad*[11] due to those *defects*.[12] In contrast, a person who did not have two wings would not, because of the absence of wings, have a *defect* or deficiency, for humans do not have wings as an aspect of the species. While the terminology of *defect* is well understood within the disciplines of

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[7] For a rebuttal of the 'homosexual sheep' assertion, see: N.E. Whitehead (2005). "Is Ram Behaviour Evidence of 'Natural Homosexuality'?" Available from: *My Genes*, http://www.mygenes.co.nz/rams.htm; downloaded 21 December 2005; cf. J. Satinover (2005). "Latest Gay Brain Study Scrutinized", available from: http://narth.com/docs/scrutinized.html; downloaded 18 June 2005.

[8] "Good" here meaning *positive*, as opposed to *negative*.

[9] '*Good*' here meaning *complete*, or, "as it is meant to be".

[10] It would not be a *bad* seagull, in any sense of implying a moral judgment. See Aristotle. *On the Parts of Animals*, Parts I – IV. It should be noted that though a single wing on a bird and two heads on a snake are both commonly referred to as a defect, in Aristotelian terms one is a deficiency and the other an excess. In terms of ethics, deficiency and excess are also considered a defect in a person's character, e.g., excessive fear is a deficiency and reckless-overconfidence is an excess of courage, whereas bravery is a virtue, being something less than either of the forenamed, thus a "mean".

[11] In the moral sense.

[12] "As, then, when we say that blindness is a defect of the eyes, we prove that sight belongs to the nature of the eyes; and when we say that deafness is a defect of the ears, hearing is thereby proved to belong to their nature." Augustine. (1998). *The City of God: against the pagans*. Trans. R.W. Dyson. Cambridge: Cambridge University Press. Book XII, Chapter 1.

philosophy and medicine, it is not widely understood (and easily misunderstood) when discussing people and human nature outside the technical languages.

The language of *defect* is a comment on the design or proper function of a creature. Any route from there to a moral stance is at best complex, and includes potentially, various elements such as recognition of the instincts of nature developed within a design which is not natural, and the confusion thereby generated. Care needs to be exercised in the colloquial use of the term *defect* in relation to human beings.[13] To describe a wingless seagull as 'defective' is unlikely to raise an alarm, but to describe a person's appearance, abilities or physiology as *defective*, such as a bald or toothless man, is likely to cause unintended offence. The term *lack of wholeness* might be preferable when referring to what Aristotle,[14] Augustine,[15] Aquinas,[16] Thompson[17] and Foot[18] have described as a physiological *defect*, for the noun *defect* and the adjective *defective* have, in colloquial language, pejorative connotations, and often carry moral value judgements, especially when applied to persons.

The *sound* two-winged seagull is not a morally or ethically *good* seagull, nor is a *defective* single-winged seagull morally or ethically *bad*. In fact, if a single winged seagull managed to overcome this anomaly and succeeded in life by other means, we might regard it as *heroic* or especially worthy of praise — like Mark Inglis climbing Mt Everest. It is, therefore, important to preserve Foot's helpful disconnect between *natural defect* or *anomaly*, and moral disapproval, while not marginalizing our ability to appraise the human will. The correlation between a *natural* (physiological) defect and a *moral* defect was primarily developed with Augustine and Aquinas, especially in the areas of sexuality, where the Roman Catholic

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[13] I am aware that some might argue that we have implied that homosexuality is a disease (an equation that has not been posited by the writer). This is not his intention, or conclusion. The matter is raised to examine the possibility that homoerotic attraction may be a disordered condition that arises as a result of a single factor or combination of factors (such as hormonal or environmental/experiential), such that heterosexual emotional, relational, and sexual attraction and response do not occur, or do not occur significantly.

[14] Aristotle (2002). *Nicomachean Ethics,* Trans. J. Sachs. Newbury, MA: Focus Publishing; "Moral excellence is destroyed by defect and excess*"*. (1915). *Magna Moralia*, Book I, Chapter 5. Oxford: Clarendon Press; (1992). *Eudemian Ethics*. Books I, II, and VIII. Trans. M. Woods. Oxford: Clarendon Press.

[15] Augustine (1998). *The City of God: against the pagans*, Book XII, esp. Chapters 1, 6–9. Trans. R.W. Dyson. Cambridge: Cambridge University Press.

[16] Aquinas (1964). *Commentary on the Nicomachean Ethics*. Trans. C.I. Litzinger. Chicago: Regnery. In a less-than-pastoral expression (which is not uncommon in some work by Augustine and Aquinas): "This is also why Aquinas mentions 'monsters' in [*Summa Contra Gentiles*] iv, p.9. When organisms are born malformed, i.e., lacking proper form, they are monstrous, they are evil. It is an evil to be lame, blind, deaf and so on. Now keep in mind, this is *metaphysical evil*, and not *moral evil*. A blind person is metaphysically evil, but not necessarily morally evil. A blind person is a defective person, they lack something which is proper to the perfection of a human being. They deviate from the norm." Available from: http://www.philosophy.ccsu.edu/adams/Classes/Medieval/Aquinas1.html; downloaded 21 November 2005

[17] M. Thompson (1995). "The Representation of Life*"*. *Virtues and Reason.* Eds. R. Hursthouse, G. Lawrence and W. Quinn. New York: Oxford University Press.

[18] Foot (2001), p.5; cf. Foot (1978).

Church has had protracted difficulty in deciding how best to advise people regarding their God-given appetite for sexual connection and fulfilment.[19]

Philippa Foot, on the other hand, posits that the *moral will* of humans is more important than their physical attributes, and that the moral will *can* be examined as part of an evaluation of a person.

> [It is] a plain matter of fact that there is something wrong with the hearing of a gull that cannot distinguish the cry of its own chick, as with the sight of an owl that cannot see in the dark. Similarly, it is obvious that there are objective, factual evaluations of such things as human sight, hearing, memory, and concentration, based on the life form of our own species. Why, then, does it seem so monstrous a suggestion that the evaluation of the **human will** should be determined by facts about the nature of human beings and the life of our own species?[20]

Therefore, the study of *natural normativity* must consider qualitatively different aspects when used to evaluate people as opposed to other animals for:

> To speak of a good person is to speak of an individual not in respect of his body, or of faculties such as sight and memory, but as concerns his rational will . . . goodness and defects *in* human beings . . . [are] about goodness and defects *of the rational will*.[21]

There is an objection to this *natural normativity* line of evaluation; simply stated, some do not accept that our evaluations regarding *moral goodness* and *moral fault* within humans can be determined in the same way we determine fitness in plants and animals. For Foot, the quality of the *rational will*, and the desire and willingness to fulfil what it means to be human, is as much a part of being human, as flying is part of being a bird,[22] or as protecting her cubs is part of being a mother bear. Being well aware of this challenge to her view, Foot counters her objectors:

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[19] E.g., "Much of the small volume of patristic literature dealing with sexual topics is devoted to a vindication of celibacy against marriage, and of widowhood against digamy or remarriage after the death of a first partner . . . Christian sentiment would not tolerate any view of wedlock which tended in the least degree to derogate from the presumed superiority of virginity . . . Tertullian . . . spoke for the catholics and voiced the settled and moderate opinion of the early Church when he declared, against Marcion, that Christians prefer celibacy to marriage as superceding, not a bad thing by a good, but only a good by a better. 'We do not reject marriage', he wrote, 'but simply refrain from it.'" Bailey (1959), pp.20-21, cf.; "For a very long time, the Roman Catholic Church encouraged celibacy over sexual fidelity within marriage, claiming it was a higher virtue, the state of marriage being for the 'weak'. Heterosexual marriage was regarded as a compromise with the material world — a world Christians struggled with, with varying degrees of commitment and success, to abandon . . . for half of its existence it was not notable for its insistence on the preferability of lifestyles other than family units — priestly celibacy, voluntary virginity (even for the married), monastic community life." Boswell (1994), p.111.
[20] Foot (2001), p.24, my bold italics.
[21] Foot (2001), p.66-72, italics by Foot.
[22] Apart from Kiwi and other flightless birds.

> I need to attack that preconception . . . [for] there is *no change in the
> meaning of 'good' between the word as it appears in 'good roots' and as
> it appears in 'good dispositions of the human will'* . . . the belief that the
> word 'good' must *mean* something different in the former and the latter
> is, I think, simply a prejudice coming from the type of ethical theory that
> has dominated analytic philosophy in the past half-century.[23]

Traditionally, the church has understood that some actions are intrinsically wrong, based on a moral code established by God (i.e., 10 Commandments, etc.). More recently, the idea of any transcendent moral code has come under question by those convinced of the merits of situational ethics, or that all such codes are socially constructed and, thus, arbitrary and subject to restructuring if desired. However, were we to acknowledge that a kind of recognition of each other as moral beings and a consideration of each other's needs as human beings is basic to some kind of natural moral will and that to be indifferent or blind to these things is a defect then a return to some kind of fairly broad and not completely relativistic standard akin to Natural Law would be possible.

Even if the antagonists in this dispute could agree that homoerotic attraction and activity were a type of "brokenness"[24] (or *lack of wholeness*[25]), such a diagnosis does not prescribe to what extent the church should recognise, or how it should respond to, those who experience homoerotic attraction, those who engage in *SsSA*, and those who are in a *CSsC* relationship.

Rowan Williams, in his sermon to the Diocesan Celebration at *ACC*-13, warns against taking a dismissive interpretation of Jesus' association with sinners, an association which was challenged by the Pharisees. Williams points out that we all need wholeness for our brokenness, for we are all broken in some way or another (though we may lie to ourselves and each other about it). Williams paraphrases Jesus' "It is not the healthy who need a doctor, but the sick" (Matthew 9:9-13) as:

> 'So, do you need me or not? Are you hungry? Are you sick? Is your
> work, your life unfinished? Because, if you are whole and not hungry,
> and finished, go' . . .
>
> We are the people who have not had the nerve to walk away; who have
> not had the nerve to say in the face of Jesus, 'All right, I'm healthy, I'm
> not hungry. I've finished, I've done.' We have, thank God, not found it
> in us to lie to that extent. For [of] all the lies we tell ourselves day after
> day, that fundamental lie has been impossible for us. Thank God. We're

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[23] Foot (2001), p.39, italics by Foot.
[24] Rather than using the pastorally unhelpful terminology of 'defective'.
[25] *Lack of wholeness* can refer to something 'missing' as well as 'brokenness'.

> here as hungry people, we are here because we cannot heal and complete
> ourselves; we're here to eat together at the table of the Lord, as he sits at
> dinner in this house, and is surrounded by these disreputable, unfinished,
> unhealthy, hungry, sinful, but at the end of the day almost honest people,
> gathered with him to find renewal, to be converted, and to change.
> Because the hard secret of our humanity is that while the body has the
> capacity to heal itself, the soul it seems doesn't. *The soul can only be
> loved into life* — and love is always something that we cannot generate
> out of our own insides — where we have to come with hands and hearts
> open to receive.[26]

Williams' acknowledgment that none of us are yet whole, and that we remain hungry, in need of the physician, and of redemption, is an admission which challenges the idea that *you* homosexuals are in some way broken, but *we* heterosexuals are not! If we acknowledge that Jesus came for the sick and the sinners, we must ask ourselves: Are we to be numbered amongst "those not in need", or amongst "those in need"? For if we recognise that we are in need, can we not accept others who are also in need? This is especially demonstrated in the church's allowance of divorce and remarriage, an obvious response to a kind of brokenness to which we are all prone.

Foot is likely to concur with Williams' implicit morality in which it is natural and naturally good to be sensitive or responsive to one another's neediness and brokenness. Williams implicit morality tends to a definition of *natural normativity* which includes the understanding that all complex living things[27] are likely to have some defect(s), one or more aspect(s) of some falling short of being a perfect specimen, morally or physiologically, of a given life form. For a human being, the most subtle life form known, this would be especially the case.

In terms of the *Proponent~StatusQuo* dispute, the question becomes: Is homoerotic attraction and *SsSA* always a type of brokenness? Is it always something in need of healing? And further, is it something which can always be made whole? If we accept the parade chant: "Not a Sin! Not a Defect!" we will come away thinking that homosexuality is like left-handedness or male pattern baldness. Perhaps homoerotic desire is a bit like male pattern baldness? But is *SsSA* of little or no consequence as, apparently, baldness is?[28] Or does homosexuality exhibit

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[26] Rowan Williams (2005). "Sermon to Diocesan Celebration". *ACC*-13, 26 June 2005, available from: http://www.anglicancommunion.org/acns/articles/39/75/acns3997.cfm; downloaded 29 June 2005, my italics.
[27] A barley seed, for example, may well be 'perfect'.
[28] I am unaware of any teleological factors related to male-pattern baldness. While some men think that baldness is unattractive to women, and thus may limit partner selection, the heterosexual sexual attractiveness of bald men such Yul Brunner and Sean Connery would appear to somewhat negate this concern!

teleological aspects as does left-handedness?[29] To resolve that question we need to examine if there are any teleological aspects to *SsSA*.

Teleological and non-Teleological *Defects*

Philippa Foot[30] has developed a "(species-based) criteria of evaluation"[31] that is a "cognitivist alternative to theories such as emotivism [*Proponents[32]*], prescriptivism [*StatusQuo*], and expressivism."[33] By cognitivist, Foot means that there is room for a reasoned discussion and cognitive determination in accordance with quasi-objective standards rather than merely registering of divergences, to the end that a connection can be made between moral judgment and a given action. Foot claims that the normative characteristics of a species (life-form) need to be determined and, subsequently, an evaluation of the defects and excesses can be made to evaluate if these aspects are teleological, or non-teleological, in nature.

> Aristotelian categoricals give the 'how' of what happens in the life cycle
> of that species . . . The way an individual *should be* is determined by
> what is needed for development, self-maintenance, and reproduction: in
> most species involving defence, and in some the rearing of the young.[34]

An Aristotelian categorical, in part, is distinguished from a statistical proposition in terms of whether or not the characteristic under question has a teleological function in a species. Foot succinctly summarises an Aristotelian categorical thus:

> It speaks, directly or indirectly, about the way life functions such as
> eating and growing and defending itself come about in a species of a
> certain conformation, belonging in a certain kind of habitat . . . And that
> is why Aristotelian categoricals are able to describe norms rather than
> statistical normalities.[35]

Adding to this understanding of an Aristotelian categorical is the notion of Aristotelian

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[29] "Certain health implications are associated with being left-handed." Stanley Coren (1993). *The Left-Hander Syndrome: The Causes and Consequences of Left-Handedness*. New York: Vintage, p.11; these health implications include higher rates of sleep and sensory disorders, hay fever, allergic rhinitis, conjunctivitis, asthma, skin problems, the autoimmune diseases such as Hashimoto's thyroiditis and Myasthenia gravis, with stomach and gastrointestinal diseases, diabetes, and also such problems as alcoholism, depression and suicide. Coren (1993), pp.184-205. Further, left-handers have shortened life spans on the average, and appear to be shorter and lighter in weight. Coren (1993), pp.206-221. Note: The writer is left-handed.

[30] Following Elizabeth Anscombe and Michael Thompson.

[31] Foot (2001), p.18.

[32] There is a subtle link here, it goes through the idea that moral judgments are a matter of how one *feels* about actions or attitudes, not how they relate to transcendent moral reality.

[33] As in A.J. Ayer's "Boo-Hooray" theory. See Foot (2001), p.18.

[34] Foot (2001), p.33.

[35] Foot (2001), p.33.

necessities. These

> . . . depend on what the particular species of plants and animals need, on their natural habitat, and the ways of making out that are in their repertoire. These things together determine what it is for members of a particular species ['life form'] to be as they should be, and to do that which they should do. And for all the enormous differences between the life of humans and that of plants or animals, we can see that human defects and excellences are similarly related to what human beings are and what they do.[36]

There are two main teleological aspects deserving consideration in the dispute concerning whether the Anglican Church should bless *CSsC* relationships:

1. Does *SsSA* by a human being have a teleological effect on that person and is that moderated in the right kind of way by sanctioning blessing of *CSsC's* relationship?

2. Does *SsSA* by human beings have a teleological effect on the human species and what effect would blessing have on the adaptation of the creatures concerned?

We note that some of the effects of such a blessing may not be evident prior to implementation, for some effects are not revealed for years, even decades. Further, Gagnon points out that some activity may not have a physically detrimental effect, but a spiritual one, being a violation of God's expressed will, consensual sexual relationships such as incest and polyamory for example. [37]

1. Does *SsSA* Have a Teleological Effect on that Person?

Setting aside, for the moment, the teleological effects that wide-scale homosexuality would have on the human species and society, what effects, if any, are likely to occur for an individual who engages in, exclusively or otherwise, *SsSA*?

We note two groups of negative consequences which are heightened in those who engage in *SsSA*: *physical disease*, and *psychological/psychiatric unwellness*. While each of these also affects society, since people are creatures that affect one another in a multitude of ways, we will concern ourselves with the impact on the individual in this section.

Within the wider population, *SsSA* has become generally acceptable. However, some recent health statistics are disturbing. There was a 19% rise in *HIV/AIDS* for *MSM* in New Zealand

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[36] Foot (2001), p.15.
[37] Cf. fn.55.

in 2005.[38] The rates of HIV infection in New Zealand in 2005 show that *MSM* appear to contract HIV at a rate 63-fold greater than men who have sex exclusively with women in New Zealand.[39] The *HIV/AIDS* epidemic is but one significant physical health issue facing those who engage in *SsSA* (especially *MSM*). While promiscuous male s/s sexual activity raises serious public issues, monogamous male s/s sexual activity raises far fewer concerns.[40] Thus, accepting and supporting *CSsCs* (as opposed to promiscuous s/s sexual activity) may well be helpful from a public health standpoint.

Therefore, if a person practises *SsSA* and is unable or unwilling to be celibate, and is unable or unwilling to convert to heterosexuality,[41] then a long-term sexually exclusive relationship offers the best chance for him or her to have a physically safe life. For two reasons this is the case:

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[38] In a study of the 183 people newly diagnosed with HIV in New Zealand in 2005, 89 were *MSM*, a 19% rise over 2004 figures; 75% of these were infected in New Zealand. Of *MSW*, 35 were diagnosed; a similar number to 2004, 10% of these were infected in New Zealand. Sue McAllister, AIDS Epidemiology Group, Department of Preventive and Social Medicine, University of Otago Medical School, "HIV & AIDS in New Zealand – 2005", Issue 57 – February 2006, available from: New Zealand AIDS Foundation, http://nzaf.org.nz/articles.php?id=571; downloaded 14 March 2006. The spread of HIV/AIDS amongst exclusive lesbians has been, to date, very limited, due to the more limited bio-medical transmission rates, and the generally fewer numbers of partners, and generally more stable relationships amongst *WSW*, as compared with *MSM*. Ref. S. Sarantokos (1996). "Same-sex couples: Problems and prospects". *Journal of Family Studies, 2*(2), pp.147-163. Cf. The spread of HIV/AIDS in Africa has affected, numerically, more heterosexual than homosexual people. I acknowledge this, but I have not been able to discover the ratio of likelihood of infection resulting from *SsSA* as compared with Opposite-sex Sexual Activity. Chuck Bird cites the transmission rate for *HIV* infection from an HIV+ male partner to the receptive partner involving penile-anal intercourse as: 50 per 10,000 (1 in 200) exposures for unprotected anal sex and 1 per 1000 (1 in 1000) per exposures for protected anal sex. On the other hand, the transmission rate for *HIV* infection from an HIV+ male partner to the receptive female partner involving 'unprotected' vaginal intercourse is 10 per 10,000 exposures, and the transmission rate for *HIV* infection from an HIV+ female partner to the a male partner involving 'unprotected' vaginal intercourse is 5 per 10,000 exposures. This indicates that unprotected penile-vaginal sexual intercourse has the same HIV transmission risk factor as 'protected' penile-anal intercourse. Ian Wishart's interview with Doug Lush, the Ministry of Health's chief Advisor on Population Health, in Ian Wishart (2006). "Sex Crime: Is the Ministry Guilty?" *Investigate*, July 2005, pp.42-47, available from: www.investigatemagazine.com/interview.pdf; downloaded 17 April 2006.

[39] Based on the Laumann, *et al.* figures of 4.9% for men who have ever had *MSM* activity since 18 years old, and 2.9% for men who have had *MSM* activity in the last 12 months, Laumann, *et al.* (1994), p.303. Taking the average of 3.8% as those who have had recent *MSM* activity, compared with 96.2% *MSW* gives a factor of 1 to 25.3. Coupled with the ratio of new HIV diagnosis within New Zealand for 2005 of 89 *MSM*, and 35 *MSW*, gives a ratio of 2.5 to 1. Thus, the overall rate is a 63-fold greater likelihood of *MSM* than *MSW* contracting HIV in New Zealand. When factoring the rates of domestic infection, 3 to 1 for *MSM* and 1 to 9 for *MSW*, the risk of becoming domestically infected with HIV is 378-fold greater for *MSM* than it is for *MSW*.

[40] While there are elevated heath risks associated with monogamous *SsSA*, such as intestinal disorders and the transmission of e-coli, etc., the risks of sexually transmitted diseases are increased by promiscuous s/s, or o/s, sexual activity.

[41] Research into the success rate for 'reorientation' or 'conversion' from homosexuality to heterosexuality has shown that: "Psychological therapy and support groups are available, and that approximately 30% of motivated patients can achieve a change in orientation. In terms of disease prevention, an additional 30% are able to remain celibate or eliminate high risk behavior. They should also question these patients about drug and alcohol abuse, and recommend treatment when appropriate, since a number of studies have linked infection with STDs to substance abuse." Mulry (1994), cf. fn.126, Catholic Medical Association, (2005). "Homosexuality and Hope", available from: http://www.cathmed.org/publications/homosexuality.html; downloaded 14 December 2005.

First, people, generally, have a desire for being within an intimate[42] relationship with another person. **Second**, those who are in a stable relationship demonstrate lower psycho-social problems and disorders. For those attracted emotionally, relationally and romantically to a person of the s/s, rather than persons of the o/s, a s/s relationship may offer a chance to have these aspects of humanity fulfilled.

The Anglican Church should, therefore, consider encouraging those who continue to engage in *SsSA* (with the above caveats)*,* to form a supportive, mutual, faithful and exclusive *CSsC* relationship as a means of living out their life in the best way possible.[43] This would be a compensatory adjustment to an anomaly, after Foot, that would be likely to mitigate some of the ill effects of that anomaly rather than intensify them. It would sanction an arrangement as close as possible to traditional chastity, within a monogamous relationship, as strictly defined for the individuals concerned.

2. Does *SsSA* Have a Teleological Effect on the Human Species?

One way to shed some light on whether or not there are teleological aspects to homosexuality within the human species is to ask the Kantian question: "What if everybody did this?" We will look at two aspects related to *SsSA* that may contribute to detrimental teleological aspects for the human species: reproduction and parenting.

Reproduction by those Involved in SsSA

If everyone practised exclusive homosexuality, without intervention there would be no human reproduction and the human race would soon cease to exist. There are three mitigating aspects to that comment. **First**, universal exclusive homosexuality is unlikely. **Second**, assisted conception is occurring for o/s and s/s couples and for individuals. **Third**, if two to four percent[44] of the adult population choose to be exclusively involved in *SsSA*, and did not undertake extraordinary means of causing conception, the impact on the human species from the loss of this potential generation is likely to be fairly minimal.[45]

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[42] Intimate here encompasses far more than sexual activity, but includes emotional and relational intimacy and mutual commitment.

[43] It should be noted that many of the orthodox clergy have no hesitation encouraging a *de facto* o/s couple who were regularly attending their parish to consider entering into Holy Matrimony*,* or conversely that they should consider separating. However, for the Church to encourage those who participate in *SsSA* to form a *CSsC,* as distinct from offering encouragement for them to be celibate or for them to convert to 'heterosexuality', alters 2,000 years of Christian rejection of same-sex sexual actiivty.

[44] see: Laumann, *et al*, figures for percentage of homosexuals in the United States adult population, fn.39.

[45] The writer hypothesizes that abortion and the birth control pill each have greater impact on reducing

Of greater concern are the issues of gamete donation, surrogacy and other means of assisted conception to produce children without a male and a female in the ongoing parental relationship. These means of conception are problematic, costly, and for s/s couples, often result in isolating the child from one or both of his/her biological parents, and the cutting off from one or the other sex as a role model within the intimate family. These factors are not adequately faced within the literature promoting this type of reproduction or adoption for s/s couples.[46]

In the interviews, several of those holding a *StatusQuo* position claimed that the inability of a same-sex couple to reproduce (without assistance) demonstrated that this pair-bond was *unnatural*. On the other hand, several of those holding a *Proponent* position stated that since the church blesses couples entering Holy Matrimony who can not, or choose not to, have children, childlessness/infertility within *CSsCs* is not grounds for withholding the church's blessing. This latter argument, that infertility within an o/s couple is a defect (just as it is within a *CSsC*), is plausible when there is a biological cause. It seems less compelling, however, for those who choose childlessness, though according to Foot and Jesus (p.39), reproduction and childrearing are not *essential* 'goods'[47] in human life.

> Goodness or defect is conceptually determined by the interaction of natural habitat and natural (species-general) 'strategies' for survival and reproduction . . . Lack of capacity to reproduce is a defect in a human being [we can also assume within a *CSsC*]. But choice of childlessness and even celibacy is not thereby shown to be defective choice, because human good is not the same as plant or animal good. The bearing and rearing of children is not an ultimate [essential] good in human life.[48]

From a *natural normativity* standpoint, the defect of biological infertility (within o/s couples and within s/s couples) is a *defect* (anomaly or departure) from an ideal biological design, but such a childlessness *defect* of either couple type does not have an implicit ethical or moral component. Within the collective model of humanity, biological and chosen childlessness in o/s couples and by default in s/s couples has not stopped overall population growth. However, in the Western/developed countries, rising rates of infertility, chosen childlessness and s/s couples, each contribute to a falling childbirth rate. In combination with physiological and

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population levels than the reduction through exclusive homosexuality (by 2-4% of the population).

[46] Drexler, Patterson, and Gottmann (see bibliography for publications by these authors) have claimed that *CSsC* couples are raising children without significant distinction to *MSW/WSM* couples. However, these studies are based on extremely small population bases, which have not been randomly selected, ref. fn.61, and also suffer from many of the same types of error as in Kinsey's work, ref. fn.58.

[47] That is, elements with are needed and beneficial.

[48] Foot (2001), p.42.

chosen childlessness of some o/s couples, s/s infertility has a definite teleological effect on humanity, which is yet to be fully quantified.[49]

The Nurture of Children by *CSsCs*

We have begun to witness the results of boys being raised without the significant input of male role models in the late 20th and early 21st century. This has developed through a proliferation of single (usually female) parents, together with other factors, such as the educational environment where fewer and fewer men are involved at all levels of the teaching profession.[50] What is evident, is that boys raised in the absence of sound, supportive male role models have not fared well in New Zealand[51] over the last 30 years. Despite articles which claim there is no difference in the quality of parenting by s/s couples compared with o/s couples, [52] this situation remains a concern.

Writing shortly after the 9/11 terrorist attacks on the World Trade Centre, Peggy Drexler identified the firemen who risked their lives as exemplary men of valour and honour who placed others before themselves, even to the point of death. She states: "In the aftermath of September 11, men are manifesting the positive characteristics of strength and heart that they need in a time of national crisis."[53] Drexler then writes of her research into lesbian couples raising boys, claiming that lesbian couples instill exactly these qualities in their boys.

> Women are actively fostering this new American male sensitivity, as I
> saw in my research with a seemingly unlikely population, the sons of

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[49] It has been argued that one reason for Western governments' acceptance of rising rates of migration from the 'Two-Thirds' world to the West is to counter falling birth rates in the West.

[50] "For many boys, only mum and a female teacher are involved in their education . . . the proportion of primary teachers who are male was 42 percent in 1956, is 18 percent now, with 16 percent of trainees — and just 13.6 per cent of classroom teachers, many in intermediate schools. Many boys will never be taught by a man until they reach secondary school . . . The percentage of secondary teachers who are male was 59 percent in 1971, is 42 percent now and dropping even faster than at primary [level] . . . The debate about primary males has quickly deteriorated into gender politics. There's a feminist resentment that the inadequacies of some fathers have caused male primary teachers to be valued over female primary teachers, and Alton Lee has described some arguments for more male teachers as 'misogynist discourse that undervalue women teachers." Paul Baker, (2006). "Vanishing Breed in the Classroom". *The New Zealand Herald*, 20 April 2006, p.A11. Full text of Dr Baker's speech available from: http://www.nzherald.co.nz/feature/story.cfm?c_id=574&ObjectID=10378016 (and two following links); downloaded 21 April 2006. Dr Baker is Rector of Waitaki Boys High (Oamaru, North Otago, New Zealand), and is a member of the Ministerial reference Group set up to guide the government on boy's education. Baker's speech was presented at a conference on boy's education held at Massey University's Albany (Auckland) campus, 19 April 2006.

[51] The significantly elevated rates of suicide, levels of drug and alcohol dependency, instability in employment and relationships are indicators that young New Zealand men are not coping well in our current societal climate.

[52] Ref. fn.46.

[53] Peggy Drexler (2002). "What's a Hero? How American Men Have Come to Learn the Full Dimensions of Heroism". Congregation Sherith Israel, available from: http://www.peggydrexler.com/articles/hero.pdf, downloaded 16 August 2005.

lesbian couples, many of which were Jewish[54] . . . The boys from two-mother families may offer us the best characteristics of men and as well as the ones we most value in women, because they are growing up without ingrained and preordained ideas of gender roles.[55] I've seen these kids look for and find traditionally masculine attributes in their mothers, who expected their sons to do more for themselves, to make their own friends, and to try harder in competition. Boys with two moms were at least as likely as other boys to be sports fanatics . . . Their mothers are helping them construct a paradigm for a sustainable and humane masculinity. Strong mothers grow great men. Strong mothers are our heroines.[56]

This claim that strong sensitive men are being raised by lesbian couples is evident in her peer reviewed article, "Moral Reasoning",[57] which outlines her research into ethical decision-making by boys aged five to nine, comparing those raised by lesbian couples and those raised by o/s couples.

While it is commendable that Drexler is researching the mothering of boys by lesbians (often commented upon, but rarely researched), her conclusions do not always reflect her data.[58] **First**, her claim that the firemen who perished in the 9/11 attacks were warm and sensitive is drawn not from any research cited but from a rapidly building folklore.

Second, there is no reason to believe that a significant number of these fire-fighters[59] were raised by lesbian couples, yet Drexler uses the fire-fighters' sacrifice to bolster her claim that

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[54] There appears to be a correlation between the heightened percentage of feminists who are Jewish and the percentage of Jewish women who are lesbians in the United States. This may be a coincidence, or it may be related to several early high-profile feminists being Jewish (possibly as a result of their stricter divorce laws), or it may have resulted from the statistically higher percentage of Jewish women with higher education, which also correlates with lesbianism. Cf. Laumann, *et al.* (1994), pp.302-310.

[55] A question arises: Does Drexler imagine that these boys are not growing up with "New Lesbian" role models?

[56] Drexler (2002).

[57] Peggy Drexler, (2001). "Moral Reasoning in Sons of Lesbian and Heterosexual Parent Families: The Oedipal Period of Development". *Gender and Psychoanalysis: An Interdisciplinary Journal*, 1:1, Winter 2001, pp.19-51. The promotional material for her new book says that the feedback on her peer-reviewed article on this topic were was so "heartening" that she expanded the theme into a book, Peggy Drexler, (2005) *Raising Boys Without Men: How Maverick Moms Are Creating the Next Generation of Exceptional Men,* Emmaus, PA: Rodale Press. Comments on the book's publicity web page, available from: http://www.peggydrexler.com/raisingboys.htm; downloaded 16 August 2005.

[58] Drexler interviewed 30 couples, 14 heterosexual and 16 lesbian. Each group had 16 boys (there were two sets of twins from the *heterosexual* group). Thus by comparing two sets of 16 boys, Drexler extrapolates to the boyhood population of the US. Due to a number of self-selective, educational, and socio-economic factors (ref. Fourth point), its comparative results are unreliable. Caution should be used when reading and interpreting this data.

[59] There is no reason to believe that Colin Powell or Rudolf Guiliani, who Drexler names in the article as men who exemplify these positive traits (claiming they emulate the modern hero who is strong, warm and sensitive), were raised by lesbian couples. If they had been, then it would have been perfectly acceptable to make this reference, but to imply that lesbian couples, more readily than heterosexual couples, will raise boys who develop into men like these men is unfounded conjecture.

lesbians make good, if not better, parents of boys, "because [these boys] are growing up without ingrained and pre-ordained ideas of gender roles."[60]

Third, Drexler implies that boys raised by o/s parents will inevitably be imprinted with negative ingrained and pre-ordained ideas of gender roles and, conversely, presumes that lesbian couples will not imprint any ingrained or pre-ordained ideas of gender roles. Considering the highly politicized ideology of much feminism and especially of Political Lesbianism, this assumption of neutrality cannot go unchallenged.

Fourth, Drexler acknowledges that the interviewee profile included unusually high numbers of children raised by Jewish lesbian couples. Drexler, whose work is published in several Jewish journals, did not note whether the o/s couples surveyed were analogously disproportionately Jewish. There is a confounding variable here —'Jewishness' is a variable that often goes with high levels of social and cultural achievement and would therefore tend to strengthen ethical and moral decision-making. If the writer is correct that the sample of lesbian couples was disproportionately Jewish, whereas that was not the case with the o/s couples, this would invalidate comparison between the two groups.

Fifth, from her sample of five- to nine-year-olds, [61] and their potential in making moral choices,[62] Drexler extrapolates the type of men these boys will develop into. She presumes and claims they will be positive in their outlook and disposition, but does not address questions as to how these boys, as adult men, will relate to adult women.[63]

Sixth, Drexler claims that the boys raised by lesbian couples are superior to boys raised by o/s couples because: "Boys with two moms were at least as likely as other boys to be sports fanatics. But they also cooked, gardened, and were very sensitive to their own and others'

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[60] Drexler (2002).

[61] Koepke, Hare and Moran observed: "Conducting research in the gay community is fraught with methodological problems." L. Koepke, *et al*. (1992). "Relationship Quality in a Sample of Lesbian Couples with Children and Child-Free Lesbian Couples*". Family Rel*, 41, pp.224-225. Commenting on the state of studies of homosexual parenting, Turner, Scadden, and Harris observed, "most research has a white, middle-class bias; most studies have small sample sizes; and sampling procedures seldom meet the demands of rigorous research." P. Turner, *et al*. (1990). "Parenting in Gay and Lesbian Families*". Journal of Gay & Lesbian Psychotherapy,* Vol. 1, pp.55-56. "Five years later, our systematic review found this critique still to be true for all but one recent study by Cameron and Cameron." P. Cameron and K. Cameron "Homosexual Parents*". Adolescence*, 31, p.759. Based on these arguments, the ensuing section will discuss the methodological flaws found in the leading studies on homosexuality in order to show that the conclusions of the studies are not reliable." G. Rekers and M. Kilgus (2002). "Studies of Homosexual Parenting: A Critical Review". *Regent University Law Review,* 14:2, p.346.

[62] However, Drexler *does not indicate* what her tool, Damon's "Social-Cognitive and Moral Judgment Interview", involves or measures, nor does she give the results of her survey. We have only her opinion regarding her un-quantified results, from an un-described tool.

[63] The writer's pastoral experience with a number of men raised by a lesbian mother/'mothers' indicates that boys so raised often have difficulty forming a fulfilling and satisfying long-term intimate relationship with a woman. I am unaware of any study or research on this aspect.

feelings."[64] While the lesbian raised boys learned to cook, garden and were sensitive, the only attributes that Drexler writes of which she considered 'boyish' were that the boys were passionate about sports and were adept at rough-housing with friends. These are hardly core masculine traits!

While Drexler's evidence for adequate (or superior) nurture by lesbian couples is far from conclusive, the evidence for outright condemnation of s/s couples under the *proles cause*[65] (Cameron) is contested.

Seventh, Drexler has overlooked in her analysis the issues experienced by many children who are adopted. When a homosexual couple raises a child, there will normally be the intentional 'adoption'[66] by one or both of the homosexual couple.[67] This loss of one or both of the biological parents[68] may happen through either the removal or abandonment of one or both of the biological parents, but may also result from surrogacy, or the intentional distancing of the biological father (and possibly the biological mother) once the child has been conceived via gamete donation.

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[64] Drexler (2002).

[65] The *proles cause* of marriage, procreation and nurture of children, see pp. 52ff., 41ff.

[66] Formally and legally, or informally and *de facto*.

[67] A report prepared for by George A. Rekers, Ph.D., Professor of Neuropsychiatry & Behavioral Science, University of South Carolina School of Medicine, Columbia, South Carolina, for the Arkansas Court reviewed homosexual adoption and the licensing of foster homes, and raises a number of concerns about non-heterosexual couples adopting or fostering children: "There are at least three reasons that the Arkansas regulation prohibiting homosexually-behaving adults from being licensed as foster parents has a rational basis:

"I. The inherent nature and structure of households with a homosexually-behaving adult uniquely endangers foster children by exposing them to a substantial level of harmful stresses that are over and above usual stress levels in heterosexual foster homes . . .

