

## PANEL ON DOCTRINE

MAY 1993

### PROPOSED DELIVERANCE

#### The General Assembly:

1. Receive the Report and thank the Panel, especially the office-bearers.
2. Affirm the institution of marriage as a gift of God to his human creatures, the normative context of the deepest and most joyful relationship between man and woman, enhanced for Christian partners by their shared faith and their perception of God as source of all love.
3. Welcome the work done by the Joint Commission on Doctrine and the increased level of collaboration between the Church of Scotland and the Roman Catholic Church.
4. Share with the Roman Catholic Church a firm belief in the social and spiritual importance of marriage and acknowledge the need for more effective and thorough preparation to be offered to couples intending to marry.
5. Recognise that there are still substantial areas of disagreement between our two churches, arising from the Roman Catholic view of marriage as a dominical sacrament, from our different understanding of the nature of the Church, and the implications of this ecclesiology.
6. Commend the suggestion of an agreed form of liturgy for Inter-Church Marriage, and remit this to the Panel on Worship in consultation with the Joint Commission on Doctrine, for further investigation.
7. Agree that this is not an appropriate time for the formulation of a new Confession of Faith, for the reasons advanced in the Report.
8. Instruct the Board of Parish Education, in consultation with the Panel on Doctrine, to incorporate into the Board's new curriculum material related to the 1992 Statement of Faith, designed to assist Church members and others who encounter difficulty, in the light of the findings of biblical criticism and other scholarly disciplines, in accepting the doctrines of the Christian Faith as traditionally formulated.
9. Receive the Report of the Joint Commission on Doctrine and accept the Commission's assurance that the question of occasional ecumenical celebrations of the Sacrament will remain on its agenda as well as on that of ACTS.
10. Welcome the report of the Reformed/Roman Catholic International Dialogue, "*Towards a Common Understanding of the Church*", and commend it, especially the highlighted passages, to the interest of the church.
11. Express warm thanks to the Rev. Gordon Grant for the service he has given as Vice-Convenor of the Panel.

### REPORT

#### I THE THEOLOGY OF MARRIAGE

##### Remit:

The Panel was instructed by the General Assembly of 1990 "to undertake a review of the Church of Scotland's theology of marriage in consultation with the Board of Social

Responsibility and the Board of Education, taking into account the increasing number of pastoral problems raised by broken marriages and changing social patterns." This arose from a Report presented through the Joint Commission on Doctrine on the Roman Catholic theology and practice of marriage.

A further remit was approved by the 1991 General Assembly, to the effect that the Assembly "request all Boards, Committees and Panels to assist the Working Party on the Theology of Marriage and urge them to submit papers on Marriage and Family Life which fall within their remit so that the study can be full and comprehensive and grounded both upon the scriptures and the life which church members lead now."

#### MEMBERSHIP OF THE WORKING PARTY:

Mrs Elizabeth Templeton, Convener  
The Rev Dr Stewart Todd  
The Rev Professor David Fergusson  
The Rev Gordon Grant  
The Rev Dr Ian Hazlett  
The Rev Dr William Peat  
Professor William Gordon  
Dr Bruce McCormack (for one year)  
Mrs Jean Morrison (co-opted)  
The Rev David Beckett, Secretary.

#### INTRODUCTION

This year the Panel attempts to deal only with the first part of the 1990 remit quoted above. The Joint Commission on Doctrine has expressed the wish to give wider circulation to the Roman Catholic statement of 1991, and it is important that before this is done the General Assembly should have the opportunity to express their reaction. Next year we will present a fuller report on "the increasing number of pastoral problems raised by broken marriages and changing social patterns" and "the life which church members lead now".

Most Church members probably assume that there is a stable and consistent understanding of what "Christian marriage" is. It came as a surprise to members of the Working Party to discover how diverse the tradition is, in terms of the Church's teaching and also of social custom. For his presentation of background material we have been greatly indebted to Dr Ian Hazlett of the University of Glasgow, a summary of whose work forms the first part of this Report. The second part—"A Reformed Theology of Marriage" is the work of Professor David Fergusson of the University of Aberdeen. The Panel felt these contributions should go forward to the Assembly in their authors' names. We then present a suggested response from the Church of Scotland to the document which was printed in full in the General Assembly Reports of 1991 entitled "The Roman Catholic Teaching and Practice with regard to Christian Marriage and Inter-Church Marriage".

#### A. MARRIAGE AND HETEROSEXUALITY IN HISTORY AND CHRISTIAN TRADITIONS: SOME SIGNPOSTS

- 1 Global historical perspective
- 2 The Old Testament
- 3 The New Testament
- 4 The Early Church
- 5 Medieval Christendom

- 6 The Reformation era
- 7 From the Enlightenment to the Modern Age

#### 1 GLOBAL HISTORICAL PERSPECTIVE

1.1 Historians and anthropologists are in accord that the institution of marriage has always existed in one form or another, in all cultures past and present. An infinitesimally small number of exceptions only proves the rule. In other words, as far back as historical memory and enquiry can reach, marriage—whether solemnised and legalised or not—has always been intrinsic to the natural order and natural law.

1.2 In the pagan cultures surrounding the world of the Bible, the primary significance of marriage was understood in religious terms. To this its social, economic, and personal functions were subordinate, but intrinsically connected notwithstanding. The union of opposites, male and female, had a cosmic resonance. Such cultures usually had conventions of a 'Sacred Marriage' or 'Holy Wedding'. Ironically, such a ceremony does not seem to have existed in the Hebrew society of the Old Testament. This is explicable largely by the association of such marriage-rites with idolatry and cultic sex. Nor are religious marriage services known to have taken place among the earliest Christians of the New Testament and for some time after that—even though there are references to wedding-feasts and parties. If there were cultic preliminaries involved, the biblical writers did not deem them worthy of mention. For the Jews and the earliest Christians, betrothal, rather than a wedding or marriage ceremony, was of much more significance.

