

THE ROTHESAY REPORT

THEOLOGICAL RATIONALE FOR SAME-SEX MARRIAGES

General Synod 2007 requested the Council of General Synod to consider a revision of Canon 21 (On Marriage) including theological rationale to allow marriage of all legally qualified persons and to report back to General Synod 2010.

This resolution asks CoGS to consider a revision of the marriage canon. To assist it with its discernment, CoGS requested that the Handbook Concerns Committee do the work of preparing canonical revisions, and that Faith Worship and Ministry prepare a theological rationale to make the case for making the changes.

Faith Worship and Ministry first sought, and then received, clarification from CoGS that the subject is the marriage of same-sex couples, not all legally qualified persons. The church wants to reserve the right to define for itself who the proper subjects of marriage are, rather than leave this to the state.

*Faith Worship and Ministry's response is **The Rothesay Report**. This is a **study paper**, which was offered to the Council of General Synod in the course of their discernment. The Council has referred it back to Faith Worship and Ministry for further work, "to expand it to include a broader spectrum of theological thought on the question of the marriage of same-sex couples."*

The Rothesay Report

Theological Rationale for Same-Sex Marriages

Faith Worship and Ministry Committee

Introduction: The Task

1. General Synod in 2007 requested the Council of General Synod to consider a revision of Canon 21 (On Marriage) including theological rationale to allow marriage of all legally qualified persons and to report back to General Synod 2010. In response, the Council asked the Faith Worship and Ministry Committee to prepare a theological rationale. At the request of Faith Worship and Ministry, which was concerned that the term 'all legally qualified persons might lead the church to be obliged always to accept the definition of marriage used by the state, the Council of General Synod clarified that what it was seeking was a theological rationale to amend the marriage canon to allow for the marriage of *same-sex couples*. At the conclusion of its October 2008 meeting the Faith, Worship and Ministry Committee of the General Synod appointed a Task Force to undertake this work.

2. In January 2009 the Task Force met at Vancouver School of Theology to prepare an initial draft of a theological rationale for discussion. It sent its draft to 16 correspondents representing a breadth of views within the Canadian church and to the Primate's Theological Commission and the Handbook Concerns Committee. The Faith Worship and Ministry Committee, meeting in March 2009, reviewed, amended and received the report of the Task Force in light of the comments received. It considered that this work was primarily addressed to the question of 'how' the canon might be amended. It undertook further work to give more attention to the question of the theological rationale in favour of same-sex marriages as it has been articulated in various places in the church in the past few decades. The work on the reasons for proceeding in this way, and the work on how the canon could be amended, are now included in this document, "The Rothesay Report".

Addressing the Question of 'Why?': A Theological Rationale for Including Same-Sex Couples in the Church's Definition of Marriage

3. Any meaningful debate about revision of Canon XXI, the marriage canon, to make provision for the marriage of same-sex couples in the church is predicated on the development of a coherent theological rationale for the expansion of our doctrinal understanding of marriage to include same-sex couples.

4. In producing this document the Committee has endeavoured in the best way it could to respond to the request of General Synod. The theological rationale for same-sex marriages has been made powerfully and faithfully in the past few decades by theologians throughout the Church. This document attempts to give the briefest summary of some of the themes in that theological literature. We merely indicate the strength and weight of the arguments that are to be found in the theological literature authored by advocates of same-sex marriages.

5. Thus this initiative is offered to assist the Council of General Synod in its discernment about whether and how these matters should be put before the General Synod. Our project is in keeping with the view expressed by Archbishop Rowan Williams at the Lambeth Conference that "the practice and public language of the Church act always as a reminder that the onus of proof is on those who seek a new understanding". [\[1\]](#)

6. The rationale addresses the following:

- God
- Purpose and definition of marriage
- Theological issues
- Hermeneutical issues
- Sacramentality
- Spirit-led development of doctrine

God

7. Marriage services in the Anglican Church of Canada both historically and more latterly, acknowledge God's presence in the mystical union of those joined together in a sacred and blessed relationship. God is known in Christian tradition as being revealed in the scriptures, in the creeds, and traditions and teachings of the church.

8. In the divine economy God is understood as Trinity: Father, Son and Holy Spirit living in an eternal and divine relationship of love. Humankind is created in the image and likeness of God to live in relationship. The relationship is to love God, and to love others as God loves humanity. Marriage is to be an image of Trinitarian relationship and in the way God, in Christ Jesus, loves the Church.