"II. Homosexual partner relationships are significantly and substantially less stable and more short-lived on the average compared to a marriage of a man and a woman, thereby inevitably contributing to a substantially higher rate of household transitions in foster homes with a homosexually-behaving adult . . .

"III. The inherent structure of foster-parent households with one or more homosexually-behaving members deprives foster children of vitally needed positive contributions to child adjustment that are only present in licensed heterosexual foster homes . . .

"OVERALL CONCLUSION: The Arkansas Regulation Eliminates Avoidable Stressors, Avoidable Instability, and Avoidable Deprivations and Requiring the Foster Parents to be Heterosexual is in the Best Interests of Foster Children. Because foster children have higher rates of psychological disorder and conduct disorder than the general population of children, and because foster children unfortunately must face unavoidable stresses and losses in connection with the state's necessary intervention . . . in formulating regulations for licensing foster parents . . . [to exclude] homosexually-behaving adults from licensed foster parent homes is the most loving action towards foster children and has appropriately focused on the risks and benefits for the child . . . the Arkansas regulation prohibiting foster licensure for households where one or more homosexual adults resides is reasonably justified and is in the best interests of foster children." G.A. Rekers (2005). "Review Of Research On Homosexual Parenting, Adoption, And Foster Parenting", available from: www.narth.com/docs/rekers.htm; downloaded 20 December 2005; cf. G. Rekers and K. Kilgus (2002). "Studies of Homosexual Parenting: A Critical Review". *Regent University Law Review,* 14:2, pp.343-384.

[68] In New Zealand, the birth mother always has guardianship, except where there is a prior surrogacy agreement in place at birth. The biological father must be living with the mother at the time of birth, or be married to her, to be entitled to be a guardian, again, unless a legal order is in place at the time of birth. This indicates that males (fathers) are at legal disadvantage in comparison with women (mothers), with regard to guardianship of their biological children.

Studies of young children demonstrate that children are remarkably resilient; however, as they grow through a number of stages into maturity, abuse and/or deprivation that may not have manifested earlier may come to the fore subsequently. Studies of *adults* who were raised by o/s couples and those raised by s/s couples should be undertaken and compared as well as studies of *children* who have yet to mature.

Adoption is associated with certain problems,[69] and if such effects occur when o/s couples adopt (or avail themselves of surrogacy, or gamete donation), then these same aspects may well apply to homosexual couples who inevitably distance the child they are raising from one or both of the child's biological parents. The New Zealand Law Commission in 2000 commented on adoption:

> New Zealand's adoption history has led to an understanding of the issues
> involved when a genetic break occurs in the usual parent/child
> relationship. We have learnt that when adoptions are carried out with
> concealment and secrecy, many adoptees have problems in establishing a
> sense of identity. Many adopted children have a psychological need to
> know the true identity of those who brought them into the world. It is
> often very distressing for adoptees to learn later in life that the persons
> they have treated as their parents are not their genetic parents.[70]

Drexler demonstrates in her several articles a style of persuasive proselytising that is common amongst those promoting the blessing of *CSsC* relationships. It is, however, quite possible that compensatory adjustments to the *defect* or *departure* from the species-typical arrangement might be able to be effected to mitigate some, any, adverse effects to the point where blanket claims cannot easily be substantiated, and thus, it would be wrong to accept far-reaching conclusions with the evidence as indeterminate as it is.

Since the claim is often made that s/s couples should have the right to adopt and have access to surrogacy, IVF, and other forms of assisted human reproduction, there is a need to scrutinise, quantitatively and qualitatively, to determine if there is, or is not, a distinction[71] in

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[69] "The lesson learnt from adoption, about the need for adoptees to be told of the circumstances surrounding their birth, equally apply to surrogacy. There is now evidence that children conceived with donor gametes suffer some of the same genealogical confusion experienced by adoptees. The pain resulting from secrecy was a recurring theme among donor-conceived children attending a conference held in Toronto, Canada, in June 2002. Common emotional responses included grief, anger, loss, shame, depression, a sense of not belonging, an inability to trust or bond with others, a sense of incomplete identity and feeling of abandonment and rejection." Stuart McLennan (2005). "Surrogacy and the Child's Right to Identity". *New Zealand Family Law Journal*, 5(4), December 2005, pp.96-100.

[70] New Zealand Law Commission (2000). "Adoption and Its Alternatives: A different approach and a new framework". New Zealand Law Commission, Wellington: New Zealand, 2000.

[71] Indeed Drexler, and others, claim that lesbian couples raise better boys "because they are growing up without ingrained, and preordained, ideas of gender roles." Drexler (2002), fn.56.

the outcome of children depending on whether they are raised by a s/s couple or an o/s couple.

A number of studies have shown elevated rates of child molestation by s/s parents and s/s caregivers.[72] They also reveal that males raised in male homosexual households[73] experience significantly elevated rates of *SsSA* during adolescence. The fates of children conceived and raised in the normal way, those raised through adoption, and those conceived via surrogacy and IVF need to be compared and contrasted. These studies should be compared with studies of couples joined in Holy Matrimony who are raising children, to assess the demand that the Anglican Church bless *CSsC* relationships.[74]

Until research is carried out and verifies Drexler's (and others') claims, it is unjustified to continue claiming that there is no distinction in parenting within these situations. A lack of evidence is not proof that no harm has been done, as is evident in environmental and anti-smoking debates.

Drexler appears to assume that there is no essential distinction between an o/s couple who have a *de facto* relationship, an o/s couple who have been married in a civil ceremony, o/s

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[72] While there has not been significant comparative research on this topic, the academic research that has been carried out reveals some disturbing trends regarding the teleological effects of children raised in homosexual households.
"The study by Cameron and Cameron suggested that homosexual parenting is associated with disproportionate rates of homosexual orientation development, undesirable sexual experiences, a first sexual experience that was homosexual, and gender dissatisfaction. [P. Cameron and K. Cameron (1996). "Homosexual Parents". *Adolescence,* 31, pp.762-763]. These investigators found that less than 6% of the males and 3% of the females in the general population claimed to be bisexual or homosexual, but by comparison, 75% of the adult male children and 57% of the adult female children reared by homosexual parents claimed that they had developed a bisexual or homosexual orientation [Cameron (1996), p.763]. 'Our results suggest that the sexual preference or orientation of the parent influences the preference of the child, and that whatever the mechanism, homosexual parents are associated disproportionately with homosexual children.'" [Cameron (1996), p.769]. G. Rekers and M. Kilgus (2002). "Studies of Homosexual Parenting: A Critical Review*". Regent University Law Review,* 14:2, p.381, available from: www.regent.edu/acad/schlaw/academics/lawreview/articles/14_2Rekers.PDF; downloaded 25 Sept 2005, (the cited article's footnote's citation has been incorporated into the footnote text by thesis writer).

[73] "Th[e Cameron, *et al*. (1996] study also reported a disproportionate percentage (29%) of the adult children of homosexual parents had been specifically subjected to sexual molestation by that homosexual parent, compared to only 0.6% of adult children of heterosexual parents having reported sexual relations with their parent.' Having a homosexual parent(s) appears to increase the risk of incest with a parent by a factor of about fifty [Cameron, *et al*. (1996), p.772]. This finding, and the findings reviewed by Cameron and Cameron suggest a 'disproportionate association between homosexuality and pedophilia [and] a correspondingly disproportionate risk of homosexual incest . . . for children reared by homosexuals [Cameron, *et al*. (1986), p.771].' Sixty-seven percent of the males who had been reared by homosexual parents reported a homosexual first sexual experience compared to 8.5% of the males reared by heterosexual parents [Cameron, *et al*. (1996). p.764].' Pointing out a parallel with other studies of sexual victimisation of boys, these investigators reported that 67% of the small number of boys who had reported having been molested by their fathers also became bisexual or homosexual themselves (Cameron, *et al*. 1996)." Rekers, *et al.* (2002), p.382, (I have incorporated the article's citations into the text).

[74] While Drexler is not advocating that the Anglican Church Bless *CSsC* relationships, others making such demands often use scholars, similar to Drexler, to justify their contention that homosexual couples make equally good, if not superior, parents as compared with heterosexual couples.

couples who are joined in Holy Matrimony, and those who are in a *CSsC* relationship. This reveals a lack of understanding in regard to the varying levels of commitment, understandings and expectations made by each type of couple, let alone other differences mentioned within the thesis, and the ontological and spiritual differences as cited and discussed elsewhere.

We have examined in detail a number of Drexler's claims because her propositions, like a number of advocates for the blessing of *CSsC*s, rely not on argument and carefully established data but upon inferences, assumptions and unexamined conclusions. We can be misled by rhetoric which does not withstand careful scrutiny.

Having ushered in a number of concerns regarding s/s couples rasing children, I wish to clarify that I am not advocating the removal of children from a parent based on that parent's sexual attraction, but merely registering the fact that this a contentious issue which should not be finessed or presumptively answered.

Summary

The most obvious divergence between the relationship of a *CSsC* and the relationship (in New Zealand) of civil marriage or Holy Matrimony, is that by definition the *CSsC* involves a s/s couple and whereas civil marriage (in New Zealand) and Holy Matrimony involve an o/s couple. The *marital cause* of *fides*, as *chastity* (avoidance of extra-marital sexual relations) remains in question, and needs further clarification. In respect of health, it appears that s/s attraction and *SsSA* is associated with increased physical and mental unwellness as compared to those attracted to and sexually active with an o/s person. The *marital cause* of *proles, fertility and nurture*, are each compromised within a *CSsC*. Regarding fertility, the cause of *proles* is totally compromised. In the case of nurture, there is a body of literature raising questions regarding the nurture of children by s/s couples, compared with o/s married couples. Thus, while having some aspects in common, *CSsCs* also embody a number of divergences from a couple joined in Holy Matrimony.

If homoerotic attraction coupled with heteroerotic aversion were a *naturally* occurring Aristotelian *defect* (*anomaly*), like infertility, and since intimate interpersonal relationality is part of being fully human, it would be consistent to encourage those who experience homoerotic attraction (and heteroerotic aversion) to form stable, monogamous relationships with a person similarly predisposed. Such relationships may be able to make compensatory adjustments to overcome some, even all, of the negative aspects of the anomaly of s/s attraction. However, such relationships would still not be equivalent to Holy Matrimony for

the reasons delineated above and elsewhere in this thesis. Nevertheless, such relationships could, and should, be recognised and supported by Christian congregations, as providing a stable opportunity to live out a fulfilling human existence in the fallen and contingent world.

Chapter 5:

The Nature of Blessing and the Nuptial Blessing of Holy Matrimony

> Let us invoke the third strand in the genius of Anglicanism, ***ambiguity*** –
> the great wisdom of the Elizabethan settlement on which we are
> established. Let us hide our disagreement over same sex unions under
> the ambiguity of the word "blessing". Just as we all say the same words
> at our eucharistic liturgies but are free to understand them in a variety of
> ways, ***so we can use the word "blessing" as applied to same sex
> marriages***, but understand the word differently. And surely no one can
> balk at wishing a same sex couple well in their relationship.[1]

The term *blessing* is indeed ambiguous, and there are attempts to "hide the disagreement over same-sex unions" under this very *ambiguity*. To take such a course, however, is unlikely to provide a long-term solution and certainly is not one of integrity. On the other hand, we allow a variety of interpretive techniques to support widely divergent views of the nature of God and of the human soul. Whether any of these interpretive techniques could accurately be called *ambiguity* is, however, debatable. We argue, therefore, that more concise definitions are needed for *blessing*. These definitions will enable us to examine the dispute, and may move us towards resolution of the disagreement. The Oxford Dictionary defines *blessing* as an:

> Authoritative declaration of divine favour and countenance by God or
> one speaking in his name. The bestowal of divine favour and prospering
> influence; favour and prospering influence of God.[2]

Such definition is a good place to begin, but it will need further fleshing out for our more exacting purposes.

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[1] Dr. John Thorp is a member and former Chair of the Philosophy Department at the University of Western Ontario. He presented his paper at the *Faith Seeking Understanding* Conference, Huron University College, January 12-13, 2007. John Thrope (2007). "The St Michael Report: Wrong Question, Wrong Answer", available from: http://www.anglican.ca/faith/ethics/hcc/thorp.htm, downloaded 1 June 2007, my bold italics.

[2] "**Blessing**. Oxford English Dictionary, Vol. I, (Compact Edition) (1971). Oxford: Clarendon Press, p.918.

Overview

To receive a blessing is sometimes seen simply as receiving a word of encouragement or approval or, worse, mistaken for *success.* According to Gordon J. Wenham: "Where modern man talks of success, OT man talked of blessing"[3] But this misses the mark, especially when many equate success with financial well-being and business acumen, thus rendering it empty of theological meaning. It also presents us with a problem specifically in relation to pronouncing a nuptial blessing for s/s couples.

The request for the *ACANZP* to offer officially and formally a public blessing (rite) for s/s couples should be examined in light of the only blessing given by the *ACANZP* relationships which explicitly involves genital sexual activity, that is, the nuptial blessing given for Holy Matrimony. No blessing, no rite, no religious ceremony, is offered by the *ACANZP* for civil marriages,[4] for *de facto* couples, for engaged couples, [5] or for polyamorous relationships.

Claims have been made that since the church has varied its practice regarding nuptial blessings and its involvement in weddings and marriage throughout its history, the church should again alter its practices and doctrines to accommodate the request for it to bless s/s couples. This argument might be a valid argument if it could be demonstrated that at various points of its history the church had indeed formally blessed *de facto* couples, *ménage à trois*[6] relationships, etc. A significant evolution did occur with regard to polygamy. The Hebraic people[7] originally tolerated polygamy, but by the 1st century, monogamy had become established and remains the moral norm for Jews. It has always been the moral norm for Christians.[8]

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[3] Gordon J. Wenham (1987). *Genesis*, Vol. I, Chapters 1-15. Waco, TX: Word Books, p.24.

[4] In relation to a couple who has been married in a civil ceremony and who desires subsequently to be blessed, the priest, or bishop, is encouraged to take the couple through one of the marriage liturgies in the *NZPB* (with the liturgy being suitably amended for an existing marriage). *CoC*, Canon III, Title G, 2.10 "Blessing of Civil Marriages".

[5] There was an 'experimental liturgy' produced in 1990, but as one interviewee stated: "The Blessing of a Relationship" was "offered" for "experimental use", but it is not authorized to be used in any circumstance. Within the (Eastern) Orthodox Church, wedding couples coming to the church on their wedding day are "betrothed", they exchange rings and are blessed at the door as they enter the church together. At the altar, the couple exchange vows, they are 'Crowned' by placing a crown (crowns – Russian, wreaths – Greek) on the heads of the bride and groom, and they and receive and distribute communion to the congregation.

[6] *Ménage à trois, Fr*, an arrangement in which a married couple and the lover of one of them live together.

[7] The pattern in *ANE* cultures was polygamy. Abram was called out of this culture: "Now the Lord said to Abram, 'Go from your country and your kindred and your father's house to the land that I will show you'" (Genesis 12:1 NRSV). As God revealed himself and his will to Abram, and later to his descendants, the Judaic culture changed over time. Eventually monogamy, not polygamy, was seen as, and became, the moral norm of the Hebraic people.

[8] Some *Proponents* argue that polygamy is *allowed* by some Anglican Churches in Africa. I have, however, been

The respect given to women, before and after marriage, and their role within marriage, has also changed over the centuries and, many would say, is still developing and changing. By the 1st century, Christians had altered their understanding, (but not always their practice), that mutuality within the marriage relationship[9] was the moral norm.

Aspects of the wedding ceremony within the Judaic and Christian traditions have undergone various changes.[10] A Jewish wedding took place over seven days (for a virgin), and was held in the homes of the couple's relations. The groom's family patriarch gave the marriage blessing, often well before the wedding took place. Occasionally, a priest would bless a married couple long after they had been married, to bestow a blessing for fertility. At the wedding, the groom (or his father), pronounced the *sheva berakoth* (the Seven Blessings).[11]

"The Seven Blessings" is a Jewish blessing originally recited at the by the bridegroom at the end of the wedding feast. It was established at least by the Talmudic period, but may have been known by Jews in the New Testament era,[12] it may have a scriptural reference in Tobit 7:17. Subsequently, the blessing was taken over by the rabbis and moved from the feast to under the *huppah* (canopy) where the vows are entered. The Seven Blessings acknowledged

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unable to discover any documents where this is confirmed. My understanding is that that practice is *tolerated* for converts with preexisting polygamous marriages, but that Christians cannot enter into what would become a polygamous marriage.

[9] *Mutuality* is used to describe the ideal nature within the marriage relationship. Since women, generally, could not/did not, own land or houses (and were restricted in various other ways, such as testifying in court), it can legitimately be argued that mutuality between husband and wife did not in fact exist. I acknowledge the validity of this criticism, but stress that I am indicating the ideal in the marital relationship, not the legal or social situation.

[10] For an overview of the changes which occurred in the life of the Christian Church regarding the wedding service, see: Kenneth Stevenson (1982). *Nuptial Blessing: A Study of Christian Marriage Rites*. London: Alcuin Club/SPCK, pp.170-172; 203-213,

[11] "The Seven Blessings"
   1) Blessed art Thou, Lord our God, King of the Universe, who created everything for his glory.
   2) Blessed art Thou, Lord our God, King of the Universe, Creator of Man.
   3) Blessed art Thou, Lord our God, King of the Universe, Creator of Man who fashioned Man in his image after His own likeness and prepared for him out of his very self, an everlasting structure. Blessed art Thou, Lord, Creator of Man.
   4) May she who was barren be exceedingly glad and joyful, with the ingathering of her children into her midst in joy. Blessed art Thou, Lord, who causes Zion to rejoice through her children.
   5) Greatly gladden these beloved ones, even as Thou gladdened Thy creation in the Garden of Eden in days of your. Blessed art Thou, Lord, who gladdens the bridegroom and bride.
   6) Blessed art Thou, Lord our God, King of the Universe, who created joy and gladness, groom and bride, mirth and song, pleasure and delight, love, brotherhood, peace and companionship. May there soon be heard in the cities of Judea and in the streets of Jerusalem the sound of joy and happiness, the sound of groom and the sound of bride, the jubilant sound of bridegrooms from their canopies and of youths from their feasts of song. Blessed art Thou, Lord, who causes the groom to rejoice with the bride.
   7) Blessed art Thou, Lord our God, King of the Universe, who created the fruit of the vine.
"The Seven Blessings", available from: http://faculty.haas.berkeley.edu/arose/7Blessings.htm, downloaded 22 September 2007. Note, Stevenson (1982). *Nuptial Blessing* lists a different order of the blessings in Appendix 1, p.245.

[12] Stevenson (1982). p.7.

God as creator of all, referenced the Garden of Eden and implied fidelity and procreation for the couple. Stevenson argues that a Christian Nuptial Blessing is "a Christianised form of the Seven Blessings", recited by the priest at the end of the liturgy of Holy Matrimony. [13]

Nowhere in the OT or the NT does a priest bless a married couple at their wedding. Such blessings developed out of concepts which existed within *ANE*, Hebraic and Christian cultures and worship, and the desire of the church to enforce an aspect of pastoral care and order within the life of its communicants.

We will trace the origins of the term blessing and its development through the OT and NT as it applies to the priesthood, to marriage, and to fertility. We will also outline the development of the nuptial blessing within the Orthodox, Roman Catholic, Protestant and Anglican churches. There has been a limited amount of serious study of what the act of blessing (benediction) conveys. As recently as 1968, Claus Westermann stated:

> No one has examined the meaning and function of the benediction
> [blessing] in our worship services . . . neither systematic nor biblical
> theologians have shown much interest in blessing; it is an issue that lies
> off the beaten tracks of theological research, and amazingly few attempts
> are made to deal with it."[14]

A key question arises: Does the church know what it is signalling when its representatives bless anything, let alone what would be understood if the church were to authorize formally and publicly the blessing of a s/s couple?

Westermann's work has been pivotal in the understanding of blessing within *ANE* and Hebraic cultures and within the apostolic church. Nevertheless, his development of the blessings within wedding/marriage is limited to contemporary pastoral and evangelistic aspects.[15] The blessing of a marriage within a wedding service, by a priest, as opposed to a family patriarch appears to have first occurred during the Early Church era. The earliest documents discovered indicate that a priestly blessing within a service occurred in the latter half of the second century (p.95) of the church, as noted in Kenneth Stevenson's very helpful and detailed study, *Nuptial Blessing*, which focuses on blessing and the liturgical aspects of marriage covering the Western and the Orthodox churches.

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[13] Stevenson (1982), pp. 8, 9 and 13, also ref. fns.52, 53.
[14] Claus Westermann (1978). *Blessing: In the Bible and the Life of the Church*. Keith Crim (Trans.). Philadelphia: Fortress Press, p.xv. Westermann wrote this book in 1968, but it was not published in English until 1978.
[15] Westermann (1978), pp.103-120.

To evaluate what is implied when the *ACANZP* blesses a couple joined in Holy Matrimony, or what would be implied if it were to authorize the blessing a s/s couple, requires a phenomenological overview of the development of the Christian Church's understanding of this term through nearly 2,000 years of Church history (tradition's leg of the "three-legged stool").

Blessing from Semitic Languages and within the Old Testament

There is one Hebrew (root) word for blessing, identified in the *TDOT* as *brk* I and *brk* II. *Brk* I, can mean "to kneel", "to make (camels) kneel", and as a noun "knee". *Brk* II, issues derivatives of *barukh*, "blessed", "praised", "to be blessed", "to bless oneself", "to bless, greet, praise"; the noun *berakhah* "blessing, praise"; and the proper names *barukh* "Baaruch", *barakh'el* "Barachel", *berakhah* "Beracah", etc. There is also an uncertain connection with the noun *b^{e}rekhah* "pool, water reservoir, basin."[16]

Other Semitic languages have similar meanings for *brk*,[17] that is "knee", "blessing" and "water place".[18] However, while the Hebraic understanding is that blessing(s) come from God alone, non-Hebrews understood that blessings and the ability to impart them were a form of personal power derived from the tribal leader, father, holy man, etc.,[19] with an aspect of magic adhering to their operation. These independent and magical qualities were eliminated when incorporated in the Hebraic understanding of the term.

As a noun, a blessing within scripture can be an object that can be given, received, or taken away, such as the gifts of money and clothing which Naaman offers Elisha, "please accept a present [*hkrb*] from your servant" (2 Kings 5:15). Jacob similarly offers his brother a 'peace bribe' of money, cattle and clothes: "Please accept my gift [*hkrb*] that is brought to you" (Genesis 33:11).[20] Clearly, a blessing in the OT is not limited to mere verbal good wishes, or prayer alone.

In Hebrew and other Semitic cultures, the opposite of blessing is cursing. When derivatives of *brk* are used in a euphemistic way, it denotes a curse: "But stretch out your hand now, and

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[16] *Theological Dictionary of the Old Testament,* Volume II, Revised Edition (1977). G. Johannes Botterweck and Helmer Ringgren (Eds.), John T. Willis (Trans.). Grand Rapids: MI: William B. Eerdmans Publishing Company, p.279-280.
[17] From which the Hebrew word is derived.
[18] A well, oasis, river, or other water in a desert is obviously a blessing to nomads and village dwellers alike.
[19] *TDOT*, Vol. II, p.284.
[20] *TDOT*, Vol. II, p.299.

touch all that he has, and he will curse [*barak*] you to your face." (Job 1:11).[21] Since a curse is the opposite of blessing, it is meant to destroy a person's solidarity with those whom they are close too, or wish to be close too.

As Kelly M. Kapic points out, God never curses *people*, but God sometimes curses people's *situations*. In Genesis 3 "the serpent is personally cursed" (v.14), and the ground is cursed (v.17), but while Adam and Eve suffer the "*results* of God's curses, [they] are not cursed themselves", for even in their expulsion, God provides skins for Adam and Eve (v.21). Ezekiel looks forward to the messiah reversing the curse of the ground when he states that the land will no longer be cursed but blessed (Ezekiel 34:22-26).[22]

The 'performance' of a blessing involved a pronouncement (invested with power and authority) coupled with an associated action, which ratified it,[23] i.e., the lifting of hands or an object (baby, bread, wine), the 'laying-on' of hands, the lowering of eyes, etc. by a designated person in a particular setting. For a philosophical development of this word-act idea, see Speech-Acts (pp.101).

The first scriptural example of anyone being blessed, and the first act which God performs in relation to humanity, is to bless people and give them dominion and fruitfulness.[24]

> God blessed [*barak*] them, and God said to them, 'Be fruitful and multiply, and fill the earth and subdue it; and have dominion over the fish of the sea and over the birds of the air and over every living thing that moves upon the earth' . . . Male and female he created them, and he blessed [*barak*] them and named them 'Humankind' when they were created. (Genesis 1:28 + 5:2 *NRSV*)

Later, God blessed Abram:

> Now the Lord said to Abram, 'Go from your country and your kindred and your father's house to the land that I will show you. I will make of you a great nation, and I will bless [*barak*] you, and make your name great, so that you will be a blessing [*b'rakah*]. I will bless [*barak*] those who bless [*barak*] you, and the one who curses you I will curse; and in

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[21] *TDNT* (Abridged), p.276, see also: "However, put forth Your hand now, and touch his bone and his flesh; he will curse [*barak*] You to Your face." (Job 2:5) Then his wife said to him, "Do you still hold fast your integrity? Curse [*barak*] God and die!" Job (2:9)

[22] Kelly M. Kapic (2003). "Receiving God's Blessing: A Redemptive Historical Survey". Unpublished paper presented at the Research Institute of Systematic Theology, King's College, London (2003) 23-page article, Available from the thesis writer.

[23] *New International Dictionary of the New Testament*, Volume I (1975). Colin Brown (Ed.) Exeter, UK: The Paternoster Press, p.207.

[24] *Theological Dictionary of the New Testament*, Volume II. (1964) (*TDNT*). Gerhard Kittle (Ed.), Geoffery W. Bromiley (Trans.). Grand Rapids: MI: William B. Eerdmans Publishing Company, p.757.

you all the families of the earth shall be blessed [*barak*].' (Genesis 12:1-3, *NRSV*)

One reason that "God blesses Abraham in such a manner [is because] Abraham in turn is to be a blessing to others".[25] Later, God blesses Sarai to enable her to give birth to Isaac (Genesis 17:16) as the means of fulfilling the blessing of Abram, and through Abram and Sarai the blessing of "all the families of the earth." Here, God is blessing that which is good and those who are faithful,[26] and by and through someone who is blessed, others too can be blessed. Fertility, in its widest sense is an often-anticipated result of God's blessing. There is an obvious link here to Foot's 'flourishing' in *Natural Goodness*. Melchizedek blessed Abraham (Genesis 14:18-19), a father (or patriarchal head of the family) would pronounce a blessing upon a son or family member. Where a dying father blesses his son, such as Isaac blessing Jacob (Genesis 27:28-29), this blessing is a passing on of their life-force (moral and spiritual authority) and worldly goods (material inheritance).[27]

> The oldest and most persistent setting for blessing, is when the Father, or head of the house, gives his personal blessing at his children's weddings (Genesis 24:60; Tobit 7:13), before a journey (Genesis 28:6; 32:1) or near death (Genesis 27; 49).[28]

There are no examples in scripture of a priestly blessing of a couple during their wedding. While the *TDOT* states that Rachel's father, Bethuel, and her brother, Laban, blessed her marriage: "Our sister, may you increase to thousands upon thousands; may your offspring possess the gates of their enemies" (Genesis 24:60),[29] this blessing took place *before Rachel had met her future husband*, Isaac.

Isaac also blesses Jacob and his forthcoming marriage *prior to Jacob selecting his bride*:[30] "May Almighty God bless your marriage and give you many children, so that you will become the father of many nations" (Genesis 28:3, *Good News Translation*)[31]. While these *are* examples of a marriage blessing, they *are not* examples of a *priestly* blessing given *during* a wedding.

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[25] Kapic, "Receiving God's Blessing", p.4.
[26] Accepting that all are fallen and, thus, none are perfect.
[27] *TLOT*, Vol. I, p.277.
[28] *TDOT*, Vol. II, p.304.
[29] "As always in the Old Testament, blessing consists of numerous descendants", (Psalm 112:2; 128:3f; Job 42:13), c.f. *TLOT*, Vol. I, p.279.
[30] Isaac gave Jacob instructions that he was to take as his wife one of his uncle Leban's (Jacob's mother's brother) daughters.
[31] "May God Almighty bless you and make you fruitful and numerous, that you may become a company of peoples." (Genesis 28:3, *NRSV*)

Another example is Hannah, the barren wife of Elkanah, who prayed in the Shiloh temple that she might have a son by her husband. When Eli, the priest, discovered that she was sincere, he prayed for her: "Go in peace; the God of Israel grant the petition you have made to him" (1 Samuel 1:17 *NRSV*).[32] Later, after Samuel's dedication to the Lord and the beginning of his training under Eli, Hannah and Elkanah would return to the temple, and Eli would bless them:

> "'May the Lord repay you with children by this woman for the gift that she made to the Lord'; and then they would return to their home. And the Lord took note of Hannah; she conceived and bore three sons and two daughters." (1 Samuel 2:20-21 *NRSV*).

While the priestly blessing of Hannah is an example of a marriage blessing which occurred in a temple, it did not occur during the wedding ceremony, but years later.

There are no references to anyone in scripture blessing a concubine, a concubinal relationship, or the blessing of two or more wives of a particular man. For example, Eli blesses Hana, then later, Hana and Elkanah, but it is not recorded that Elkanah's other wife, Peninnah, was ever blessed.

Many of the people blessing others in the OT were exhorting God to provide the person being blessed with children (increase) as a result of their marriage. When Bethuel, Isaac and Eli ask for God's blessing for Rachel's, Jacob's and Hanna's marriages (respectively), one explicit expected result of God's blessing on the marriage was the issue of progeny. If a common expectation of blessing is offspring, this also presents a challenge to the blessing of s/s couples, who, without third party assistance, cannot produce children (recall previous chapter). There is another, possibly more subtle but more profound, issue, namely that *CSsCs* requesting blessing may be expressing a clear wish for the possibility of progeny.
The debates about s/s parenting and artificial reproductive technologies within the church, however, suggest that such enthusiasm is not so unequivocally warranted.

Later the blessing of gatherings, or the nation, was restricted to cultic occasions presided over by priests or Kings. The first recorded priestly blessing is the "Aaronic Blessing" of the Israelites:

> The Lord bless you and keep you;
> the Lord make his face to shine upon you and be gracious to you;
> the Lord turn his face toward you and give you peace. (Numbers 6:23-26).

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[32] This is a form of blessing, even though no derivative of *brk* is used.

The Aaronic Blessing begins each line by reminding everyone that it is the Lord, Yahweh, who is giving the blessing. The priest, or the patriarchal figure, is merely the "effective agent".[33] Later, the Aaronic Blessing is fulfilled, according to Kapic, when "those who saw [Jesus'] ascension experienced the *personification* of Aaron's benediction in Jesus Christ", the shining face of God the Son, himself.[34]

From an OT theological point of view, "blessing [*brk*] is intended to strengthen solidarity with individuals and groups [with whom the person seeks] close social, racial and religious relationships".[35] Blessings involved joy and celebration.[36] The noted OT theologian Gerhard von Rad stated that the Israelites blessed Yahweh the most when they most freely enjoyed his blessing, rather like carefree children playing (Deuteronomy 7:13; 28:3-6).[37] Yet, as the nation of Israel 'grew-up' (not un-like a child), they came to realize that with blessings came responsibility:

> Originally blessing is for Israel and cursing for all its enemies. But it is increasingly realized that the blessings are only for those who keep God's commandments, for the righteous.[38]

There is a strand of thought which runs throughout the OT where it is assumed that God will *bless with* wealth, fertility and a placid life, those who are godly, whereas those who were ungodly would be *cursed with* poverty, illness and troubles. This, however, is countered with Job's account. Job, a godly person, suffers terribly *precisely because* he is godly! Cultic and other blessings, therefore, should be understood as given or withheld within Yahweh's freedom. A cultic blessing can be prayed for, but it is Yahweh *alone* who dispenses such blessings.

Yahweh is designated *barûk*, being the originator of all sorts of beneficial 'things' (blessings), and is therefore worthy of praise and thanksgiving.[39] God enables *things* to become *barûk* by furnishing them with power, fertility, growth, life, happiness and success.[40] In the OT, "God,

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[33] Patrick D. Miller (1975). "The Blessing of God: An Interpretation of Numbers 6:22-27". *Interpretation*, 29:3, p.244, see also: Kelly M. Kapic (2005). "Receiving Christ's Priestly Benediction: A Biblical, historical, and Theological Exploration of Luke 24:50-53". *Westminster Theological Journal,* 67, p.5, see also: Kapic, "Receiving God's Blessing", p.17.

[34] Kapic, "Receiving God's Blessing", p.17.

[35] *TDOT*, Vol. II, p.303.

[36] C.f. Joyous marriage celebration, fn.25.

[37] Gerhard von Rad (1962). *Old Testament Theology*, Volume 1. Edinburgh: Oliver & Boyd, p.229f, see also: *TLOT*, Vol. I, p.278.

[38] *TDNT*, Vol. II, p.757.

[39] *Theological Lexicon of the Old Testament*, Volume II (1997) (*TLOT*). Ernst Jenn and Claus Westermann (Eds.), Mark E. Bibble (Trans.). Peabody, MA: Hendrickson Publishers, p.269-270.

[40] *TLOT,* Vol. I, p.273.

men, [wives], things or property, human qualities and days can be called *barukh* 'blessed'".[41] A person "who possesses blessing is *barukh*, full of *berakhah*. Power must flow out from him in every direction".[42] Thus, the one who is blessed will bless, by their presence, by their very being, those who are around them: family, friends, the nation. The Israelite Kings were blessed so as to be a blessing to the nation of Israel. In a similar way, Jesus' presence at the wedding at Cana (John 2) was a type of blessing, God's presence is blessing.[43]

When people in scripture bless others, they are acting on God's behalf and interceding[44] for God's blessing for a person or situation with the understanding that God approves of the person and/or of the situation,[45] based on their knowledge of God and God's ways. Or as Kapic puts it: "Blessing often communicated divine approval and care."[46]

Blessing in the Intertestamental and Rabbinic Periods

According to Sirach 45:15-15, Aaron was appointed to make offerings to Yahweh by burning incense to make atonement for sin. He then had to pronounce the blessing of the people indicating that they have been reunited with Yahweh. These duties – offering and blessing - according to Kapic, cannot be separated, for neither is complete without the other. "Without the priest's blessing [benediction] how did the believer know that [a] sacrifice was accepted and [that] their sins forgiven? Th[us, a] benediction was not optional, but a necessary conclusion to the priest's atoning activity"[47] This raises a serious question regarding the blessing of same-sex couples. If same-sex sexual activity is inherently sinful (non-chaste), and if there is no intention to cease, (or even attempt to cease) same-sex activity, then atonement cannot be made and a blessing should not be pronounced.

The OT concept of blessing, however, is "extremely rare" in Greek literature.[48] Derivatives of *brk* are found 640 times within the Septuagint (LXX) where they were predominantly translated *eulogéo* (used 450 times[49]) and *eulogia*.

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[41] *TDOT*, Vol. II, p.287.

[42] Westermann (1978), p.19.

[43] Kapic, "Receiving God's Blessing", p.10.

[44] Examples: "*May* the Lord bless his people with peace!" Psalm 29:11 (*NRSV*); and "*May* God bless us still, so that all the ends of the earth fear him." Psalm 67:7 (*Today's New International Version*).

[45] Examples: "Lord bless you . . ." Numbers 6:24; Ruth 2:4; Psalm 128:5; Jeremiah 31:24 (*NRSV*); and "God bless it." Zechariah 4:7 (*Today's New International Version*).

[46] Kapic, "Receiving God's Blessing", p.1.

[47] Kapic (2005), p.259.

[48] Greek literature used *eulogéo* and *eulogía* to denote the concept of "speaking well" or "to extol" where people are praising the gods, or where the gods are praising people. *TDNT* (Abridged), p.275.