1.3 But irrespective of whether there was a religious wedding service or not, the concrete blessings and benefits from marriage in comprehensively religious societies were primarily of political and communal value—stability among and between families, clans, tribes, and even races. Further, such blessings were related to aspirations of fertility and prosperity in respect not only of children (labour force, security), but also crops, livestock, and game—all marks of divine favour. Due to the paramountcy of such objective and pragmatic considerations, no marriage could normally be constituted on the basis of free choice, personal attraction, or love alone. This was a luxury which largely rural and rigidly communitarian societies, where people worked physically from dawn to dusk and later, could hardly afford.

1.4 Consequently in part on high infant and maternal mortality rates, marriage took place normally once puberty had occurred in males and females. Due to premature deaths of spouses, serial marriages (or successive polygamy) occurred to an extent difficult for modern people to envisage, sometimes reaching double figures even up to the Reformation era and beyond. The objective and subjective consequences of this were clearly infinitely more complex, though not necessarily more detrimental, than the two or three marriages of modern times enabled by divorce or dissolution.

1.5 On the whole, the situation in modern late- or post-industrial urban societies and conglomerations is reversed: mass divorce from the land, the production of food, and the cycles of nature; the disappearance of home industry; the visible Gargantuan violation of nature and brutalisation of the environment; job insecurity and unemployment; longevity; mass mobility and motorisation; the fragmentation and dispersal of extended families, clans and locally based stable communities, with their replacement by nuclear families living in enclosed if contiguous domestic isolation; the waning of patriarchy in the face of female liberation from church, kitchen and vocational child-bearing and rearing; free-ranging adolescence; leisure and free time; the decline of mass institutional religion; ideological individualism; artificial birth control; state social welfare; and the widespread, almost consequential new orthodoxy of marriage—that it should be based essentially on mutual freedom of choice and personal subjective predisposition or 'relationship'. With this last in particular, especially in light of current life-expectancy rates, the modern institution of marriage has become a hostage to fortune in an historically unprecedented manner.

1.6 This situation and way of living is immeasurably far removed from the worlds of the Bible, and represents something which would surely have been inconceivable for the scriptural

authors and editors—just as the world of 3000 or 2000 years hence must be unimaginable for us. Equally, to modern people, the worlds of the Bible with their political, social and economic ethos (if not of course their religiously confessed core ethics) are insuperably alien.

## 2 THE OLD TESTAMENT

2.1 While there are no passages in the book where a doctrine of marriage is explicitly expounded, there are various indications of reflection on, and firm belief about the matter. It is clear that gender difference, erotic love and union in marriage, as well as companionship, mutual care and respect between males and females are absolutely 'good'. This is because the situation has been ordained and implemented by God in respect of his plan and will for the world. The justification for marriage is that man and woman shall become united in 'one flesh', and that God has designed them to this end. 'One flesh' was understood more in terms of 'one person', rather than one physical body, or coital union. It is the intended and desirable state for everyone. While the Old Testament does have concepts of sexual continence and chasteness, it has no notion of committed or vocational celibacy in either men or women. The chief immediate goal of marriage is the procreation of children, whose birth was understood as having been brought about 'with the help of God'. And procreative fruitfulness is accorded a covenantal dimension in Genesis 22. However, the negative side of this notion was to be that childless or 'barren' women were understood to have been subject to a 'curse' of God—a notion which Jesus Christ was later to correct.

2.2 While the Old Testament nowhere refers to marriage as a 'holy' or 'sacred' thing, its rationale, conduct and end are understood to have been determined by God, and to be subject to God's judgement. In light of this then, marriage is not just a secular social institution whose nature and parameters are decided by exclusively human expediency. The conduct of marriage is also subject to the commandments of the Divine Law. It is in Hosea and Malachi that marriage is understood in terms of 'covenant', a covenant between man and woman ratified by God: God's relationship with Israel is like a marriage, a marriage is like God's covenant with Israel. Disloyalty and infidelity which fracture the marriage bond are alike apostasy. Later, Christianity was to make much use of the covenant idea in its marriage concepts.

2.3 Moreover, irrespective of how one regards the erotic love poetry of the Song of Solomon, or Psalm 45, be it as accidental secular intrusions in the canon, or sublimely allegorical theology, it is the relational context of the positive expression of eros that is crucial—whether it be between a man and a woman, or metaphorically between God and his beloved Israel.

2.4 Accordingly, while Israel had no convention of 'Sacred Marriage' or 'Holy Wedding' etc. for obvious cultural reasons, marriage was unquestionably understood as something relating intrinsically to God's oversight of humanity. Otherwise, the constitution and operation of marriage in Israel was similar to that elsewhere in Antiquity, as outlined in 1.1 and 1.2 above. Marriage was contractual, not so much between the partners as between their families—in effect, arranged marriages. Ordinarily, personal love and mutual choice were therefore not that which brought about a marriage, so that if mutual attraction and a fond relationship occurred, this was in all likelihood an accidental bonus, as in the case of Rachel and Jacob.

2.5 In the Old Testament, therefore, obligatory duty rather than affective predisposition is that which generally constituted marriages. Be that as it may, the ideal wife in the Old Testament is far from the tender, submissive and taciturn woman devoted to child-rearing and domestic duties. The model female spouse of Proverbs 31 is indeed faithful and virtuous, but she is also physically and mentally tough, possessed of business acumen, even in land questions.