9. God, the Holy Trinity, invites humankind into loving relationships. The Christian understanding of God, and Jesus' commandment to love one another, make space for marriages between people in loving and faithful, covenanted relationships. Inasmuch as lifelong committed same sex partnerships participate in the divine love of the Trinity they should be recognized as and eligible for Holy Matrimony.

Sources: Eugene F. Rogers Jr, *Sexuality and the Christian Body: Their Way into the Triune God*

BCP 564; BAS 528 & 534
 The Windsor Report 35
 The St Michael Report
 The Lambeth Quadrilateral
 John 13:34-35

The Purposes of Marriage — A Historical Development

10. Anglican theology since the Reformation has been found in its various editions of the Prayer Book (*Lex orandi, lex credendi*). This is particularly true of the theology of marriage.

11. Review of the prefaces to the marriage services in various editions of the Prayer Books from 1549-2004 make two clear points. First, that matrimony is 'an Honorable estate instituted of God in the time of man's innocency'. The theological implication of this being that God willed prior to the Fall a relationship between man and woman. The second key element in the books until 1662 is that God's purposes in marriage were threefold One, for the procreation of children... ; two, for pureness of living for those unable to live a celibate life and, three, for the mutual society, help, and comfort, that the one ought to have of the other. In the American prayer books of 1789 and 1928, there was no reference to the purposes of marriage. This was changed in 1979 to include the purposes of mutual help and comfort and 'when it is God's will the procreation of children'. In the 1962 Canadian Book of Common Prayer the order of the

purposes was changed and reference was made to the ‘hallowing of the union betwixt man and woman’ rather than to any reference to a remedy for sin.

12. After 1979 the Prayer books of Canada, Scotland and Ireland continue to include God’s purposes for marriages but amend the order in which they are written. Some address the issue of the inability of certain couples to conceive. In the Canadian context, this was done so as to include those who for reasons of health or age were not able to conceive. The BAS 1985 revises the purposes of marriage: giving priority to ‘mutual comfort and help’, adding the phrase ‘that they may know each other with delight and tenderness in acts of love’, and placing in square brackets ‘the procreation care and upbringing of children’. Some people see in this history a trajectory of development toward an affirmation that the primary purpose of marriage is for the mutual comfort and help that each ought to have for the other. If this is so, a case can be made for the inclusion of same-sex couples in marriage.

Theological Issues — Gender Complementarity and Procreation

13. A theological rationale for same-sex marriage needs to re-envision two concepts which have generally been associated with marriage, but which do not translate in a straightforward way to same-sex couples. One is **gender complementarity** — the significance (in Christian theology at least) of the human reality of being ‘male and female’. The other is **procreation** — the human capacity to be co-creators with God of a new life, by bringing a child into being.

14. One approach to re-envisioning is to accept that these concepts simply do not apply to same-sex couples, while at the same time noting that they are not, in fact, central to the significance of marriage for Christians. The possibility of procreation is not a requirement for opposite-sex couples entering into marriage. In a culture where male and female may take on any and all social roles gender complementarity no longer has meaning apart from the purely physical distinction. Instead, emphasis has shifted to aspects of the marriage relationship which can be (and are) embodied equally by same-sex couples: commitment, trust, and mutuality. Indeed, in the ‘new creation’, it is precisely these Christ-like qualities which count, as there is ‘no longer male and female.’^[2]

15. One can also see ways in which same-sex marriages embody the qualities at the heart of these two concepts. At the core of traditional Christian understanding, gender complementarity stands as a sign that God calls us to give our selves beyond ourselves — to someone who is Other. But clearly the encounter with the Other is not limited to opposite-sex marriage, as countless celibate Christians can testify, as well as Christian same-sex couples.

16. Similarly, the core of traditional Christian understanding of procreation has to do with our being made in the image of the Creator who makes us, capable in our turn of forming and shaping life. While the act of conception presupposes a male and female ‘biological parent’, there is far more to the creative life of a couple even in relation to their children. Same-sex

couples nurture, support, teach and sacrifice for their children just as all parents do; opposite-sex parents, too, are no less creative in the lives of children who are not biologically 'theirs'. Besides which, in an era of overpopulation, it may be wholly appropriate for couples of any description to find other ways of expressing their creativity in the image of God.