By the time of Jesus, the Rabbis had codified specific rules for blessing. All prayers that began with praise of God were deemed blessings, and only priests were allowed to pronounce a blessing in a synagogue or the temple. Within the home, the blessing of meals was to precede its consumption, in recognition that all things came from God.[50] In the mandatory blessing of meals, there is a possible parallel with marriage, since thanks must be given for all things before they are enjoyed. I posit, therefore, that such blessing should occur prior to conjugal relations:

> It is forbidden to man to enjoy *anything* belonging to this world without blessing; he who enjoys *anything* of this world without a blessing commits a violation.[51]

If this were a correct interpretation of the Rabbinic teaching, then it would follow that a blessing prior to conjugal relations is called for (just as if blessing a meal) and, additionally, a blessing would be required prior to the beginning of conjugal relations, that is, during the wedding or shortly thereafter. There may be an example of such an act in the apocryphal book of Tobit. Following their marriage and immediately after entering their bedchamber, Tobias and Sara pray seeking God's blessing on their marriage prior to the beginning of their sexual relations:

> Then Tobias exhorted the virgin, and said to her: Sara, arise, and let us pray to God to day, and to morrow, and the next day: because for these three nights we are joined to God: and when the third night is over, we will be in our own wedlock. (Tobit 8:4 Douay-Rheims, 1899 American Edition)

Prior to Tobias' and Sara's bedchamber blessing, Tobias, at the end of their wedding feast, would most likely have pronounced the *sheva berakoth* (the Seven Blessings), without which the marriage could not proceed:[52]

> In Jesus' day, at the end of the Jewish wedding feast, the bridegroom stood, took a cup of wine, and blessed God with some recited form of the **sheva berakoth** – the 'seven blessings' – each blessing beginning, 'Blessed are you, O Lord our God, for you...,' and concluding with a description of some aspect of God's gifts in creation: blessings of the vine, the creation of humankind, the gift of community, the hope for Jerusalem to be renewed, the reference to Eden as well as to the particular couple *that they may find joy in the holy gift of a self-giving, consummated relationship*. The **sheva berakoth** focus on the blessing of

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[49] *NIDNT*, Vol. I, p.207.
[50] bBer., 35a., in: *TDNT* (Abridged), p.276, fn.19.
[51] *TDNT*, Vol. II, p.760, my italics.
[52] Stevenson (1982), p.7.

> God (Genesis. 1:26-29) upon humankind, male and female, together
> created in the image of God, equally summoned to fecundity and
> plenitude in their stewardship of the gifts of their lives and creation. This
> *sacralizing of the creative relational and sexual gifts of the couple* with
> the cup and the *sheva berakoth* was (and remains) integral to the Jewish
> understanding of the rite of marrying.[53]

A significant aspect of the *sheva berakoth* is the thanksgiving for the upcoming consummation of the marriage, coupled with its creative (reproductive) expectation. Thus, the Jewish wedding blessing not only thanked God for the gift of marriage as a way of ordering one's sexuality, but it enabled the fulfilment of God's command to "go forth and multiply" within those bonds.

Blessing within the New Testament

The Greek words *eulogéo* and *eulogia* (blessing), within the Evangelical tradition, have often been held to be of lesser significance in the New Testament than their counterparts within the LXX translation of the OT. "Compared with the fundamental significance of blessing in the OT, the NT gives less prominence to both the concept and the act."[54] Yet, the claim that the NT is little concerned with blessing is inaccurate.

The NT does not present any new or special theology[55] nor does it reduce the OT understanding regarding blessing, apart from the general orientation towards forgiveness for transgressions rather than the exacting of the penalty determined in the law.[56] The NT, as the OT, recognizes that people have a duty to bless (praise and give thanks to) God.

The root *eulogy-* occurs sixty-eight times, mainly as "praise" and "to extol".[57] Within the NT, the fullest expansion of blessing is found in Hebrews 6:7ff, where the faith of Abraham and other patriarchs (which result in blessings) are held up as models to be emulated.

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[53] Jann Boyd (2005). "Blessing in Scripture, Liturgy, and the Life of the Church", p.3-4, an essay produced for the National Church Council of the evangelical Lutheran Church in Canada to assist the church in considering the matter of blessing same-sex relationships, available from: http://www.elcic.ca/docs/2005/boyd.pdf, downloaded 18 May 2007. Bold italics by Boyd, other italics by me.

[54] *The New International Dictionary of the New Testament*. Vol. I. (1975). Colin Brown (Ed.). Exeter: UK: The Paternoster Press, p. 212.

[55] *TDNT*, Vol. II, p.761.

[56] *NIDNT*, Vol. I, p.212-213.

[57] Westermann's analysis of the sixty-eight occurrences of blessing in the NT reveals that: Humanity blesses God (doxologies) in forty passages; God blesses humanity in nineteen passages; and humans bless humans in six passages. Westermann (1978), p.69.

Elizabeth declared Mary blessed for she was carrying Christ (Luke 1:42). Thus, if someone is 'carrying' Christ (or, is 'carried by' Christ[58]), it follows that they are blessed. This is crucial! If we can correctly say that a s/s attracted person be in Christ (and that Christ is in them), as we certainly can, then why does the church refuse to bless such a person? Our answer rests on the distinction between a *person*, whom we can and should bless, and their sexual *relationship*, whose quality needs to be established as congruent with discipleship, prior to the relationship being blessed.

In the Gospels, Jesus is blessed by his Father and by people, and he blesses people and objects. Jesus is blessed by Simeon at the temple (Luke 2:28); by his Father at his baptism (Matthew 3:16-17); in the Transfiguration (Luke 9:29) he is revealed as blessed (God himself); the crowds with shouts and the waving of palms bless Jesus as he enters Jerusalem on a donkey (Matthew 21:9). At the Last Supper, Jesus blesses, breaks and distributes the bread, as per Jewish custom, though in this case Jesus elevates the bread (Matthew 26:26; Mark 14:22). In his resurrection, Jesus tells Thomas that those who believe in him without having seen him are blessed (Luke 10:23-24). There are a number of examples of Jesus blessing others, such as his blessing the children (Mark 10:13-16); in his commissioning of "the Twelve" before sending them out[59] (Luke 9:1-22); when he declares Peter blessed because he recognized that Jesus was the Christ (Matthew 16:17); and his blessing of the disciples on the occasion of his ascension (Luke 24:50-53).

This last example is especially interesting, as some Protestant scholars,[60] clergy and laity have seen relatively few instances, and little importance, of blessing within the NT. Two of the interviewees stated that Jesus did away with the sacerdotal priesthood, implying that blessing, as a function of Christian church leadership, was no longer legitimate, though they each stated that all Christians can, and should, *pray* for people.

Jesus' death on the cross: "made there by his one oblation of himself once offered a full, perfect and sufficient sacrifice oblation and satisfaction for the sins of the whole world",[61] eliminated the need for any further *bloody* sacrifices. Indeed, however, with Jesus' inauguration and commissioning of the Body of Christ, the church had need of organization and leadership. The Roman Catholic, Orthodox, Anglican and most other Protestant

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[58] As a found, formerly lost, sheep, Luke 15:2-10.
[59] Jesus having selected and trained his disciples, he "gave" them "power and authority", and sent them out on mission for the Kingdom of God.
[60] For a brief development of this view of the work by Leon Morris, I.H. Marshal, Joel Green and Claus Westermann, see: Kapic (2005), p.249.
[61] *Book of Common Prayer* (1662).

denominations, have understood that the church is called to select, train and ordain people to serve as presbyters (priests), who do *not* sacrifice animals or pour out oil as a sacrifice, but lead and guide the flock of Christ. An aspect of the ordained role involves the pronouncing of blessings.

Kapic, in his analysis of Luke 24:50-53,[62] argues that Jesus gave a priestly benediction (blessing) to his disciples immediately prior to his, not their, departure.[63] Though the normal occurrence for such a blessing is when the priest blesses the departing congregation, Kapic convincingly argues that this latter benediction by Jesus is a completion of Zechariah's non-completed incense offering (Luke 1:5-22). Zechariah had been struck dumb for his unbelief that he would father a child in his old age (Luke 1:20, 63-64). He was, therefore, unable to complete the liturgy which required the uttering of the assurance of forgiveness of sins which follows such sacrifices.

With Jesus' blessing of his disciples immediately prior to his ascension, he pronounces that his Father has accepted his sacrifice on the cross, thus, the sins of the world are forgiven through Jesus' once-for-all-time perfect sacrifice (Hebrews 7:26-27; 10:12).[64] Blessings point to God's acceptance, presence and joy, and the blessing Jesus gives his disciples, immediately prior to his ascension, demonstrates the assurance of his fulfilled atonement[65] *and* his on-going presence with the disciples as they fulfill the mission they have been given.[66]

If blessing is an assurance of forgiven sins, an issue that must be considered is whether blessing could effect a dispensation, a sanctioning of s/s sexual activity within a *CSsC*, or, whether blessing is only appropriate if there is willingness to attempt to cease sinning.

An Overview of the Church's Involvement in Nuptial Blessings

Following Christ's resurrection, the church began to take seriously its role as the incarnate presence of Jesus, the Body of Christ on earth, and began ordering the life of Christians and the faith in the risen Lord (Acts 15:6-21; 21:15-26).

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[62] Kapic (2005). pp.247-260.
[63] Abraham (Genesis 49) and Moses (Deuteronomy 33), each bless others immediately prior to their final departure.
[64] Kapic (2005), p.251-252.
[65] Theologians such as Gregory of Nyssa, Origen, John Chrysostom have commented that Jesus' benediction and his salvific activity a unitary whole. Kapic (2005), pp.257-258.
[66] Kapic (2005), p.255.

Numerous Early Church leaders commented that the church and priestly involvement within weddings was called for, claiming that involvement by priests would bring greater order and benefit within the weddings, and marriages, of Christians.

Ignatius of Antioch (c.35-c.107), writing to Polycarp, expressed the desirability of the Church's involvement with those couples seeking to be married and live as Christians:

> It is right for men and women who marry to contract their union with the advice of their bishop, so that their marriage is made in the Lord, and not for the sake of passion.[67]

Tertullian (c.160-c. 225) describes wedding details, demonstrating a concern for the involvement of clergy in Christian weddings.[68] In *Ad Uxorem*,[69] he describes how the marriage of Christians takes place in a church, overseen by a bishop or priest, with a gathering of family and public, where the service included a blessing and Eucharist.[70] He wanted the Eucharist to replace the wedding feast, as befitting a Christian wedding. This was the likely precedent for the Roman wedding rite in the 4th century.[71]

From the eight-century, we have the earliest surviving liturgical evidence of a wedding service, the "Italo-Greek Barberini 336 manuscript." This service included the betrothal (based on Isaac and Rebecca's betrothal), priestly blessing-prayers, and the "priestly character of the marriage ceremonies".[72]

Within the Orhtodox Church, the celebration of "Crowning" drew on the seven day wedding feast at Cana (John 2:1-11), and points to the first of Jesus' "signs" (miracles), the turning of water into wine. This sign was not for the inebriation of the guests, but for the provision of the required wine for the *sheva berakoth* (Seven Blessings) held at the end of the banquet. Thus, Crownings (weddings), miracles, 'signs' and blessing are interlinked within Orthodoxy.

Within an Orthodox wedding the couple is blessed three times by the Proto-Presbyter — Betrothal, Crowning and Removal of Crowns — befitting Trinitarian Doctrine and practice. The **first blessing** occurs within the 'Betrothal' at the entry. The **second blessing** follows the Crowning,[73] in front of the altar. The **third blessing** is given eight days after the Crowning, in

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[67] Ignatius, *Ad Polycarpum* 5.2; see *The Epistles of St Clement of Rome and St Ignatius of Antioch*, tr. James A. Kleist (London,1945), p.98, cited in: Stevenson (1982), p.13.
[68] Stevenson (1982), p.16.
[69] Tertullian (1550). *Ad Uxorem*. London: N. Hill.
[70] Stevenson (1982), p.17.
[71] Stevenson (1982), p.209.
[72] Stevenson (1982), p.97.
[73] "Priest: May the Father, and the Son, and the Holy Spirit, the all-holy, consubstantial and life-giving Trinity,

front of the altar during the 'Removal of the Marriage Crowns'.[74] Subsequent marriages are usually not blessed,[75] with some of the joyous aspects of a first marriage substituted by penitential prayers. This latter practice may provide a way forward in the s/s dispute.

In the post-Constantinian period within the West, the celebration of a wedding became a subject of conflict between the family, who sought to celebrate the wedding as a 'family occasion', the church saw the celebration of the wedding as a local Christian community occasion. Tensions developed regarding the location of the wedding, and who was to oversee the event. The liturgical elements for celebrating a wedding in Italy in the 4th century were *available*, rather than *required*, and these elements were limited to first marriages.[76] Thus, even in the West, the Early Church *tolerated* remarriage.

The Gregorian Sacramentary[77] (c. 790) carries the first liturgical reference to the "Ephesian analogy of Christ as the bridegroom of the Church," and despite sin and the fall, man and woman are to be companions. The wedding service in the Sacramentary concludes with the nuptial blessing (*deus qui potestate virtutis*).[78]

The first known instance of a marriage blessing by a priest in the Western church *during* a wedding ceremony happened in 950 CE in Durham, England. [79] The earliest marriage vow used in England "was drawn up about 1085 by Osmund, Bishop of Salisbury".[80] The Fourth Lateran Council of 1215 recommended a public marriage ceremony with the banns at worship services prior to the wedding day, and with witnesses at the wedding ceremony. However,

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one godhead, and one Kingdom, bless you, and grant unto you length of days, fair children, prosperity of life, and faith; and fill you with abundance of all earthly good things, and make you worthy of obtain the blessings of the promise: through the prayers of the holy Theotokos [Virgin Mary], and of all the Saints. AMEN." *Service Book of the Holy Eastern Orthodox Catholic and Apostolic Church* (2002), pp.180-181.

[74] "Priest: O Lord our God, who hast blessed the crown of the year, and permittest these crowns to be laid upon those who are united to one another by the law of marriage, thereby granting unto them a reward for continence; for they are pure who are united in the marriage which thou hast made lawful: Do thou bless also in the removal of these crowns those who have been united to one another, and preserve their union indissoluble; that they may evermore give thanks unto thine all-holy Name, of the Father, and of the Son, and of the Holy Spirit: now and ever, unto ages of ages. Choir: AMEN." *Service Book of the Holy Eastern Orthodox Catholic and Apostolic Church* (2002), pp.181-182.

[75] See: Ware's comments, p.126f.

[76] Ambrosiater (c. 350-400) "contrasts the [Christian] blessing with Jewish practice, closely links it with Genesis 1:28, and restricts it to first marriages." *Liber quaestionum 50.400*; *In. Ep. I. ad Cor*. 7.40; *In Ep. I. ad Tim.* 3.12, cited in Stevenson (1982), p.26.

[77] **Gregorian Sacramentary**, "a liturgical book ascribed to Pope Saint Gregory I, called sometimes the Sacramentary of Adrian I, owing to the fact that he sent it to Charlemagne between the years 781 and 791 when the latter wished to introduce the Roman Rite into his kingdom." Available from: http://www.catholic-forum.com/saints/ncd03719.htm, downloaded 22 June 2007.

[78] Stevenson (1982), p.40-41.

[79] Adrian Thatcher (1999). *Marriage After Modernity: Christian Marriage in Postmodern Times.* New York: New York University Press, p.109.

[80] Instone-Brewer (2002), p.230.

such a ceremony was not required for a marriage to be considered valid.[81]

In 1439, the Roman Catholic Church, after much theological debate and disputation, elevated marriage from being sacramental to *connubi sacramentum*, an inviolate sacrament.[82]

In 1563, in the wake of the Protestant Reformation, The Council of Trent mandated the consent of both bride and groom, and the use of a priestly liturgical formula.[83] Minor children seeking to marry required their parents' consent, and the betrothed couple was encouraged to postpone cohabitation until after the wedding.[84] Wedding couples were required to make a careful confession[85] and to receive the Eucharist shortly before the wedding. Two or three witnesses were required for the wedding and a priest was required to preside, thus forbidding clandestine unions, and the folk-custom of accepting that a couple had formed a valid marriage once they had engaged in sexual intercourse was condemned.[86] Thus, the church strengthened its view that it had a significant role in the institution of marriage, and that sexual relations did not, alone, constitute Holy Matrimony.

In his classic *Worship as Pastoral Care*,[87] William H. Willimon demonstrates how a service of baptism, a wedding, or a funeral is not only for the particular individual(s) for whom the service is being conducted, but should be used as a means of educating and pastorally caring for the entire congregation, helping each one to grow in their understanding and commitment to baptism and marriage, and even to prepare them for their own death. "Liturgy *is* education. The question before us . . . is not *whether* our people will learn . . . [but], *What* will they learn when we lead them in worship?"[88] In this same way, the Liturgy of Holy Matrimony, including the nuptial blessing, while specifically for the wedding couple, incorporates aspects to strengthen, teach and form the gathered community regarding the nature of Holy Matrimony. As Willimon states:

> A wedding is the liturgical ritualized celebration of the sexual union of
> the two persons . . . [it is] a public declaration that the sexual union of a
> man and a woman is full of eternal significance . . . The purpose of the
> service is to claim the union of this man and woman as an act of a loving

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[81] Thatcher (1999), p.4.

[82] Stevenson (1982), p.204.

[83] "The consent formula of the partners was essential, [and] insisted on a priestly formula". Stevenson (1928), p.170.

[84] Prior to this, is was not uncommon for betrothed couples to cohabit until pregnancy occurred.

[85] Several scholars noted this requirement but did not stipulate any sins in particular. I posit the confession of sexual sins, including fornication, may well have been in mind when this requirement was stipulated.

[86] Stevenson (1928), p.170.

[87] William H. Willimon (1979). *Worship as Pastoral Care*. Nashville, TN: Abingdon Press, pp. 122-123, 126, 127 and128, author's italics.

[88] Willimon (1979), pp. 122-123, author's italics.

> God, as representative of God's ultimate purpose in all creation, and as a joyous sign of God's continuing love and creativity in our midst. It is a blessing of the process of union.[89]

By coupling Willimon's thinking with some of the material presented here regarding nuptial blessing, I conclude that there is an educative aspect to nuptial blessings which has often been overlooked, that is, that the declaration of the nuptial blessing is a signalling to the wedding couple, and to the congregation, that as all the requirements of Holy Matrimony have been fulfilled, this couple is now able, with God's blessing, to enter into sexual relationship, which is reserved for married couples.

Development of Nuptial Blessing within the Anglican *Prayer Book*(s)

The Church of England made a number of changes from the Roman Catholic Church when it formed its Marriage Liturgy and Marriage Canon. These remained substantially unchanged until 1928, and even then, very few changes were made to the Marriage Liturgy. Cranmer may have got it basically right with his first *Book of Common Prayer*, 1549, for the Matrimonial Service has been used within the Anglican Communion, and by many English speaking Protestant and secular marriage celebrants (with some updating of the language), to the present day![90] The nuptial blessing, found in the *BCP,* remained largely unchanged until the Liturgical Renewal Movement of the 1970s to the 1990s, which resulted in many Anglican Prayer Books being revised throughout the Anglican Communion.

The Episcopal Church in the United States also made some changes to their marriage liturgy by removing the "sexist" language and helpfully asking the gathered family and friends to support the couple. This latter addition acknowledged that "the role of society . . . is often crucial in sustaining or breaking a marriage".[91] As we will see, the New Zealand "Prayer Book Commission" followed these listed changes and made other 'progressive' alterations when it published the *NZPB* in 1989.

Throughout this time the nature of marriage, in all cultures researched, was understood to be a union of a male and a female. This, recall, was an uncontested 'fact' until the 20th century, and a legal fact until 2001 (pp.48f.)

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[89] Willimon (1979), pp. 126, 127 and 128.
[90] In Cranmer's wedding service, a wedding ring was given, but it was not blessed. Today, a ring is blessed, indeed there may be two rings to be blessed.
[91] Stevenson (1982), p.195.

Blessing within the *ACANZP* and *A New Zealand Prayer Book*

The understanding of blessing in the scriptures and throughout the history of the Christian Church is complex, but it is further complicated by two characteristic tendencies of modern Anglicanism: *vagueness* and *ambiguity*. One of the most astute theologians favouring the blessing of s/s couples, The Revd Canon Marilyn McCord Adams, Regius Professor of Divinity at Oxford University, recently stated:

> Since the wars of religion, the Church of England has been a predominantly broad church . . . characterized by minimalist institutional definition in terms of the bible, prayer book, historic creeds, dominical sacraments, and episcopal form of government. Membership and ordination requirements have been vague and generic, requiring endorsement of the documents and participation in the practices (where interpretations of both are left unspecified), and a commitment to holy living (where this is defined in terms of human decency, concern for the poor, and not marrying too close kin). Likewise, the policing of conformity to these requirements by laity and clergy has been lax. The Church of England has . . . avoided vigorous intrusion into private spaces, and has been complacent about ignorance, incomprehension, and misunderstandings of bible and creeds by clergy and laity alike. Yes, broad church has its downsides.[92]

It is often said: If you want to know what Anglicans believe: Read the *Prayer Book*! The Anglican Church is not dogmatic in its teaching, but has encapsulated its beliefs and practices within its *Prayer Book*(s) and liturgies (tradition[93]). This has allowed, even perhaps encouraged, a range of beliefs, provided that the teaching and practices of its priests are not in open conflict with the teaching, policy and practices found in the *CoC*[94] and the liturgies of the Prayer Books.[95] It is primarily the *Prayer Book* which has been the 'Schoolmaster' of the Anglican Church.

It is not uncommon for schools, marae, hospitals and other places and objects to be blessed. These latter services are not included in *NZPB*, but are compiled from various resources by the officiant. It is also acknowledged that *implicit* blessings are found within some portions of several services (not referenced) within *NZPB*. In some *ACANZP* parishes, parishioners are occasionally blessed at the altar rail during communion, or, when being prayed for. Finally, in

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[92] Marilyn McCord Adams (2007). "Leaven in the Lump", an address to the annual conference of the *Lesbian and Gay Christian Movement* in London, available from: http://www.episcopalcafe.com/lead/anglican_communion/leaven_in_the_lump.html#more, downloaded 3 May 2007.

[93] Informed by scripture and reason.

[94] The legislation of Church Policy is subject to change provided it does not conflict with the Constitution.

[95] The *BCP*, a *NZPB*, etc.

some parish and diocesan settings, blessings within a regular worship service are often given to missionaries, Sunday School teachers, *individuals* or *families* who have recently joined, or are leaving, the parish, etc.

A distinction exists between the church and its clergy blessing a *person* (or a dog),[96] and blessing a *relationship* such as Holy Matrimony. Since God made all that exists, people, dogs, etc, can be blessed as part of God's good creation. But a *relationship* is something made (or not) by the persons themselves. This is affirmed in the *NZPB* liturgy for Holy Matrimony. There, the Bride and the Groom preside over their wedding and marry each other by binding themselves to each other with their vows,[97] that is, the priest does not marry them.[98] The priest is the officiant and one of three witnesses (officiant plus two others). Some relationships may be good, others less so. The church has, over time, blessed relationships of Holy Matrimony, and has not explicitly, or formally, blessed other relationships, such as those between parent and child, between siblings, *de facto* couples, concubinage, etc. (see above).

Within the "First Form" (*NZPB*, pp.780-784+796-805) of the "Marriage Liturgies" (*NZPB*, pp.777-805), there are three blessings given by the priest during the wedding. The couple is blessed at the beginning of the marriage liturgy: "God our Creator . . . Give them your blessing (*NZPB*, p.780-781). After the vows, their rings are blessed: "Most holy God, Bless these rings" (*NZPB*, p.783). Then, following the prayers, "The Marriage Blessing" is pronounced:

> All praise and glory to you most gracious God, for in the beginning you created us men and women. Grant your blessing then, we pray, to *N* and *N*, so that in marriage they may be a source of blessing to each other and to all, and to live together in holy love until their lives' end.
> **AMEN.** (*NZPB*, p.781)

These blessings within the "Marriage Liturgies" are by no means the only blessings authorized within the *ACANZP*. There is a large corpus of explicit blessings included in the *NZPB*. The majority of these *blessings* are benedictions used at the end of gathered corporate worship.[99] Additionally, there are explicit blessings for *individual* people when they are

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[96] 'Jack', details withheld: "What about the blessing of a dog? A dog is part of God's design!"

[97] In the Orthodox Church, the proto-presbyter 'presides' (president of the celebration) at the marriage, and is not merely a 'celebrant' (overseer who ensures all the requirements are met, who then declares the couple married). Note: In the *ACANZP*, the priest who consecrates the elements is the 'presider' (president) of the Eucharist, whereas the congregation are all 'celebrants' (they celebrate) of the Eucharist. This clarification of terms developed out of the Liturgical Renewal Movement during the 1960s through the 1990s in New Zealand.

[98] Note: In the Roman Catholic and Orthodox Church, the priest marries the bride and groom together.

[99] Also known as the Benediction, *NZPB* pp.165, 526, 528, 530-531, 533, 535-536, 538, 540, 542, 544-545, 737, 862-863, 838.

baptised,[100] when thanks is being given for a child,[101] when someone is sick,[102] within a service of penitence,[103] and for those who have died.[104] Further, explicit blessings are given to the *family* of the deceased and for those gathered for a funeral or memorial service,[105] and for the *family*[106] of the baptised and for the *family*[107] asking for a service of "Thanksgiving for the Gift of a Child".[108] There is a service for "The Blessing of a Home"[109] and those who live there.[110] There is at least one non-priestly blessing found within the *NZPB*, where the parents have an opportunity to give their blessing to the wedding couple.[111] This harkens back to the Jewish and Early Church custom of parental consent being (virtually) essential (explicitly for minors) for an honourable marriage.

Performative Utterances

A number of interviewees mentioned the term "Speech-Acts"[112] in reference to liturgies and blessings. John L. Austin[113] helpfully points out that some words do more than describe: they effect 'states'. Such word-phrases he calls Performative Utterances. Austin gives four examples:

> (E. a) 'I take this woman to be my lawful wedded wife'- as uttered in the course of the marriage ceremony.
>
> (E. b) 'I name this ship the Queen Elizabeth'- as uttered when smashing the bottle against the stern.
>
> (E. c) 'I give and bequeath my watch to my brother' – as occurring in a will.

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[100] *NZPB*, p.386.
[101] *NZPB*, pp.758-760.
[102] *NZPB*, p.745.
[103] *NZPB*, p.753.
[104] *NZPB*, pp.815, 837, 852, 862.
[105] *NZPB*, pp.815, 816, 838, 840-841, 862-863, 875, 880, 883-884.
[106] *NZPB*, p.389.
[107] *NZPB*, pp.758-759, 761.
[108] *NZPB*, pp.754-761.
[109] *NZPB*, pp.765-771, 773.
[110] *NZPB*, pp.762-773.
[111] *NZPB*, p.782, and implied pp.786+793.
[112] "Speech act theory (Austin, Searle): It was the particular search for the (purely) constative (utterances which describe something outside the text and can therefore be judged true or false) which prompted John L. Austin (1962) to direct his attention to the distinction with so-called performatives, i.e., utterances which are neither true or false but which bring about a particular social effect by being uttered (e.g., "With this ring I thee wed" — by speaking the utterance you perform the act). For a performative to have the desired effect, it has to meet certain social and cultural criteria, also called felicity conditions." S. Slembrouck (2004). "What is meant by 'discourse analysis'?" Available from: http://bank.rug.ac.be/da/da.htm; downloaded 15 November 2005.
[113] Austin (1962). *How To Do Things With Words*. London: Oxford University Press.

(E. d)   'I bet you sixpence it will rain tomorrow.'[114]

Two aspects are important to note. **First**, the utterance "I take you as my wife" is an "operative utterance" — it effects something (a marriage) — whereas, the utterance "God bless and keep you" is a "declarative utterance", naming something without enacting it.

Second, every *operative* utterance has conditions, outside of which the utterance is void. Thus, at the wedding rehearsal, the couple are not married by the vows voiced. For any two people to marry, they must do so in "the approved circumstances".[115] For a couple to marry, they both must intentionally and willingly wish to be married to each other, they must not be married to anyone else, both must be sane, have obtained a licence and have reached the minimum age, have witnesses present, have an officiant present, make a public declaration, and vow, at a prearranged time and place.

The priest, or other officiant, is the person who officially witnesses the ceremony, and declares that since all the requirements have been fulfilled, the couple are now married. Thus, the couple make an *operative* utterance and the priest a *declarative* utterance. Both couple and priest, by what they say, do something — marrying and declaring that these two are married.

Austin points out that there is a *Doctrine of Infelicities,*[116] which describes circumstances where an "unhappiness" occurs, where something goes wrong. The Doctrine includes six rules of Performative Utterances.[117] The two which most directly correlate to the question of the Anglican Church blessing *CSsC* relationships are (A. 1) and (A. 2):

(A. 1) There must exist an accepted conventional procedure to include the uttering of certain words by certain persons in certain circumstances, and further,

(A. 2) the particular persons and circumstances in a given case must be appropriate for the invocation of the particular procedure invoked.[118]

The **first** problem is revealed in (A. 1). In the *ACANZP* there is no existing authorised liturgy to bless a *CSsC* relationship. In addition, the *Code of Canons* (*CoC*) of the *ACANZP* defines Holy Matrimony, amongst other things, as occurring between a man and a woman. Thus, in Austin's language, there is no "accepted conventional procedure" for blessing *CSsCs* within the *ACANZP*.

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[114] Austin (1962), p.5.
[115] Austin (1962), p.13.
[116] Austin (1962), p.15.
[117] Appendix F; Performative Utterances, p.154.
[118] Austin (1962), pp.14-15.

If the *ACANZP* decides to proceed with the blessing of *CSsCs*, and if such a blessing is seen as the non-legal cultural equivalent of Holy Matrimony, then the New Zealand Canon will need to re-define Holy Matrimony to include *CSsCs*. If the Anglican Church decides to proceed with blessing of *CSsCs*, and such blessing is not seen as the equivalent of Holy Matrimony, then a new Sacramental Rite for the blessing of *CSsCs* would need to be added to the Canon. Neither process has been set in train.

The **second** problem is revealed in (A. 2), that "particular persons . . . must be appropriate for the invocation." Thus, two men, or two women, cannot enter into a "particular procedure" designated for a man and a woman.

This is more than *mere semantics*, for as Austin points out:

> When the saint baptized the penguins, was this void because the procedure of baptizing is inappropriate to be applied to penguins, or because there is no accepted procedure for baptizing anything except humans? I do not think that these uncertainties matter in theory, though it is pleasant to investigate them and in practice convenient to be ready, as jurists are, with a terminology to cope with them.[119]

For the *ACANZP* to authorise the blessing of *CSsCs*, the *ACANZP's* General Synod must approve a suitable liturgy. Further, following the *WR*, and the Canadian General Synod,[120] it is clear this is not a matter that is to be considered *adiaphorous* (of minor importance)*,* or one of *subsidiarity* (to be handled as locally as possible), but is a matter that needs to be subjected to the scrutiny of the worldwide Anglican Communion. Such changes would require approval by some or all of the Four Instruments of Unity, namely the Archbishop of Canterbury, the *Primates' Meeting*, *Lambeth Council* and the *Anglican Consultative Council* (*ACC*).

People and institutions use performative utterances to effect compensations, correctives, for anomalies. Thus, in promising "to forsake all others" (Holy Matrimony), we bind ourselves against our own tendencies to unfaithfulness. It would, therefore, be helpful for the performative utterances stated by a *CSsC* during an approved service within the *ACANZP*, (while noting carefully any infelicities that would invalidate them), to have the effect of doing likewise for natural anomalies within s/s sexual attraction.

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[119] Austin (1962), p.24.
[120] Ref. p.105.

The Blessing of *CSsCs*: "Core Doctrine" or Peripheral *Adiaphora*?

Calvin, *The Windsor Report* and *The St. Michael Report*[121] each use the term *adiaphora* in a different sense. This confuses the issue.

Witte argues that Calvin saw marriage and family life as "*adiaphora, the external and discretionary things of life that do not conduce to salvation*",[122] that is, whether one chose to be married or to be celibate. The fact that Calvin strongly disputed aspects of the Roman Catholic Doctrine of Marriage demonstrates that he would not agree that all disputes over matters of *adiaphora* could be "tolerated without endangering unity".[123] If this is true, it may have a bearing on our issue.

The Windsor Report states that matters which are *adiaphora*[124] are "things which do not make a difference, matters regarded as non-essential, issues about which one can disagree without dividing the Church."[125] The *WR* also states that the "more something is regarded as 'indifferent', the more locally the decision can be made", at the subsidiary level, like choosing the altar flower colours. However, "core" doctrines are Communion-wide issues and must be decided at this Communion-wide level.[126] Though the WR acknowledges what might be termed the Doctrine of *Adiaphora*, that is, a teaching about how to handle matters which are indifferent, it does not acknowledge a body of doctrines which are themselves *adiaphora*.

The St. Michael Report, on the other hand, splits doctrines into "'core' doctrine, in the sense of being credal doctrine"[127] and "*adiaphora* [which though they] are distinguished from core doctrines, they are nevertheless doctrines." *The SMR* acknowledges that "any proposed blessing of a same-sex relationship would be analogous to a marriage to such a degree as to require the church to understand it coherently in relation to the doctrine of marriage."[128] The *SMR* further states: "We are agreed that blessing of same-sex unions is not a matter of core

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[121] *St. Michael Report: Report of the Primate's Theological Commission of the Anglican Church of Canada on the Blessing of Same-Sex Unions, The* (2005). Matthews, V. (Chair). Toronto, Ontario: General Synod of the Anglican Church of Canada.

[122] That is, whether or not a person marries does not affect their salvation, though of course how they act and treat others within marriage, or as a single person, may well do. Witte (1997), p.80, summarizing: Calvin, *Institutes*, Chapter 6.17, 6.20, and 6.4, 6.14-32.

[123] *WR* (2004), p,21. para.36., cited in *SMR* (2005), p.11, para.8.

[124] *adiaphora*: "As the Church has explored the question of limits to diversity, it has frequently made use of the notion of *adiaphora*: things which do not make a difference, matters regarded as non-essential, issues about which one can disagree without dividing the Church. *WR* (2004), p.38, para.87.

[125] *WR* (2004), p.38, para.87.

[126] *WR*.makes these comments regarding flowers and the Nicene Creed: *WR* (2004), p.21-22, para. 38.

[127] *SMR* (2005), p.6. para.4.

[128] *SMR* (2005), p.7, para.8.

doctrine in the sense of being creedal."[129] According to the *SMR's* split of doctrines into "core" and *adiaphora*, it implies that the Doctrine of Blessing Same-sex Couples is an *adiaphora* doctrine.

The 2007 Canadian General Synod, in agreement with *SMR*, passed Resolution A186: "That this General Synod resolves that the blessing of same-sex unions is not in conflict with the core doctrine of The Anglican Church of Canada."[130] However, that Synod failed to gain enough support to pass Resolution A187: "That this General Synod affirm the authority and jurisdiction of any diocesan synod, with the concurrence of its bishop, to authorize the blessing of committed same sex unions."[131] This effectively means that while they accepted that the issue was one of *adiaphora*, they declined to treat the matter subsidiarily, at the local most level, whereas the *WR* states that matters of *adiaphora* are to be treated subsidiarily (locally as possible). There appears to be an inconsistency here.

J.I. Packer challenges the validity of splitting doctrines into "core" doctrines and *adiaphora* doctrines.[132] It is difficult to know what to make of the concept of '*adiaphora* doctrines'. For example, there is no "Doctrine of Altar Flowers", but there is, are, Doctrine(s) of Marriage. Disagreements over Doctrine(s) of Marriage have, at times, contributed to church splits. Further, if *SsSA* is sin, as acknowledged by Archbishop Rowan Williams,[133] then the blessing *CSsCs* would not be *adiaphora* but heresy, since it would be blessing sin.

This thesis agrees with Packer that it is invalid to split doctrines *into* 'core doctrines' and '*adiaphora* doctrines'. It would be better to split doctrines *from* 'periperal *adiaphora* matters'. Further, it looks as if the Blessing of Same-sex Couples cannot be justified as a matter of

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[129] *SMR* (2005), p.12, para.10.

[130] Canadian General Synod 2007, Resolution Number: A186: "Blessing of Same Sex Unions - Core Doctrine of ACC", available from: http://www.anglican.ca/gs2007/rr/resolutions/a186.htm, downloaded 20 July 2007.

[131] Canadian General Synod 2007, Resolution Number: A187: "Blessing of Same Sex Unions", available from: http://www.anglican.ca/gs2007/rr/resolutions/a186.htm, downloaded 20 July 2007.

[132] J.I. Packer: "However, a sounder, profounder concept of what in the past has been called heresy is: any belief or practice that negates any part of the New Testament gospel of Jesus Christ, understood as the divinely revealed truth that shows our sinful race the way of salvation from sin and sin's consequences. This concept covers not only doctrines of the Creeds and Anglican foundation documents, but also the practice of faith in Christ, repentance, obedience, life in the Spirit, and personal holiness, according to the Scriptures." Available from: http://www.duomo.ac.nz/acnz/?p=635, Comment #1, downloaded 27 June 2007.

[133] Bernard Mapalala: ". . . What is your personal position in regard to homosexuality and same sex marriages? Are they sinful or not?" ++Rowan Williams:
"That is what we have said. The phrasing of the resolution in [Lambeth] 1998 [1:10][133] was that homosexual relations were not compatible with scripture. As Archbishop, bishop, priest of the church, that is the teaching which I must keep my allegiance with." Archbishop Rowan Williams has previously expressed his personal opinion and academic belief that committed same-sex relationships are not incompatible with scripture. However, he has made it plain that as the Archbishop of Canterbury, he does not voice personal opinions, but the collective opinion of the Anglican Communion. "Interview with The Archbishop of Canterbury Rowan Williams, 2 February 2007." Available from: http://www.ippmedia.com/ipp/guardian/2007/02/24/85060.html, downloaded 1 April 2007.

adiaphora, for it does not appear to be an issue "about which one can disagree without dividing the Church."[134] It appears that this a doctrinal matter and that the Anglican Communion needs to develop a Doctrine of Same-sex Sexual Activity and Relationships.