2.6 Where, however, there are clear—but not always acknowledged—divisions of theological opinion in the Old Testament is over the relative status of man and woman in the original created order. This discordance is all the more striking by virtue of the fact that they

are juxtaposed, in Genesis 1 and Genesis 2. It is the thinking of Genesis 2 that was to dominate the future, not only in Israel but also in Christianity (see in particular 1 Timothy 2:13 ff. and 1 Peter 3). In Genesis 2, man precedes woman. Her existence is ontologically derivative from his. Marriage is conceived primarily in terms of male needs, the ones specified being companionship and assistance. Furthermore, female subjection to male rule is justified by the same 'Jawhist' writer in chapter 3 as being due to Eve's personal responsibility for the Fall of man.

2.7 It can be argued that this theology simply represents an accommodation to social patriarchal realities, and accords them religious legitimisation. There is besides a different biblical picture presented in Genesis 1, where man and woman make their appearance on the stage of God's world simultaneously and, apparently, as equals—both of them bearing the Creator's image. This account seems not to have been perceived as having relevance for the structure of marriage, or for man-woman relationships as such. However, later Christian teachers like John Chrysostom were to refer to it to justify the subtle notion of women as indeed 'subject, but not necessarily inferior'—the Fall having penalised women in particular.

2.8 Nowhere in the Old Testament is there an axiom that 'marriage is exclusively monogamous and for life'. And despite severe strictures about adultery, the sanctity of the marriage bond is not understood in terms of an inviolable sexual bond, that is, from the point of view of male options in certain circumstances. Accordingly, to later Christian eyes the Jewish permissible practices of apparently easy divorce, polygamy, concubinage, Levirate marriage etc, seem lax.

2.9 But while these practices were legal and permissible in Israel, they did not occur in a spirit of permissiveness and laxity at all. Apparently the phenomenon was determined in part by the religious imperative to procreate, and in part by the urgency of producing sufficient males, especially a male descendant who would inherit the land. Further, a man could only have more than one wife, or a concubine, if he could afford to look after them and their children, and if he accorded other wives the same rights as his chief wife. This also involved social and economic obligations to his wives' wider families.

2.10 Most Jewish marriages, however, were monogamous and as time went on they became more exclusively so. This was in part due to the Dispersion of Jews among Roman and Hellenistic cities, cut off from considerations of land inheritance and management. Further, Roman law forbade polygamy. It is no accident that the Greek Old Testament text of Genesis 2:24—'they become one flesh'—is purged of possible ambiguity by the rendering, 'the two become one flesh'—the rendering the Gospel writers in Greek put in the mouth of Jesus. In addition, the influence of the radical ascetic Essene community was firmly pro-monogamy, based on a strong 'one flesh' motif, a tradition with which John the Baptist and Jesus seem to have had links.

2.11 Finally, the Old Testament testifies liberally and without reticence to the disruptiveness of adultery, betrayal, sexual licentiousness and other problematic behaviour—especially when it comes to Israelite men becoming involved with or married to foreign—i.e. pagan—women; or being tempted to visit neighbouring temples of sacred prostitution. It is Malachi who comes nearest to recognising the distress of a middle-aged married woman in the face of her husband's infidelities with younger women. And Old Testament writers exercise no censorship when it comes to the private life of the paragon of Israel, David, whose sexual greed will lead him to plot murder. There is then a connection in the Old Testament mind between sexual rectitude and religious responsibility.

## 3 THE NEW TESTAMENT

3.1 As in the case of the Old Testament, there is no one obvious passage in the New Testament which incorporates a comprehensive, coherent and indisputably authoritative 'theology of marriage'. Rather, one has to evaluate a variety of passages with a view to constructing an overall authentic picture. Whether or not this is actually possible is a moot point, given the complex nature of biblical scholarship.

3.2 Portions and passages within the New Testament dealing directly or indirectly with the matter of marriage and sexuality are as follows: Matthew 5:27-32, 19:3-12; Mark 10:2-12; Luke 20:27-36, 16:18; 1 Corinthians 6:12-20, 7; Ephesians 5:21-33; 1 Thessalonians 4:1-8; 1 Timothy 2:8-15, 4:1-5; 1 Peter 3:1-7. All these passages have to be taken together if one is to arrive at the New Testament view (or views) of marriage. One thing is striking: the person who says least about the matter is Jesus, whose brief comments are restricted to the area of divorce, the scope of adultery, and the renunciation of marriage by the Jew. It is Paul, operating in a different context and world to that of Jesus, who says most about the matter. Another thing is striking: while there is much continuity with the Old Testament, there is also much that represents discontinuity. For example, insofar as the New Testament permits divorce and separation, it is in accord with the Old Testament; but insofar as it seems to prohibit divorce, or makes an issue of the remarriage of divorced persons, it appears to be breaking new ground.

3.3 In addition, while the New Testament inherits the understanding of the marital state as being one flesh as willed by God, it is completely silent about the central Old Testament motif of procreation—though this was to be recovered and recycled by later Christianity. (Admittedly the idea is given a special twist in 1 Timothy 2:14 ff, where it is affirmed that bearing children will be the means of salvation for pious post-Fall women!) Next, the New Testament does not take up the late Old Testament concept of marriage as a covenant, rather it interprets marriage within a christological framework. Most spectacularly of all, the New Testament departs radically from the ancient unquestioned consensus that God intends and wills marriage for everyone without exception: the new option of celibacy is pointed to. This is not at all intended to be seen as a call to mandatory celibacy, as some people at the time, and later, misunderstood it—and at the expense of regarding marriage as somehow unworthy or as something to be shunned. But it is an ineluctable fact that within the New Testament celibacy is in places conceived of as superior, 'better', more conducive to full-time 'devotion to the Lord'.