Biblical Interpretation (hermeneutical and exegetical considerations)

17. The desire of many to see same-sex couples participate fully in the life of the church and the desire of some same-sex couples for marriage within the church has led some scholars to read the Scriptures with new eyes. This process of re-reading familiar texts is not new in the experience of the church and is one that can generate new insights that need to be tested.

18. 'It is often through the experience of God acting in history that the people of God, aided by the Spirit, discern the will of God.' [3](Gary Hauch) Discernment through experience is a biblical model, with an important example coming from the account in Acts of the incorporation of Gentile converts into the life of the early Jewish Christian community (chapters 10-15). The experience of many Christians is that some committed, adult, monogamous, intended lifelong, same-sex relationships both participate in and display a quality of love that obliges the Church to understand such partnerships in matrimonial terms.[4]

19. Gay and lesbian Christians have until recently been relegated to a category of humanity akin to Gentiles, but the biblical vision of the redeemed community abolishes such social constructions (Galatians 3.18). [5]

20. What follows are some of the ways a few scholars have attempted to discover new insights through an innovative but faithful re-reading of key biblical texts in this debate.

21. Genesis 2 describes the creation of the undifferentiated human being, *adam* and describes the remedy for *adam's* isolation. As such, the passage is not about gender diversity, but is primarily about the human need to be in relationship with the other (a need which is itself a feature of being created in the image of God). [6]

22. Genesis 2 builds on the presuppositions of Genesis 1, nuancing, reshaping, correcting and superseding them. It relates a story 'which virtually omits sexuality and gender as a category, and focuses on the need for suitable partnership and relationship, not as designated by God but as recognized and named for the self by the human individual, as the primary purpose of being human'.[7]

23. Jesus' teaching on the subject of marriage stands in tension with traditional Jewish readings of the Law, while the Gospels themselves portray an ambivalence toward marriage at some levels (note the conflicting accounts of Jesus' teachings where there is dispute about the proper grounds for divorce). This would suggest that marriage is an institution capable of evolving. [8]

24. Romans 1 refers either to a form of behaviour which Paul thought ought to be avoided because it was characteristic of the heathen Gentiles; [9] or to heterosexual individuals who engage in homosexual activity (since homosexuality is 'unnatural' for them; [10]); or to behaviour that amounts to little more than a Jewish taboo and needs therefore not to be regarded as 'sin' by those who don't share the same cultural outlook [11].

25. Texts prohibiting same-sex sexual behaviour (including, most notably, Genesis 19 (Sodom and Gomorrah), Judges 19 (the shameful treatment of strangers in Gibeah); Leviticus 18.22 and 20.13 (legislation and punishment respecting homosexual acts); I Corinthians 6.9-10 and I Timothy 1.8-11 (sin lists registering homosexual activity)) do not address the phenomenon of homosexual orientation or the context of long-term covenanted relationships, and texts addressing the subject of marriage address the quality of relationship and the nature of love. If some texts do, in fact, condemn all forms of homoeroticism as the unnatural acts of people who have turned away from God, these texts must be regarded as being historically and culturally conditioned.

26. Biblical proscriptions for radical love and gospel freedom (e.g., the Great Commandment; 1 Corinthians 6.12; 10.13) oblige us to acknowledge all faithful, caring and godly relationships and to promote them. The church's recognition and blessing of these relationships does justice to the activity of God's grace in the lives of these people. It is possible that failure on the part of the church to do so places a stumbling block on the faith development of those engaged in such relationships, depriving them of the opportunity of sanctification. [13]

Salvation and Sanctification

27. The significance of this issue for the doctrine of salvation is closely tied to these understandings of specific biblical texts and the tenor of the whole scriptural witness. Where salvation is seen as living in obedience to the will and the word of God, the previous section gives reasons why a same-sex couple may be called to marriage, both as a way of living within the saving purpose of God and of growing in holiness.

