

# Marriage & Civil Unions

**Items:** 12-12: (Final Report of the Special Committee to Study Issues of Civil Union and Christian Marriage), 12-13 (Minority Report of the Special Committee to Study Issues of Civil Union and Christian Marriage); and Items 12-01, 02, 03, 04, 05, 06, 07, 08, 09, 10, and 11.

**GA Committee Assignment:** 12- Civil Union and Marriage Issues

## **Summary of the business and what it wants the Assembly to do:**

Items 12-01, 05, and 11 ask the Assembly to make a statement reaffirming the church's biblical and confessional understanding of marriage as the lifelong union of one man and one woman.

Items 12-02, 03, 04, 07, and 10 propose constitutional amendments to change the definition of marriage in the *Book of Order* (W-4.9001). Wherever the text now speaks of "a man and a woman" being married, these amendments would substitute "two people" or "the couple." The effect would be to allow churches to host and ministers to officiate at same-sex marriages.

Items 12-06, 08, and 09 would have the Assembly issue an authoritative interpretation permitting ministers to "exercise pastoral discretion" in marrying any couple that holds a civil marriage license. The effect would be to give the church's blessing to same-sex marriages wherever those are recognized under state law (currently Massachusetts, Connecticut, Vermont, New Hampshire, Iowa, and D.C.).

The Final Report of the Special Committee (12-12) asserts that "members of the PC(USA) cannot agree" on "the place of covenanted same-gender partnerships in the Christian community." It urges "mutual forbearance" among Presbyterians holding different views on marriage and same-sex unions. The committee report rejects "coercive ways of achieving uniformity" as "ultimately unhelpful." It encourages each local presbytery and session to provide its own "resources consonant with the Constitution of the Presbyterian Church (U.S.A.)."

The Minority Report (12-13) states, "It is the intent of this report to represent the church's biblical, historic, and confessional position that, among all varieties of sexual relationships, only marriage between a man and a woman is ordained by God and blessed by our Lord Jesus Christ." It quotes extensively from the Scriptures, the confessions, the *Book of Order*, and PJC decisions to solidify this point. The minority report reminds church officers, "As we work through our disagreements, we recognize that church teaching and church policy are still set by the constitution of the Presbyterian Church (U.S.A.)."

## **Background:**

The Westminster Confession defines marriage as a "spiritual and physical union [of] one man and one woman"—an understanding also reflected in the Second Helvetic Confession and the Confession of 1967. The *Book of Order* defines it thus: "Marriage is a civil contract between a woman and a man. For Christians, marriage is a covenant through which a man and a woman are called to live out together before God their lives of discipleship." (W-4.9001)

A GA Permanent Judicial Commission decision from 2008 (*Spahr v. Presbytery of Redwoods*) states, "Officers of the Presbyterian Church (U.S.A.) who are authorized to perform marriages shall not state, imply, or represent that a same sex ceremony is a marriage because under W-4.9001 a same sex ceremony is not and cannot be a marriage." An earlier decision from 2000 (*Benton v. Presbytery of Hudson River*) allowed that ministers and churches might "celebrate a loving, caring, and committed relationship" between persons of the same sex. But such a ceremony should not "appropriate specific liturgical forms from services of Christian marriage," nor should it be "construed as an endorsement of homosexual conjugal practice."

**An Advisory on Business to the 219<sup>th</sup> General Assembly (2010)**

*From the Joint Renewal GA Team*

### **Analysis of the business and how it would affect the Church:**

The Minority Report reaffirms forthrightly the church's constitutional understanding of what the Scriptures teach about marriage. It grounds this understanding in major biblical passages such as Genesis 1-2, Matthew 19/Mark 10, and Ephesians 5. It upholds the authority of constitution in guiding the practices of local churches and ministers regarding couples that they marry. It strikes a balance in calling for compassionate pastoral care toward all who struggle with sexual sin, without compromising the teaching of the Scriptures.

Items 12-01, 05, and 11 make the same point as the Minority Report, although more briefly and without the same comprehensive supporting information.

Items 12-02, 03, 04, 07, and 10 would change the definition of marriage in one part of the PC (USA) constitution (the *Book of Order*) without changing the definition in the other part (the *Book of Confessions*). Such an action would introduce a major constitutional inconsistency. This redefinition would also occur without much reference to the Bible. The overtures do not offer any new interpretation of key biblical passages on marriage (cited above). They cannot establish that, in the Scriptures or in the constitution, marriage has ever been understood as anything other than the "one flesh" union of the two complementary sexes. They appeal instead to a functional view of marriage that reduces it to just a relationship of mutual affection and care. (On this reasoning, many other relationships—e.g., two sisters living together—might be defined as marriage.) They invoke modern demands for equal rights, insisting that one affectionate relationship (where the affection is expressed appropriately) must be blessed equally alongside another affectionate relationship (where the sexual expression is inappropriate).

Items 12-06, 08, and 09 show many of the same flaws in reasoning. They also rely on the questionable assumption that the definition of marriage in W-4.9001 ("a civil contract between a woman and a man") is merely descriptive of a past social reality that is changing. On the contrary, there are strong reasons to see W-4.9001 also as a prescription for the way God intended marriage to be. Clearly, our Presbyterian forebears insisted that marriage *should be* a civil contract, because they took it out of the ecclesiastical courts. And they insisted that it *should be* between only two persons, as they rejected polygamy. There is every reason to believe that they also saw the complementarity of the two created sexes as an essential element of marriage. Just because a few states are changing their definitions of marriage under civil law is not sufficient reason for the church to change its definition of marriage. The church is called to give prophetic witness to God's purposes for marriage, even if that witness puts it at odds with the state.

The Final Report of the Special Committee would not alter the PC (USA) constitutional texts on marriage. But it would undermine the authority of those texts in the church. It would leave the impression that, because Presbyterians disagree about marriage and same-sex relationships, therefore the denomination no longer has a policy on these matters. It would put the church's constitutional teaching and dissenting opinions on a level. It would move the denomination toward "local option" on marriage, with each presbytery and session setting its own policy. This report lacks the power to prohibit disciplinary actions holding ministers accountable to respect the constitutional definition of marriage; however, it would strongly discourage such "coercive ways of achieving uniformity." It would give implicit permission for everyone to do what is right in his or her own eyes.

### **Pertinent Resources:**

Paper on "Is Marriage Worth Defending?" and articles on PCUSA Special Committee on Civil Union and Christian Marriage at <http://www.theird.org/Page.aspx?pid=222>.

### **Action by GA that will help the Church:**

*Adopt the Minority Report (12-13). Answer all other items by that action.*