3.4 This notion is present both in Paul and Jesus, and can be explained with reference to eschatological expectation of the imminent End, which traditionally involves acute ascetic detachment from the loves and preoccupations of normal life, which are only of an interim status; it is Jesus who is aware of the disruptive effect of the imminence of the Kingdom on family relationships (Luke 12:49 ff). And although the 'no marriage in heaven' statement by Jesus in Luke 20:34-36 can have no conclusions concerning the character of Christian marriage, there has been one long tradition of interpretation which sees the passage as affirming that celibacy in this life will secure easier access to the gates of heaven.

3.5 The concept of marriage which Paul has in 1 Corinthians 7 is at one level not particularly 'high', being understood initially as a legitimate means of expressing and, more important, controlling the libido. By this means, general immorality is avoided. Celibacy is a superior state. But Paul's ultimate concern is to affirm nonetheless the sanctity of marriage—and indeed the carnal body, to which he is often unfairly maligned as being radically hostile. Marriage is one of many 'special gifts' and in 1 Corinthians 6:12 ff Paul's doctrine of the human body is very positive indeed: through it, and the body of one's spouse, one relates to the Deity. It is the 'temple of the Holy Spirit', it is a means of 'glorifying God', and in the marital state one should 'remain with God'—admitting all the while of course that in the celibate state all this would be much easier! So there is a tension between two poles in Paul's thought, a dialectic in his thinking about sexuality and marriage, which corresponds arguably to a similar apparent ambivalence in Christ's own known utterances. There is a hint of the notion that marriage is an accommodating concession to human sexuality, certainly far removed from the effective divine imperative of the Old Testament.

3.6 Interestingly, in the later 'Paul', this tension has evaporated, so that he appears virtually as the patron saint of traditional Christian married and family life! This can be seen in Ephesians, and 1 Timothy. Since the Reformation there have been debates about the authenticity of these 'Pauline' writings. Those who reject their authenticity see them as representing the attempt by early Christian communities to adapt the original Pauline theology to a changed situation (just as Matthew did with the Jesus of Mark and Luke: e.g. Jesus' hard saying in Luke 14:26 about 'hating' one's family as a prerequisite for Christian discipleship is transformed in Matthew 10:37 to read 'loving family more than me is

unworthy'). Those who adhere to their authorship by Paul himself attempt, however, to harmonise the contrasts in terms of a natural progression of Paul's thought.

3.7 But what is crucial is not so much the authorship of such writings, as the undisputed effect they had on Christian tradition in the context of the influence of the New Testament as a whole. For the Christians addressed in Ephesians and Timothy, eschatological expectation had died down; the Parousia had not come. The Church and society must adapt now to a settled life in the effectively unlimited present. The value and worthiness of Christian marriage must be reaffirmed against anti-marriage ascetic zealots; and this is what the Paul of Timothy does, though perfectly consistently with the earlier Paul. The Gospel must be more positively adapted to the established patterns and institutions of society, otherwise Christians may remain a permanent secessionist minority, unable to commend and spread the faith to outsiders.

3.8 And so the Paul of Ephesians achieves a remarkable theological and psychological coup. With no mention of the superiority of celibacy, marriage is depicted effectively as the supreme potential witness to Christian existence. The 'one flesh' is understood christologically, and in terms of Christ's union with the Church. And, crucially, the binding and the bonding are understood in terms of 'love' and 'mystery'. The concrete reference to high value of the basic physical dimension within marriage is underlined. With such a theology, then, the concept of Christian marriage is elevated to new heights. However, through the analogy of Christ as head of the Church, patriarchal marriage is not only reinforced, but is accorded the ultimate theological justification. Female subjection and subordination are firmly stated, so that the familiar role-model in the here-and-now is accorded full legitimation as well. This is also reflected in 1 Peter 3:1-7, where female submissiveness is made mandatory. However, verse 7—addressed to husbands—clearly indicates that there is no licence for patriarchal domestic tyranny: husbands shall treat their wives with 'consideration' and 'honour', since both are subject to a higher end and authority—"joint heirs of the grace of life".

3.9 That in Christ there is 'neither male nor female' (Galatians 3:28) was evidently not understood as having any implications for the structure of secular marriage, even if this was projected as being somehow in Christ and 'in the Lord'. At least not by the men. Indeed it is arguable that the Pauline theology of Ephesians, and that of Peter, in particular intensified the given patriarchal hierarchical structure in marriage between Christians, especially since it is in part conditioned by universal cultural notions of female ontological inferiority. The refusal of many Christian females to countenance marriage later in the Church's history would seem to bear this out.

3.10 The future was to see a struggle, or at least tension, between ascetic and non-ascetic concepts of Christianity. Both claimed scriptural 'authenticity', though in the end a *modus vivendi* was to operate. But in the interests of 'harmonising' it not incompatible then varied New Testament evidence, marriage was to be assessed for the subsequent 1500 years in the church as a legitimately Christian state but somewhat inferior to vocational chastity in the early Paul sense; it came to be seen as the realm of the majority secondary Christians, whose sexual activity should be as restricted as much as is compatible with the duty of procreation. This tradition, owing as much arguably to the dualism of Hellenistic culture and Greek philosophy as to the Bible, only clumsily did justice to the full range of New Testament and in particular Pauline thought.