Sacramentality

28. A sacrament is an outward and visible sign of an inward and spiritual grace. Thus, in its most general definition, marriage is the outward sign of the grace given to two persons to live together in faithful love and companionship in Christ, in which physical sexual intimacy is an expected component (cf. 'that they might know each other with delight and tenderness in acts of love' *BAS*, p 541), in which each partner lives sacrificially for the flourishing of the other. This relationship is not turned in upon itself, but is intended to bear fruit in the wider community of the Church and beyond. In this broad sense, the notion of the sacramentality of marriage would apply to any marriage blessed by the Church — i.e. to all other-sex and same-sex married couples who seek to witness to the transforming power of Christ to enable the fulfillment of

lifelong vows of fidelity in a relationship that contributes to the building of the Kingdom of God. (*footnote to the Bishops' Statement of 1997*)

29. The BAS explicitly calls marriage a sacrament (*BAS, p. 535*) and as a good gift of God, it is a means of grace (*BAS, p. 534*).

30. The sacramentality of marriage is emphasized by the high regard that Christian theology gives to the body. What is done with the body is done by the whole self and has repercussions for the whole self; this pertains also to the acknowledgement that there is a profound ontological dimension to sexual activity. To use the traditional language of sacrament, the sacrament 'effects what it signifies'.

31. Ephesians 5: 21-33 reveals/identifies the nature of the Christian church to be the bride of Christ. Of course Scripture speaks of the relationship of the Church to Christ in other ways: e.g. as the body of Christ, with Christ as its head, etc. But here in Ephesians 5 the imagery is clearly of the flesh — 'bone of my bones and flesh of my flesh' (...no one hateth his own flesh) by the allusion to Genesis where Eve is created from Adam, and ever after Eve and Adam in their differentiated states, seek their unity in one another. This is a remarkable (dare we say 'cosmic') image of Christ and His Church "For we are members of his body, of his flesh, and of his bones." Ephesians says that it is speaking of a great mystery: of Christ and His Church.

32. The BCP takes up this language in declaring that "Marriage is an honourable estate, instituted of God in the time of man's innocency, signifying unto us the *mystical union* that is betwixt Christ and his Church. In the BAS we read:

It is God's purpose that, as husband and wife give themselves to each other in love, they shall grow together and be united in that love, as Christ is united with his Church. (541)

Supporters of same-sex marriage within the Church will understand that the total commitment of life-long vows of monogamous fidelity by which, in God's grace, a married couple lives 'in and through one another' as the means of God's sanctification, is the experience of same-sex couples within the Church. Thus such same-sex unions deserve to be recognized and upheld as 'marriage' traditionally understood as sacrament, pointing to the mystery of the union of Christ and His Church.

33. Recent work in liturgical and sacramental theology has turned away from medieval and reformation disputes regarding the number and nature of the sacraments and towards the concept of 'sacramentality'. This concept stresses the sacredness of the entire creation as the work of God, recapitulated in the life, death and resurrection of Jesus Christ and sanctified by the on-going work of the Spirit.

34. When the world we inhabit and the lives we live are seen as having the potential to be *sacramental*, that is to say, epiphanies of the God who creates, redeems and sanctifies, then our attitude towards this world and our lives is deepened. God, through the Spirit, reveals that ordinary human activities and relationships, such as washing, eating and drinking, finding a life partner, can become extraordinary means of revealing the sacred reality that undergirds all existence.

35. These ordinary activities that reveal the extraordinary have come to be called ‘sacraments’. The theological disputes of the middle ages and the reformation often centred on numbering and defining the sacraments, a process which, over time, diminished our sense of the sacramentality of the creation and to restrict God’s activity to a limited range of ritual actions. But the more recent, and in some ways, more ancient, concept of sacramentality has led us to reconsider how God works in our lives to reveal the presence of the holy.

36. What we presently name as ‘sacraments’ are ‘dependable sign-acts’ that are intended to expand rather than narrow our horizons regarding the divine presence in our lives. They are ‘thin places’ where we encounter the Holy One whose presence is ever near. They are ‘mysteries’ (Greek *mysterion*), not in the sense of riddles to be solved, but revelations of God’s eternal truth and purposes.

37. It is in this latter sense that the writer of the letter to the Ephesians speaks of the union of husband and wife: “This is a great mystery, and I am applying it to Christ and the church.” (Ephesians 5.31) In this social institution of marriage, the author writes, lies the potential to be a revelation of the truth of God made manifest in Jesus Christ. Both *The Book of Common Prayer* and *The Book of Alternative Services* view marriage as a “mystical union” in which the partners “shall grow together and be united in that love, as Christ is united with his Church.”