Interviewees' Understanding of Blessing and Nuptial Blessings

The interviewees' summary responses[135] revealed, as did the reading, that blessing holds a variety of meanings and depends (to some extent), on one's "churchmanship".[136] The Anglo-'catholic' (*Anglo-catholic*) view tends towards a *dispensing,* where a priest *dispenses* or *confers* a blessing to a person or animal, as one of God's representatives, on behalf of God. For many of the Conservative and Evangelical interviewees (*Conservative*), blessing is the equivalent to 'praying' for a person. Clergy who hold *Conservative* convictions rarely (if ever) use the term *blessing*, preferring *praying* or *benediction*, as many of them view formal blessing as part of the sacerdotal priesthood which Jesus abolished. Maori and Charismatic clergy (in a similar way to the *Anglo-catholic*[137]) regularly ask for, or declare, God's blessing for the sick, jobs, schools, etc. Further, Military Chaplains are commonly called upon to bless troops, barracks, ships, and even weaponry. [138]

'Patricia'[139] is a celibate woman who does not support s/s marriage, and is opposed to s/s couples being blessed as if they were married by the church. However, she states "there are instances where, with a church, *a same-sex couple should be able to get prayer.*"[140] 'Patricia' stated that she and her female ex-partner had been "blessed" (*prayed* for) within a church worship service. When asked to elaborate, 'Patricia' stated that she had been in a long-term sexually active lesbian relationship. After some years she began going to church, and over

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[134] *WR* (2004), p.38, para.87.

[135] The Interviewees' responses to the interview are found in: Appendix A: Interviewees' Understanding — Blessing, p.154, and Appendix B: Interviewees' Understanding — Blessing *CSsCs*, p.164.

[136] An Anglican term used to describe a person's preference in worship style and theological preference, i.e., *Anglo-catholic* (Gregorian chanting, devotions and commitment to 'catholicity'), Evangelical (focused on preaching and 'conversion'), Charismatic (focused on enthusiastic singing, and the use of God-given 'gifts of the Holy Spirit'), or Traditional (Liturgy, three hymns, with a short sermon and a 'broad' theology).

[137] This may be due in part to involvement of *Anglo-catholics* in the early Charismatic Renewal within the Anglican Church.

[138] The blessing of military hardware has generated considerable interest and criticism since World War II.

[139] 'Patricia' has given the writer permission to tell her story. The names and details of all the interviewee and pastoral contacts mentioned in relation to quotes or stories will not be disclosed. Of those interviewed, some held views contrary to the official policy of the *ACANZP*. Their responses were on a spectrum that ranged from compliance to defiance in regard to the Church's policy. The major views in conflict were the blessing of s/s couples, the remarriage of the divorced within the Anglican Church, and women's ordination. Some interviewees held views at odds with their bishop's stated position, and some felt their job security significantly threatened should they disclose their position.

[140] My italics.

time "edged out of the sexual side of the relationship". One evening 'Patricia' took her ex-partner to a worship service. At the end of the service:

> The pastor came down into the congregation and spoke into the lives of different ones who were sitting in the church. He came up to us and laid hands on both of us. It was not an altar call; my ex was unaware of the context. The pastor was general about the laying-on of hands, about breaking the 'bonds that tied'. What the ***prayer*** did was help me establish a kind of feeling of being sanctified and apart from my ex partner and at the same time being accepted that she was still an important part of my life and someone I genuinely love.
>
> It was like the pastor was in a very kind way acknowledging to God that he knew about these two women in his congregation and he wanted *God's healing power* to come over us . . . As a type of ***prayer***, I felt it helpful and good that the pastor was prepared to come off his pulpit and into the congregation to ***pray*** for those whom he felt God was leading him to ***pray*** for . . . *It was a 'separating blessing' if anything*.
>
> If there is to be ministry for lesbian and homosexual couples and ministers are to ***bless*** them, then it must be in the area of *helping to make breaks in their relationships*. I also think there has to be room for a couple, if they haven't got round to thinking they need to change their relationship . . ., that ministers are capable of *praying* for them in the way that they would *pray for anyone who isn't living a completely Godly life*." - 'Patricia'[141]

'Patricia' stated that though she was no longer in a sexual relationship with her ex partner, there still existed a deep friendship and companionship. 'Patricia's' situation is one example of what some people mean when they say they support a priest's right to ask for God's *blessing* for a s/s couple, that is, *praying* for them. This definition, as seen above, is different from supporting civil unions for s/s couples, and is different again from supporting s/s marriage. It should be noted that 'Patricia' attends a Baptist Church where the *blessing* she describes is understood as *prayer* for God's favour and grace to change "for anyone who isn't living a completely Godly life." This is clearly not the *blessing* which *Proponents* are asking the *ACANZP* to give to *CSsCs*!

The Interviewees' Responses

Of the fifty-one people interviewed, forty-six directly responded[142] to questions regarding their understanding of blessing and of their understanding of a priestly blessing being given to a sexually active s/s couple within the *ACANZP*. A summary of each interviewee's

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[141] My italics
[142] Some interviewees interviewed for their specialised knowledge were not asked these blessing questions. Some interviewees who were asked, gave answers that could not be categorised with confidence.

understanding of blessing can be found in Appendix B.[143] Their views regarding the blessing of s/s couples can be found in Appendix C.[144]

While a common understanding of blessing was not held, four broad groups of understanding were apparent.[145] These views are likely to be representative of the range of opinion held by members of the wider church.[146] A summary of each position follows:

What is your understanding of blessing?
1. Blessing is a form of *prayer* for a person or persons
2. Blessing flows from a *private discernment* of God's approval and pleasure
3. Blessing is declarative of God's *pre-existing revealed will*
4. A priest *imparts* something extra and good, on behalf of God, to the blessed

Table 3: What is your understanding of blessing?

1. Blessing is a form of *prayer* for a person or persons. This understanding of blessing encompassed aspects of intercession and supplication. Such prayers have an *illocutionary* function, that is, they can bring about a state of affairs. In prayer, we are seeking *something from* God, and are seeking to align ourselves *with* God's will. It is an abiding in Christ, that we might will God's will for our lives, or in the lives of others. The priest is affirming that God is involved in all of life; God is not separate from his creation. Thus blessing, while essentially a prayer, may include aspects of liturgy and sacramental acts (such as Baptism). While it may seem that a priest has 'power' to bless whatever s/he chooses, there is no inherent power to bless that which God would not bless.

2. Blessing flows from a *private discernment* of God's approval and pleasure. God's will can be discerned from Biblical texts, and by the empowerment of the Holy Spirit who assists a person to discern God's joy and favour, (in this case by observing and interacting with people's lives and their relationships). When a priest or bishop discerns God's blessing and favour within a situation, it is right for them to bless that situation, so as to strengthen an already existing, or developing, state of blessedness within the people's lives. It is a recognition and proclamation of a state already present. Thus, blessing is a declaration of God's love for all and, in particular, the people in front of the priest. When we celebrate God's blessing, we are making explicit what was, until now, implicit. Such an understanding

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[143] Appendix A: Interviewees' Understanding – Blessing (pp.154ff.).
[144] Appendix B: Interviewees' Understanding – Blessing *CSsCs* (pp.164ff.).
[145] Each interviewee was placed in only one group. Where an interviewee mentioned more than one aspect of blessing, the writer placed the interviewee in the group which appeared to be the group most appropriate.
[146] As stated earlier, the interviewees were not randomly selected, but chosen due to the positions they held in church or faction leadership.

has been justified under John 16:13: "When the Spirit of truth comes, he will guide you into all the truth." It is claimed that this new truth, the acceptability of *SsSA* within a *CSsC's* relationship*,* is a revelation of God which the church is now ready to, and should, receive.[147]

3. Blessing is declarative of God's *pre-existing revealed will*. Blessing is an authoritative declaration of Divine favour on a person or persons, a stating that a person stands in a place of good-will with God, and stands to inherit all the benefits that come with a good relationship with God. Blessing must correlate with what God wants, for we can only approve what God approves. Scripture, and especially the life and ministry of Jesus, reveals to us the pre-existing will of God, so that we can be confident in knowing which situations to bless. We cannot bless situations which are demonstrably contrary to the will of God, as revealed primarily in scripture. Thus, blessing indicates that a person in a leadership role within the church is signalling God's approval of a person, project, or relationship. It is an announcing of the blessing of God, as in marriage, or when giving absolution from sin.

4. A priest *imparts* something extra and good, on behalf of God, to the blessed. When a priest blesses someone, or something, they are invoking the Christian God. It is a granting and giving of God's favour on what is being blessed, thus rendering it to be holy and belonging to God. It involves a sanctifying and setting apart, it is stating that *this* is OK, *this* is 'fine' and 'right'. The church sees this as *good*[148] and it is adding something to it in the name of, and on behalf of, God. Thus, blessing confers the favour and grace of God through the ministry of an authorised leader of the church. It is rendering something sacred, which then comes within the sphere of the divine. This view of blessing clearly conflicts with the practice of blessing warships and bombs!

There is a significant conflict between the two understandings of blessing (#s 2. and 3.), as seen in Table 3. This inconsistency in the understanding of how we know God's will: *Private Discernment* v *Revealed Will*, parallels the debate that Brunner and Barth had over the priority of Natural Theology v Theology of Revelation (respectively). Here, the *Proponent* position claims to discern God's will and purposes from observing aspects of the existing order (Brunner, Natural Theology) while the *StatusQuo* position claims to know God's will though the revelation of Jesus and scripture (Barth, Theology of Revelation).

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[147] Ref, pp.111ff.
[148] Good here as morally righteous.

There is, however, a further conflict regarding what can be discerned by observing (or being part of) a s/s couple. One interviewee holding a *Proponent* position stated: "Homosexual relationships can be as good (no more, no less), [as] heterosexual relationships." On the other hand, 'Patricia' stated: "It is not [a case of] society putting a guilt trip on homosexuals; there is something [fundamentally] wrong with the lifestyle." A number of research projects have produced data that people involved in s/s relationships, statistically, have greater problems[149] than those joined in Holy Matrimony. If the data showing increased problems for s/s couples is valid, these raise concerns about the claim that such relationships could be part of God's will for people.

What Would it Mean for the *ACANZP* to Bless *Porneia*?

If, after careful research and discussion, it was resolved that *SsSA* within a *CSsC* was *porneia*, as opposed to being chaste, what then would it mean for the *ACANZP* to bless CSsCs? Since the nature of sanctification, *theosis*, involves the intentional distancing of oneself from sin and a drawing closer to Christ in likeness, attitudes and actions, continuing intentional acts of sin is contrary to sanctification. Indeed, this is the reason the Orthodox Church withholds communion from those continuing in adultery, *SsSA,* and some other sins. The purpose of this penance is not punishment, but healing towards salvation.[150] Simply put, blessing something does not equate with, or replace, repentance. If the problem is sin, then it must be repented of. The church cannot possibly bless away the sin if the sinful activity is going to be intentionally continued.

Robert Gagnon[151] and Archbishop Peter Jenson[152] (Sydney, Australia), have each stated that according to 1 Corinthians 6:9-11, those who continue to be involved with male same-sex sexual acts "will not inherit the kingdom of God". If their interpretation is correct, blessing something which separates a person from the opportunity to be with God is heretical, possibly blasphemous, and therefore, something which the church must avoid doing. It is acknowledged that if their view were correct, without caveat, then the proposal of this thesis (pp.139ff.) is similarly flawed.

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[149] Such as increased rates of drug and other addictions, suicide, psychiatric disorders, etc., fns.38, 39. 63, 67, 72, 73.
[150] Ref. pp.125ff.
[151] Gagnon (2001), p.282.
[152] Peter Jenson (2006). Speaking at the *Latimer Conference*, Christchurch, New Zealand, July 2006.

Since *SsSA* within a *CSsC* has yet to be demonstrated as chaste, it seems inconceivable that the *ACANZP* would bless such activity through the blessing of a *CSsC*. If, on the other hand, *SsSA* within a *CSsC's* relationship were something that could be accepted and tolerated, as mitigating some other aspects of the weakened human condition, then a way forward might be to accept publicly a *CSsC* yet not offer blessing as though Holy Matrimony.

If not upon Holy Matrimony, is there another Basis to Bless *CSsC*?

What might be involved in the blessing of s/s relationships that was not premised on the equivalence of the relationships of *CSsCs* with Holy Matrimony? This is problematic, since the **only** sexual *relationship* blessed by the *ACANZP*, as stated previously, is Holy Matrimony. The question of equivalence, *CSsC* with Holy Matrimony, cannot be circumvented as either too hard, or not inclined to produce the desired result.

Nevertheless, we will examine an argument that has appeared in many forms, based on a portion of John's Gospel:

> I still have many things to say to you, but you cannot bear them now.
> When the Spirit of truth comes, he will guide you into all the truth; for
> he will not speak on his own, but will speak whatever he hears, and he
> will declare to you the things that are to come. (John 16:12-13 *NRSV*)

There were some aspects of life, it is argued, which were either accepted or rejected by the Jews and Christians of Jesus' era, which were not consistent with God's will. However, the people then were not ready to accept a revision on these matters. The ordination of women and the abolition of slavery are two oft-cited examples of changes which have been made in church policy. These changes needed to await the proper timing before being revealed by the Holy Spirit and implemented by the church. In the same way, it is argued that the unequivocal acceptance of *SsSA*, at least within a *CSsC*, has now been revealed by the Holy Spirit, and needs to be actioned by the church.

There are a number of flaws in this argument. We will look at three. **First**, the ordination of women did not involve the sanctification of anything, or anyone, which was inherently and irredeemably sinful, that is, women. While all men and women are sinful, women are not sinful in some special way that makes their sinfulness somehow distinct from men's

sinfulness. It is also clear from some of Paul's writing that he highly valued some women, such as Priscilla,[153] as his teachers in the faith,

In the case of slavery, while it has been claimed that the scriptures promote slavery (or at least treat the practice as acceptable), Moses was sent by Yahweh to Pharaoh to demand: "Set my people free." Surely this is a call for the freedom of the captives.[154] Jesus announced that the time of 'setting the captives' free had come.[155] In Paul's letter to Philemon, he asks that the returning slave Onesimus be regarded, as Paul himself regards him, 'a beloved brother in the Lord'.[156] In other words, Paul already was indicating that overbearing treatment of slaves was not acceptable for Christians.

Second, the claim that the Holy Spirit is leading the church into a new God-given acceptance of *CSsCs* and *SsSA*, overlooks how the Early Church determined the leading of the Holy Spirit. For example, when some believing Pharisees wanted all Gentile converts to be "circumcised and required to obey the law of Moses",[157] the Council of apostles and elders in Jerusalem deliberated and concluded:

> For it has seemed good to the Holy Spirit and to us to impose on you no further burden than these essentials: that you abstain from what has been sacrificed to idols and from blood and from what is strangled and from fornication [*porneia*]. If you keep yourselves from these, you will do well. (Acts 15:28-29 NRSV)

What these verses show, in the first instance, is that the apostles and elders, having met together, came to a conclusion which they described as seemingly "good to the Holy Spirit and to us". In the matter before us, those advocating for the blessing of *CSsCs* may well be able to say "it seems good to us". However, any claim of "it seems good to the Holy Spirit" remains in heated dispute. When the elders (bishops, archbishops and leading laity) of the Anglican Communion have met (Lambeth 1998, the Primates' Meetings 2003 and 2005, and ACC-13), and discussed the request to bless *CSsCs*. The decision to date is overwhelmingly negative. Coupled with the steadfast refusal of the churches of Roman Catholicism and Orthodoxy to accept same-sex relations as acceptable for Christians, it would be fair to say, at least at this time: That it seemed good to the Holy Sprit and to the elders, to reject the blessing of *CSsCs*.

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[153] Romans 16:3, and elsewhere.
[154] Isaiah 61:1.
[155] Luke 4:16-21.
[156] Philemon 16.
[157] Acts 15:5.

Third, where various English translations use fornication,[158] sexual immorality[159] or unchastity[160] in Acts 15:29, the Greek is *porneia*. Thus, if the *essential ethical standards* which Christians are to keep are to "abstain from what has been sacrificed to idols and from blood and from what is strangled and from *porneia*", then, as has been stated, it is imperative that the nature of *SsSA* within a *CSsC* is determined to be either chaste or *porneia*.

Summary

During the Intertestamental Period, monogamous, lifelong, mutually faithful marriage had become the moral norm for Jews. By this time, the groom pronounced the *sheva berakoth* (the Seven Blessings) during the wedding feast over his bride, himself, their marriage and the anticipated offspring. There are no records of two wives of one husband being blessed, neither is concubinage nor any extra-marital relationship ever blessed in scripture.

From the beginning of the church, Holy Matrimony as a relationship of one man and one woman in a monogamous, lifelong, mutually faithful marriage has always been the moral norm for Christians.

The Early Church began structuring the Body of Christ and ordering the life of the followers of Jesus. One aspect of this ordering was the introduction of a priestly nuptial blessing given during a Christian wedding of a couple who were being married in a church. The nuptial blessing was an affirmation that God had ordained marriage between a man and a woman for companionship, chastity, the procreation and nurture of children, and for the purposes of forming a mutually unitive relationship. The Orthodox Church, in addition, viewed Holy Matrimony as a vocation, similar to monasticism, where each partner helped and was helped to draw closer to God.

The *Proponent* position is that any couple, s/s or o/s, who come requesting a blessing, (whether civil union/marriage, *de facto* or Holy Matrimony) should receive the blessing of the church, where the blessing indicates the unconditional love and acceptance of God. Those holding a *StatusQuo* view claim that the church remains free to determine for itself, rather than being determined by *zeitgeist*, which relationships should be blessed. In this latter view,

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[158] New Revised Standard Version, New American Standard Bible and King James Version (Authorized Version).
[159] English Standard Version, New King James Version, New International Version, New Living Translation, , and the Good News Translations.
[160] Revised Standard Version.

the church blesses those couples who fulfil the *marital causes* and *obligations* of Holy Matrimony, but not other relationships.

I have argued that the request for the *ACANZP* to bless *CSsCs* is best understood as a request for the authorization of *nuptial blessings* to be offered to *CSsCs*. Such a request, in my view, needs to establish on a biblical and/or theological basis, that sexual activity within a *CSsCs* can be considered chaste, similar to the way that sexual activity within Holy Matrimony is considered chaste, and not *porneia*, as it has always been understood.

Chapter 6:
Allowance of Divorce and Remarriage vis-à-vis Blessing *CSsCs*

Bosco Peters[1] has raised a number of intriguing questions concerning those who accept the *ACANZP*'s divorce and remarriage policy but resist the blessing of same-sex couples:

> There has often been reference to earlier parallel debates about divorce and remarriage – I have asked previously: Was the debate really anything like this? No reply. Where is the biblical discussion that occurred then?[2]
>
> Why [is] so much energy expended on the small percentage of homosexuals and little on the much bigger issue of divorce and remarriage – including in the episcopate?[3]
>
> Why is there not a groundswell of movement to review and revise our divorce and remarriage practice from those who are putting so much energy into opposing the blessing of committed same-sex couples?[4]
>
> Why [is it that] homosexuality is wrong[,] and divorce and remarriage right[?][5]

These are *seemingly* compelling questions and/or arguments. In brief these challenges can be restated: The church has allowed, for pastoral reasons or through the relaxing of moral standards, divorce, and the remarriage and blessing of remarried former divorcees, therefore, is it not reasonable to allow s/s blessings? To evaluate these assertions, we will pay particular attention to David Instone-Brewer's[6] extensive research of Ancient Near Eastern (*ANE*), Hebraic and very early Christian documents which he examined to determine the practices and rationale for marriage, divorce and remarriage in those periods.

Judaic Views and Practices Regarding Divorce and Remarriage

The written marriage contracts of the *ANE* and Hebraic peoples included the details of any possible divorce settlement, the exact nature of which depended on the circumstances

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[1] The Revd Bosco Peters is a Chaplain at Christ College, Christchurch, New Zealand.
[2] Bosco Peters, 15 May 2007, http://www.duomo.ac.nz/acnz/?p=510, Comment #15.
[3] Bosco Peters, 13 May 2007, , http://www.duomo.ac.nz/acnz/?p=510, Comment #9.
[4] Bosco Peters, 12 May 2007, http://www.duomo.ac.nz/acnz/?p=516, Comment #2.
[5] Bosco Peters, 22 December 2006, http://www.duomo.ac.nz/acnz/?p=186, Comment #8.
[6] David Instone-Brewer is a Senior Research Fellow in Rabbinics and New Testament at Tyndale House, Cambridge, England. Amongst his works is: David Instone-Brewer (2002). *Divorce and Remarriage in the Bible: The Social and Literary Context*. Grand Rapids: MI, Eerdmans Publishing Company.

surrounding the divorce. A husband who committed adultery had to return an increased dowry, and a wife who committed adultery received back a reduced dowry.[7]

> Because of the similarities of the Pentateuch with other Ancient Near Eastern law codes, we must assume that where the Old Testament is silent [on these maters], there was a broad agreement with the prevailing culture.[8]

These stipulations served as a warning to remain faithful to the terms of the marriage covenant or contract, *berith*.[9] "Throughout this period, the term 'covenant' meant a contract that could be broken if either side reneged on their part of the agreement."[10] A theological development by the later prophets and within the NT formed a new meaning for "covenant", namely, that a faithful person would not break the covenant even if the other person broke their *obligations*. This was based on God's un-breakable relationship with his people.

The Old Testament's Call to Honour One's Marriage Vows

Hosea developed a metaphor that Yahweh's relationship with the nation of Israel was, in some ways, analogous with human marriage, drawing a parallel between Gomer's *sexual* adultery with the *spiritual* harlotry of the nation of Israel with the gods of the surrounding cultures. "Hosea describes how Israel offered to Baal the food, jewellery, and oil that had been given to her by God as part of their mutual marriage obligation [described] in Exodus 21:10",[11] giving these to her lover instead of using these gifts for her marriage partner, Yahweh. In the Pentateuch and the Decalogue, Yahweh is depicted as righteously angry and jealous, as most husbands (and wives) would be to find their partner had been unfaithful to their vow of fidelity.

Yahweh says of Israel "she is not my wife, and I am not her husband" (Hosea 2:4). The statement "she is not my wife, and I am not her husband" is an exact reversal of the *ANE* formula for enacting a marriage (p.36), suggesting that it was a reversal of the marriage vow is the "Ancient Near Eastern divorce formula"[12] which nullifying the marriage (a claim I refute below). Instone-Brewer points out that it is not Yahweh who is breaking his vow with

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[7] For the Hebraic people, adultery was not only than a crime against one's spouse, but also a crime against the land (Leviticus 20:10, 22) and against God (Genesis 20:6, 26:10, 39:9).
[8] Instone-Brewer (2002), p.21.
[9] The Hebrew word used in the OT for contract and covenant is *berith*.
[10] Instone-Brewer (2002), p.17.
[11] Instone-Brewer (2002), p.45.
[12] Instone-Brewer (2002), p.37.

Israel, but Israel who has been *spiritually* unfaithful (spiritual *adultery*) to the vow she accepted: "I will be your God and you shall be my people."[13] Despite these adulteries, neither Yahweh nor Hosea issue divorce certificates to their respective spouses.[14] Although Instone-Brewer claims that God *did not divorce* Israel, he claims "God *suffered divorce*", whereas Hosea *suffered separation*, since both Israel and Gomer refused to cease or repent of their various adulteries.[15]

It is with respect to the claim that Yahweh *suffered divorce,*[16] that I suggest that Instone-Brewer has overreached his 'data'. Since Yahweh never issued a divorce certificate (*get*) to Israel, in these passages,[17] God has not actually divorced Israel,[18] but has responded with frustration and sanctions, much as a husband or wife would do with an erring spouse whom they still loved, even though they could not, for now, live with them.

There appears to be no advantage in claiming Yahweh has *suffered divorce* rather than *separation*. Separation can be, in many ways, more traumatic than divorce.[19] Nevertheless, we fully accept that Yahweh and Hosea had unfaithful wives who caused much grief for them both.

Grounds for Divorce Quantified During the Rabbinic Period

The Rabbinic courts in the first century C.E. began to codify what, specifically, constituted failure to meet one's marriage vows. They coupled the food and clothing aspects of Exodus 21:10-11, terming them *material support*, and specified what quantities amounted to supply. As previously, if a man took on a subsequent wife, he was not allowed to reduce his supply to any of his previous wives.[20]

Failure to meet the *marital obligations*, if persistent, were seen as making for an intolerable marriage and justified divorce, not mere fines.

> In summary, the law of Exodus 21:10-11 was used to apply for divorces
> in New Testament times by both men and women . . . If a man or woman

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[13] Leviticus 26:12, Deuteronomy 29:13, see also: Joshua 24:16-24.

[14] Neither Yahweh to Israel, nor Hosea to Gomer.

[15] Instone-Brewer (2002), p.38, my italics.

[16] As a result of Israel's spiritual adultery, Yahweh reversed the marriage vow, and ceased supplying food, clothing and 'oil' (Hosea 2:8-10). Instone-Brewer claimed that with Yahweh's statement that he "hates" (*shana*)[16] Israel (Hosea 9:15), God has effected divorce, despite the non-issuance of a divorce certificate.

[17] But see a contra example, c.f. Jeremiah 3:8a and fn.66.

[18] The New Zealand analogy is that even though a couple separate for 2, 5, or 25 years, they are not divorced until the Dissolution Order is issued.

[19] Such as the lack of closure, the on-going hope that things may be rectified, etc.

[20] Exodus 21:10-11, Instone-Brewer (2002), p.103-105.

succeeded in showing that a partner had neglected his or her material or emotional needs, a divorce could be granted and the *ketubah*[21] could be kept. The early rabbis were in agreement about the validity of all these grounds for divorce.[22]

Another ground for divorce, recognized in the Rabbinic period, was infertility. For the Jews of this period, the primary reason for marriage was procreation, taken from the command to "be fruitful and multiply and fill the earth"[23] (Genesis 1:28). Procreation, and thus marriage, were understood to be the duty of every Jewish person. Josephus stated that the sole purpose of Jewish marriage was offspring. Couples who were childless after ten years marriage were expected to divorce and remarry with a view to procreation. Both the Shammaites and the Hillelites granted, with some restrictions, divorces on the grounds of infertility.

Jesus on the Contentious Issues of "Any Matter" Divorce and Remarriage

A significantly contentious issue developed between the School of Shammai and the School of Hillel in the first century C.E. over the term *'ervat davar*[24] in Deuteronomy 24:1.

> Suppose a man enters into marriage with a woman, but she does not please him because he finds something objectionable [*'ervah*] about her, and so he writes her a certificate of divorce, puts it in her hand, and sends her out of his house; she then leaves his house. (Deuteronomy 24:1 *NRSV*)

The Shammaites argued that *'ervat davar* meant "a matter of indecency", thus, divorce was allowed only on the grounds of indecency (broadly: unchastity). The Hillelites held that the phrase contained a hidden meaning, and that a transposition of the words[25] to *davar 'ervat*, clarified the original. Thus transposed, the phrase "meant one could base a divorce on an act of 'indecency' **or** on 'a matter', which was then taken to mean 'any matter'."[26]

During this period, a woman who was widowed or divorced was expected to remarry unless she had enough wealth to remain single, a life which offered her greater freedom. The divorce

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[21] Jewish marriage contract, based on Exodus 21:10-11. However, it also appears to be the term used for the dowry, which was to be given back, augmented or reduced as required, by the circumstances, upon divorce.
[22] Instone-Brewer (2002), p.110.
[23] A further factor would have been the importance of perpetuating the family name.
[24] "This could perhaps be translated as 'matter of indecency' . . . reading the phrase literally produces 'indecency of a matter,' or perhaps 'nakedness of a matter.'" Instone-Brewer (2002), p.111.
[25] Some 'decode' Nostradamus in a similar way.
[26] Instone-Brewer (2002), p.111, my bold text.

certificate (*get*) stated: "You are free to marry any man[27] you wish."[28] While this allowed a divorcee to remarry, she was not required to do so.

Thus, in the Rabbinic period, Judaism accepted divorce on the grounds of indecency ('ervah) (unchastity), of the failure to fulfil the three *marital obligations* (food, marital rights and clothing) and infertility. Additionally, the School of Hillel allowed divorce for "any matter", and this was widely practised. Following divorce, most people remarried, and those who had divorced on *valid* (Shammai) grounds, were not under any formal condemnation. Despite their differences, once either school issued a divorce certificate, it was recognized and honoured by both Schools.[29]

It is this theme, the breaking of the marriage vows (unfaithfulness) and not divorce *per se* that Yahweh and the OT prophets condemned, which is the kernel of Instone-Brewer's thesis.

Christian Views and Practices Regarding Divorce and Remarriage

If one were to accept, as many Christians have, that the recorded statements of the Shammaites and Jesus contained their exhaustive teaching on divorce and remarriage, that is, divorce was **only** allowed if *adultery* had been proven,[30] then the Roman Catholic teaching on this matter should prevail. The Shammaites and the Hillelites, however, had debates, not mentioned in these passages, concerning the minimal amount of material and/or emotional support which was required before a divorce was warranted in the eyes of the elders.

> Marriage vows were the basis of Jewish divorce. If a marriage vow was broken, it became a ground for divorce by the injured party. These marriage vows were found in the marriage contract, though it was not necessary to state them all — some were present by implication only.[31]

Further, neither Jesus nor Paul disputed the right of an honourable subsequent remarriage for the 'innocent' party. Instone-Brewer's conclusions, in brief, are that:

- Both Jesus and Paul condemned divorce without valid grounds and discouraged divorce even for valid reasons

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[27] Athough she was not allowed to marry her lover (or the one she was suspected of committing adultery with, nor a former husband who had subsequently remarried, nor a priest, nor someone found on the list of near-relatives, unless she were a childless widow, in which case the Levirate marriage rules would apply.

[28] Found in the Mishnah and extant divorce certificates. Instone-Brewer (2002), p.117-119.

[29] Instone-Brewer (2002), p.131.

[30] The Hillelites and the Shammaites were also at odds over the method of giving the woman the *get* (divorce certificate), with the Hillelites having a more exacting method than the Shammaites.

[31] Instone-Brewer (2002), p.213.

- Both Jesus and Paul affirmed the Old Testament grounds for divorce
- The Old Testament allowed divorce for adultery and for neglect or abuse
- Both Jesus and Paul condemned remarriage after an invalid divorce, but not after a valid divorce.[32]

The argument for Jesus' and Paul's allowance of 'divorce on valid grounds' and the subsequent possibility of remarriage for the 'innocent' party, is founded upon the fact that there is no evidence that Jesus or Paul disputed that there were legitimate grounds for divorce, and that an honourable remarriage was allowed the 'innocent' party in a divorce. When first approached, these claims sound like 'arguments from silence'. They are, however, based on the hypothesis that Jesus only challenged those ideas with which he disagreed; he did not comment on the first century Jewish assumptions regarding marriage and divorce with which he agreed.

This same concept is significant for our particular study, that is, what can be deduced from the NT regarding Jesus' attitude concerning the acceptability of s/s sexual activity and committed s/s relationships? Some *Proponents* for the blessing of s/s relationships argue that since Jesus did not say anything against such relationships or activity; therefore, he must have approved or, at least, did not disapprove of such activity. On the other hand, based on OT statements regarding s/s sexual activity, such activity was known of and stated as being contrary to God's will. Jesus' silence on these matters indicate that he did not oppose the prevailing understanding, otherwise he would have corrected such views, as he did when he said (in effect): You have heard it said X, but I say to you Y.[33]

Jesus' primary recorded comments regarding divorce and remarriage centred on the dispute between the Schools of Shammai and Hillel, whose positions are summarized as follows:

> The School of Shammai says: A man should not divorce his wife <u>except</u> if he found <u>indecency</u> [*'ervah n.* fem.] in her, since it says: For he found in her an indecent matter. [based on: Deuteronomy 24:1].

> And the School of Hillel said: Even if she spoiled his dish, since it says: [*Any*] matter.[34]

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[32] Instone-Brewer (2002), p.ix.
[33] Ex: "The Beatitudes", especially Matthew 5; also see 11:21-24; 17:10-12; Luke 6:20-49.
[34] *Sifré Deut*. 269. See also *m. Git.* 9.10; *y. Sota* 1.2, 16b, quoted in: Instone-Brewer (2002), p.134.

Jesus *appears* to have accepted a *limited* right to divorce and remarry — the human condition, brought about through the fall necessitated Grace: "It was because you were so hard-hearted that Moses allowed you to divorce your wives" (Matthew 19:8). Jesus did, however, reject the School of Hillel's claim that a man could divorce his wife for "any matter".

According to Instone-Brewer, Jesus' statements are summarized for oral repeating and for economy of recording. This brevity of statement would have been well understood by all well-informed Jews at the time. For instance, if you asked a contemporary Christian in the Southern United States if they believe in "The Second Coming", they would respond knowing you meant (but did not say), "The Second Coming **of Christ**".[35] In the same way, Jesus' minimal response to the question 'Can a man divorce his wife without reason?' would be understood to mean apart from the 'lawful' reasons, that is, adultery, indecency (unchastity), or failure to fulfil the three *obligations* of food, clothing and marital rights.

Since the argument is not recorded in those specific terms, but between "indecency" (*porneia*) or "any matter", Jesus responds with: "Except on the grounds of *porneia*".

> But I say to you that anyone who divorces his wife, except on the ground of unchastity [*n.* fem. *porneia*: indecency], causes her to commit adultery [*v. moicheuo*]; and whoever marries a divorced woman commits adultery [*v. moicao*]. (Matthew 5:32 *NRSV*)

This does not mean that Jesus was accepting indecency [*porneia* or *'ervah*] as the **only** valid reason for divorce, that is, rejecting adultery [*moicao*] or the breaking of the three *obligations* as valid reasons for divorce. By affirming the Shammaites' limitations, Jesus was rejecting the Hillelites' position of divorce for "any matter", being the common modus for divorce in his day.

The dispute, "except on the grounds of *porneia*" (Shammaites) or for "any matter" (Hillelites) is not, today, the only question these passages have raised.

The Hebrew word for adultery found in both lists of the Ten Commandments (Exodus 20:14; Deuteronomy 5:18), is *Na'ap*,[36] whereas the Hebrew word used in Deuteronomy 24:1 was *'ervah*,[37] which can mean nakedness, nudity or shame. The Greek word for adultery (Matthew

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[35] Instone-Brewer (2002), p.135.

[36] **Na'ap** *v.* commit adultery; usually of man; always with wife of another. Brown, Driver, Briggs and Gesenius. Hebrew Lexicon entry for `ervah'. *The NAS Old Testament Hebrew Lexicon*. <http://www.biblestudytools.net/Lexicons/Hebrew/heb.cgi?number=6172&version=kjv>.

[37] **'Ervh** *n.* (fem.) nakedness, nudity, shame, pudenda (implying shameful exposure), nakedness of a thing, indecency, improper behaviour, exposed, undefended. Brown, Driver, Briggs and Gesenius. Hebrew Lexicon entry for ``ervah'. *The NAS Old Testament Hebrew Lexicon*.

5:27; Mark 19:18; Romans 13:9) is *moiceuo*,[38] which means to commit adultery, or to be an adulterer, whereas the Greek word used in this dispute (Matthew 5:32, 19:9), *porneia* (ref. fn.6), could mean adultery, sex with a near relative, or, *sex with a person of the same-sex*. It can also refer to the worship of idols in various ways.

Despite some translations rendering *'ervah* and *porneia* as adultery, this is unlikely to be the original authors' intent; for the authors, the Shammaities, and Jesus, could have used *Na'ap* or *moiceuo* (adultery) if they had wanted to restrict their argument to that offence. By using the wider terms *'ervah* and *porneia,* we can assume they meant to include a wider list of offences as valid grounds of divorce. Since *porneia* can identify same-sex sexual activity, a significant question is raised regarding whether or not a *committed* same-sex sexual relationship could be identified as *chaste*, rather than as *porneia*.

When Jesus raised the issue of God's intent that marriage be lifelong, the Pharisees[39] countered with what they termed the Law's 'requirement' for divorce in the case of *'ervah* (Deuteronomy 24:1). How, they asked, can marriage be life-long if Moses commanded divorce in such cases?

> They said to him, "Why then did Moses *command* us to give a certificate
> of dismissal and to divorce her?" He said to them, "It was because you
> were so hard-hearted that Moses *allowed* you to divorce your wives, but
> from the beginning it was not so. (Matthew 19:7-8 *NRSV*)[40]

Jesus' response was that Moses did not *command* but *allowed*, divorce. The issuing of a divorce certificate, if a divorce did occur, would allow the wife some honour and allow her to remarry, otherwise a subsequent remarriage of the former wife might look like adultery. Jesus is also saying that a *divorce does not have to result* from *Na'ap*, *'ervah*, *moiceuo* or *porneia*, but it is a concession since not everyone would keep their vows, or forgive their partner's unfaithfulness, due to hard-heartedness[41] on the part of one, or both, of the partners.