#### 4 THE EARLY CHURCH

4.1 Throughout the era of the Early Church (till about 700 A.D.) and beyond, what might be called the "basics" of the Christian view of marriage among Christians remain constant. The norms, explicit or implicit, of the New Testament were unchallenged within the mainstream Church, such as monogamous marriage, marital fidelity and, of course, patriarchal marital structure.

4.2 However, on associated particular issues, there is a striking relative diversity of views in the Early Church, or at least lack of total unanimity, e.g. on divorce or separation and

remarriage, on the remarriage of the widowed (usually conceived solely in respect of the female widowed), the spiritual or religious status of marriage, the qualitative assessment of the conjugal sexual act as well as the matter of the frequency of sexual intercourse, the status of women (apart from their wifely role), the validity of a marriage, what constitutes its consummation, the wedding ceremony, etc. In respect to such questions, any attempt to elicit a single, uniform "Christian" or "ecclesiastical" view from among the Church Fathers is doomed to fail—even if one does identify a predominant one.

4.3 On all these particular derivative issues, there was no obvious, universally binding canonical norm within Christianity; marriage was never on the agenda of the first seven Ecumenical Councils (except that of clergy or mixed marriages with heretics), nor was it ever the subject of a judgement from the See of Peter in the first thousand years or more of Christianity—with one exception which will appear below. Opinions of various eminent Church Fathers may have coalesced to establish a "tradition" of one kind or another, but closer examination nearly always reveals that such putative Christian tradition—especially when it was never ecclesiastically defined—is in reality often composed of a variety of different perspectives and positions. On such derivative issues, it is an illusion to postulate that there was a specific agreed Christian doctrine which was held "by everyone, always, everywhere"—one of the traditional criteria of authentic Catholicity, viz. the "Vincentian canon".

4.4 In regard to the theological *evaluation of marriage* in itself, Christian Catholic tradition is a faithful and authentic witness to *prima facie* ambiguities, or at least tensions, within Scripture as a whole. Such a dialectic or tension determines the whole tenor of this tradition. As indicated already above, this can be best summarised as a somewhat hesitating approbation or acceptance of marriage combined with a much higher esteem for celibacy, continence or abstinence.

4.5 The mainstream Church tried to steer a path between some very radical marriage-hostile voices, the *force majeure* of human reality, and the biblical witness. The first were those radical ascetics who saw sexual renunciation as the only option for true Christians; they were called "Encratites", i.e. "self-controllers". They were the anti-marriage lobby encountered by Paul, that is those who, unlike Paul or Jesus, would make a Christian law of celibacy. This way of thinking was to be around for a long time to come. Apart from the fact that some of its advocates were undoubtedly influenced by the *a priori* antagonism to nature and creation—and so sexuality—of Gnosticism, their intermittent appearances in Church history are also connected with phases of heightened eschatological expectation. It was this element which enabled them to pretend that they had legitimate authority from the true teaching of Paul and Jesus, that is, sayings of these two conditioned by world-renouncing apocalyptic perspectives. Yet it is still irrefragable that they misunderstood the actual nature of the tensions and relative polarity within the New Testament.

4.6 In Early Church history, various heretical groups often proclaimed such a principle as part of their programme, e.g. Montanists, Marcionites, Novationists, Priscillianists as well as non-Christian religious ideologies which threatened the Church, such as Gnosticism and Manichaeism. Against them, the Church, committed as she was to the essential goodness of the Lord's creation as well as careful interpretation of the biblical witness, affirmed that celibacy was a matter of grace, charisma, and freedom, not at all to be imposed universally.

4.7 The corollary of this was that marriage was therefore indeed a perfectly legitimate Christian state; some provincial Church synods did in fact from time to time have to reaffirm this against various manifestations of radical marriage-disowning dualists—e.g. the Portuguese Council of Braga in 561 A.D. Yet there were some prestigious Fathers, like Jerome, who had an unconcealed contempt for marriage, while not venturing so far as to deny its validity. Views such as his were to have a long future in the Catholic Church, and became a special target of the critique of the Reformers.

4.8 It is plain that throughout the entire era of the Early Church and beyond, the consensus was that celibacy was induced with clear-cut spiritual and religious superiority; in the late fourth century, patristic heavyweights such as Augustine, Ambrose and Jerome joined forces to exonerate the unfortunate Jovinian, who had argued that all baptised Christians were equally holy. And so, the early Paul's concessive view of marriage as a suitable state for the libidinous

and this-world-preoccupied majority, that is, failed virgins, held sway—even if things could be put in a better light with other or later more reassuring Pauline utterances, as in Ephesians.

4.9 In sum: the recognition and necessarily positive evaluation of marriage among Christians in the early centuries of Christianity derives partly from personal and social facts of life, partly from acceptance of the divine ordinance on Genesis that man and woman are designed primarily for intimate union with a view (at the very least) to propagating the species, and partly from Christ's word in Matthew 19: 10-12 that celibacy is only for the few. For all this, marital and familial existence, except where sex is renounced, is undoubtedly spiritually inferior, or at least handicapped. This influential notion—in the interest of "undivided devotion to the Lord"—has incontestable scriptural corroboration in I Corinthians 7: 32-34. It must pose grave problems for those claiming a biblical basis for the concept of the "family" as the primary and formative theatre of quintessential Christian living.