38. When Paul writes in Galatians that “the fruit of the Spirit is love, joy, peace, patience, kindness, generosity, faithfulness, gentleness and self-control” (5.22-23), he is giving us criteria that could be used to identify human activities that are sacramental, that reveal to us the sacramentality of human life. William Countryman offers us similar criteria when he discusses spiritual health: centredness, faith, generosity of spirit, a sense of oneself, discipline, integrity and honesty, hospitality, compassion, vulnerability and openness and continued growth in faith, hope and love.

39. Thus, in its most general definition, marriage, whether other-sex or same-sex, is a *mysterion* that reveals something of the eternal purposes of God for us and for the whole creation. When two people live together in faithful love and companionship in Christ, when two people live sacrificially for the flourishing of the other, when this relationship is not turned in upon itself, but is intended to bear fruit in the wider community of the Church and beyond, there is a sacramental revelation of the *mysterion* ‘as a plan for the fullness of time’ (Ephesians 1.10a). In this broad sense, the sacramental reality of human life is revealed in the lives of

other-sex and same-sex couples who witness through their marriage covenants to the transforming power of Christ to enable the fulfillment of life-long vows of fidelity in a relationship that contributes to the unfolding of God’s gracious reign of justice and peace.

Spirit-led Development of Doctrine

40. From before the inception of Paul’s ministry there has been a history of the Holy Spirit leading innovation and the new light of understanding to Scripture, mission, and life in the Christian community, both on a personal and corporate level: Peter explains step by step the reasoning behind the Baptism of the gentiles in Joppa, Paul led by the Spirit preaches and teaches the Gospel to the Gentiles, and includes them in the numbers of faithful followers of the way without demanding they become Jewish proselytes first. The Law was not imposed upon the Gentiles except for abstaining “from things polluted by idols and from fornication and from (eating) whatever has been strangled and from blood” (Acts 15: 20), all in the name of the leading of the Holy Spirit. To this day we call our faith the “Living Faith” because we acknowledge the continuing work of the Holy Spirit both in individual lives and in the communal life of the faith community. The balance to the continued work of the Holy Spirit in our midst has been the practice of applying traditional teaching to test the veracity of these new innovations and as such tradition has become the corrective to innovation. It is to be noted that our traditions were themselves once a new innovation or teaching of the Holy Spirit, so it is through the leading of the Spirit and the testing of that innovation that the “Living Faith” continues to breathe life into our contemporary understanding of Faith.

41. Much work has been done by the Primate’s Theological Commission on the discernment of whether the blessing of same-sex unions is a faithful, Spirit-led development of Christian doctrine, and *The Galilee Report* and its accompanying papers are commended for study by the church.

42. One of the conclusions of *The Galilee Report* is “Different readings of Scripture can and will sometimes lead to different conclusions; those conclusions are always tested and brought into interaction in the life of the Church along with other criteria. Do they contribute to a faithful proclamation of the crucified and risen Lord Jesus Christ? Do they tend toward holiness and goodness for individuals and communities? Do they build up the Body and enable the Holy Spirit to bear the fruit of good works among us? Do they help us to remain faithful to the whole of the creeds with their affirmation of God’s work in creation, redemption and sanctification?” (para 17)

43. The critical question for our church now is “Does this theological rationale meet these criteria?” This is a matter for prayerful discernment.

Addressing the Question of ‘How?’: A Theological Rationale for Amending the Marriage Canon

The Task

44. The Committee understands that the definition of marriage as understood within the doctrine, discipline and worship of the Anglican Church of Canada is found in Paragraph 1 of the Preface to Canon XXI.

1. The Anglican Church of Canada affirms, according to our Lord’s teaching as found in Holy Scripture and expressed in the Form of Solemnization of Matrimony in the Book of Common Prayer, that marriage is a lifelong union in faithful love, and that marriage vows are a commitment to this union, for better or for worse, to the exclusion of all others on either side. This union is established by God’s grace when two duly qualified persons enter into a covenant of marriage in which they declare their intention of fulfilling its purposes and exchange vows to be faithful to one another until they are separated by death. The purposes of marriage are mutual fellowship, support, and comfort, and the procreation (if it may be) and nurture of children, and the creation of a relationship in which sexuality may serve personal fulfilment in a community of faithful love. This covenant is made in the sight of God and in the presence of witnesses and of an authorized minister.