<http://www.biblestudytools.net/Lexicons/Hebrew/heb.cgi?number=6172&version=kjv>.

[38] ***Moiceuo*** *v.* commit adultery; to be an adulterer; to commit adultery with, have unlawful intercourse with another's wife; of the wife: to suffer adultery, be debauched; A Hebrew idiom, the word is used of those who at a woman's solicitation are drawn away to idolatry, i.e. to the eating of things sacrificed to idols. Thayer and Smith. Greek Lexicon entry for 'Moicheuo'. *The NAS New Testament Greek Lexicon*. <http://www.biblestudytools.net/Lexicons/Greek/grk.cgi?number=3431&version=nas>. 1999.

[39] Not stated, but presumably the Hillelites, as they were arguing for easy divorce.

[40] My italics.

[41] Such hard heartedness might lead to the committing of adultery or to the breaking of one of the marriage obligations (usually on an on-going basis), and/or, to being unable or unwilling to forgive these transgressions.

Another concern is raised with Jesus' having said in essence: "Whoever divorces his wife and marries another commits adultery"[42] (distilled from Matthew 5:31-32; 19:9; Mark 10:10-12; Luke 16:18). Once again, the plain-face reading, *sans* knowledge of the oral tradition and Judaic customs, would lead to a clear rejection of remarriage following divorce in all circumstances. This was the view within the Western Church from about 400 C.E. up to the Reformation. There continues to be a prohibition on remarrying following divorce within the Roman Catholic Church and Church of England.

However, when taking into account the traditions and customs prevalent in Jesus' day, Instone-Brewer arrives at series of summary statements:

1. A man who marries an *invalidly divorced* woman commits adultery (Luke 16:18; Matthew 5:32).

2. A man who *invalidly divorces* his wife causes her to commit adultery (Matthew 5:32; variants of Matthew 19:9).

3. A man who *invalidly divorces* his wife and marries another commits adultery (Mark 10:11; Matthew 19:9; Luke 16:18).

4. A woman who *invalidly divorces* her husband and marries another commits adultery (Mark 10:12).[43]

For reasons of brevity, we will leave to one side Instone-Brewer's detailed arguments[44] and move to the specific question of what distinguishes a *valid* from an *invalid* remarriage.

In the same way that Jesus addressed the Shammaites v Hillelites divorce argument, the question of whether or not a marriage involving a remarried person was adulterous hinged on whether the remarried person was an *innocent* party of a *valid* divorce.[45]

Jesus accepted that divorce certificates should be issued (due to hardness of hearts), implying that he accepted remarriage of the 'innocent' party, since the primary purpose[46] of a divorce certificate was to allow the woman to remarry.

Yet to further complicate this matter, while the Hillelites did issue divorce certificates without valid grounds being cited, this did not necessarily mean that valid grounds were not present within some of the marriages for which divorce certificates were issued. Because of this, Jesus would not have accepted, *ipso facto*, that a divorce certificate entitles one to a new,

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[42] Instone-Brewer's summary of Jesus' recorded statement on this matter, p.148.
[43] Instone-Brewer (2002), p.150, my italics.
[44] Instone-Brewer (2002), pp.147-167.
[45] That is, that adultery was being (had been) committed, or there was an ongoing failure to meet the three obligations of food, marital relations and clothing.
[46] A secondary purpose of the divorce certificate was to allow the woman a level of dignity that she had been *put away*, rather than what might be supposed, that she had abandoned her marriage.

valid marriage, for it was not a divorce certificate which made for a valid remarriage, but whether or not the person remarrying had remained sexually faithful and kept the three *obligations* within their previous marriage.

In Paul's Greco-Roman world divorce could be initiated by either the husband or wife. This was effected by the house owner telling their spouse to leave, or by the non house owner leaving the house.[47] This method of divorce (separation), was similar to the Hillelites' "any matter" divorce, in that no valid reason was needed, just the desire to divorce. Contrasting this, Paul states in 1 Corinthians 7:10-16, that a believing husband or wife should not "dismiss" their spouse, believing or otherwise. Should a believing spouse leave the home, the remaining spouse was to do every thing possible to restore the marriage, while remaining single in order to be available for reconciliation. On the other hand, if an unbelieving spouse leaves the home, the believer is "not bound"[48] to their former spouse, and they were able to remarry if a divorce was subsequently granted.[49] The difference between the Greco-Roman *separation equals divorce*, and the Hebrew *separation leads to a breaking of the vows* of support which in turn allows for a divorce certificate to be issued, is subtle, but significant. To those who may have been divorced against their will, Paul wished them to bear no shame by allowing remarriage. However, Paul encouraged non-married celibacy in preference to chastity within marriage, for those who could manage that state, in order to allow greater service to the Lord. Paul's remarriage allowances were later termed "pragmatic solution[s]".[50] In the same way, this thesis proposes a "pragmatic solution" to the question of blessing committed same-sex couples, one where a strict interpretation of the Law does not result in the desired effect.

The limited allowance of divorce and remarriage was 'lost' from knowledge subsequent to the destruction of the Temple, 70 C.E., and the resulting *Diaspora*, a direct result of the increased animosity which developed when Gentile believers lost contact (for the most part) with Jews and Jewish customs. Subsequently, the Western Church Fathers, predominantly Gentile, developed much of their understanding of divorce and remarriage from a 'plain-faced' reading of scripture, which appears to restrict severely divorce and prohibit the remarriage of

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[47] Instone-Brewer (2002), pp.190-191.
[48] The term "not bound" refers to a married woman who is "bound" to her husband as long as he lives, but is no longer bound to him once he dies. In the same way, a person who has been deserted (in most circumstances there will be a corresponding failure by the deserting spouse to meet the three vows), the innocent party would be free to remarry once divorced, just as a widow(er) is free to remarry, being no longer bound to their former spouse.
[49] Instone-Brewer (2002), pp.197-204.
[50] Luther (p.128) accepted that remarriages do "not necessarily conform with the legalistically correct procedure[s, since s]ometimes the solution suggested by a strict interpretation of the Law did not have the desired effect." Instone-Brewer (2002), p.203.

those previously divorced. This concurred with the views of the ascetic movement in the Early Church, and so there was little cause to question this interpretation.[51]

Divorce and Remarriage within the Orthodox Church

Basil of Caesarea (c.330-379) dealt with remarriage in: "Canon 4" to Amphilochus, Bishop of Iconium. Basil states that penance,[52] not expulsion, should be used for those who marry for a third or further times.[53] In addition, clergy are instructed to stay away from the nuptial feast of those marrying a second (or further) time, for clerical attendance would "imply [joyous] 'assent' by Church."[54] Thus, while Orthodox priests may preside at a remarriage, they were not to attend its joyous nuptial feast, for in remarriage *penance* for the failure of the first marriage is in order.[55]

Instone-Brewer summarizes Orthodoxy's practice regarding divorce and remarriage in the following way:

> Only the Orthodox Church has allowed divorce and remarriage on a wide variety of grounds from an early date, especially on the grounds of unfaithfulness and abandonment.[56] Although Orthodox theology regards marriage as lifelong, it also recognizes the power of the Church to end marriages that it considers to have died.[57]

Prof O. M. Mathew Oruvattithara, speaking from a Syrian Orthodox Church perspective, outlines some of the historical milestones for Orthodoxy regarding divorce and remarriage:

> Valuing the views of the Master and the Apostles, the Church Fathers brought in a sublime conception on matrimony . . . For them, it becomes a sign and symbol of love between God the Creator and the entire created beings. It is interpreted as a spiritual relationship, full of grace and mystery, transcending human understanding . . . St. Benevanture

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[51] Instone-Brewer (2002), pp.239-240.

[52] This penance may include excommunication, that is, not receiving communion during the period of penance. This practice is understood as a form of temporary withdrawal (not intended as permanent exclusion), while the penitent prays and reflects on their sin and draws back to God.

[53] Stevenson (1982), p.22.

[54] The Eastern Church Council of Ancyra (314). This is a 'hard saying' but should be understood in context with the church's cautioning of laity and clergy, alike, to avoid raucous wedding feasts. Clergy were forbidden to attend second (or subsequent) wedding feasts.

[55] "Yet although assisting men and women to rise again after a fall, the Orthodox Church knows that a second alliance can never be the same as the first; and so in the service for a second marriage several of the joyful ceremonies are omitted, and replaced by penitential prayers." Ware (1993).

[56] The first recorded Canon allowing divorce and remarriage date from Alexius of Constantinople (1025-1045 C.E. [just prior to the Great schism]), which allowed it only for adultery. However, it is widely assumed that the Orthodox Church recognized the right of secular law to grant divorces from the time of Justinian's Novels XXII and CXII in 536 C.E. and 542 C.E. Over the centuries, Byzantine canon law grew in complexity until now there are twenty-one distinct grounds for divorce.

[57] Instone-Brewer (2002), p.306.

expressed that 'marriage conferred 'medical grace' which calmed sexual desire and kept it within limits of fidelity.[58]

Bishop Kallistos (Timothy) Ware, a convert to Orthodoxy, and an espouser of Orthodoxy to the West, has summarized the Orthodox theological position and pastoral practice as follows:

> Certainly Orthodoxy regards the marriage bond as in principle lifelong and indissoluble, and it condemns the breakdown of marriage as a sin and an evil. But while condemning the sin, the Church still desires to help the sinners and to allow them a second chance. When, therefore, a marriage has entirely ceased to be a reality, the Orthodox Church does not insist on the preservation of a legal fiction. Divorce is seen as an exceptional but necessary concession to human sin; it is an act of *oikonomia* ('economy' or dispensation) and of *philanthropia* (loving kindness). Yet although assisting men and women to rise again after a fall, the Orthodox Church knows that a second alliance can never be the same as the first; and so in the service for a second marriage several of the joyful ceremonies are omitted, and replaced by penitential prayers.[59]

In Orthodoxy, marriage equates with the union (*henosis*) of the husband and wife, just as the Trinity demonstrates union within the Godhead. "Adultery is a direct negation of the [marriage] union",[60] so that if one partner commits adultery, the marriage union *has been broken*. If the adultery continues, the marriage union is *shattered beyond restoration* and a divorce can be granted, or indeed, may be required.[61] Remarriage in such (and some other) circumstances is permitted. Where a person who committed adultery, or failed in their *marital obligations*, seeks a second marriage, the Orthodox Church may allow such after a period of penance. The purpose of the penance is not punishment, but healing towards salvation. These practices and policies may provide a guide to the West in the vexed issue of marital relationships, divorce and remarriage, as well as the blessing of s/s couples.

The Western Church: Divorce and Remarriage up to the Reformation

Some (but not all) of what the early Church Fathers taught regarding divorce and remarriage are at variance with what we have deduced of Jesus' and Paul's teachings. Hermas (100-150

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[58] Prof O. M. Mathew Oruvattithara *"The Seven Sacraments (Part 6) - Sacrament of Matrimony: 'They are no longer two'"*, available from: http://www.socdigest.org/articles/02nov06.html, downloaded 11 April 2007.
[59] Bishop Kallistos (Timothy) Ware (1993). *The Orthodox Church*. Harmondsworth: Penguin. Available from: http://orthodoxeurope.org/page/11/1/6.aspx, downloaded 11 April 2007.
[60] Alex Rentel quoting a 19th century Russia Orthodox theologian, in: "The Sacrament of Marriage Under Siege" (2006), an mp3 recording of a talk given by Fr. Rental, Assistant Professor of Canon Law and Byzantine Studies, St Vladimir's Seminary, NY, available from: www.antiochian.org/rentel2006, downloaded 8 June 2007.
[61] The priest whose wife commits adultery has the option of divorce or relinquishing his priesthood, such is the seriousness with which adultery is considered. Rentel (2006).

C.E.) claimed that if a man knowingly has an adulterous wife he should forgive her once (if she repents), otherwise he should put her away and not remarry.[62] Tertullian (193–220 C.E.) began by begrudgingly allowing remarriage if widowed,[63] but upon becoming a Montanist, he took a view similar to Athenagoras, that is, no remarriage after being widowed.[64]

Origen (185-254 C.E.) claimed that Moses had incorrectly allowed divorce,[65] and claimed that Jerusalem, in choosing Barabbas over Jesus, was proof that something *unclean* was in 'her' [Jerusalem], and that the destruction of the Temple was God's *issuance of a divorce certificate*.[66] Ambrosiater (end 4th century) was the first Church Father clearly identified as allowing a man to remarry if his wife committed adultery, and also to allow divorce from an unbeliever because marriage "without devotion to God" was invalid (thus a type of annulment).[67]

The view that marriage ended only in the death of a spouse was held by Jerome (342-419) and Chrysostom (c. 350-410 C.E.); even adultery or being a "sodomite" was not grounds for divorce, the bond was inviolate, even in the most difficult pastoral situations.[68]

On the other hand, Augustine, in his later life, wrote that if a person remarried after divorcing (due to the adultery committed by their spouse), such a person was sinning, but the sin of remarriage was of a lesser degree than the sin of adultery which led to the divorce. (pp.42f.) Unfortunately, the Roman Catholic Church did not accept this more nuanced view of remarriage.[69]

The Reformers on Divorce and Remarriage

Luther drew the conclusion that divorce (and remarriage) was not the worst outcome of a difficult marriage, and that "positive laws, must thus be inspired by the moral norms of scripture as well as by pragmatic concerns of utility and good governance".[70] Luther succinctly put the German reformers' 'pragmatic solution' thus:

> It might be advisable nowadays, that certain queer [meaning *odd*], stubborn, and obstinate people, who have no capacity for toleration and

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[62] Hermas, *Command* 4.1.6 and 4.1.8, in: Instone-Brewer (2002), p.240.
[63] Tertullian, *Wife* I.7, in: Instone-Brewer (2002), p.245.
[64] Tertullian, *Monogamy* 9, in: Instone-Brewer (2002), p.245.
[65] Origen, *Numbers, Hom.* 16.4.330, in: Instone-Brewer (2002), p.247.
[66] c.f. Jeremiah 3:8a.
[67] Ambrosiater, *Commentary on 1 Corinthians, on 1 Cor. 7:15*, in: Instone-Brewer (2002), pp.250-252.
[68] Jerome, *Letters*, LV: *To Amandus* 3-4; Chrysostom, *Second Homily on Marriage "De libello repudii"* in: Instone-Brewer (2002), p.252-253,
[69] Ref. fn.37.
[70] Witte, summarizing the German reformers, Witte (1997). P.67.

are not suited for married life at all, should be permitted to get a divorce. Since people are as evil as they are, any other way of governing is impossible. Frequently something must be tolerated even though it is not a good thing to do, to prevent something even worse from happening."[71]

Luther argued for three grounds for divorce, rather than annulment, which he despised.[72] **First**, any significant "impediment", such as having a spouse who was too near a relative, or some physical defect which rendered them unfit for marriage. **Second**, adultery.[73] **Third**, the refusal of conjugal rights. Luther, as Paul, argued that conjugal relations were part and parcel of marriage. Where this outlet for the natural sexual desire was not available, the marriage had ceased to exist; thus a divorce could be actioned and a new marriage entered into.[74] On the other hand, if a spouse became an invalid and unable to perform the marital duty, this was no cause for divorce, but cause for greater service.[75] Luther argued that husband and wife needed to develop patience and tolerance of each other within the marriage, seeing such trials as a means of grace to be developed within the marriage.[76]

This third ground was based on Luther's view on 1 Corinthians 7:4-5,[77] that to withhold the conjugal right would encourage adultery, and so the errant spouse was to be warned two or three times, letting it be generally known if necessary. Failing improvement, a divorce should be issued with a view to effecting a new marriage.

Subsequent reformers within Europe held views similar, but differed in places from Luther. *The* Zurich reformers' positions regarding divorce and remarriage can be summarised:

> Zwingli [1484-1531] and Bullinger [1504-1575] in Zurich also allowed divorce for reason other than adultery, saying that Christ did not exclude other grounds when he asserted that one. Bucer [1491-1551], on the basis of Bullinger, even allowed divorce for mental incompatibility and by mutual consent.[78]

Calvin (1509-1564) held a high view of marriage, though it was not a sacrament:

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[71] Luther, *Luther's Works*, 21:94; see also Bucer, *Common Places*, p.411-412, and discussion of other reformers in Richter, *Beitrage*, p.32ff, cited in: Witte (1997), p.67.
[72] Instone-Brewer (2002), p.261.
[73] Luther, "The Estate of Marriage", Part 2, *Luther's Work* 45:30.
[74] Instone-Brewer (2002), pp.261-262.
[75] It is my view that some of the reason for the different responses was resultant from the different wills evidenced by the noncompliant spouse. Luther, "The Estate of Marriage", Part 2, *Luther's Works* 45:33-35.
[76] Luther, *The Sermon on the Mount*, regarding Matthew 5:31-31, *Luther's Works*, 21:95 and 21:98.
[77] The husband does not rule over his body, but his wife does; likewise the wife does not rule over her own body, but the husband does. Do not deprive each other, except by agreement" (1 Corinthians 7:4-5).
[78] Instone-Brewer (2002), p.262, summarizing: Olsen, *The New Testament Logia on Divorce*, pp.146-147.

> Though it symbolizes the bond between Christ and His church, marriage
> confirms no divine promise and confers no sanctifying grace, as do true
> sacraments. Though it is a righteous mode of Christian living on the
> earthly kingdom, it has no bearing on one's salvation or eternal
> standing."[79]

Despite his high view of marriage, Calvin stated that "marriage [can be] the source of many miseries."[80] In addition to the two scriptural grounds of divorce, he also allowed divorce due to "impotence, extreme religious incompatibility [Protestant v Catholic or non-believer], and abandonment," and if a non-believer had abandoned a believing spouse, the believer was allowed to remarry.[81]

Calvin's consistory in Geneva, however, became involved itself in an expansive list of laws dealing with sexual licentiousness, fornication and adultery. A young man was reprimanded for kissing a young woman without her father's permission, engaged couples are admonished for speaking to each other *as if married*, etc.[82] In this context, the statement by Richard Sutton is understandable:

> The law has stopped moralising in matters to do with family law, it takes
> no position on which option domestic partners may choose – marriage,
> civil union, or *de facto* relationship . . . Should the church stop
> moralising too?[83]

Sutton's suggestion that the church should move away from *moralism* appears to be founded upon past excesses. I argue this move from *moralism* would occur by accepting *CSsCs* and their relationship. *Blessing* such relationships, however, moves well beyond the *relinquishing* of moralism to a *sanctifying* of such relationships, equating them with Holy Matrimony. While I accept the need for the first 'correction', the validity of the second movement is yet to be established.

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[79] Calvin, Institutes (1536), Chapter 6.13, see also 6.14, 6.36, summarized by Witte (1997), p.79.

[80] Calvin, *Commentary on the Epistles of Paul the Apostle to the Corinthians*, 1:224, regarding 1 Corinthians 7:1.

[81] Instone-Brewer (2002), pp.262-263, summarizing Calvin, *Ecclesiastical Ordinances*, *Corpus Reformatorum*, x.10-14, cited by Olsen, *The New Testament Logia on Divorce*, p.99.

[82] Witte (1997), pp.119-124.

[83] Though these two statements appear in two documents (one was the speaker's presentation and the other the hand-out to participants), this same thought was expressed when I interviewed Professor Emeritus Richard Sutton, 17 October 2005. Richard Sutton (2005). "Civil Unions Talk Simple.doc"; and (2005). "Civil Unions", St Nicholas Church, Waverly, 12 August 2005, both available from Richard Sutton: kanddr.Sutton@xtra.co.nz.

Thomas Cranmer (1489-1556),[84] avoided the "Pope's Law" by not allowing annulments, and allowed divorce on the grounds of "adultery, desertion, prolonged absence, mortal hatred, and cruelty".

In 1552, Cranmer led the Reform Commission, culminating in the presentation to Parliament of *The Reform of Ecclesiastical Law*. Amongst other issues, he argued for divorce, on a number of grounds, and for remarriage. Though the 1553 Parliament had approved prototypes of *The Thirty-Nine Articles* and *The Book of Common Prayer*, they refused the *Reformation of Ecclesiastical Law*, and did so again in 1571. "The rejection of the *Reformatio* was an affirmation of much of the medieval [Roman Catholic] canon law of marriage."[85]

Sadly, Cranmer's second stage attempts at marital law reform were not adopted due to war-wearied political pragmatism. Without recourse to annulment or divorce, the English were left with the most stringent of all European divorce regulations, allowing only *separation* for adultery, with no opportunity for remarriage until the death of the spouse, contrary to most of the European Reformation. [86]

20th Century Views of, and Reforms to, Divorce and Remarriage

Dissatisfaction grew with England's law that adultery was the sole ground for divorce, and against the inability to have a church approved remarriage while a former spouse lived. Popular and political pressure increased to add extra grounds for divorce and to allow church sanctioned remarriage. Because of the *established* nature of the Church of England, these issues had to be effected by the English Parliament. Thus, the additions of "cruelty, desertion, insanity, or a long-term imprisonment" as grounds for divorce had to await "The Matrimonial Causes Act 1937". The "Divorce Reform Act 1969" codified these grounds, mandating that "irretrievable breakdown" must be proved in addition to any of the above offences.

Like a number of Roman Catholic and Reformed leaders, Robert W. Jensen accepts in concept, if not the translation, Augustine's and Thomas Aquinas' teaching that marriage is a

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[84] *Boke of the Common Praier, The* (1549). Church of England. WigorniÃ: In officina Ioannis OswÃ¦ni cum priuilegio ad imprimendum solum, ANNO Do. 1549. Mense Maii.
[85] Witte (1997), pp.156-159, see also: Spalding (Ed.). *1552 Reformation*, pp.87-109; Cardwell (Ed.). *1571 Reformation*, pp.39-55; A.G. Dickens (1964). *The English Reformation*. New York: Schocken Books, pp244-254; Ralph Houlbrooke (1979). *Church Courts and the People During the English Reformation 1520-1570*. Oxford: Oxford University press, pp.16-19.
[86] The Church of England did allow annulment by an Act of Parliament, an extremely tedious and expensive process; there were 317 such Acts between 1697 and 1855. Instone-Brewer (2002), p.263. See also: Olson, *The New Testament Logia on Divorce*, p.148.

"'*sacramentum*' [which confirms] 'the indivisibility of marriage, which obtains because it signifies the indivisible union of Christ with the church.'"[87] However, there is a two-fold problem with such a doctrine. **First**, there is limited scriptural support for such a position; being founded upon the Ephesians passage and to some possible extent the OT references to Yahweh's 'marriage' to Israel.

Second, the analogy of the indivisibility of Jesus Christ with his Body/Bride/Church is a distinctly asymmetrical relationship, where the second member of the Trinity always remains faithful despite the often unfaithfulness of the human counterparts. In contrast, marriage is a symmetrical relationship between two creatures, both fallen. To demand that strife-ridden marriages *must* remain bonded to demonstrate the indivisibility of Christ and his Church places a substantial burden upon individuals in strife-ridden, or otherwise 'unhappy', marriages.

The New Zealand government has stipulated that the only legal condition for divorce is two years separation, there no longer exists 'grounds for divorce.[88] If a priest wished to ensure that a divorced person was free to remarry under the terms which Jesus and Paul accepted, then an enquiry as to the circumstances surrounding their divorce could be effected. A priest in the *ACANZP* is free to enquire, and to refuse to officiate in these or other circumstances, for they are not obligated to officiate at any couple's wedding.[89] A variety of grounds might apply in such situations.[90] Since there are no grounds for divorce in New Zealand (other than the condition of separation), it appears unwarranted to say that those who oppose the blessing of same-sex couples "accept 'no-fault' divorce", for there are no other conditions for granting a divorce in law within New Zealand.

Having overviewed a number of positions taken by the churches regarding divorce and remarriage, we have established that the Orthodox and many Protestant churches correctly allow divorce and remarriage when there are valid grounds for divorce, that is, when adultery or sexual unfaithfulness has (usually repeatedly) occurred or where any of the three *obligations* have consistently not been maintained. It is acknowledged, however, that the validity of a divorce is usually not established prior to authorization being given for a

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[87] Jenson summarizing Thomas, *De Articulis,* p.257, in: Robert W. Jenson (1999). Systematic Theology – Volume 2: The Works of God. Oxford: Oxford University Press.

[88] The former grounds for divorce, that is adultery, cruelty, abandonment, etc., no longer apply.

[89] "Any minister shall have full discretion to decline to conduct any marriage service." *CoC*, Title G, Canon III, 2.11.

[90] A priest might refuse to officiate at the wedding of an under-age bride (despite her having her parents' permission), or of a person who had demonstrated on-going cruelty to their partner, or mental instability.

particular remarriage and blessing. This appears to be in need of correction, and a suggestion to this effect is outlined later.

The questions put by Peters (p.115): "Was the debate really anything like this [homosexual debate]?" — and — "Where is the biblical discussion [for divorce and remarriage] that occurred then?" are more difficult to respond to.[91] The only report discovered regarding the debates which occurred at the 1968, 1970 and 1972 General Synods of the Anglican Church in the Province of New Zealand was by Roderick J. Redmayne. [92] In his dissertation, Redmayne argues that there was a lack of any developed or sustained consideration regarding the allowance of divorce and remarriage by the Church in the Province of New Zealand. Further, some of the material relied upon was subsequently found lacking:[93]

> In 1968 a bill was introduced into the General Synod . . . to allow the 'marriage in certain circumstances of divorced persons'. The bill received two readings and was then held over. Between the 1968 and 1970 General Synod the bill was considered by diocesan synods and was received with varying degrees of enthusiasm, but only actually rejected by two of them. At the 1970 General Synod the bill was amended and then received its third reading and was passed. At no stage was the bill the subject of a synod commission. At that same synod[,1970,] a commission was set up to prepare a teaching canon 'on marriage in the church. The commission met three times before reporting to the 1972 General Synod."[94]

The New Zealand General Synod of 1972 updated the Marriage Canon with the view to "set forth for the guidance [of people] . . . regarding the nature and solemnization of marriage [and to] . . . consolidate the various Canons pertaining to Marriage."[95] To this end they set out in detail the *marital causes*, and developed a very helpful teaching on marriage.[96]

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[91] Other than *The Proceedings of General Synod,* which only include the motions, whether they passed or failed, little other information is available.

[92] I have contacted Redmayne seeking further documentation. Unfortunately, he was unable to advise of any further documents to be pursued. He did mention that the New Zealand General Synod only records the results of the decisions, unlike the General Synod of the Church of England which records all presentations and discussions. Additionally, quite a number of the issues of *The Proceedings of General Synod* are missing from Kinder Library, St John's College, Auckland.

[93] General Synod 1972 "studied a variety of overseas church reports on the subject. It commented that much help had been gained from the report of the Archbishop of Canterbury's Commission, 'Marriage, Divorce and the Church'. This was the report that was subsequently criticised in the Church of England for its inadequate examination of the New Testament material". Redmayne (1983), p.29.

[94] Redmayne (1983), p.29.

[95] *Proceedings of the Fortieth General Synod* (1972). The Church of the Province of New Zealand. Christchurch: Simpson & Williams Ltd, p.139.

[96] Included in this teaching was the need to consider regulating the size of families consistent with responsibility for advancing the maturing of children. *CoC*, Title G, Canon III, Part I, 1. – 6, *Proceedings* (1972), pp.139-144.

General Synod also approved Part IV: Marriage of Divorced, 19, which states that a divorced person whose former spouse was still living may have their intended marriage solemnized by a bishop or priest provided:

> (a) Any divorced person intending marriage sincerely regrets that the promises made in any previous marriage were not kept . . .[97]

Besides Peters, a number of interviewees and correspondents asked similar questions regarding the process which General Synod undertook prior to its decision-making on these matters. No-one with whom the writer was in contact could direct him to any sources of further documentation or analysis. It appears that General Synod did not adequately engage the scriptures and literature on this subject prior to making these changes. These oversights/failings, however, are clearly not grounds for glossing scripture and theology in the debate before us.

The Nature of *Henosis* in Relation to Divorce and Remarriage

Paul, referring to what would later be referred to as *henosis*[98] (union) within marriage, stated that marriage is a mystery (*musterion*) that embraces and illustrates Christ's relationship with his church (Ephesians 5:22-33).

The traditional Christian understanding in the West (as in *TDNT* (Abridged)[99]) of *henosis* is that it is *inviolate*. "Dissolution of marriage may be conceded at a pinch, but there must be no contracting of a new marriage" for despite the divorce, the *henosis* of the first marriage remains intact. Yet this same article claims:

> It is in the heart that the decision is taken respecting the continuance of henosis. If it is abandoned in the heart, the marriage is broken. The meaning of henosis is fulfilled, according to Jesus, only where persons become and remain one inwardly as well as outwardly, in a fusion which is total and all-comprehensive.[100]

There appears to be a contradiction with these two statements, made by the same author. Either *henosis* remains intact regardless of divorce or it is broken within an ongoing marriage where the husband and wife no longer "remain one inwardly as well as outwardly". This

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[97] *CoC*, Title G, Canon III, Part IV, 19. (a), *Proceedings* (1972), p.144.
[98] A neo-platonic term initially used to describe the union of an individual to God.
[99] *Theological Dictionary of the New Testament*, Abridged in one Volume. (1985). Kittle, G. (Ed.), Bromiley, G.W. (Trans.). Grand Rapids: MI: William B. Eerdmans Publishing Company.
[100] *TDNT* (1977). Vol. I, p.650.

confusion surrounding *henosis* in marriage is itself part of the reason for there being disputes regarding whether or not a person can remarry following divorce.

Henosis within the marital relationship (can be) a reflection of the union within the Holy Trinity[101] (Father, Son, and Holy Spirit), the dual-nature of Christ (human and Divine), the dual nature of human beings (body and spirit[102]), and our wholeness when we are in acknowledged relationship with God. Derrick Sherwin Bailey, within the Anglican tradition, outlines the Christian view of the One-flesh marital nature:

> Marriage possesses more than a merely biological or social significance, as Augustine and the Schoolmen perceived. The natural law, which is invoked in support of the traditional view, suggests from another standpoint that the primary end of marriage is unitive and not procreative —that its principal purpose must be sought on the ontological plane, in all this is meant by the metaphysical *henosis* [union[103]] of 'one flesh' which is established though sexual union.[104]

The Very Revd John Breck, a former Professor of New Testament and Ethics at St Vladimir's Seminary, writes that Christian marriage (Holy Matrimony), from the Orthodox perspective, differs from "marriage" (civil marriage) in both its intent and ontic nature. A civil marriage has no spiritual nature or value, yet is still to be respected as being within God's will for humanity, and the ordering of society.

> Orthodox Christianity views marriage as essentially a Christian *vocation*, a union in and with Christ. The ultimate end of that vocation is the same as that of monasticism: theosis or eternal participation in the life of God . . . This implies that 'marriages' made apart from the sacramental blessing of the Church are merely social arrangements, sanctioned for legal purposes (protection of children, transfer of property, etc.) but with no intrinsic spiritual value or meaning. The fact that most Christians, like the general population, see little more to marriage than a practical convention explains why even among them the divorce rate is so high. This is a pastoral issue of major importance that needs to be addressed in every parish community.[105]

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[101] It is the union, and not the number, illustrated here.
[102] But in that unity could also be included the soul, mind, and emotions.
[103] **henosis**: (Gk) Union, a term used to describe the becoming of *One-flesh* in Holy Matrimony through sexual intercourse and a willingness to share in life and to honour their marriage partner. The term is most distinctly used by Derrick Sherwin Bailey.
[104] Bailey (1952), p.106.
[105] J. Breck (1998). *The Sacred Gift of Life*. Crestwood, NY: St Vladimir's Seminary Press, p.79, my italics.

Should the *ACANZP* Review its Policy of Blessing Remarriages?

If the church were able to identify accurately which partner failed in sexual faithfulness or in meeting their three *martial obligations*, then the *ACANZP* might choose to bless the remarriage of the innocent partner, but not the remarriage of the 'offending' partner. This, I believe, was the intention of the Anglican Church in New Zealand in 1972. By 1992, however, the Anglican Church in New Zealand had repealed this legislation, and ceased insisting on formal enquires of those seeking to be remarried in the church.

The practicalities of deciding if valid grounds were present for the divorce are not nearly as problematic as deciding which person, husband or wife, was mainly at fault for such failure, and thus, whom should have sanctions applied to their subsequent (if any) remarriage. In practice, most marriages break down from a range of factors and rarely is one person exclusively at fault. The claim that an inconsistency exists on the basis that the *ACANZP* authorises and blesses second marriages but does not bless *CSsCs*, overlooks the fact that Jesus and Paul allowed for remarriage after valid divorce, and that the Orthodox, and most Protestant churches, allow for remarriage, whereas only a few Protestant churches have recently allowed the blessing of same-sex couples.[106]

The wisdom of the Orthodox Church in blessing only first marriages, but allowing and recognizing remarriages, has great merit. The *ACANZP's* practice of blessing second marriages may be something which should be revisited for possible amendment. Nevertheless, the argument that since the *ACANZP* offers a nuptial blessing for all couples remarrying is not a valid reason for authorizing nuptial blessing for *CSsCs*; at least, that is, until the degree to which the same ends/causes are served by, underpin, both types of relationships (*CSsCs* and married/remarried), which has been determined, in some satisfactory way, which links *CSsCs* appropriately to the basis of the church's blessing of Holy Matrimony.

Summary

That Judaic culture, Jesus, Paul, the Early and the Orthodox Church allowed divorce and remarriage for the *innocent* partner is important for our thesis, resting on three points.

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[106] The standard of commitment, legal or otherwise, often appears to be of a lower standard than what we have argued for here as definitionally *CSsC*, ref. pp.18f.

One, the Early Church allowed divorce and remarriage based upon its understanding that all people and all marriages were imperfect. Since some marriages develop in ways that are beyond repair, a way of dealing with these pastoral "facts on the ground" was needed. **Two**, this way of dealing with the weakness of humanity, and toxic marital relationships, was not a soft-hearted/headed approach, but was consistent with its received theology, especially Christian anthropology, forgiveness, grace and a 'second' chance. **Three**, there was a departure from this early provision by the Roman Catholic Church, which the Protestant reformers attempted to restore.

In order to legitimately liken the acceptance of divorce and remarriage to the blessing of *CSsCs*, there would need to be an uncovering of an earlier explicit formal acceptance by the church,[107] of sexually active same-sex relationships (not withstanding John Boswell's posit which has yet to be established), or for the church to arrive at a position of accepting that such a provision is needful and has been erroneously overlooked to-date.

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[107] Preferably by Jesus, Paul and the Early Church.

Chapter 7:
Recommendations and Conclusion

This thesis has argued that the request for the *ACANZP* to bless *Committed Same-sex Couple* (*CSsC*) relationships is best understood as a claim based upon an assumption that a *CSsC* relationship does, or can, equate with the relationship of an opposite-sex couple joined in Holy Matrimony?[1]

The *Windsor Report* has called "for a moratorium on all such public rites"[2] of blessing. Let us use this opportunity wisely. While certain aspects of a *CSsC* relationship can parallel civil marriage, as now recognised in the New Zealand *Civil Union Act 2004*, there are a number of irreconcilable differences between a *CSsC* relationship and those joined in Holy Matrimony, specifically the failure of a s/s couple to meet fully two of the three *marital causes* (*fides* and *proles*), especially whether Same-sex Sexual Activity (*SsSA*) within a *CSsC* can be considered chaste or *porneia* (sexual immorality).

Something for *CSsCs,* and Those Who Love Them, to Ponder

It is my conclusion that the blessing of *CSsCs* cannot, for biblical and theological reasons, be affirmed or conducted by priests of the *ACANZP* at this time.[3] If, for these reasons the *ACANZP* decides not to bless s/s couples, it does not follow that parents, family or friends could not, within a family setting, bless such a couple. It also would not preclude a committed s/s couple from pronouncing something akin to the *sheva berakoth* (the Seven Blessings) within a family setting. In such a situation, the couple, their parents, family, and friends, would be acting on their own,[4] their families', and their friends' behalf.

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[1] Some have argued the equivalency of a *CSsC* relationship and civil marriage. With the passing of the *Civil Union Bill,* the New Zealand parliament has effectively made civil union and civil marriage equivalent.

[2] *WR*, par. 144. This does not settle any questions regarding what has been called a "Private" or "Pastoral" Blessing, nor does it describe what they are, nor what they are not. In the spirit of reconciliation and compromise, I believe that *CSsC* Blessings, even so-called 'private' blessings, should not be conducted until an agreement has been reached.

[3] Should it be accepted by the Anglican Communion that same-sex sexual activity was chaste within a Committed Same-sex Couple, then it is my view that the blessing of same-sex couples could proceed.