4.10 The Christian mind therefore became bound to the notion that chastity, virginity, celibacy, abstinence etc. were the marks of truly dedicated religion, superior spirituality, and apostolic living. The shunning of eros became therefore a *de facto* Christian duty or goal, even in marriage. One of the later manifestations of this was to be connected with the Marian cult and its adoration of not only perpetual succour, but also perpetual virginity. Yet, notwithstanding the influence of Fathers who helped so much to prepare the ground for these notions and developments, Augustine was not blind to abuses. He did insist, for example, that humility is the real criterion; a proud ascetic is not at all superior to a married person imbued with true humility.

4.11 For the Early Church, as in the Bible, the chief immediate *purpose of marriage* is the procreation of children. There was no concept that the essence of marriage consisted in the pursuit of a relationship between a man and a woman for its own sake. At the same time, "love"—understood primarily as care rather than romantic sentiment—is explicitly urged by most writers in regard to the *conduct of marriage*. The marks of this were designated as "unity, agreement, harmony"—seen as "gifts of grace" [Origen, following Pauline and Petrine exhortations]. Interestingly, it is also Origen who warns that egotistical irresponsible sexual indulgence within marriage is a primary factor in the creation of "discord", "uncleanness", and "idolatry". Marriage then is no licence for unilateral sexual caprice or the inconsiderate exercise of a right and privilege.

4.12 Behind this fundamental and prevalent view of the purpose and conduct of marriage is the most widely accepted, though not unanimous, exegesis of the "one flesh" motif of Genesis 2.24. This is understood as referring primarily not to physical union, but to mental union. Connected with this was the view that sexual intimacy between Adam and Eve only occurred *after* the Fall and their election from Eden (Genesis 4.1).

4.13 This is important for another reason. In view of the elevation of celibacy and virginity in the Early Church and later, many decent married Christians were inevitably concerned that even marital sex was in some way intrinsically sinful, a symptom of the Fall of humanity. But it was the contribution of teachers like Clement of Alexandria and Origen that they were in the forefront of countering this notion. They maintained that, while even marital sex can indeed be sinful, it cannot in itself be seen as a paradigm of the Fall, in light of what was indicated in the previous paragraph. For the primary sin of Adam and Eve was not sexual, it was disobedience. Therefore, for Clement and the other Alexandrians, as well as subsequent mainstream Church tradition at its most authentic, procreation through sexual union is to be perceived as "cooperation with God in the work of creation". The proper pleasure therefore is not erotic, but religious.

4.14 Yet the *evaluation of the sexual act* was still problematical for Christian thinkers. For all his apparent good sense, people like Clement are still cautious and ambivalent. It is difficult for modern people to cope with his concept, shared by many others, that the best marriage is an eros-free zone, that chastity—understood as the repression of eros—in marriage is one of the ultimate virtues. This is in his mind not inconsistent with his apparently positive view of the procreative procedures. Married Christians must shun desire and eros, and procreation without these distractions is the ideal! Christian couples should strive for pre-lapsarian righteousness and sexlessness, like Adam and Eve in the Garden. And so marital sex, admittedly not in itself sinful, should be strictly controlled and limited. The later theological

notions of "life in the Lord" and sanctification as states which involve the gradual transformation of human nature as such, and even "deification" (Athanasius)—brought about gradually by the appropriation of (sacramental) grace—accorded even greater theological plausibility to such a marital sexual ethic.

4.15 While such views may in part be explained by both reactive and proactive cultural conditioning of Christians in a still largely pagan environment, they became deeply embedded in Christian tradition indefinitely. They achieved their ultimate logical conclusion in medieval Christianity, when in the Catholic West efforts were made by the Church through its penitential system to inquire into the detail of what went on in the marriage bed, and lay down prescriptive minimalist guidelines.

4.16 Clement and the Alexandrians have been given some attention here for a particular reason. It has long been the custom in Western liberal-secular thought to blame much of society's sexual problems on not only Christianity, but Christianity of a particular flavour—that of "Augustinianism" and "Calvinism", with "Manichaeism" thrown in. But Christians who are also tempted to assent to this often tend to have recourse to the Eastern Greek Christian tradition as something which is somehow more wholesome and positive. But this does not stand up to analysis. Clement, among others, was not only a founding father of the Greek Eastern tradition, he was also an indirect key contributor to the doctrine and concept of marriage and sexuality which became implanted in the West—above all the theological and ecclesiastical repudiation of eros, scourged as the incursion of sin and subverter of God; such fateful notions not even the Reformation managed to shake off fully.

4.17 Moreover, the related historical association between Platonist or Neoplatonist philosophy and Christian theology—an association which was established initially in the Christian Greek East—was also something that was transmitted into the West. Platonism, of course, with its spiritualising other-worldly thrusts, conveyed a low view of matter, the body, and so sexuality. The combination of this with ascetic and world-renouncing strains in the New Testament constituted a potent legacy in the whole of the Christian tradition. Some modern thinkers are also tempted to cite perceived more "wholesome" concepts of the Old Testament as an antidote. While there may be possibilities in this, the other fact of the matter is that the Church Fathers were also deeply influenced by the Old Testament impurity laws, as in Leviticus 15, Exodus 19:15, and 1 Samuel 21:4-5.

4.18 The worst that can be said about Augustine is that he reinforced tendencies in Western tradition which had been inherited from the East. Yet his analysis of the marital sexual act is not wholly without honest psychological realism: morally good in itself, it is inevitably tainted with an element of what he called "concupiscence", that is, the greedy desire to possess and enslave with pride.