There is nothing stated in Paragraph 1 of the Preface which necessarily prevents its application to a life-long exclusive covenant of marriage between two persons of the same sex. Even the reference to the procreation and nurture of children is applicable to many same-sex couples who either adopt children or who make use of artificial insemination using donor sperm, a practice which the Anglican Church of Canada has not deemed contrary to the church’s teaching.^[14]

45. Given the definition of marriage stated in Paragraph 1 of the Preface, we believe that an expansion of Canon XXI to provide for the marriage of same-sex couples using the rites of the Anglican Church of Canada where authorized by due authority is possible subject to revisions and understandings of the Canon expressed below in our Commentary on the existing text of Canon XXI.

46. The proposed expansion of the definition of marriage emerges from the experience of same-sex couples who intend to live lifelong committed, faithful relationships, and who seek to do so within the community and discipline of the Church. The Church receives and examines this development in the light of Scripture, as interpreted through reason and tradition.

47. As the Church’s tradition has understood marriage to be between male and female, the extension of its definition requires clear theological justification. Such justification needs to include:

- a coherent re-reading of Scripture, and of specific texts, which deal with human sexuality and marriage
- an account of the relationship between an expanded definition of marriage and associated doctrines as identified in the St Michael Report
- an exploration of how the Spirit may be leading the church in this new direction

48. Previously this document has laid out substantive reasons why such a theological justification can be, and has been, made. It is equally the case that Scripture can be, and is, read in a way which leads faithful Christians to reject this development. In this instance, we believe that the relevant texts, viewed within the whole Scriptural witness, do not provide one clear and unambiguous answer to the question before us.

49. Throughout the history of the Anglican Church of Canada developments in theological and biblical studies, insights gained from the human sciences and the concrete pastoral and cultural situations in which the church proclaims and lives the good news of God in Jesus Christ have led the church to consider whether its teaching and discipline regarding marriage requires adaptation or revision, e.g., the provision in civil law for divorces for reasons other than adultery, changing cultural attitudes to contraception, the struggle of women for equality and the marriage of Christians with members of other faith traditions. When we view the witness of the Scriptures as understood through reason and tradition as well as the existing teaching on marriage expressed in Paragraph 1 of the Preface to Canon XXI, the question of how this teaching may be applied to the marriage of same-sex couples is an appropriate one for the church to address at this time.

50. In every generation the Church is faced with the necessity of deciding how to act, in a faithful way, to further the mission of God in the historical, social and cultural context where Christians are engaged. Sometimes history will prove us wrong, but this does not absolve us from the obligation to act according to our principles as understood in the light our present circumstances.

Commentary on Canon XXI

51. The Committee has identified Paragraph 1 of the Preface as fundamental to the understanding of the nature of marriage, whether one is speaking of heterosexual or same-sex marriage. When the phrase 'the Christian standard(s) of marriage' is used in the Preface of the Canon, what is understood is the content of Paragraph 1. These principles are a development which is intended to be consistent with the marriage rite of the Book of Common Prayer and are embodied in other forms for the solemnization of matrimony authorized by General Synod, e.g., the Book of Alternative Services.

52. The present Paragraph 2 recognizes the position that the church has taken through the centuries, but the affirmation of the goodness of the union of a man and a woman does not

deny the potential of goodness of the union of a same-sex couple. Same-sex marriage can also be considered a sign of the redeeming purpose of God.

53. We understand Paragraph 1 to be a description of the church's understanding of the nature and purpose of marriage and Paragraph 2 to be a description of the theological values and images which the church has ascribed to this social institution. Paragraph 3 affirms the nature and purpose of marriage articulated in Paragraph 1 and also directs the church to support all families who live out those purposes.

54. Paragraph 4 provides a record of the various views of marriage expressed in the New Testament. This points to the diversity of views among Christians of the first centuries of the Christian movement concerning such significant issues as the remarriage of persons whose previous spouse was still living or even the possibility of a second marriage after the death of spouse (*cf* 1 Corinthians 7.8-9).