[4] For example, a woman may decide that she will have a non-medically indicated abortion. While the State has allowed such to occur in New Zealand, and a pastorally sensitive priest would not judge such a person or action, I believe that it would be inappropriate for the *ACANZP* to have a policy, or practice, that affirms non-medically indicated abortions. I do not accept the argument that a priest is able to step outside their ordained role and 'privately', even within a family situation, conduct a priestly act contrary to the policy of the church they are

Recommendations

In her book *Natural Goodness* Phillipa Foot makes only one direct reference to homosexuality:

> And in our own lifetime extant moral beliefs about various sexual practices have come to many of us to seem mistaken: we have re-evaluated old beliefs about the baneful influence of, for instance, masturbation or homosexuality, and so revised former evaluations."[5]

In correspondence with Foot, I asked if she had revised her evaluation that homosexuality was a *defect*. Foot replied that she had not revised that conclusion, but she acknowledged that homosexuals had been unfairly marginalised, such as being banned from university posts.[6] Such action was an entirely incorrect response to them. This view is fully consistent with her *natural normativity*. The issue at stake is how we respond to others; we are aware of defects, theirs, and ours, but we must not let their decisions or manifest differences from the majority, who tend to make moral rules and institutionalize relations of power in society, totally determine our response, or undermine our Christian response.

We accept that some people do not experience heterosexual attraction, and of these people, for a variety of reasons, many experience homoerotic attraction. If we accept that being in intimate human relationship is part of what it means to be fully human, apart from those very few personally called to celibacy, then a solution needs to be found which will accommodate the desiderata of this group without compromising the rite of Holy Matrimony established for heterosexual couples. As a first-step towards a "solution-with-integrity" (or a 'Lutheran' pragmatic solution), it is recommended:

1. That those advocating the blessings of *CSsCs* prepare a case arguing that chastity can exist within a sexually active *CSsC* relationship which is committed and monogamous, without sinning.

2. Conversely, those opposing such blessing prepare a case for the continuation of the status quo based on the proposition that all *SsSA* is unchaste, thus, sinful.

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ordained and licensed within. However, the arguments for this latter statement are outside the brief of this thesis.
[5] Foot (2001), p.109.
[6] Philippa Foot (2006), pers comm.

3. That those who hold *Proponent* and those who hold *StatusQuo* positions remove, until a solution is reached (or fracture results from lack of solution), all threats of confiscation of parish property[7] and/or the withholding of levies,

4. That the *ACANZP* institute, at diocesan and provincial level, a series of Hui/debates, leading to dialogue, in which all interested parties, equally represented, are freely allowed to present their issues and to voice their concerns and recommendations without loss of licence, placement, and without fear of recrimination or censure, and

5. That the following proposed "solution-with-integrity" be considered as a possible means of resolving this dispute.

A Proposed "Solution-with-Integrity"

Given the disordered and fallen nature of attraction and response culminating in a *CSsC* relationship, as seen via scripture and Foot's *natural normativity*, and acknowledging that while such relationships are able to fully fulfil the three *marital obligations*, such relationships are not able to achieve fully a number of essential aspects belonging to Holy Matrimony, such as the *marital cause* of *chastity* (if indeed *same-sex sexual activity* is always *porneia*), and considering the basis on which a nuptial blessing is given, the blessing of *CSsC* relationships is not, and should not be, possible within the *Doctrine of Holy Matrimony* (Anglican Church). Further, there is no provision for such blessings within the two Anglican, or the seven Roman Catholic sacraments (Orthodoxy: mysteries).

On the other hand, *StatusQuo* Anglicans should be able to *accept*, or learn to *tolerate*, a "boundaried-acceptance" of monogamous same-sex couples joined in a civil union without making a value judgement. This will allow us room to reserve Holy Matrimony for what is in

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[7] Bishops in *ECUSA* have set up a $100,000 war chest to fight any parishes wishing to secede from their jurisdiction. "Bishops on both coasts have taken steps in advance of the 75th General Convention to clarify their ownership claim to parish property in the event of a split. Last month Executive Council authorised an expenditure of $100,000 from short-term reserves for the House of Bishops' ad hoc task force on property disputes." "Bishops Give Notice on Property", *The Living Church Foundation*, 21 April 2006, available from: http://www.livingchurch.org/publishertlc/printarticle.asp?ID=1945; downloaded 3 April 2006.
In Auckland Diocese, the Chancellor, Bruce Davidson, stated that he had received a "ruling" (actually an "opinion") regarding the ownership of parish property. Davidson said that the Auckland Diocese owned all parish property, and that congregations wishing to leave the Diocese would have to leave their property behind. On examination, the opinion referred to does not deal with parishes leaving the diocese due to disputes, but with the disposal of parish property if a parish becomes insolvent and closes.

accord with God's ideal plan, while at the same time allowing us to create another way of inclusively responding to *CSsC* relationships.

It is, therefore, recommended that the *Anglican Church in Aotearoa, New Zealand and Polynesia* (*ACANZP*) consider adopting a service of acceptance of *CSsC* relationships within the congregation and wider church. This proposed "boundaried-acceptance" service of acceptance would not employ a sacramental liturgy and would not indicate an unequivocal acceptance of *CSsC* relationships, which would imply that homosexuality was God's will in creation.

Such a service would not include the blessing of *CSsC* relationships, the exchange or blessing of rings, or the wrapping of a stole around the couple's joined hands.[8] However, such a service should include the making of promises by the couple, and the affirmation of assistance, encouragement and support by the priest or bishop (representing the Anglican Church) and the gathered congregation (family and friends). It would be recognition of the two people concerned, individually and as a couple. A distinction, Holy Matrimony vis-à-vis relationship of a *CSsC*, could be advanced by a creative form of ceremony which recognized the distinction from Holy Matrimony and by acknowledging the special nature of the *CSsC* relationship being recognised and supported.[9]

Unlike the New Zealand government policy which has made civil unions available to o/s couples as well as s/s couples, it is not envisioned that the proposed *Recognition of a Same-sex Couple* (or other agreed title) be offered to o/s couples.[10]

No alternative to date has been offered by those holding *Proponent* or *StatusQuo* postions, which can be accepted as a "solution-with-integrity". All members of the Anglican Church might wish to consider for themselves: "How much longer do you want this strife to continue?" Since there is no likelihood that either extreme position will unilaterally abandon

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[8] As is commonly done in the Anglican Church within the *Liturgy of Marriage* (*Marriage Liturgies, NZPB*, pp.780-805). The 'wrapping of the stole' is not stated within the Liturgy, but is a custom that is widely practised.
[9] It is envisioned such a service be crafted by equal numbers of those seeking to affirm the distinctiveness of Holy Matrimony, and those wishing to affirm *CSsC* relationships.
[10] As previously mentioned, the Anglican Church Blesses o/s couples who are in, or as they enter, Holy Matrimony. I am not convinced that an additional service to recognise and affirm other types of heterosexual couples is needed, or desirable (ref. Moxon's and Richardson's comment, p.44). An additional service would add confusion, something of which this dispute already has a surplus. Anecdotally, I am aware of a number of Anglican priests in New Zealand who *bless de facto* couples' relationships (those who are unable or unwilling to enter civil marriage/union, or Holy Matrimony). These *blessings* are said to occur in the couple's homes. Thus, it can be predicted that some may advocate for the inclusion of *blessings* for *de facto* couples within the *NZPB* based on arguments already deployed for same-sex couples. This thesis cannot examine or debate those possibilities.

their position,[11] and since continued conflict will result in considerable damage to individuals, parishes, and the church, there appear only two *bona fide* choices: formal and permanent division, or a compromised, mediated, *pragmatic solution*.

The Windsor Report, ACC-13, and the Primate's Meetings at Dromantine (2005) and at Dar es Salam (2007) have each affirmed the *WR* and its recommendations. These include the recommendation that any change in a provincial canon, such as the one this thesis proposes, would need to be ratified by the worldwide Anglican Communion prior to implementation to avoid a further debilitating rift.

The Anglican Church's response to homosexuals should be based upon a compassionate concern for the person(s), and not upon an imagined weight of numbers (either high or low), nor upon preconceived ideas about how we can live perfectly in an admittedly fallen world.

Some concession by all is called for — heterosexuals*,* homosexuals, *Proponent* and *StatusQuo.* Some of those who inhabit the *StatusQuo* position, opposing all and any acceptance of *SsSA*, reject my proposal on the basis that it marginalizes sin and God's holiness by offering a level of acceptability of *SsSA*.[12] This stream of opinion contends that there are only two Christian responses to homosexual attraction or activity: *celibacy* or *conversion to heterosexuality* (and hopefully entering Holy Matrimony). Strangely, the requirement of celibacy by all homosexuals is inconsistent with this stream's view that the Roman Catholic Church was/is wrong in its requirement for life-long celibacy of all Roman Catholic clergy.[13] These *StatusQuo* Anglicans maintain that Roman Catholic priests should be allowed to enter Holy Matrimony without leaving their call. On the other hand, these same Anglicans seem to imply that those who experience s/s/ attraction, and o/s aversion, should impose on themselves life-long celibacy or, alternatively, not seek support for any intimate relationship (committed, monogamous, or otherwise).

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[11] "It now appears clear that Lambeth recognises the influence of two different but equally destructive anti-Windsor forces (on both sides of the divide over sexuality – group I and group IV) at work in the Communion. These have been unambiguously named and an alternative vision of the way forward together – across the divide over sexuality – described to which people are called to rally." Andrew Goddard divides the dispute into four Groups: "Group One . . . embraces 'those who not only stand firmly by Lambeth 1.10, but also see it as **the** litmus test of orthodoxy, and who are further opposed to, or have given up on, Windsor and all that it stands for' . . . Group Four includes 'those who are so certain that Lambeth 1.10 was wrong that they in effect see both Windsor and the Communion as a price that is simply too great to pay' . . . However, 'there will be those (probably the majority) who, while holding a variety of views on the issue of sexuality, would nevertheless to varying degrees also be committed to Windsor and its outworking in the Communion's life'.

[12] I acknowledge that this proposal is likely to be rejected by the Roman Catholic Church, the Orthodox Church and a number of extreme *Proponents* and *StatusQuo*. The argument we have presented is not based upon the number of its adherents, but on the ethical case that has been put forward in this thesis.

[13] I.e., Roman Catholic priests, 'nuns' and 'brothers'.

The proposed *acceptance*, or *toleration*, would not in word or deed, be a *blessing* of the couple or their relationship, which would be understood theologically, and by many people, inside and outside the church, as a non-legal cultural equivalent to Holy Matrimony. Rather, it is a "boundaried-acceptance" based on, and consistent with, an awareness that we live within a fallen world where many aspects of life are not as God originally intended. Given that some people, for a variety and combination of reasons, are not emotionally, relationally or erotically attracted to members of the opposite-sex, but are attracted to members of their own sex, and that there are those who are unable or unwilling to be celibate and who are unable or unwilling to 'convert' to heterosexuality, and given that intimate interpersonal relationality is part of being fully human (Genesis 2:18 and 1 Corinthians 7:8-9), encouragement to form sound, supportive, exclusive and lasting relationships can and should be seen as preferable to random, furtive and anonymous coupling, which can, but not always, result from the attempt to live a celibate life.

The writer is aware of four major objections to his proposal. **The first objection** to the creation and use of such a service is that it could look, in some people's eyes, like a wedding or blessing. This objection claims that the proposal is effectively fudge, the calling-of-a-duck-a-chicken, to get around the problem. The Bishop of Durham, N.T. Wright, who opposes the blessing of *CSsC,* puts it this way:

> It is no doubt possible to devise a service which isn't, technically and legally, a 'service of blessing', but which is so in all but name, and which the wider world will see straightforwardly as a 'gay wedding'. I am bound to say that I regard the creation of such services as exhibiting a serious lack of integrity.[14]

While this objection has significant merit, it is based on a blurring, an equivocation of the terms, *recognition vis-à-vis toleration* vis-à-vis *blessing*. Throughout this thesis I have argued against equivocation and ambiguity.

A second objection to a "boundaried-acceptance" for a *CSsC* couple was voiced by a bishop in New Zealand:

> Why are we singling out same-sex couples and saying 'We (limitedly) accept your relationship'? ***Why can't we just bless them like we bless a married couple***?[15]

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[14] N.T. Wright (2005). "Durham: Bishop says he cannot support same-sex blessings". 12 December 2005, available from: http://www.anglican-mainstream.net/Dec05/15dec05.html ; downloaded 26 December 2005.
[15] My bold italics.

This question overlooks the definition of Holy Matrimony and what it means to bless a relationship.[16] It also glosses the fact that a *CSsC relationship* involves the action and commitment of two people. At dispute is not whether a person's (or these peoples') 'qualities' are 'blessable', but whether or not this type of *relationship* is one which the church can confidently bless as being part of God's intended will.

A third objection is that such a "boundaried-acceptance" may be *tolerated* temporarily by some holding a *Proponent* position who may keep demanding the blessing of *CSsC* (incremental-creep). This proposal has been described by some holding a *StatusQuo* view as the "thin-edge-of-the-wedge" with the retort: "Once this compromise is in place, those demanding *CSsC* blessings will continue hammering away until they achieve their full objectives". This *is* a significant objection. Therefore, should general agreement be found for the proposed solution, part of the mediation and agreement process may need to include the stipulation that this "boundaried-acceptance" envisions a bi-partisan agreement that this proposal is a long-term *residing-place*, rather than a *rest-stop* in ongoing litigation.

Incremental creep can be seen in the proposed inclusion of a Blessing Service within *TEC's Book of Occasional Services*.[17] Promoters of that suggested service claim same-sex relationships "are equal to heterosexual relationships",[18] therefore the rites should be the same. The 'compromise' which has been proposed is to make such blessings "optional", and to avoid the term "marriage". If approved, this would profoundly blur the distinction between civil marriage/union and Holy Matrimony as has been discussed elsewhere.[19] Such a compromise is unlikely to be acceptable to those holding a *StatusQuo* position.

A fourth objection is that this suggestion is internally inconsistent, that is, it is an accepting of something which scripture rejects. Two medical analogies will help us here, the leg-braces for a polio victim and the 'needle-exchange' for drug addicts. Both polio and drug addiction can be seen as occurring as a result of the fall. In the case of the leg-braces, conceivably the church would willingly *bless* such aids, as there is nothing in their manufacture or use that

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[16] Ref. Chapter 5:
The Nature of Blessing and the Nuptial Blessing of Holy Matrimony, pp.81.
[17] "We are quite deliberately advocating for a rite whose use would be optional for the sake of unity of the Church we love. We believe in our heart of hearts that our relationships are equal to heterosexual relationships, whether or not the term 'marriage' is appropriate for them, and so, in our heart of hearts, we believe the rite used to publicly celebrate them should be equal. But that is not what we are asking for [*at this time*]." The Revd Michael W. Hopkins (2002). "Claiming the Blessing a Message to the Church", p.2. In "Claiming the Blessing", available from: *Claiming the Blessing*: http://www.claimingtheblessing.org; downloaded 15 December 2004, my italics.
[18] M.W. Hopkins (2002). p.2.
[19] Cf. p.44, and also Chapter 2: The Nature of Holy Matrimony, pp.35ff.

would contravene God's will for humanity. In the case of the needle-exchange implemented to reduce the spread of disease, conceivably the church would *tolerate* such programmes, but would be unlikely to *bless* such programmes, or needles, as their use would continue a violation of God's moral code, that of enslaving people.

The needle-exchange might be *tolerated* as mitigating some of the health problems, which may follow, without such programmes. Such a thought was advanced by Luther: "Frequently something must be tolerated even though it is not a good thing to do, to prevent something even worse from happening."[20] It is on this basis that the writer proposes the acceptance and recognition of *CSsCs*, formally and publicly, by the *ACANZP*.

The church's response to fallenness is consistent with the Gospel when it emphasises a non-judgmental embrace within the family of faith, while at the same time acknowledging a sadness or theologically motivated regret for the fallenness in which we are all caught up and which we all, without exception, manifest in various ways in our mortal life. It also makes a step which we can take to encourage what would otherwise (no doubt in part due to social, cultural and political factors) be crippling or distorting into something likely to be more compatible with health and well being.

As noted:

> Thus, we have a duty to determine what the welfare of the patient requires us to do, and to do it in such a way as to maximise the chances of the patient getting the best possible outcome in terms of his or her life and purposes.[21]

A service of *Recognition of a Same-sex Couple,* acknowledging the love, commitment and support for the same-sex couple, as outlined above, is a "boundaried-acceptance" of a relationship which Anglican Christians can accept, or learn to accept, which can be recognised as not compromising the sacramental *Rite of Holy Matrimony*. It is a "solution-with-integrity" that asks for compromise from both groups, and which demands grace from us all. Such concession would qualify as Volf's *willingness-to-embrace*.[22]

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[20] Luther, *Luther's Works*, 21:94; see also Bucer, *Common Places*, p.411-412, and discussion of other reformers in Richter, *Beitrage*, p.32ff, cited in: Witte (1997), p.67.
[21] Alastair Campbell, Grant Gillett and Gareth Jones (2005). *Medical Ethics.* 4th ed. Melbourne: Oxford University Press, p 10.
[22] Volf (1996). p.29.

Conclusion

No blessing, no rite, no religious ceremony, is offered by the *ACANZP* for civil marriages, for *de facto* couples, for engaged couples, or for polyamorous relationships. The only sexually active relationship which the *ACANZP* formally and publicly recognizes and supports is Holy Matrimony, a position consistent with scripture and Christian tradition. It is my considered view that the declaration of the nuptial blessing is a signaling to the wedding couple and the congregation,[23] that as all the requirements of Holy Matrimony have been fulfilled, this couple is now within God's will to enter into a sexual relationship, which has been reserved for married couples.

This places those who are in a *CSsC* relationship[24] in a position of not having the love and commitment of their relationship formally acknowledged. Even though a *CSsC* relationship can meet the *marital obligations,*[25] the unitive aspects of *henosis*,[26] it cannot fully meet all of the *marital causes*,[27] i.e. the infertility of all s/s couples, and the requirement of *chastity*,[28] it is not consistent to equate relationships of *CSsCs* with relationships of Holy Matrimony. However, it is my view that if it were established that a *CSsC* relationship were able to fulfil fully the *marital cause* of chastity, not simply as a *channelled* sexual relationship, then the way would be clear to bless such relationships. If that were the case, then a unique sacramental service should be established, recognizing the full integrity of the *CSsC* relationship, which paralleled, but was *still* not identical to Holy Matrimony. Unless, and until, such is affirmed, another way of recognizing *CSsC* relationships is needed so that the church can offer its recognition, acceptance and support for those within, or contemplating, a *CSsC* relationship. Recognition, acceptance and support are needed by everyone. This would enable and encourage those with a s/s attraction, coupled with an o/s aversion, to form a supportive, mutual, faithful and exclusive *CSsC* relationship as a means of living out their life

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[23] In his classic *Worship as Pastoral Care*, William H. Willimon demonstrates how services of Baptism, Holy Matrimony and funerals are not only an aid for the particular individual(s) for whom the service is being conducted, but should also be used as a means of pastorally caring for the entire congregation, helping each one to grow in their understanding and commitment to baptism and marriage, and even to prepare them for their own death. In this way, the nuptial blessing, while specifically for the wedding couple, is also for strengthening and education of the gathered community. William H. Willimon (1979). *Worship as Pastoral Care*. Nashville, TN: Abingdon Press.

[24] Including all those in a sexual relationship other than Holy Matrimony. We acknowledge that those within a civil marriage have their marriage recognised. If a man and woman within a civil marriage were to be blessed within the *ACANZP*, it would become a relationship of Holy Matrimony.

[25] Ref. pp.48ff.

[26] Ref. pp.50ff.

[27] Ref. pp.51ff.

[28] Ref. pp.56ff.

in the best way possible.[29] This would be a compensatory adjustment to an *anomaly*, after Foot, which would be likely to mitigate some of the ill effects of that anomaly rather than intensify them.

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[29] It should be noted that many of the orthodox clergy have no hesitation encouraging a *de facto* o/s couple who were regularly attending their parish to consider entering into Holy Matrimony, or conversely that they should separate. However, for the Church to encourage those who participate in *SsSA* to form a *CSsC,* as distinct from offering encouragement for them to be celibate or for them to convert to 'heterosexuality', alters 2,000 years of Christian rejection of same-sex sexual activity.

Glossary[1]

adiaphora: "As the Church has explored the question of limits to diversity, it has frequently made use of the notion of *adiaphora*: things which do not make a difference, matters regarded as non-essential, issues about which one can disagree without dividing the Church. This notion lies at the heart of many current disputes. The classic biblical statements of the principle are in Romans 14.1-15.13 and 1 Corinthians 8-10. There, in different though related contexts, Paul insists that such matters as food and drink (eating meat and drinking wine, or abstaining from doing so; eating meat that had been offered to idols, or refusing to do so), are matters of private conviction over which Christians who take different positions ought not to judge one another. They must strive for that united worship and witness which celebrate and display the fact that they are worshipping the same God and are servants of the same Lord." *WR* (2004), para.38, c.f. *WR*. pars. 36-37, 87-95. As an example, the line of argument developed in the discursus "Of Ceremonies" in the 1662 *Book of Common Prayer*.

Anglican Communion: "The Anglican Communion is composed of churches, or provinces, in communion with the See of Canterbury throughout the world. Member churches — of which there are currently 38 provinces as well as extra-provincial churches — exercise jurisdictional independence but share a common heritage concerning Anglican identity and commitment to scripture, tradition, and reason as sources of authority. Churches in the Anglican Communion continue to reflect the balance of Protestant and Catholic principles that characterised the "via media" of the Elizabethan settlement. Unity and cooperation in the Anglican Communion are encouraged by the assembly of Anglican bishops every 10 years at *Lambeth Conferences*. The work and vision of the *Lambeth Conferences* are continued between meetings by the *Anglican Consultative Council*, which includes representatives from Anglican churches throughout the world." Available from: http://www.dfms.org/3577_50936_ENG_HTM.htm; downloaded 10 November 2005.

Anglican Consultative Council: "The *Anglican Consultative Council* (*ACC*) is an international assembly of the Anglican Communion , bringing together bishops, presbyters, deacons, lay men and women, and youth, to work on common concerns. Origins: The *ACC* was formed following a resolution of the 1968 *Lambeth Conference*, which discerned the need for more frequent and more representative contact among the Churches than was possible through a once-a-decade conference of bishops. The constitution of the Council was accepted by the general synods or conventions of all the Member Churches of the Anglican Communion. The Council came into being in October 1969. Meetings: The *ACC* meets every two or three years and its present policy is to meet in different parts of the world." Available from: http://www.aco.org/unity.html; downloaded 10 November 2005.

autonomy: Of a state, institution, etc.: The right of self-government, of making its own laws and administering its own affairs. Liberty to follow one's will, personal freedom. *OED*, I, p.807.

bioethical: Considerations of action includes 1) What the patient perceives is in his or her best interest; 2) What is medically indicated and possible; 3) What the medical professional(s) are willing and able to perform, given his or her autonomy and ability, and resource constraints; 4) Ethical considerations as apply, such as harm, resource

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[1] Where words are capitalized, they are a proper name, or a coined term.

allocation, efficacy of treatment options, etc. The writer argues that the priest's/church's role more closely approximates that of the doctor's/ hospital's than it does the lawyer's/court room's (see below).

clinical: Lawyers, doctors and priests are alike in that hey are required to attend to those who come to them for help and care. However, unlike lawyers who are required to act on their clients' instructions, doctors and priests are additionally required to do good and not harm, seeking the best for the person, rather than simply facilitating what the client/patient/parishioner claims to want.

in communion: "Article 21: Autonomy in Communion (1) Each church has a fiduciary duty to honour and not to breach the trust put in it by the Communion to exercise its autonomy in communion. (2) In essential matters of common concern, each church shall in the exercise of its autonomy have regard to the common good of the Anglican Communion. (3) In such matters, each church shall exercise its autonomy in communion, prior to any implementation, through explanation, dialogue, consultation, discernment and agreement with the appropriate Instruments of Unity." *WR*, Article 21.

individualistic: "The dominant view of individualistic autonomy in much recent liberal bioethics (and more generally in Western society) is that it confers a 'right to act on one's own judgment about matters affecting one's life, *without interference by others"*. G.M. Stirrat and R.Gill (2005). "Autonomy in medical ethics after O'Neill". *J Med Ethics*. 31, 2005, pp.127-130. BMJ Publishing Group Ltd & Institute of Medical Ethics. Available from: http://jme.bmjjournals.com/cgi/content/full/31/3/127: downloaded 16 April 2006.

boundaried-acceptance: An acceptance that has some limits; cf. What do we mean by . . . *"Boundaried-Acceptance"*, pp.18f.

Changing Attitudes: A group in New Zealand, and overseas, that seeks the acceptance of gay, lesbian, bisexual and transgender concerns and activity within the lives of fully affirmed Anglican communicants, whether lay or ordained. A group that advocates a *Proponent* viewpoint as the term is used in this thesis. Available from: http://www.changingattitude.org/; downloaded 10 November 2005.

complexification: In philosophical terms, the increasing complexity of life forms and systems as they develop via evolution; also see: Pierre Teilhard de Chardin. Complexification is also a mathematical theory dealing with vector space. Complexification is also an aspect of Chaos Theory; see John L. Casti (1995). *Complexification*. New York: Harper Perennial.

consequentialist arguments: Ethical judgments based on the outcome of various ethical decisions.

constructionism: "Also, Social Constructionism. A school of thought now dominant in Women's and Gay studies that holds that categories of gender and sexuality like masculine/feminine and hetero/homo derive from cultural influences, not from essential features of an individual's biology or psychology as essentialists believe. Although influenced by anthropological cultural relativism and phenomenological philosophy, most contemporary social constructionists trace the roots of their points of view to postmodern philosophy, especially the work of French philosophers Jacques Derrida and Michel Foucault." *A Glossary of Words Unique to Modern Gay History*. Available from: http://www.gayhistory.com/rev2/words/constructionism.htm; downloaded 7 December 2005.

CSsC: An abbreviation for *Committed Same-sex Couple*. For the purposes of this thesis, it assumes two adults whose gonads would both normally produce sperm or would both normally produce (until menopause) ova. While recognising the limitations of using this definition as the determinative factor in identifying a person's sex,[2] this definition has been chosen so as to avoid getting entangled in complex gender theory which is not central to this dispute.

defect: "The fact of being wanting or falling short; lack or absence of something essential to completeness (opposed to *excess*); deficiency. Shortcoming or failing, a fault, blemish. Flaw, imperfection (in a person or thing)." *OED*, IV, p.374.

henosis: (Gk) Union, a term used to describe the becoming of *One-flesh* in Holy Matrimony through sexual intercourse and a willingness of share in life and honour the other marriage partner, the term is most distinctly used by Derrick Sherwin Bailey; ref. Bibliography.

Lambeth Conference: "The *Lambeth Conference* is a gathering of bishops, meeting every ten years under the presidency of the Archbishop of Canterbury. There have been thirteen conferences to date, with the first being held in 1867, and the most recent from 18 July to 9 August 1998. Until 1978 the conferences were for bishops only, but in 1988 the full Anglican Consultative Council membership and representative bishops of the Churches in Communion (the Churches of Bangladesh, North and South India, and Pakistan) joined with the bishops in the discussions." Available from: http://www.aco.org/unity.html; downloaded 10 November 2005.

Mainstream: A group in New Zealand, and internationally, who seek to maintain the traditional teachings and doctrines of the Anglican Church, including the non-affirmation of *SsSA* by Anglican communicants whether lay or ordained. A group that is *StatusQuo* as the term is used in this thesis. Available from: http://www.anglican-mainstream.org/

maleficence: Doing harm or evil.

Men who have Sex with Men: *MSM*, Some men who engage in sexual activity with men, do not necessarily identify themselves as 'gay' or 'bisexual'. Likewise, different definitions of 'homosexual' may include or exclude people engaged in varying levels of activity, frequency, or interest. In general, *MSM* is a wide category that covers both self-identified 'gay' men and other men who engage in same-sex sexual activity but do not identify as *gay* or *Queer*. We will use the term *MSM* to signify emotional, romantic, erotic attraction and relationship, and sexual activity between men. A corresponding term is *WSW*, "Women who have Sex with Women", are often termed Lesbian.

monogamy: "1. The practice or principle of marrying only once, or of not remarrying after the death of the first spouse: opposed to *digamy*. Now *rare*. 2. The condition, rule, or custom of being married to only one person at a time (opposed to polygamy or bigamy); chiefly applied to the rule or custom (more explicitly called *monogyny*) by which a man can have only one wife, but also including *monandry*, the rule or custom by which a woman can have only one husband." *OED*, IX, p.1017.

Natural Normativity: In *Natural Goodness*, Phillipa Foot (2001) develops her concept of *natural normativity*, which can be applied to all species, and is especially relevant to the

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[2] This determination of "sex" does overcome some issues that would be encountered if we were to use a person's chromosomes as a way of categorising a person's sex. Those who were born inter-sexed and those who have already received a sex change do not neatly fit into a chromosomal determination. This thesis does not deal with those issues.

higher life forms. *Natural normativity* is a way of understanding what is needed for a life form to not merely exist, but to "flourish".

non-cognitivism: "The meta-ethical view that ethical statements (such as 'Killing is wrong') do not assert propositions, that is to say, they do not express factual claims or beliefs and therefore are neither true nor false (they are not *truth-apt*). This distinguishes it from *moral realism*, which holds that ethical statements are objectively and consistently true or false." Available from: http://encyclopedia.laborlawtalk.com/Emotivism; downloaded 4 October 2005.

paraphilia: Strong periodic sexual fantasies, urges, or behaviours commonly relating to children, non-consenting individuals, objects, sadism, masochism, or voyeurism. Transvestic and other forms of fetishism are paraphiliac disorders. Available from: www.reasoned.org/glossary.htm; downloaded 4 October 2005.

performative utterances: "Relating to or being an utterance that performs an act or creates a state of affairs by the fact of its being uttered under appropriate or conventional circumstances, as a justice of the peace uttering *I now pronounce you husband and wife* at a wedding ceremony, thus creating a legal union, or as one uttering *I promise,* thus performing the act of promising." Available from: http://www.thefreedictionary.com/performative; downloaded 2 November 2005, a.k.a "Speech Acts", cf. *"Performative Utterances"*, p.101.

polymorphous perversity: "The ability to find erotic pleasure out of any part of the body. according to Freud, a young child is, by nature, 'polymorphously perverse' (*Introductory Lectures* 15.209), which is to say that, before education in the conventions of civilized society, a child will turn to various bodily parts for sexual gratification and will not obey the rules that in adults determine perverse behavior. Education, however, quickly suppresses the polymorphous possibilities for sexual gratification in the child, eventually leading, through repression, to an amnesia about such primitive desires. Some adults retain polymorphous perversity, according to Freud." Available from: http://www.cla.purdue.edu/academic/engl/theory/psychoanalysis/definitions/polymorphous.html; downloaded 12 November 2005.

Primates' Meeting: *The Primates' Meeting* is one of the four instruments of unity in the Anglican Communion, the other three being the Archbishop of Canterbury, the once-a-decade *Lambeth Conference* and the *Anglican Consultative Council* (*ACC*), the Anglican Communion's main decision-making body. Inter-Anglican polity is such that the *Primates' Meeting* does not act legislatively or unilaterally on behalf of the provinces. Each province relates to other provinces within the Anglican Communion by being in full communion with the See of Canterbury. The Archbishop of Canterbury is therefore a unique focus of Anglican unity. He calls the *Lambeth Conference*, chairs the meeting of Primates, and is president of the *ACC*. Available from: http://www.episcopalchurch.org/3577_58736_ENG_HTM.htm; downloaded 10 November 2005.

Queer Theory: "This school of literary and cultural criticism emerged in the U. S. in the mid-1980s and owes its intellectual roots to feminist theory and to French philosophers like Jacques Derrida and Michel Foucault. Queer theorists analyse texts . . . with an eye to exposing underlying meanings, distinctions, and relations of power in the larger culture that produced the texts. The resulting analyses reveal complicated cultural strategies for the regulation of sexual behavior that often result in the oppression of sexual dissidents who violate sexual taboos or don't conform to culturally sanctioned gender roles. Queer theorists . . . aim is to destabilize cultural ideas of normality and sexuality and terms

like hetero- and homosexual, which have been used to oppress people who don't conform to the Western ideal of monogamous heterosexual marriage . . . Queer theory is a product of the university but it is allied with the broader queer movement in gay and lesbian communities." *A Glossary of Words Unique to Modern Gay History,* Available from: http://www.gayhistory.com/rev2/words/queertheory.htm; downloaded 7 December 2005.

received (a.k.a. reception): Ecclesiastical term for the official acceptance and acknowledgement of a person, tradition or interpretation. The clearest example is the welcoming and acknowledgement of a person and their ordination from one denomination into another denomination. Thus, a Roman Catholic priest might be 'received' into the Anglican Church, and allowed to preside at the Eucharist, and have his or her ordination recognised as valid. Some Anglican priests were 'received' into the Roman Catholic Church and Eastern *Orthodox* churches following the ordination of women within the Anglican Church. There are limits as to who can be 'received', based on the role of the episcopacy and liturgy within the former church, e.g., Baptist and Presbyterian ministers usually have to go through a selection and training process, and are then ordained Deacon, followed later, possibly, by ordination as priest.

rights (cf. **freedom**): "Rights held to be justifiably belonging to any person; human rights. The phrase is associated with the Declaration of the Rights of Man and of the Citizen, adopted by the French National Assembly in 1789 and used as a preface to the French Constitution of 1791." *OED* (2005). *Oxford Online Reference*.

negative rights: Freedom from something negative, as in: a person has a right to not be unlawfully interfered with, e.g., beaten up by thugs. The *Homosexual Law Reform* gave homosexuals a negative right, freedom from being persecuted or arrested for being homosexual. Negative freedom is " the area within which the individual is self-determining and the area within which the individual is left free from interference by others." *CDP,* p.723.

positive rights: Freedom to do something positive, as in: a person has the right to utilise or dispose of what they he or she owns, e.g., to build a house on a residential section he or she owns, or to bequeath it to offspring. The *Civil Union Act 2004* gave homosexuals the right to enter into a state-recognised union, where their relationship was recognised to be like that of civil marriage in regard to property. Positive freedom is specifically where "one is free in the positive sense to the extent that one has control over one's life, or rules oneself. In this sense the term is very close to that of 'autonomy'." *CDP*, p.723.

Speech Acts: "Speech act theory (Austin, Searle): It was the particular search for the (purely) constative (utterances which describe something outside the text and can therefore be judged true or false) which prompted John L. Austin (1962) to direct his attention to the distinction with so-called performatives, i.e., utterances which are neither true or false but which bring about a particular social effect by being uttered (e.g., "With this ring I thee wed" — by speaking the utterance you perform the act). For a performative to have the desired effect, it has to meet certain social and cultural criteria, also called felicity conditions." Stef Slembrouck, (2004). "What is meant by 'discourse analysis'?" Available from: http://bank.rug.ac.be/da/da.htm; downloaded 15 November 2005; cf. "Performative Utterances", p.101.

subsidiarity: The principle that a central authority should have a subsidiary function, performing only those tasks which cannot be performed at a more local level, cf. *WR*, pars. 38-39, 74, 77, 83, 94-95.

teratogenic: "an agent or factor which causes malformation of an embryo." *Oxford Reference On-line.*

Three-Tikanga: encompasses Maori (Aotearoa), Pakeha (New Zealand) and Pasefika (Polynesia). "The Anglican Church in Aotearoa, New Zealand and Polynesia, is a constitutionally autonomous member of the worldwide Anglican Communion. The Anglican Church in Aotearoa, New Zealand and Polynesia encompasses the area described by its title. The 1992 Constitution of this Church provides for three partners to order their affairs within their own cultural context. Within Aotearoa New Zealand, **Tikanga Pakeha** comprises seven Dioceses, **Tikanga Maori** comprises five Hui Amorangi, the boundaries of which differ from those of the dioceses. **Tikanga Pasefika** encompasses Fiji, Tonga, Samoa and the Cook Islands, and is known as the Diocese of Polynesia." Available from: http://www.anglican.org.nz/; downloaded 17 November 2005, bold print from website.

Appendix A:
Interview Questionnaire

The Conferring of Blessing on Same-sex Couples

within the *Anglican Church of New Zealand*

Date: / / 200   Location:

Name: . . . .

Position: . . . .

Referred by: . . . .