4.19 It is when Augustine relates this to his wider theology that questionable consequences flow. His challenging radical doctrine of original sin affirmed that humanity is collectively or "federally" responsible in Adam for (i) the misery of the world and nature, and (ii) the moral and psychological uncoordination in human beings, such as the inability to stunt the sexual urge. Irrespective of Augustine's actual intentions with this way of thinking, the effect on churches influenced by him was to intensify *guilt* feelings about sexuality. Sexual desire even in marriage came to be perceived as being "enslaved to sin", that is, the key symptom of the guilt which provokes the anger of God. Ironically, Augustine rules out self-mastery, since that notion is also suspect; instead, one turns to the ordinances of the Church for the remedy of sacramental grace, the reconstitutor of human nature along more God-pleasing lines.

4.20 Moreover, an interesting phenomenon in the fifth century was to highlight a kind of intractable inflexibility in the Christian, or ecclesiastical, view of sexuality, marriage and human relationships. This was the popularity in some areas of Christian *spiritual marriages*, that is platonic cohabitation between men and women. This was something that appealed to many women in particular, partly as an escape from child-bearing, patriarchy and the kitchen sink. The Church's leaders, chiefly through the influential voice of John Chrysostom, denounced such a practice as unnatural, naïve, irreligious and socially disruptive, since it led to a confusion of typically male and female roles. Women, conceded John, may well be just as intelligent and sometimes more intelligent than men, but their normal divinely-prescribed

earthly destiny is to be subject to men in the family home. If they have the laudable vocation to virginity, the only option for them is to enter a convent.

4.21 In the area of *divorce, separation, and remarriage*, there is in some respects a near consensus, and in others a more marked diversity of opinion. The majority of Church Fathers take Jesus' word on divorce in Matthew 19:9 as making separation at least on the grounds of adultery either mandatory or permissible. In contrast to Roman and Jewish law, the Fathers also accorded the right of seeking a separation to women whose husbands were adulterous. The reintegration of a marriage after the guilty partner has been repentant and has improved was an issue which divided the Fathers. Those for were people like Augustine, Theodoret, Basil of Ancyra and Hermas, whereas those against were Basil of Caesarea, John Chrysostom, Cyril of Alexandria and Jerome—i.e. those Fathers otherwise noted for their ascetical theology. The latter sought scriptural corroboration in Deuteronomy 24:1-4. For them, the sanctity of marriage was of such a nature as to even preclude the reconciliation of erring partners!

4.22 While it is clear enough that the overwhelming majority of witnesses in the Early Church recognised separation and divorce, the main consensus was clearly inimical to the remarriage of divorcees in the modern sense. The one famous abstention from this position was voiced by "Ambrosiaster"—a notable but anonymous theologian in the late fourth century. He is the sole Church Father who conceded the right of remarriage to Christian divorcees—but male divorcees only! But he does grant the right of remarriage to a married woman or man who became converted to Christianity, and whose non-Christian spouse has no interest in continuing the marriage. Obviously Ambrosiaster represented the attitude of an alternative Christian position in these matters, albeit a minority one.

4.23 Be that as it may, there is sound historical evidence showing that personal, social, political and economic realities in the early centuries often snapped at the heels of the prevalent policy of the Church on the remarriage of the divorced or separated. This seems often to have forced a more liberal and tolerant praxis on the ecclesiastical ground. For example, in his *Commentary on Matthew* 14:23, Origen reports, disapprovingly, of bishops who allow divorced women to remarry when their ex-husbands are still alive. Yet he shows a degree of sympathy for the bishops' pragmatic justification: that in reality, refusing remarriage sanctions greater evils—a view which was to be taken up again very positively by the Protestant Reformers 1200 years in the future. Further, it is known that up to five hundred years after Origen's time, French Church synods such as that of Compiègne in 756 acknowledged the principle of divorce and remarriage in certain circumstances.

4.24 Further, even one of the great articulators of ascetical theology, Basil of Caesarea, urged that the Church, even though it should not recognise formally the remarriage of divorcees, should not harass such people after they have performed a public act of repentance—while of course continuing to live in their new marriage [*Epistle* 199, canon 6].

4.25 Pastoral and ethical pressures—albeit in response to male interests—compelled Augustine as well to accord some degree of acceptance at least of the "irregular" second marriage of a man divorced or separated on the grounds of his wife's adultery. This recognition admittedly only takes the form of a declaration that such a remarriage is less sinful than one which was not occasioned by adultery in the first marriage. While Augustine does not argue that people in such remarriages should be regarded as entitled to receive the sacraments, he also does not maintain that they should be barred from them [*Faith and Works* 19, 35]. He just speculates on the matter.

4.26 Lastly, a widespread problem in the Early Church and for many centuries to come was the *de facto* remarriage of putative widows—in particular reference to women whose husbands either had apparently gone missing in military actions, or were presumably being held indefinitely as prisoners of war in a distant place. In 458 A.D., Pope Leo I made a judgement along the following lines: should a missing husband return, and his wife who has been in the interim living with someone else go back to him, there is no cause for censure or culpability in regard to her. Should however she wish to remain with her new partner due to feelings of love (*amore captae*) then she is to be barred from communion [*Friedberg, Corpus iuris canonici* 1, 1256].

4.27 In all of these instances, the new relationships are not regarded as marriage in terms of

theological definition. But they were tolerated or condoned "in order to prevent trouble", as Basil stated it. And all these considerations from the Early Church which have been presented illustrate several things:

- (i) the dogmatic notion of the indissolubility of marriage in the eyes of God between Christians—even when they are divorced and separated—was indeed widely held, but not with complete unanimity.
- (ii) without appealing or wanting to sacrifice any principle, churches were forced to accommodate in practice to the reality of broken or terminated marriages leading to remarriage.
- (iii) the Church was under pressure to prevent itself from becoming the unintentional promoter of scandal and immorality.