55. Throughout its history the church has faced the challenge of applying its standard (as described in Paragraph 1) to the pastoral, social and cultural contexts in which it finds itself. The application of these principles has, for example, led the Anglican Church of Canada to authorize the remarriage of divorced persons, to revise its canons pertaining to the selection of marriage partners (i.e., the Table of Kindred and Affinity), to revise its rites to reflect changing attitudes towards women and to make provision for the marriage of Christians to persons of other faith traditions. Often a change in legal definitions and provisions in civil society has caused the church to consider whether and how its principles apply in the new situation. We are now faced with the question of how to apply our principles as articulated in Paragraph 1 of the Preface to the marriage of same-sex couples.

56. The Committee suggests the creation of a new Paragraph 6.

6. Canadian civil law has provided for the marriage of same-sex couples since 2005. The church, in applying the doctrine of marriage in this context, understands the purposes of marriage delineated in Paragraph 1 of the Preface to relate equally, though not identically, to these new circumstances. Such marriages provide for mutual fellowship, support and comfort. They are also open to the care and upbringing of children. For those who understand themselves to be so called, such a relationship provides an environment in which sexuality may serve personal fulfilment in a community of faithful love.

57. The church is called to address the expansion of marriage to all legally-qualified persons as a response to decisions reached by the courts and legislatures of our democratic society. The church is also called because of its concern for all of its baptized members to assist in the process of vocational discernment addressed in Canon XXI. As a result of the expanded civil definition of marriage, the church must now consider how to address this new pastoral reality.

58. In circumstances where there is no conclusive guidance from Scripture with respect to a proposed course of action, members of the church may hold differing views. For example, Christians may differ on whether procreation or gender complementarity are central to the understanding of human relationships described in Genesis 1 and 2, Mark 10:6-9 and Ephesians 5:31-32. As a result of these different interpretations, faithful people and communities may come to different conclusions as to whether same-sex marriages are a Spirit-led development of Christian doctrine, as well as whether or not now is the appropriate time to take action.

59. Given the fallen nature of humanity, no relationship is a perfect and complete example of the purposes of marriage; however, all married relationships bear witness to the mystery of Christ and the Church. There is no necessary inconsistency in extending these acknowledgements to married couples of the same sex.

60. On the other hand some Christians may hold a coherent understanding of scripture which leads them to the belief that same-sex marriages are incapable of participating in the fullness of God's design for human relationships. There are also homosexual Christians whose discernment is such that living in homosexual relationships including marriage is not admissible.

61. Given this divergence, it is necessary to provide a clear and binding conscience clause for those whose beliefs preclude extending the definition of Christian marriage to include same-sex couples.

62. Regarding the existing Paragraph 6, the Committee notes that 'the Christian standard of marriage' is that expressed in Paragraph 1 of the Preface to Canon XXI.

63. Regarding the existing Paragraph 7, the Committee notes that it is always incumbent on the clergy to offer pastoral care within the limits of conscience and reasonable professional considerations.

[1] Third Presidential Address, Lambeth Conference 2008 (from the website of the Archbishop of Canterbury).

[2] Paul Jennings, 'Same-Sex Blessings: A Systematic-Theological Rationale', web-published at www.anglican.ca, Primate's Theological Commission, 2009, pp 21.

[3] Gary Hauch

[4] Paul Jennings; Gary Hauch; Eugene F. Rogers Jr, *Sexuality and the Christian Body: Their Way into the Triune God*

[5] Paul Jennings; Eugene Rogers

[6] Paul Jennings

[7] Walter Deller, *The Bible, Human Sexuality, Marriage and Same Sex Unions: a paper prepared for the Primate's Theological Commission, October 2007-January 2009*. Web published at www.anglican.ca, Primate's Theological Commission.

[8] Deller

[9] John Boswell, *Christianity, Social Tolerance and Homosexuality*

[10] Robin Scroggs, *The New Testament and Homosexuality: contextual background for contemporary debate*; Paul Jennings

[11] William Countryman, *Dirt, Greed, and Sex: Sexual Ethics in the New Testament and Their Implications for Today*

[12] Paul Jennings

[13] Paul Jennings

[14] *Artificial Insemination by Donor: a study of ethics, medicine, and law in our technological society*, Phyllis Creighton, based on work of the Task Force on Human Life of The Anglican Church of Canada, 1977 (ABC). The National Executive Council received this report and distributed it for study in the church (May, 1977). Although members of the Task Force were divided in their opinion about the wisdom of using AID, they agreed that it was moral and legal. The Anglican Church of Canada did not reject the conclusions. Cf. also the *St. Michael Report*, para 31.