1) Regarding the conferring of a blessing by an Anglican priest or bishop:
   a) What is your understanding of what is meant by the conferring of a blessing?
   b) How have you formed this understanding of an Anglican priestly blessing?
   c) Which authors have most informed you?
2) Regarding the *Windsor Report*:
   a) On a scale of 1-10, how would you describe the thoroughness of your reading, and your understanding, of the *Windsor Report*? (i.e., 10 = fully read and understood, 0 = not read) ____
   b) Regarding the findings and recommendations of the *Windsor Report*?
      i) How would you describe your general – agreement or disagreement — with the Report?
      ii) What exceptions to your general – agreement or disagreement — are you willing to detail?
   c) As far as it depends on you, will you keep to the recommendations as set out in the *Windsor Report*?
   3) Regarding currently proposed legislation in New Zealand:
   a) On a scale of 1-10, how would you describe the thoroughness of your reading, and your understanding, of the Civil Union Bill? (i.e., 10 = fully read and understood, 0 = not read) ____
      i) How would you describe your general - agreement/disagreement - with the C.U. Bill?
   b) On a scale of 1-10, how would you describe the thoroughness of your reading, and your understanding, of the Relationship Bill? (i.e., 10 = fully read and understood, 0 = not read) ____
      i) How would you describe your general – agreement or disagreement — with the Relationship Bill?
4) Regarding the blessing of same-sex couples by the Anglican Church in New Zealand:
   a) Please outline why are you personally – favourable or unfavourable — to clergy conferring a blessing on same-sex couples?
   b) Have you personally conferred a blessing on a same-sex couple?
   c) Which authors have most influenced you in your decision regarding this matter?
   d) What are the pivotal issues raised in a priestly conferring of blessing upon a same-sex couple?
   e) Please explain your personal understanding regarding if there – is or is not - a distinction between the "Public Blessing" and the "Private/Pastoral Blessing" of a same-sex couple?
5) If the Anglican Church cannot achieve consensus around the limits of Anglican breadth set out within the *Windsor Report* (accepting there may be amendments) on this issue, please explain, in your opinion, why we are – likely or not likely — to have a break within the Anglican Communion?
6) If your Vicar, your Bishop or the Province of New Zealand authorised the blessing of same-sex couples:
   a) Please explain why you likely to — stay or leave — the parish, the diocese or the denomination?
   b) Please explain why an ability to establish satisfactory alternative Episcopal or Archepiscopal oversight — would or would not — overcome your desire to leave the parish, the diocese or the denomination?
7) Is there anyone, on either side of the divide regarding this issue, whom you think I should try and speak to?
8) Have you written anything on this topic or made any submissions that you are willing to share with me?
9) Can you name any books or authors you think I should be informed by in my research?

Appendix B:
Interviewees' Understanding — Blessing

What does Blessing by a Priest, a Bishop, or the Church, Mean?

1) ***Regarding the conferring of a blessing by an Anglican priest or bishop:***

    a) ***What is your understanding of what is meant by the conferring of a blessing?***

    b) ***How have you formed this understanding of an Anglican priestly blessing?***

    c) ***Which authors have most informed you?*** (Authors or Books that have significantly influenced the interviewee on these matters)

Those Holding a '*Proponent*' View Understood Blessing to Be as follows:

 "Blessing is a recognising and a will to strengthen an already existing, or developing, state of blessedness within people's lives. Blessing is often seen materialistically in reception, especially when it is expressed as literalism. There is a tendency in the ecclesiastical world to codify, the ecclesiastical world can be an obstacle to divine will. In Jesus' time the ecclesiastical authorities stopped people from entering the Kingdom of God; refusal of baptism is a present day example; it is a non-Christian rigidity. A long process has developed my understanding of blessing, which is hard to identify. I've had to wrestle preparing for the class "Church, Ministry and Sacraments". Following publication of J.T. Robinson's ***Honest to God***, I set up a number of debates, people did not take sides in New Zealand straight away. In these debates, the Kiwi 'bloody mindedness' trait would arise and say: 'Don't get too far from earth'. I have been helped in my understanding of blessing by Robert Campbell Moberly, ***Ministerial Priesthood***; Dietrich Bonhoeffer, ***Letters and Papers from Prison***; P. Teilhard de Chardin's understanding that Christ is present in the molecules; and Nicolai Berdyaev's understanding of the uses and abuses of sacramental life, and the failures of the Russian Orthodox Church regarding the Russian Revolution."

# # #

 "Blessing is a request for God to be with a person or event in a way that highlights and dramatizes what is already there. It is recognition of the already present. I have formed this opinion though a lifetime of study of sacramental ministry within a tradition. It has involved years of study of literature, the sacramental dimension of creation, asking for and giving of blessing, being human. Anglicans have an understanding of the priest being the channel of such blessing. Authors which helped form my understanding are: Urban T. Holmes; William Temple; Robert Capon; H.A. Williams; and John Taylor."

# # #

 "It is a declaration of God's love and support. God is blessing this person. The traditional understanding of blessing is that it is declarative. If blessing an object, it is to be made holy or 'set apart'. I have formed this understanding partly through reading, partly experience, by being asked, some specific books. From scripture we learn through Jacob and Esau of the irreversibility of blessing, even though received under false pretences, this did not negate it. The blessing of a house: 'May people be safe and know God's blessing'. The book that I found helpful was the ***New Dictionary of Christian Theology***."

# # #

"Blessing: As a representative of the church, you are blessing a relationship, acknowledging and recognizing God's blessing. You are setting aside for God's purposes, acknowledging the 'special-ness' – the sacredness of a building, the significance, the uniqueness of land, of an event, and a giving thanks and honouring for the future. I have formed this understanding of blessing through my background in sociology, anthropology, symbol, ritual, and sacredness. There is a dearth of ritual in New Zealand. People need to mark endings, beginnings, to have rites of passage. I have a 'low' view of blessing. The authors I've found helpful are: Edward Foley (Roman Catholic, liturgy); James White; and Herbert Anderson (rites of passage and ritual)."

# # #

"What is meant by the nature of blessing? Is marriage a sacrament that is blessed or not? Are the couple the celebrants? Is the priest the celebrant? Blessing is something offered by God through a bishop or a priest, giving it a full blessing. I was an *Anglo-catholic* at university, and now I am more catholic minded. Blessing is special through the ministry of a bishop or priest, it is something God has promised to fulfil. I have come to this understanding of blessing through an *Anglo-catholic* background; I taught Biblical Studies and Liturgy in the Solomon Islands; scripture has influenced me. God is consistent. The Aaronic priesthood is not the ultimate understanding of priesthood. Christian priesthood is a corrected and reformed priesthood after Melchizedek. If God is a God of blessing and sacrament and Jesus is the sacrament, then Christ has intended and made possible blessing through priests of the church. The authors and books which have informed me are: (Elison Best?); Michael P.W. Shirres; the Old Testament; Roland de Vaux on Old Testament Theology; Michael Bailey on the sacraments; Cardinal Henri de Lubac; NOT Matthew Fox; by dialogue with Maori in Hui; John O'Donohue (Celtic Theology and Spirituality); and Sean O. Duinn, ***Where Three Streams Meet***."

# # #

"Blessing: theologically, you are pronouncing the church's approval of what two people are doing. God marries and the church affirms that. The priest functions as God's mouthpiece. Priests are articulating the pre-existing will of God. I have formed this understanding through theological education - Sacramental Theology and education in Canon Law, neither of which are taught in theological colleges anymore. Authors who have helped me have been: (James Griffith?); Carl Rahner; Richard Hooker; and Robert Capon."

# # #

"Blessing is to ask for God's grace to be present for the people concerned. It is a sanctioning, approving, and supporting. This is what the external public sees and understands, a 'Give us your approval'. There is a degree of authority in a priestly blessing. A mixture of theological education and experience in full-time ministry has formed my understanding. There is an assumption that a priest will only ask for what would be granted by God, whereas a layperson may ask incorrectly. I can't say I've done a lot of reading on this subject."

# # #

"Blessing is a Jewish concept, giving thanksgiving for an individual, things and people. It is an acknowledging of God's presence in the way the thing is used; for the people, that 'these are for God and God's purposes'. I have formed my understanding of blessing through practice, I am a strong 'T' [i.e. Myers Briggs 'thinking'] person. The things I do in life need to have a rational basis behind them, need to be systematic, not compartmentalised. There needs to be a unity of sacred and secular. Authors which have helped form my understanding are: W. Norman Pittenger (Process Theology), our understanding that God is evolving,

therefore, the way God operates is in process; John MacQuarrie on Sacramental Theology; and Incarnational Theology."

# # #

"Bishops seem to bless anything that moves. There is some notion of rendering sacred within the sphere of the divine, a warding off of evil - the notion of *Tapu* [Maori: sacred, or restricted]. My understanding of blessing has been formed by observation of the way blessing has been used, the ways in which ritual plays a role; listening to sermons; watching, analysing and pondering church acts and spirituality; being a careful observer of the liturgical calendar and season. I found myself lately making more use of tradition than before. Performative actions and rituals are playing an increasing role in the postmodern age. I have found some Roman Catholic writing to be helpful."

# # #

"In the latest edition of **Tui Motu**, Glynn Cardy says that 'blessing is a declaring of God's love for all and, in particular, the people in front of us'. At the end of the service, 'The Blessing' (Benediction) is a declaration of God's unconditional love and presence. The blessing of God reminds us of holiness, it is a declaration of God's profound love for all, and there is something communal about it. It invites us into a communal awareness of God's presence and grace in our midst. I have formed this opinion of blessing: as a life-long Anglican; through a sense of reflection on life, and in life" – With a Buddist monk, in a wedding we co-presided, we were naming what we saw in this couple and community" – The authors we have found helpful are: Walter Brueggemann; Allan Jones (Dean, Grace Cathedral, San Francisco); Barbara Brown Taylor; Henri Nouwen; Kathy Galloway (Iona Community); and Anton Boisen (Founder of the "Clinical Pastoral Education" movement). People help us to understand about celebrating God, people are living documents".

# # #

"What is blessing? Narrowly, blessing is a rite in an authorised book, with specific words, specific things to be done. Broadly, it is recognition of God's immensity and God's calling. Where partners are concerned, it is a desire to participate in that. We bless ships, bombs, cupboards and cars. 'We' don't have a problem with blessing those things, but 'we' do seem to have a problem blessing two people who say they love each other. My understanding of blessing is rabbinic really, formal: scripture, *Prayer Book*, Systematic and Pastoral Theology, and it is experiential, by encounter with real people in real situations. Many authors have influenced me: St Francis; Henri Nouwen; Robin Green, **Only connect: worship and liturgy from the perspective of pastoral care**; and John Taylor."

# # #

"In blessing, a priest or bishop, is representatively proclaiming something that is true. I am not comfortable with the word 'conferring', as if the priest brings something new. However a public act makes a difference. We have celebrated God's blessing, we have named it, what was implicit is now explicit. My understanding of blessing is very related to how I came to view ordination itself, as an area of special interest over many years, formally and informally. I see ordination as a way of giving a public face to faith, a particular incarnation of what belongs to the whole church. Ordination, like blessing, is a making 'public', a 'focusing'. It is something that is true and general that is present in a particular person. A person does not have a personal power to bless, but it is a function of a person who is representative of the whole, who blesses on behalf. Authors who have been helpful are: Edward Schillebeeckx; Wesley Carr; Hans Kung, **The Church**; Bruce Reed, **The Dynamics of Religion**; and Thomas Luckmann (sociology of knowledge, religion and communication)."

# # #

"Blessing: 1) God will be with whoever is blessed, in whatever they are embarking on. 2) There needs to be some moral affirmation of what they are doing; you would not bless criminal activity. This raises issues of blessing a warship, and other moral issues, such as the 'Just War Doctrine'. I have formed my understanding of blessing from pastoral and liturgical experience, 40 years of being asked to pray for and to bless people: 'May God be with you, the Lord bless you and keep you,' also, blessing houses, children and ashes. The book which has most influenced my views is *A New Zealand Prayer Book*."

# # #

"The priest does three things: absolution, consecration [bread and wine] and blessing; but we know little of what is happening in any of these three things. I contribute nothing to these, unlike preaching, teaching and pastoral care. I understand that Jesus is the only Great High Priest, that he is the one blessing; we are only, simply, ministers. I am only saying the words, waving my hands, I contribute nothing to a blessing except willingness to be available and to be faithful; God does it all. Authors which have been helpful in understanding blessing have been: Bishop Jacques Bossuet (17th century R.C.) quoted in Alfred G. Mortimer, *The Eucharistic Sacrifice*, Longmans, Green and Co, 1901; and Jeremy Taylor on the Caroline Divines."

# # #

"You can bless anything you want. But a public service of blessing needs to conform to the forms of the church. I am not up with the theological issues. You bless people as individuals, but if you are blessing something contrary to doctrine of the Church, you are going close to the line, especially in public worship. I have not formed my understanding of blessing through any doctrine of blessing, but looking at the Canons and the effects of the formularies. I have been helped in my understanding by the "New Zealand Anglican Constitution" and *A New Zealand Prayer Book*."

# # #

"Blessing is action, sacred action, that ordained priests are authorized to enact on behalf of the church. In a Maori context, a lot of blessing practice is habit rather than theological and thought through. Priests are asked to bless the products of termination of pregnancies, to bless the infant, to absolve the woman of sin. It is uncontested and without reflection, this follows from the early missionary influence. I have formed this understanding of blessing through my experience as a life-long Anglican, within our Three-Tikanga system, and in contact with people internationally. Authors who have been helpful are: Alistair Stewart-Sikes; (Savosky?); L. William Countryman; Rowan Williams; and Bishop Steve Charleson."

# # #

"Blessing is the formal invitation of God into a situation. I would respond positively to any request to bless, it has no moral value. I have no problem blessing battleships, gardens, gnomes, anyone. I am affirming that God is involved in every situation, God is not separate from his creation. Blessing: words that make things happen (Speech-Act Theory). I have formed this understanding through pastoral ministry, theology free of naïve morality and moralism, and from God's unboundaried love. Mine is a psychological, rather than theological, understanding, a liberating of scripture for life. Authors who have been helpful are: F.D. Maurice; Ludwig Wittgenstein; and Don Cupitt."

Those Holding a '*Medicament*' View Understood Blessing to Be as follows:

"I am not deeply into the idea of a priest or bishop giving blessings. Not blessing is not necessarily missing out on anything important, there is nothing magical about it. I have come to an understanding about blessing by reflecting on sacramental theology, having been brought up in a certain tradition. I am not consciously aware of any particular authors who have influenced me, but have come to this view by reflection and conversation."

# # #

"My understanding of blessing includes several things; the context ranges from the quasi liturgical - "go well" – "bless you", which has almost no weight, through to blessing homes, people in positions, and ships. It is where the primary focus reaches beyond the previous and into incorporating people or objects into the wider purposes of God for the greater good. These concepts are often not well articulated. A question needs to be asked before blessing something: Is this thing really a sign of the Kingdom? Sometimes, I'm not sure, often I hope so. Blessing often gets devalued into a nice gesture. The issue of blessing of warships sharpens the issue. Does this further the Kingdom of God? There is little theological clarity on blessing. I look for an intentional identification with, and desire to participate in, God's coming Kingdom; blessing is a public marking of that. I have been caught up with Anglican ecclesiology, the identity of bearers of good news, and with designated people to speak on behalf of the church. Some of my understanding has come from reading authors: some Lutheran; some Reformed; some Roman Catholic; Wolfhart Pannenberg, *Systematic Theology*, Volume 3; and Miroslav Volf, *In His Likeness*."

# # #

"Blessing is the prayerful seeking of blessing on a relationship. The desire of those concerned to be united with God in that relationship. In the Christchurch *Diocesan Handbook*, the Prayer Book Commission approved the "Liturgy for the Blessing of a Relationship". I have formed my understanding of blessing from the view of ordination, that only a priest or bishop, not a deacon or layperson, can perform a blessing. It is a sacramental understanding, it is action in a sacramental way on behalf of the church; it is not performed as an individual. Regarding which authors have assisted me, my view has been formed over a long period of ministry."

# # #

"Blessing is inferring a welcome into the fold and an acknowledgment of the relationship in a family sense, an official acknowledgment and acceptance. I have gained my understanding of blessing from reading about sacramental ministry, being within the church and the notion of the church as a worshipping community. Blessing does not confer anything ontologically. Symbolically, it is an announcing and proclamation. I am not a student of liturgy. What are we doing when we baptise, or officiate at a wedding? We are acknowledging people's place within the community. It is a statement of what people are entering into, the corporate nature of the community aspects. I have been helped in my understanding of blessing by the *Prayer Book*."

# # #

"Blessing is asking for God's approval and favour on a person, relationship and behaviour. I have come to this view from my experience in an Anglican church, my faith, and from the reading of scripture. The book which was most helpful in understanding blessing is the *Bible*."

# # #

"Blessing by a priest or bishop is not a unique blessing, it is representative of Christian community, it is what anybody can do. Blessing is a prayer, it has an *illocutionary* function, it can bring about a state of affairs ('Speech-Act Theory: J.L. Austin, John R. Searl, and Kevin Vanhooser). My understanding has been formed by osmosis, from an evangelical upbringing, from the nature of ordination, studies in hermeneutics and being asked in this interview. The authors who have most helped me are: J.L. Austin, John R. Searl and Kevin Vanhooser."

# # #

"Blessing: 1) Setting aside a thing or person to a function, without implying any Divine favour, a setting aside for holy use. 2) An authoritative declaration of Divine favour on a person and persons, in a state it is itself part of God's blessing for humanity. Consecration and blessing is elastic, we are also blessing God. The subject of blessing is not something we talked about in my priestly training. No book in particular has been helpful, it is understood more tangentially. 3) There is a formulation in *A New Zealand Prayer Book* to bless an object or thing. 4) In 'Church Union', the role of the Anglican priest in blessing differs from that of a Methodist minister. I have formed my understanding of blessing though scripture, liturgy, and experience of priestly ministry over the years. There are not any particular authors I could name."

# # #

"Blessing is an liturgical act that carries some weight, Speech-Act Theory develops some concepts of this. Marriage is a declarative act in a way that a blessing is not. There is a spectrum, blessing vis-à-vis prayer. There are aspects of liturgy, prayer, and sacramental acts (such as baptism) involved in blessing. Just because one is ordained does not mean all blessings carry 'weight', it depends on the situation, such as the prayer of consecration. I have not thought a great deal about blessing. Authors who have been helpful are: John R. Searl (Speech-Act theory); and the 'Gospel of John'."

Those Holding an '*StatusQuo*' View Understood Blessing to Be as follows:

 "Blessing confers the favour and grace of God through the ministry of an authorised leader of the church. I have formed my understanding of blessing by being a recipient of such blessings, as a servant - seeing that something real is happening in the spiritual realm, and by the observation that when someone in Holy Orders blesses, there is a sense of greater spiritual authority and power. The Doctrine of Blessing can be found in *A New Zealand Prayer Book*, in the 'Service of Healing', and most of the other services. Where a blessing is conferred, the rubrics make it plain that only people in the orders of bishop or priest can perform, or give, a blessing. No authors have significantly influenced me, it is experiential."

# # #

"Blessing a house is something that happens in the spiritual realm, there is an element of cleansing and setting-free involved in this liturgy. I gained my understanding of blessing at St Paul's - Symond Street, Auckland, where the sacraments were taken so seriously. There is a holiness when the priest blesses you, it is very special. I don't recall which, if any, authors that have greatly influenced me, mainly my participation in baptisms and the various liturgies."

# # #

"Blessing has elements of approval and encouragement, a bringing God into it, looking for God's strength. It is official sanction, a submitting to God for God to bless, it is an enabling

and empowering. Blessing must correlate with what God wants, we approve what God approves. It is an inviting of the Holy Spirit into the situation. Within the *Bible*, there is a very summary understanding of what blessing is. I was not taught anything about blessing at St John's College - Auckland, but I have learned about it throughout 30 years of ministry. Time has sharpened my understanding of blessing."

# # #

"Blessing is a statement or declaration of God's grace to that which he intends to bless. As a counter example, see Balaam and his toying with the request to curse Israel (Balaam, Numbers 22-24, especially 22:12+18). How can God curse what he has blessed and bless what he has cursed (c.f. Deuteronomy 28, 'to live in the Law of the Lord')? A priest prays the blessing of God on people's lives and lets the Holy Spirit work out the consequences, which I learned from being part of the Charismatic Renewal Movement. It is the church as a whole, not clergy alone, who bless, but the clergy hold a representative role of Christ to bless the world. Authors which have helped inform me are: *Theological Word Book of the Bible*, Ed. Alan Richardson; more recently Urban T. Holmes; and Francis McNutt's books on Healing and on the power of Benedictine Catholicism."

# # #

"It must be understood that I am not a 'sacramental' or 'priestly' minister. When you pray for God's blessing for someone, you are wanting God's best for them, for their marriage. You are wanting and conferring God's blessing and sanction. I don't bless thing - rings, crosses, buildings, houses - but I will commend and pray for people, that God will look after the people who have asked me to pray. My theology is non-sacramental; we are all priests (see: Hebrews). There is no magic in what I say and do, my ordination comes from Ephesians 4, the 'pastor-teacher' whose role is to 'equip the saints'. The books and authors which have helped me in forming an understanding of blessing are: the *Bible*, the New Testament, the Old Testament in light of the New Testament (the New Testament is very 'non-priestly'). Authors include: J.C. Ryle; J.I. Packer; John Stott; and William Henry Giffith-Thomas, *The Catholic Faith: A Manual of Instruction for Members of the Church of England* and *The Principles of Theology: An Introduction to the 39 Articles*."

# # #

"Blessing: theologically we are being asked to plug ourselves into a sacramental view of the world. When you bless someone, or something, you are invoking the Christian God on this person, or thing, or as Cranmer put it: 'Betwixt Christ and his church.' I have formed my understanding of blessing as a person who has worked in the 2/3s world [primarily Africa], there, the spirit world is 'a given'. Augustine said that 'Sacraments are an outward and visible sign of an inward and spiritual grace.' I gained my understanding from: the *Book of Common Prayer* 'Catechism'; and my theological training. Other significant authors in this area have been: Thomas Torrance; Thomas Cranmer; J.S. Whale; Augustine; Oliver O'Donovan, Rowan Williams; Eastern Orthodoxy; A.M. Allchin; and Edward Schillebeeckx."

# # #

"In blessing, we are granting God's favour on what it is that we bless, to render it to be holy belonging to God. We bless congregations, home and occupants, and those who you love and pray for, asking for God's favour. In the ordination service a person is given authority to bless, to confer God's favour on others and of their belonging to God. From the theological understanding of the church, people are set aside to bless. Bishops spend a lot of time going around blessing people and places. Robert Voyle of the 'Clergy Leadership Institute' says of blessing: NOT '**May God bless you**', BUT '**God bless you**'. Other authors include: 1/2 my

library; Harvey Cox; Henry Newman; and not just authors, but also, and significantly, Tikanga Maori, who have highlighted this issue."

# # #

"Blessing indicates a person in a leadership role of the church is signalling God's approval of a person, project, relationship, e.g. people going to build a house in Tanzania, 'Meals on Wheels', etc. I would have great difficulty in blessing a warship. It does not mean that God does not do otherwise, for nothing is bestowed, it is God's stamp of approval. I have formed this view of blessing through reflection on an extensive reading of scripture, tested by my theology; it is something that I find integrated by the life and ministry of Jesus, and something discovered over the years from the more 'churchy' nature of blessing; it is more how the person responds than the blessing itself."

# # #

"Blessing is a response to a request to pray for something or for someone. I may do so though words, to invoke God's blessing. It may be seen that a priest has 'power' to do so, but there is no inherent power to bless that which God would not bless. Functionally as an Anglican priest, you are being asked to say a prayer, to bless homes, marriages and places for special purposes (schools, community centres, ships, planes). This is not to say I've blessed many things, mainly weddings, houses, people, baptisms. I have formed this view of blessing through a mixture of learning from other priests, theological reflection, wrestling with experiential situations. Blessing is part of the priestly care of people, the blessings of crosses, etc. Regarding authors, in a negative sense, on reading what constrains my understanding, that a priest does not have a knapsack of magic."

# # #

"Blessing is an acknowledging that God is working in a situation. It is a public declaration and acknowledgment. There is a sanctifying and setting apart, a bringing the reign of God's kingdom into a situation, for example: blessing of the offering, setting it apart. I have formed this view through an understanding of the Fall and Redemption; there is a curse on this world. When we ask for God's blessing, we are moving from unholy ground, to holy ground and influence. Authors who have assisted my understand include: C. Peter Wagner; George Otis, Jr.; Michael Green; David Watson; John Wimber; and Bishop David Pytches."

# # #

"Regarding blessing, it is like a reaffirmation after a tough time, a new beginning, a wanting of God's blessing. There is no Doctrine of Blessing. Evangelicals are not often asked for a blessing; absolution is mainly asked for in an *Anglo-catholic* setting. There are so many books and authors: scripture for start; my professors and lecturers in theology; conversations and writing; J.I. Packer; John Stott; Michael Green; and regarding the mission of the church and God's people. Most of all, I have been influenced by the biblical passages dealing with the marriage relationship."

# # #

"Blessing does not mean marriage. Blessing means asking God to favour and to encourage whomsoever, whatever, is being blessed. My understanding of blessing has been formed partly from biblical material, partly from blessing people and situations, and it is partly theological. It is not the priest or bishop who blesses, but God who is asked to bless; it is an ongoing goodwill, and favour. Only a priest or bishop, on behalf of the church and God, blesses the congregation at the end of a communion service, with 'The Blessing'. Books which have helped me to understand blessing are: the Old and New Testaments; and the *Prayer Book*."

# # #

"I don't believe in sacerdotal blessing. You ask God to bless, any Christian can do so. Blessing presupposes something God is pleased with and wants to prosper. My understanding of blessing is one of the 'very low' church. It has been formed primarily from the Old Testament and it is not defined as specifically Anglican. The authors which have helped me to understand blessing have been Old Testament theologians."

# # #

"Blessing is not a highly developed idea, but a formalised act, essentially a prayer for God's assistance for the entity being blessed. Due to the formality, it must also reflect policy. You can't bless something or ask for something God won't approve, there is a notion of authority; the revealed will of God comes into it. The biblical idea of blessing: a father blessing his children on his death bed, Jesus blessing the children, the liturgical blessings in the *Prayer Book*, blessing a child who is not baptised, blessing a house or food, these all come from the ***Bible***."

# # #

'Jack' details withheld: "Blessing is a request for God's involvement and joy. The only things that can be blessed are of God's plan or design. What about the blessing of a dog? A dog is part of God's design! Blessing persons does not pose a problem, but blessing some acts does, for example: murder."

# # #

"A blessing by the priest or bishop is authorised by the church on behalf of the church, it is of God's blessing. The *Anglo-catholic* understanding is more of a sense of bestowing a blessing. The broad Anglican understanding is the announcing of the blessing of God, as in marriage, or in asking for forgiveness and receiving 'The Absolution'. I have formed this understanding through my reading over the years, both formal study and an understanding of the Anglican orders of deacon, priest and bishop. Being a lay minister, you become aware of what you are not authorised to do, such as blessing the congregation, The Absolution, etc. I don't find it unduly restrictive, our roles as Church Army evangelists are conducted primarily to those outside the church [the Body of Christ]; the priestly functions operate mainly inside the church [the Body of Christ]. How we understand priesthood needs re-evaluating. The authors and books which have helped me in this understanding are too many to enumerate, (Bignall?) on the *Prayer Book*; and William Henry Griffith Thomas were especially helpful."

'Patricia', details withheld: "Blessing is an official recognition of a holy unction, of the church, of God, a recognition that this couple are to be a unit. It forms a 'ring of protection' in the spiritual realms; it conveys privacy, protection, recognition and a responsibility to a sense of serving family and community, to behave in a responsible way to God, family and the wider community (in that order). Should the church go along with the blessing of same-sex marriage, now that the State has approved civil unions? 'This is the blasphemous marriage of the anti-Christ church married to the State.' I have come to my understand blessing (because I am not originally Anglican), through conversations with clergy and friends in a general way, and through reading, from praying about marriage and from conversations with my mother. My understanding is of biblical blessing and biblical marriage. Helpful authors for me have been: Winkie Pratney, ***Youth Aflame***; Sy Rogers; the ***Living Waters Manual***; C.S. Lewis; and Sabina Wurmbrand, ***The Pastor's Wife***."

# # #

"Blessing is asking God to affirm and to add something to a relationship, it is stating that 'this' is OK, this is 'fine' and 'right', the church sees this as 'good' and it is adding something to it. It is a representative function of God's church, a sanctioning in the eyes of God. My

understanding has been formed by what it means to be a priest, what priests do, certain functions they perform, it is one of the delegated authorities of priesthood, to forgive sin, to bless, to consecrate the elements, etc."

# # #

"Blessing is something we believe is of the nature of God, God's gift, God is active and at work. Blessing is also for the future, for strengthening, a building-up for the future. Blessing is something priests and bishops do on behalf of God. It is similar to an Anglican priest stating: 'God forgives you', in private, or within a service. I have formed my understanding of blessing through the nature of ordination within the Anglican Church, as one who is set apart by the church to speak on behalf of the church, and on behalf of God. I still struggle with the nature of ordination, the creation of a priestly class, and thus the two classes of people (clergy and laity). This is due to my reading of scripture and my Open Brethren background."

# # #

"Blessing is a proclamation, an affirmation of God's good will. Public or private, it is an affirmation by an acknowledged representative of God, that a person stands in a place of good will with God, and stands to inherit all the benefits that come with a good relationship with God. I have been helped in my understanding of blessing by understanding the blessing of Jacob and Esau, though the confession and proclaiming God's forgiveness, through personal confession. Blessing is like giving the absolution in the proclamation of the grace and beneficial relationship of God. No particular authors have been formative, but the Old Testament and its understanding of covenants comes into it, as does some teaching by Mike Breen (formerly of St Thomas Sheffield, U.K.).

Appendix C:
Interviewees' Understanding — Blessing *CSsCs*

4) Regarding the blessing of same-sex couples by the Anglican Church in New Zealand:

    a) Please outline why are you personally – favourable or unfavourable — to clergy conferring a blessing on same-sex couples?

    d) What are the pivotal issues raised in a priestly conferring of blessing upon a same-sex couple?

    c)) Which authors have most influenced you in your decision regarding this matter?
    (Authors or Books that have significantly influenced the interviewee on these matters)

Proponent **Position:** personally accepting that same-sex relationships should be blessed and receive unequivocal acceptance within the full life of the church.

"It is a favourable extension of inclusion within the category of 'normal' in the church, as sexual orientation is a given from birth; it is 'normal' for them. That is not to say that society does not shape orientation to some extent. The church has put obstacles in the path of gays and their relationships. Blessing their relationships removes the obstacles. I found: L. William Countryman's work helpful."

# # #

"I have no difficulty with clergy blessing same-sex couples, since the 1990s [when an experimental liturgy was produced]. But, the Anglican church has not had enough discussion on the relationships; the church does not have a consensus to approve civil unions. I regret we didn't keep the momentum of the early 1990s on this issue. civil unions and same-sex blessings are different, but they are now entwined. Regarding the acceptability of blessing same-sex couples, it depends on one's theology of creation. If it were narrow, dualistic or highly personalised, you might have a problem. But if it were strong, with a broad understanding of the incarnation, then it is easier to approve the blessing of relationships 'outside the walls.' I have read widely in the theology of sexuality, and found: Stephen Bates, **The Church at War**; and James B. Nelson, **Embodiment** to be helpful."

# # #

"I am personally favourable to the blessing of same-sex couples, I can't think of a reason not to bless a committed, faithful relationship. Why not acknowledge that? I, as a priest, would support such a move. A public rite or blessing for a same-sex couple is akin to marriage, and is different to the blessing of the couple in the context of a house blessing, just as the blessing of a child is different to baptism. A committed same-sex couple is essentially the same as a heterosexual marriage. Mandatory celibacy devalues marriage and laity. I found: James B. Nelson; Patricia Beattie Jung and Ralph F. Smith, **Heterosexism: An Ethical Challenge**; **and** Adrian Thatcher, **Marriage after Modernity: Christian Marriage in Postmodern Times**, to be helpful."

# # #

"There is an institutional dilemma exposed by the Windsor Report. Concerning the individuals concerned, I would be just as favourable blessing a homosexual relationship as blessing a heterosexual relationship. The trend in thinking about marriage is about it being more than procreative, an emphasizing of its unitive aspects. Depending on which terms are

used in the rite, there are two possibilities for what blessing means. 1) A simple blessing of the relationship is morally and religiously legitimate. Let us set aside if this particular relationship is a marriage and proceed with blessing it. 2) Let us equate this relationship with marriage and call it such. I wrote an article in *Taonga*, Easter 2005, pp.50-51. Over the years I have read most of the standard texts on sex, sexuality and homosexuality. I found John Boswell helpful.”

# # #

“Committed relationships are sacred and therefore worthy of being blessed, when people are prepared to work at depth in a giving of self and love to the other. The giving of oneself to another is a virtue; it is a building block of what makes for a caring society. It requires needs of self to be held in tension with needs of another. The blessing of same-sex couples is a representational act of conferring an acceptance and honouring of the relationship in the eyes of God. It is an act of inclusion and a normalizing. It is not a barrier in the eyes of God. I found: Marvin Ellison, on same-sex marriage; Elisabeth Stuart; Walter Wink; Lisa Isherwood; Bishop Spong (early); John McNeill; and Dorothy McRae-McMahon to be helpful on these issues.”

# # #

“In 1990 the Liturgical Commission ‘prepared’ four liturgical ‘resources’, one of which was the ‘Blessing of a Relationship’. These resources were ‘offered’ to the church for ‘experimental use’. These resources had no authority; they were not ‘authorized’, they were deliberately ambiguous. Some bishops would not allow them to be used in their diocese. An engaged couple, a same-sex couple, a commune, etc, could use the ‘Blessing of a Relationship’. It asked God’s blessing on a couple who had entered a covenant. Because of the Windsor Report, it would now be impossible to approve a liturgy to bless same-sex couples. For the Church to formally approve or write a liturgy for committed same-sex couples would be inflammatory. But clergy have a pastoral duty. If a priest blessed a civil union couple I would not be terribly distressed. South Africa, Canada, the United States, all have a separate rite for civil unions as opposed to Holy Matrimony, in a desire to maintain unity. Along with Bishop ### ###, I wrote a paper on some aspects of these issues. I found: Michael Bailey; and Robert A.J. Gagnon and Don O. Via, *Homosexuality and the Bible: Two Views* helpful.”

# # #

“A relationship exists between two people before they get to church. The church was not involved in marriages until the 12th century. Some couples have been together for 10-12 years prior to being blessed. Since the State, in the Civil Union Act, has recognised same-sex relationships and ensured the protection of their legal and human rights, the Anglican Church now has to decide how to deal with that acceptance and recognition. The Anglican Church should go forward on the basis of individual clergy who are willing to approve and bless such relationships, rather than the collective approval of the church. In New Zealand, clergy have a confused status with regard to legal marriage and ecclesiastical marriage. In Germany and Italy, people are legally married by the State, and then they can go to the church if they want a blessing, the blessing is offered to strengthen an existing marriage. In New Zealand, the Government does not concern itself with the church’s position, their interest is with the with human and legal rights of the couple. Why does the blessing have to be restricted to heterosexual couples? In an age of uncertainty and sexually transmitted diseases, there is a moral responsibility to strengthen relationships, to give legal recognition, to encourage people to take responsibility and to negotiate monogamy. If bishops forbade my blessing a same-sex couple, I would be in an ethical dilemma, because it is right. Therefore, I would be stuck between what is right and what I am allowed. It is wrong to withhold blessing for a

homosexual couple. I wrote **Caring for God's People** and several other books which deal with aspects of these issues. I found: Charles Bennison; Marvin Ellison; and a book by John Shelby Spong (which touches on foetal development issues) to be helpful."

# # #

"The church should bless all things that are wholesome. Homosexual relationships can be as good (no more, no less), than heterosexual relationships. Is it not ironic that we are permitted to bless animals and inanimate objects, but not some relationships? Pivotal issues are: 1) The church has to admit that we were wrong about not blessing same-sex relationships. 2) We have to admit that gay relationships can be OK. 3) We need to acknowledge that approval to bless same-sex relationships will cause further division. 4) We need to live with such division. I'd much rather the pain of lancing the boil, than living with it. 5) We will be doing what many people know is the right thing. Many good people are doing the wrong thing. I can live with the Archbishop of Nigeria being in the Anglican Church, but he cannot live with my being in it. I have written many articles on these topics."

# # #

"I am favourable, partly because of my understanding of what blessing is, a blessing of relationships in society. We bless people before trips, when they are moving and at their anniversaries. Blessing is an acknowledging of two people who wish to live together, to share their lives, to ask God to strengthen and encourage them in their relationship. It is inviting God to be part of their relationship. The accepting of a same-sex couple is not the same thing as accepting that their relationship is one of marriage. 'Marriage' comes out of the heterosexual worldview. It has a lot to do with raising families, and involves a union of families. With gay relationships, it has more to do with two individuals. There is a certain degree of individualism and narcissism in the Gay Community. Are we willing to baptise and confirm same-sex people? Why then are we not willing to bless committed monogamous same-sex couples who are asking for the power and presence of God to be in their relationship? Bishop John Paterson has made it clear that same-sex relationships can be blessed in pastoral situations. I would find it hard to work for a refusing bishop. Some of the earlier biblical restrictions, such as vasectomy and 'the pill', are like culturally bound 'food laws', i.e., they no longer apply. The proscription of homosexual relationships may be of this same category." I wrote a sermon on this topic after the Windsor Report, and found: James Nelson; and John J. McNeill to be helpful."

# # #

"I am cautious to bless anything, coming out of a non-conformist background. But relationships are different; relationships are in the *Bible*. Marriage is not the only committed relationship in the *Bible*, for example: the same-sex relationships of David and Jonathan, Ruth and Naomi are examples of committed relationships that are affirmed, despite being same-sex. Same-sex friendship, sworn and covenanted before God invokes God's (and society's) blessing and support. The proper way to do this is in a church rite and ceremony. When two people make a commitment or a covenant together, that legitimises the sexual aspects within the relationship. John Boswell has almost the 'heart' of the matter, when he describes a same-sex relationship as same-to-same, as opposed to male-and-female relationship. There are role challenges in a same-sex relationship, roles and role modelling is acutely lacking in gay relationships (compared to heterosexual marriage). What is needed is a priestly restoration of same-sex relationships. There remains the issue of community acceptance and support for the relationship. There are problems with instability in young gay people, especially males, who typically have relationships of short duration. Civil Unions will create good role models for same-sex people. The pivotal questions raised by these issues are: 1) What is the community conferring, and what is God conferring, when a couple is blessed? 2) Juristically, what are the

powers implied by these two people? I have written a submission on behalf of the 'Auckland Community Church' regarding civil unions, and letters to Bishop Hui Vercoe and Scripture Union. I found: Louis Crompton, *Homosexuality and Civilization*; Plato, *Symposium*; Redeux; James Alison on spiritual friendship; Mark Henrickson's (Massey University) 'Lavender Island' project; Jack Babuscio; Robin Scroggs; Daniel Helminiak; David Greenberg; Stephen Bates; Lewis B. Smeades' essays; Mel White; John Boswell, *Same Sex Unions in Premodern Europe* and *Christianity, Social Tolerance, and Homosexuality: Gay People in Western Europe from the Beginning of the Christian Era to the Fourteenth Century* to be helpful."

# # #

"Civil Union is State legislation. I have no interest in being a civil union celebrant. I would want to know what the couple were seeking from a blessing, this needs to be assessed case by case. For example, I would not bless Britney Spears' marriage. The intent is paramount. I may not have blessed a same-sex relationship with words, but I have with my presence and acceptance, as did Jesus. At Auckland Community Church, I've been blessing couples. I'm not into calling civil unions 'marriages', marriage is heterosexual. If I withheld a blessing, what would I be saying about the God I serve, the God of love, grace and forgiveness? What image would I be giving? Who am I to withhold a blessing? Scripture informs me, but I follow Christ. We have been informed by working with people, counseling, therapy, both homosexual and heterosexual, rather than by authors."

# # #

"Is it acceptable to bless a battleship? Which would you rather I bless, a battleship or a couple? Ecclesiastically, a priest never acts on his or her own behalf. Pastorally, the particular couple's needs must be considered. Which is the greater good? Sacramentally, we need to ask: What is already going on here? The dimension of the priest is not creating something, but naming something that already exists. Not blessing in such a situation does not prevent God's blessing the relationship, but it can stand in the way and inhibit. We are not making the connections we need to with Acts 10 & 11, 'the abandonment of circumcision', I found: James Alison; Gareth Moore; Robin Green; Rowan Williams; and Walter Wink to be helpful."

# # #

"I'd like the church to find a way of this being part of what clergy can offer. It relates to our understanding of blessing, in that we are not giving anything away, but it is a celebration of blessing, love, the bringing up of children. All desires are to be celebrated and supported by the church. We have in Christian tradition a high value on celibacy; this stands as a critique of objectification or abuse of others. Pivotal issues are: 1) An ordained person does not an act personally, it is an act of the wider church. At present we do not have a consensus to proceed with such blessings at the moment. An ordained person is under authority, and at times must live with the grief of that. 2) There will be an association of this blessing with marriage. But I don't want everything in one box; we don't need to have one box; it does not need to be a marriage to celebrate it. Marriage is not a gold-standard with everything else secondary or a derivative of marriage. It is not a matter of authors, but a response to issues and people I have contact with and respect for. I found: Allan Brash (Don Brash's father, a Presbyterian Elder) to be helpful."

# # #

"My personal opinion is favourable for the blessing of same-sex couples. 1) I have approve morally of such blessings, based on the fact that there are genuinely homosexual people. The homosexual orientation is a natural condition, it not an aberration or sin. 2) Therefore, if two

want to enter a permanent relationship with the same commitment as marriage, I am prepared to pray God's blessing on their relationship. 3) Based on long-term and close friendship with committed gay Christian couples, I don't believe I can say: 'You have got it wrong, you are living in sin.' What they are doing is within God's purposes. A bishop should have and express a private opinion, but, and must, accept the opinions held by those in the Diocese, provided they are views acceptable within the broad confines of Anglican belief. Bishop Richard has written a helpful article in **Taonga**, Christmas 2004, p.8. Though I have read widely, no one book or report was significantly influential."

# # #

"I am favourable. I don't have a high view of heterosexual marriage. What determines a person is not determined by body shape, but unity of mind, heart and spirit. The *Bible* doesn't tell us everything, just how to be saved. What action is taking place when we bless? What is the priest doing? The couple in the West are marrying themselves. In Eastern Orthodoxy, the priest marries the couple. Tradition is a living thing. Christianity is about the acknowledgment of the individual; 'you' must have faith. Marriage is a three-some, man and woman and God, it is for procreation and the raising of children. We should have compulsory civil marriage, then a church blessing if that is wanted; it would remove some of our problems. I found: John Boswell; F.R. Bolton, *The Caroline Tradition of the Church of Ireland: With Particular Reference to Bishop Jeremy Taylor* and *Anglicanism and The Thought and practice of the Church of England*, Editors: Paul Elmore More and Frank Leslie Cross to be helpful."

# # #

"The church has overemphasised sexual matters. I am open minded or whether homosexuality is part of God's plan, or not. Only 0.6% of couples in New Zealand are homosexual. There are many people who have flaws in heterosexual marriage, or enter marriage for flawed purposes. Some pivotal issues are: 1) How do you read the *Bible*? Is it a journey of people with God? Do you accept that it has it has been strongly influenced by culture? Or, does it have a life of its own, such that you are simply the receiver of this message? 2) How do you relate to and help people who are going astray? 3) Look at the Canons, you cannot bless same-sex couples. To bless same-sex couples would require a change in the Canons, though General Synod. The Anglican Church has an in-built bias to the conservative, the church is way behind in how to instil the ideals of Christian marriage. 4) Who are the guardians of Doctrine – the bishops and the church. I have found: that my experience with people; and the Canons of the Anglican Church to be helpful."

# # #

"We have had the blessing of same-sex couples on our books for a long time, since 1990, and I was a witness to a same-sex couples' blessing conducted in the United States. [Note: at this point, the writer stated that the liturgy she was referring to was an *experimental* not an *authorised* liturgy]. I was under the impression the church had approved that liturgy, I was not aware it had not been authorised. With a same-sex couple, I see two human beings wanting God's blessing on their relationship. God is so central in their relationship, that they want God's blessing for it. I want to celebrate that yearning. To challenge or suspect such a request is reprehensible. This issue involves the whole question of human sexuality. I have written on the general topic, and have L. William Countryman; and John O'Neill to be helpful.

# # #

"I am favourable; no priest should refuse to bless anything. By blessing something you are not making a moral statement about what you are blessing. Blessing is inviting God into a situation in which he is already involved. By speaking, you make things different. I am not a guardian of the sacraments. I have no time for the church setting walls around God's love.

Regarding 'Till death do us part', this is a statement of 'depth', not 'length'. Blood relationships are the only forever. Some pivotal issues are: 1) Have they asked for a blessing? According to Derrida, you can't forgive a person unless they ask for forgiveness. By that analogy, therefore, you can't bless somebody unless they ask for it. 2) To reassure the couple, anything other than agreeing with them is other than the love of God. The priest is not the gatekeeper on blessing. 3) The church is very naïve about sexuality. Freud, in his 'Drive Theory' says that people are 'polymorphous perverse', that what is fundamental is the energy of the sexual drive, rather than the sexual object of desire. A lot of the structure of relationships is affected by society; scripture is not the last word. The church still takes a fundamentalist view of sex, but it has dropped that view in regard women and usury. Why is the church taking this view on this issue? 4) There is a lot of tension about authority. The 'Family Values' movement is about hierarchy and control, fear and power. Gay people frighten people. Priests are particularly, instinctively, afraid of women and gays as priests because they feel challenged by their natural, superior, abilities in caring and nurturing. Gays and women, generally, have not worried about preaching, which is important for male heterosexuals, so they are not threatened by those aspects. I found: (Bishop?), ***Issues of Sexuality***; ***Natural Extravagance***; Stephen D. Moore, ***God's Beauty Parlour***; Louis Crompton, ***Homosexuality and Civilisation***; Tim Dean, ***Beyond Sexuality***; and Tim Dean and Christopher Lane, ***Homosexuality and Psychoanalysis*** to be helpful.

***Medicament* Position**, accepting, possibly with some reservations, same-sex relationships within the life of the church, but ambivalent regarding the advisability of blessing same-sex relationships:

"I don't think I'd have any objection to it, but on the other hand, I don't think same-sex couples should demand it. Any couple can make a lifelong commitment. That in itself is a blessing. Living together in a community is a blessing. One should be outward looking, so as to be a blessing to others, to lay down one's self for the other in the relationship that is based on the Trinity to lay down one's life for others. Being part of the grace of God, operating through committing ourselves to a lifelong commitment, is a blessing. The pronouncing of a blessing by a priest is a good thing, an icing on the cake. Marriage, sacramentally, the priest does not marry the couple, but bride and groom marry each other. The proclamation of blessing by the priest is an articulation of the congregation and the attitude of what the bride and groom have done. It is not essential. People can marry without blessing, in the sight of God; people have intentions and commitments to each other. Blessing is an icing on the cake. Witnesses are not on the cake, but essential. The nature of commitment is essential. I'm inclined to wonder how important it is to override the conscience of those who oppose approval. Life as a couple in a congregation is very important. What does it mean for human beings to bless? Isn't it God who blesses? Civil Unions and marriages ought to be honoured equally. I submitted an article to the committee considering the Homosexual Law Reform Bill in 1986."

# # #

"I am against it, ecclesiologically, whether the church is a body, or a collection of bodies; my accountability and loyalty is called into question. But I would argue in favour of relationships where a gay couple whose relationship showed what it means to be in Christ, as an example of God's kingdom. I may have questions, such as: 1) Does this relationship show sufficient quality to be blessed? 2) But what do you do about kids? We have separated sex from procreation, and there are now questions about procreation for same-sex couples. Yet older people, unable to have children, get married. Is there a qualitative difference between a

relationship between a man and a woman with the possibility of having children, and a same-sex couple with no possibility of having children? I am stuck theologically; some of my friends are homosexual. How are they to live? To say to them that their relationship does not exist would have to say they are not human in the way I am. The pivotal issues raised are: 3) Ecclesiological – what is the church? 4) How do you handle scripture? 5) The authority and accountability to priesthood. I found: Derrick Sherwin Bailey, ***Man-Woman Relationship in Christian Thought***; ***The Virginia Report: The Gift of Authority***; Nancy L. Eiesland, ***The Disabled God: Toward a Liberatory Theology of Disability***; Luther and Calvin on the solemnisation of marriage, to be helpful.”

# # #

“I am unfavourable: 1) The Windsor Report. 2) The church in Aotearoa and New Zealand has not produced or agreed on a way to proceed. The exception to that was the 1990 ‘Blessing of a Relationship’, which is non-specific. Some pivotal issues are: 1) We need to be clear about the nature of marriage, and that a same-sex relationship is not marriage. 2) The church has no liturgy or theological support for a liturgy of same-sex marriage. The theological debate has not been primary. To date, we have not had a debate, but we will have to debate this issue. There may be a parallel with the remarriage of divorcees, which was approved in the early the 1970s, first with the Bishop’s approval, then by declaration by the couple. I found: Hans Kung, ***Paradigm Change in Theology***; Bishop Ian Ramsey; readings on ‘middle-axioms’; and in Natural Law to be helpful.”

# # #

“I am in favour of blessing same-sex couples. Setting aside the theoretical nature of ideal human nature (I take a jaundiced view of ontological speculation), we seem to extract the healthy deconstructing, the flesh and blood realities from the theoretical. We should not get caught up in arguments about the theoretical ‘best way’, as we have no objective measure of what is ideal. Our theology cannot, should not, cut across reality. We have to acknowledge that these matters are complicated. Regarding fallenness: Life exists with pain and suffering in everything around us; there are imperfections. I don’t accept that the blessing of committed same-sex relationships pronounces an ontological verdict regarding same-sex relationships, but it is an affirmation of the relationship within our worshipping community. I have met many committed same-sex couples that exhibit the same strong faith commitment as other Christians, so it is appropriate to acknowledge and affirm these relationships. It can be healing to bless such relationships due to the conflict and lack of affirmation they receive from family and society. Regarding scripture, Anglicans have always taken the nuanced view via Scripture, Tradition and Reason. To my mind, marriage is quite clearly something between a man and a woman. The blessing of same-sex couples does not mean there is not a qualitative difference between Holy Matrimony and committed same-sex couples. People have got caught up with the notion that if we bless committed same-sex couples, we are challenging Holy Matrimony. We need to invent a place for committed same-sex couples in our worshipping life and community. I am in favour of exploring what resources are available within the Liturgy, to come together and explore the potential of finding an acceptable solution. I wrote an MA thesis on a theoretical understanding of sexuality within the Christian context, (copy held at Hewitson Library, Dunedin). I found: readings in the theory of sexuality; Jeffrey Weeks; W. Norman Pittenger; and Igor Primoratz to be helpful.”

# # #

 “I don’t see same-sex relationships sanctioned by scripture in the same way marriage is sanctioned by scripture. Homosexual people should be embraced as anyone, but blessing would be an encouraging of same-sex relationships. Homosexual people should be accepted into church membership, but not into leadership. They should be allowed communion, for that

is up to an individual's conscience. Some pivotal issues are: 1) The special relationship of marriage in the Church. 2) The appropriate nature of a homosexual relationship, does God approve and favour such relationships? I might change my attitude over time. There are some other scriptural proscriptions in regard to other religions, male temple prostitutes, pedastary, etc."

# # #

"I am double-minded on this. I am increasingly aware of gay Christians who are orthodox in belief and discipleship. A problem exists if we require them to change and they can't. Our pastoral task is to find a way to bring God into a gay couple's relationship. God's vision for humanity is heterosexual; gayness is an expression of fallen nature, blessing same-sex relationships confuses the issue. There is no doubt the Old Testament regards homosexual genital activity as wrong. Hermeneutics and human experience need to be weighed with the biblical material. It is so difficult to have these discussions because so much is tied up with 'belonging'. I am somewhat concerned that this issue is absorbing so much time and effort. Some pivotal issues are: 1) The status, thereby, conveyed by the relationship. 2) The message, thereby, that comes from the church to the public. I have written on sexuality in *Stimulus*. I found: Bishop John Paterson's 'charge' to Synod 2004; and pastorally, Lewis B. Smeades to be helpful."

# # #

"At the moment, I am unfavourable to the blessing of same-sex couples, because it would break the spiritual discipline within the Anglican Communion. When a priest blesses a couple, s/he does so as an agent of the church. The church does not agree on such blessing, and until it does so, I can't act on my own authority. However, I'd like the opportunity to do so, when/if the collective mind of the church changes. My understanding of homosexuality is that it is a disability, one response to which can be living within a relationship of covenanted love in which can be seen the covenant love of God. I think this type of relationship can and should be celebrated and blessed. Part of my understanding of blessing is that it is a call to celebration and thanksgiving. I have an ambivalence regarding the blessing of a homosexual relationship, and that is that I would be comfortable to celebrate the love, but not the disability. Regarding the claim "Not a Disability, Not a Sin", according to the 3rd leg of 'the stool', we could say that same-sex relationships are not affirmed, but that heterosexual relationships were affirmed and fundamental to our understanding of what it means to be human. This is because 'reason' is a rational reflection on 'experience', and experience may be a 4th leg to 'the stool'. Some pivotal issues are: 1) There is an ethical imperative, a 'pastoral need', to affirm and strengthen what is good authentic love, and to minister to such a relationship so as to strengthen that love. There is a need to relate to their love and faith. 2) Another issue is the incorporation of disability within the community of the church, to recognise that the church is not 'the community of the whole', but of 'those on the journey to wholeness'. 3) There is a need to relate the culture to core orthodoxy. For those united by core orthodoxy, the need is to be able to distinguish their culture in the light of that, and not to impose their culture on others, including the sexual culture. New Zealand has an 'adolescent' understanding of independence and community. It is difficult for a symbolic person, like a priest, to reshape unilaterally symbols in the church. A priest is a custodian of symbols in the church. They can be prophetic (and should be) in their words. The symbols carry weight of agreed Christian meaning; they are not to be individually revised." Peter Stuart was interviewed 2 February 2005. Tim Meadowcroft was interviewed 24 January 2004. Peter found: Derrick Sherwin Bailey, *The Man-Woman Relation in Christian Thought and Homosexuality and the Western Christian Tradition*; L. William Countryman, *Dirt, Greed and Sex*; Robert Jewett and John Shelton Lawrence, *Captain America and the Crusade Against Evil: The Dilemma of Zealous Nationalism* to be helpful.

# # #

"Personally, I'd say no, but I feel comfortable to allow others to do so, similar to the flexibility we have to accept or refuse a divorced person's remarriage. The pivotal issues I think are: 1) The status of the relationship, its morality. 2) Inclusiveness vs. exclusiveness, and on what grounds. There are pastoral issues that need to be considered, such as, if it has always been their orientation would it be sinful *per se*? Yet in the broadest biological sense, such relationships it do not make sense. I think the jury is still out and that it falls into a 'grey area' because of the hardness of hearts. 3) It seems to be a psychosocial disability, one that is hard to discuss due to the emotional tension that surrounds these issues. Those who are homosexual are different from the majority, but they feel they are 'normal'. 4) There is also the question of 'orientation' vs. 'preference'. 5) And of course there is the question of: 'How can we as Christians learn to live together and understand another position?' I wrote an article on this topic in 2004."

***StatusQuo* Position**: rejecting that same-sex relationship should be blessed and receive unequivocal acceptance within the full life of the church:

"I am unfavourable to approving the blessing of same-sex couples, because that would be proclaiming something is blessed, when it is actually prohibited, by God. It seeks to sanctify something that needs to be repented of, and healed. It undermines the biblical theology of creation, our being created men and women. I found: Edith Humphrey; and Robert A.J. Gagnon helpful."

# # #

"I am not happy with blessing same-sex couples. The blessing of couples is designed for heterosexual couples. Nowhere in the *Bible* are homosexual couples blessed. How can you bless something that God has not blessed? You can't! I take the blessing of marriages very seriously; they are different than civil marriages. In Holy Matrimony God becomes part of the marriage; three people are now in this marriage by God's action. God joins their spirits together at this point. The leaving of parents and cleaving together spiritually is also very important. Blessing is a powerful act, not to be done lightly. I spoke at the Christchurch Synod 2004, presenting some material by Neil and Blair Whitehead. I found: Neil Whitehead, *My Genes Made Me Do It*; John and Paula Sandford, web-edition; and Briar Whitehead, *Craving For Love* to be helpful."

# # #

"Basically, same-sex relationships are non-Christian and non-biblical, as seen from a theological perspective. It is not for Christians to endorse such relationships. We have to work out how to pastor and help people in these relationships. We need to pray to hear what God is saying to them; a listening to God. I wrote a response to the Auckland Licensed Ministry Conference, July 2004. I found: Robert A.J. Gagnon and Don O. Via, *Homosexuality and the Bible: Two Views*, and various papers and summaries helpful."

# # #

"I am opposed to clergy conferring public blessings on same-sex couples at this present time. There are a variety of issues to resolve. There is no clear or agreed theology on the nature of these relationships. Synodical authority is required to proceed. If public blessing of same-sex couples were given Synodical approval, it would create significant relational problems with our mission partners in the Anglican Communion. Such public approval would constitute

rebellion against the Windsor Report. There is scope for individual clergy in individual pastoral situations, to pray as they see fit. The only people who appear to be thinking these matters through theologically and are moving in a direction of change are people who are liberally educated evangelicals." Don Battley was interviewed 25 January 2005. Don has written several articles. He stated of John Shelby Spong's writings: "his work has had a profoundly negative impact".

# # #

"It is wrong for a same-sex relationship to incorporate genital sexual activity, from a Biblical perspective. Therefore, an Anglican priest would be saying that something, which is 'wrong', is now called 'good'. It would be blessing sin, blessing something that God has forbidden. It would be perceived by people that such a relationship is a marriage. I found: the scriptures; Don Carson (Canadian); and an article by J.I. Packer to be helpful.

# # #

"It is a sacramental oxymoron. We live in a society, according to Kant, where we can create our own universe. But as Christians, we come into a world where we are part of an order, male and female, so the blessing of committed same-sex relationships is a defamation of created order, 'tragic irony'. We are not masters of our own moral universe, but recipients of a moral created order. There is a lot of freedom in that, what do we mean by 'freedom in form'? I found: Edward Yarnold; the multiple revisions of the *Prayer Book* worldwide; Edith Humphries, **Why This Issue**; and the term '*Lex orandi Lex crenedi*' –'the principals and practises of worship give rise to principals and practices of belief' to be helpful."

# # #

"We do not have the church legislation to approve such blessings, it is not catered for in our *Prayer Book*. Nor have the bishops agreed on such blessings. The pivotal issue is the rendering of a blessing, confirming God's favour, without the authority of the Church. The Church has not agreed that clergy may bless same-sex relationships. The institution of marriage is based on scripture and tradition. I have written on this topic in: **Diolog** and **LinkWell** (now **NewsNet**), in Synod Charges, and the article: 'Bishop Warns - Civil Unions // Blessings'. I have read John Shelby Spong – his corpus is an influence, and I have listened carefully to some of the bishops and clergy. I have valued Peter Stuart's writing and speeches and the WIT (Wellington Institute of Theology) seminar, on this topic, in 2004."

# # #

"I am totally unfavourable of blessing same-sex couples, because blessing indicates God's approval. Some situations exist, due to the nature of humanity, the situation of mental handicap for example, where you bless the people, not the condition. The issue is whether same-sex relationships are part of God's intention for humanity. I have found Biblical Theology helpful with these issues."

# # #

"I am unfavourable to the blessing of same-sex relationships. By definition, blessing gives connotations of approval. A priest cannot approve something on behalf of God, which God has not approved. We cannot confidently say that God approves that which God has not approved in the *Bible*. On the basis of scripture, can a same-sex relationship be morally right? The blessing of same-sex relationships would form inextricable links with marriage. If we set aside the moral issue, could we bless the same-sex friendship if it were not thought of as marriage? The church may compassionately wish to honour a monogamous same-sex relationship, but what happens if it falls apart? I would prefer an act of registration of the marriage, and if desired, followed by a blessing in a church. I wrote a submission to **Taonga**;

and proposed a Motion at General Synod 2004. I have found: Robert A.J. Gagnon to be helpful on these issues."

# # #

"I am unfavourable to the blessing of same-sex couples. As priests of the Anglican Church, by ordination, we are required to uphold scripture. This issue goes back to Genesis 1 and 2. On that basis, how can we give God's blessing?" I wrote two submissions to Parliament regarding the Civil Union Bill [now Act] and two submissions regarding the proposed "Hate Speech Bill". I have found: Francis and Marjorie Foulkes, *Sane Sex*; and articles from James Dobson's "Focus on the Family" to be helpful.

# # #

"It is important that we don't bless same-sex couples, not because we are homophobic, but from scripture, from God's original intent for marriage. Socially it devalues marriage and family. I would feel comfortable being able to bless a 'friendship' that did not involve sexual activity. In an openly declared sexual relationship [that was not marriage], I would caution the couple's receiving communion. In the past a couple married in the registry office, and then, if they so desired, they came to the church for a blessing. In Egypt there is no church wedding, only civil weddings, you take them through the *Prayer Book*. My view has been formed from reading scripture, in Genesis, on marriage."

# # #

"I am concerned about the blessing of same-sex couples. 1) It seems to be raising same-sex couples' status to that of marriage. 2) Scripturally, there is nothing to support the blessing of same-sex relationships. In Genesis, God favours and blesses the notion of a man and a woman in a new relationship, it being God's will. Conferring a blessing is an approval; it says that God approves this. But this would be a human conferring of a blessing, which is outside God's plan. The condition of homosexuality is a disability, we accept and love those with a same-sex attreaction, but do not bless their condition. I found: Robert A.J. Gagnon and Don O. Via, *Homosexuality and the Bible: Two Views*; and others works by Robert A.J. Gagnon to be helpful.

# # #

"I am unfavourable. You can't ask God to bless something that does not conform to the marriage-type union. I personally don't bless dogs . . . but you can bless anything God has declared/sanctioned as good. Homosexuality has not been declared good. I think that same-sex attraction has some hormonal aspects, some congenital aspects, it is something that has gone wrong, a manifestation of the fallen nature of humanity." Michael presented some material to the Auckland Licensed Ministry Conference in 2004, and presented a response in 1998 regarding the homosexual debate. I found: Richard Hays, *The Moral Vision of the New Testament*; Robert A.J. Gagnon; N.T. Wright; and Douglass J. Moo, *The Epistle to the Romans* to be helpful.

# # #

"I am not in favour of blessing same-sex couples. My reasons are two-fold: 1) Because of a biblical understanding (scripture is our authority), and scripture is unambiguous on this issue. 2) Anglican policy requires grounds for a change. The Windsor Report states that such change involves a complex process, and it has not been demonstrated that there is a need for change. I found: Bob Barrett; Tim Meadowcroft; and Richard Hays, *The Moral Vision of the New Testament* to be helpful."

# # #

'Jack', details withheld: "I am unfavourable, such relationships are not part of God's plan or stated purpose. It is not possible to bless something that is not God's desire. Society is pre-occupied with sex. Homosexuality is all about sex, but there is more to life than that, but I don't think either group realises that. Pivotal issues are: 1) The Pastoral Care the two people involved will be receiving. 2) That which is being blessed needs to be in accord with God's plan and purpose. 3) What are the people being blessed seeking in the blessing? Do they feel unloved by God? What will be happening, what will make it better? If you are a heterosexual, everything is normal; but if you are gay, marriage and kids are a problem. The issue of blessing same-sex couples is about 'recognition', and then only in the gay community. The heterosexual community does not see same-sex relationships as marriage. I have been influenced by lots of authors; 'liberal' people help you understand some things; the **Bible** is a really good reference; Exodus Ministries' **I Do Exist** (a DVD concerning gays who left the gay lifestyle) is helpful."

# # #

"The scriptures are clearly opposed to such relationships. 1) As a justice issue, I am favourable to see the rights of same-sex people protected. 2) Can we change the basis of sexual morals? I don't think we can. What are the principles to do so? The philosophy of the Enlightenment has coloured our reading of the *Bible* and our theological thinking. It is a saying yes to something the church has always said no to. It would change the meaning, attitude and view the church has held regarding sex and sexuality. We are living with a Greek dualistic view of reality, where Matter is BAD and where Spirit is GOOD. How do we decide if something is wrong? We need to return to the documents with the best scholars and tools to re-look at these issues. Even when we do that, we will not be free of a subjective view, because of our 'sin bent' viewpoint. Regarding Scripture, Tradition and Reason, the "Three-legged Stool", the Caroline Divines held that these authorities were not equal, but sequential. If the first did not resolve an issue, you moved on to the next, then the third. I have spoken on this topic, and wrote an unpublished response to Bishop Richard Randerson's **Taonga** article. I found: N.T. Wright; Alister McGrath; C.S. Lewis; Robert A.J. Gagnon and Don O. Via, **Homosexuality and the Bible: Two Views**; and Jeffery Satinover, **Homosexuality and the Politics of Truth** to be helpful."

# # #

"Pivotal issues are: 1) The Church has a duty to be compassionate and accommodate all people. 2) Blessing a person, yes. But a same-sex relationship, especially where there are children, I have difficulty with that. It seems wrong, not the reality of what nurtures the world."

'Patricia', details withheld: "I am unfavourable. If any homosexual or lesbian has struggled, as I have, they will not be helped by the church's 'OK'ness' about same-sex relationships. If a person has decided it is not an appropriate lifestyle, it would not help for the church to be blessing such relationships. It would be helpful if the church was confirming the biblical standard. In the pastoral care of people, problems can be set-up for later. A wise pastor has to avoid these, if at all possible. Gay sexual activity is sin, it falls short of the glory of God: this is a good enough reason not to bless such relationships, which would involve the priest being in deception towards the couple and the congregation. It is not society putting a guilt trip on homosexuals; there is something wrong with the lifestyle. If there is ministry for a same-sex couple, there is a place for blessing the homosexual couple to help them to individuate, to heal. If such a blessing were to be put into a form, then it would need to be worded very carefully. I wrote an article in the NZ Herald in the 1980s. I found: Winkey Pratney, **Youth Aflame**; Sy Rogers; the **Living Waters Course Manual**; C.S. Lewis; and Sabina Wurmbrand, **The Pastor's Wife** to be helpful.

# # #

"I am unfavourable, it runs against the Anglican Communion. God does not bless, from scriptural theology, same-sex relationships. Blessing is not magic, it cannot be treated in isolation from theology and the scriptures. Same-sex relationships fall short of God's intention. The debate from the conservative side has not been that great in the run-up to the Civil Union Bill. The pro-side sees this as a Human Rights issue. It will mean a normalisation and, most likely, an increase in: homosexual activity, unhealthy lifestyles, and more unhealthy people. The blessing of same-sex couples is the affirming of something that, from scripture and theology, cannot be affirmed. As the Archbishop of Canterbury (Primates' Meeting, October 2003) said: 'There is no theology for it.' This debate needs to be worked out at a denominational level (Anglican Communion), rather than the Provincial level (*ACANZP*). The Windsor Report gives the proponents for blessing same-sex relationships the opportunity to report the theological aspects of the pro-side, this has not been done to date. I wrote a response to Bishop Michael Ingham - New Westminster, B.C., an editorial in the *NZ Herald* and one in **Stimulus**. I found: Jeffery Satinover, **Homosexuality and the Politics of Truth**; Robert A.J. Gagnon, **The Bible and Homosexual Practice**; Gareth Moore, **A Question of Truth** to be helpful." Bruce was interviewed 10 December 2004.

# # #

"The inference of blessing same-sex relationships is that this relationship, in its nature, is approved by the church. We don't bless any sexual relationship other than marriage, so approving such a blessing would move same-sex sexual relationships into the same footing as marriage. Biblically, and traditionally, there is nothing to urge its authorisation and every reason to hesitate. In praying such a blessing, what you are doing to actually help these people? It may be a short-term comfort, but it is not a long-term help, for a lifetime of spiritual growth. The New Jerusalem *Bible* has this to say in Romans 8: 'We have no obligation to human nature, to be dominated by it.' There is a struggle between flesh and spirit. We are often told to be what we are, to fulfil out desires, to the end that, the essence of struggle in the Christian life gets dismissed. I wrote a report on the Windsor Report.

# # #

"I am unfavourable. The position from the *Bible* is unequivical, and opposed to same-sex sexual practices. There are 'conversations' in the *Bible* over slavery, divorce and remarriage, women in leadership, whereas the *Bible* is unambiguously repugnant towards homosexual activity. It is evident that such practices are contrary to God's blessing. The Enlightenment has allowed a sustained critique of the biblical position for the first time. This is the first time the church has been asked to affirm that which was formerly proscribed. Many laws within the *Bible* are health laws, God is concerned for our health, this is not an arbitrary legalistic proscription. The pivotal issues are: 1) The Authority of Scripture. Is homosexuality something that God can tolerate, or, do people need to repent of this activity? If God were not concerned with people, it would be a whole different ballgame. 2) The homosexual lifestyle appears to be a culture of eroticism and promiscuity, which is unhealthy for people, families and the community. 3) There is a difference between permitting and promoting. Blessing same-sex relationships would be viewed as a promoting of that lifestyle. We need to be cautious of allowing a minority group to gain tyrannical power over the majority. I wrote a letter to the (then) Archbishop of *ACANZP*.

Appendix D:
Lambeth 1998, Resolution 1.10 "Human Sexuality"

Lambeth Conference 1998: Resolution 1.10 Human Sexuality

This Conference:

1   commends to the Church the subsection report on human sexuality;

2   in view of the teaching of scripture, upholds faithfulness in marriage between a man and a woman in lifelong union, and believes that abstinence is right for those who are not called to marriage;

3   recognises that there are among us persons who experience themselves as having a homosexual orientation. Many of these are members of the Church and are seeking the pastoral care, moral direction of the Church, and God's transforming power for the living of their lives and the ordering of relationships. We commit ourselves to listen to the experience of homosexual persons and we wish to assure them that they are loved by God and that all baptised, believing and faithful persons, regardless of sexual orientation, are full members of the Body of Christ;

4   while rejecting homosexual practice as incompatible with scripture, calls on all our people to minister pastorally and sensitively to all irrespective of sexual orientation and to condemn irrational fear of homosexuals, violence within marriage and any trivialisation and commercialisation of sex;

5   cannot advise the legitimising or blessing of same sex unions nor ordaining those involved in same gender unions;

6   requests the Primates and the *ACC* to establish a means of monitoring the work done on the subject of human sexuality in the Communion and to share statements and resources among us;

7   notes the significance of the Kuala Lumpur Statement on Human Sexuality and the concerns expressed in resolutions IV.26, V.1, V.10, V.23 and V.35 on the authority of scripture in matters of marriage and sexuality and asks the Primates and the *ACC* to include them in their monitoring process.[1]

* * *

Also, in a recent letter to the Anglican Primates, this statement by Archbishop William's regarding Lambeth 1998 1.10 and Lambeth 2008:

"Despite the levels of bitter controversy over sexuality in the Communion, I do not hear much enthusiasm for revisiting in 2008 the last Lambeth Conference's resolution on this matter. In my judgement, we cannot properly or usefully re-open the discussion as if Resolution 1.10 of Lambeth 1998 did not continue to represent the general mind of the Communion. But . . . two things . . . will be relevant and helpful . . . First, in response to Resolution 1.10 of Lambeth 1998, and with the encouragement of *ACC* 2005, [the] collecting and co-ordinating work done in the Provinces about the issue, reflecting the experience and discernment of Anglicans around the world . . . to allow time for this to be presented and reflected upon in 2008. Second . . . the difficulties we have as a Communion of making decisions in a corporate way. The Windsor Report raised this as a major question, and we shall need time to think about the Report's theological principles and its practical suggestions, particularly the idea of a 'Covenant' for our Provinces, expressing our responsibility to and for each other."[2]

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[1] Lambeth Conference (1998), available from: *The Anglican Communion Official Website*: http://www.anglicancommunion.org/windsor2004/appendix/p3.6.cfm; downloaded 14 March 2005.
[2] R. Williams (2006). "Archbishop sets out thinking on Lambeth Conference 2008". 9 March 2006, available from: http://www.anglicancommunion.org/acns/articles/41/25/acns4127.cfm; downloaded 2 April 2006.

Appendix E:
ACANZP Constitution: The Formularies

1. This Branch of the United Church of England and Ireland in New Zealand doth hold and maintain the Doctrine and Sacraments of CHRIST as the LORD hath commanded in His Holy Word, and as the United Church of England and Ireland hath received and explained the same in the Book of Common Prayer, in the Form and Manner of Making, Ordaining, and Consecrating of Bishops, Priests, and Deacons, and in the Thirty-nine Articles of Religion. And the General Synod hereinafter constituted for the government of this Branch of the said Church shall also hold and maintain the said Doctrine and Sacraments of CHRIST, and shall have no power to make any alteration in the authorised version of the Holy Scriptures, or in the above-named Formularies of the Church: (1857)

10) And the said **BISHOPS, CLERGY**, and **LAITY** do further declare and establish as follows:

2. The above Provisions shall be deemed **FUNDAMENTAL**, and it shall not be within the power of the General Synod, or of any Diocesan Synod, to alter, revoke, add to, or diminish any of the *same. (1857)*[1]

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[1] *Constitution of the Anglican Church in Aotearoa, New Zealand and Polynesia*, "The Fundamental Provisions", Parts 1. and 6, available from: http://www.anglican.org.nz/Canons%20Reprint/Pdf.%20Files/D.%20Constitution%20English.pdf, downloaded 7 June 2007. Bold and capitalised text as in original.

Appendix F:
The *Doctrine of Infelicities* (re: Utterances)

1) There must exist an accepted conventional procedure to include the uttering of certain words by certain persons in certain circumstances, and further,

> (A. 2) the particular persons and circumstances in a given case must be
> appropriate for the invocation of the particular procedure invoked.

> (B. 1) The procedure must be executed by all participants both correctly and

> (B. 2) completely.

> (Γ. 1) Where, as often, the procedure is designed for use by persons having certain thoughts or feelings, or for the inauguration of certain consequential conduct on the part of any participant, then a person participating in and so invoking the procedure must in fact have those thoughts or feelings, and the participants must intend so to conduct themselves, and further

> (Γ. 2) must actually so conduct themselves subsequently.[1]

Different infelicities can be combined or can overlap.[2]

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[1] Austin (1962), p.14-15.
[2] Austin (1962), p.26.

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