The future hundreds of years before the Reformation however were to see not advances on, rather monumental retreats from, the relative fluidities in the Early Church, and indeed in Scripture, due to the processes of dogmatic crystallisation.

## 5 MEDIEVAL CHRISTENDOM

5.1 In 1215, the Fourth Lateran General (Western) Church Council decreed that "Not only virgins and celibates, but also married persons, by pleasing God through right faith and good works, merit to attain eternal happiness". Thereby marriage as a valid (and so respectable) means of Christian living was affirmed and reclaimed. This was in response to the re-emergence of various heresies and movements with marriage-renouncing ascetic tendencies, such as the Cathars, Albigensians, Waldensians, Joachimists etc. But it was also designed to reassure the married Christian laity, since the old Christian tradition of attributing spiritual superiority to vocational celibacy still prevailed—with the concomitant notion that the married state was the domain of second-class Christians, or as they were actually called, "secular Christians", i.e. not "spiritual", as the clergy were alleged to be.

5.2 It is therefore against this heretical or marriage-degrading background that the declaration of marriage as a grace-conveying sacrament is to be understood—even though it had been ancient Christian tradition to regard marital union as a "mystery" or "*sacramentum*" in the sense of an analogy of the mystical union between Christ and the Church. This occurred at the Second General (Western) Church Council of Lyons in 1274—and in connection with the enumeration of the sacraments of the Church as seven. In the same breath, the Council also declared that successive polygamy—i.e. reiterated marriage on the death of spouses—is legitimate. This confirmed the much more traditionally liberal attitude of the Western Church to this question than Eastern Orthodox Christianity.

5.3 The systematic theological preparatory work enabling marriage to be recognised as a canonical sacrament had been done largely by Hugh of St Victor, Peter Lombard and Thomas Aquinas.

5.4 This step of sacramentalisation was part of the wider process whereby medieval European "Christendom" established itself. Associated with this phenomenon were the comprehensive churchification, clericalisation and sacralisation of society. And in the area of marriage, as in many other matters, the whole of European society became subject to Canon Law, its prescriptions and its sanctions—backed up by the Christian secular authorities.

5.5 This meant that from the thirteenth century onwards, civil marriage was not possible in Europe. Also, since marital indissolubility also achieved dogmatic and canonical status, divorce was absolutely impossible for anyone in society also. The only valid marriage was that supervised or acknowledged by the Church as a sacrament. Yet the Church did not "marry" people in the sense of modern Church weddings. It was God who did this, so that marriage was viewed not so much as a "Church" sacrament as a "natural" sacrament—brought about by God independently of Church mediation. While various obvious preconditions were stipulated, the role of the Church was largely to supervise the exchange of vows, as well as to recognise, declare, bless and sanctify the union or intended union.

5.6 Accordingly, most medieval marriage ceremonies did not actually take place in the church as such. Rather they took place at the church entrance. Only in a minority of cases did a church service of solemnisation, a nuptial mass, take place afterwards in the sanctuary—and usually only in connection with the marriages of more prominent members of society.

5.7 The "sacralisation" of marriage was symbolised by the practice of brides wearing a white veil (precursor of the modern white wedding). This was a symbol of virginity and purity, reflecting that of Christ, and his union with the Church. The sacramental notion was taken further: the grace conveyed is effective, it sanctifies marriage, and paradoxically re-establishes original righteousness and innocence. This is the basis of the notion of "holy matrimony", a term which does not of course have any necessary purport to the spiritual or moral status of the spouses as such. It referred rather to an ultra-personal, metaphysical, independently existing, and inviolable entity, irrevocably sustained by the Church.

5.8 Whatever arguably sound theological insights there may be behind such a theology of marriage—such as that a married Christian couple are as much in need of the grace of God as anyone else, if not more so—there is of course no evidence that medieval marriages were any more happy or less troubled than those in any other era or anywhere else. Further, the actual consequence of the ecclesiastical theology that marriage was a vehicle of effective grace inducing a chaste relationship and conducting the couple to pre-lapsarian, i.e. non-erotic, righteousness was this: in practice, the Church was concerned to restrict, limit and confine sexual expression as much as possible—as it had been since Christian antiquity. But in the Medieval era, the Church claimed the right of intervention in this domain. The intimacies of marital sexual life were deprivatised. The Church had the machinery and power to do this through the sacrament of confession and penance, exercised by celibate male priests. Yet, as at least the confessional and penitential handbooks and guides reveal, the Medieval Church was no more successful in controlling sexual behaviour within marriage than she was in regulating sexual activity before and outside marriage.

## 6 THE REFORMATION ERA

### (a) General remarks:

6.1 In Church tradition till the Reformation, there is a demonstrable concern to do justice to scripture as a whole. This necessitated doing a balancing act—between the venerated ideals of celibacy and chastity, not mandatory (except for clergy), and the legitimate though less "spiritual" state of marriage. The actual outcome of this was a twin-track situation reflecting the corporate double standard. This became institutionalised in the form of theoretically celibate clergy and persons pursuing a "religious" vocation, and a theoretically eros-repressing married lay majority. The result was a clear spiritual class distinction. Thereby a host of well-documented serious spiritual, theological, pastoral and social problems was engendered.

6.2 The Reformation represents a radical departure from the forms and values of such a problematical all-embracing tradition: it effectively abandoned the bi-polarity of the actual scriptural testimony. The Reformers were concerned to view marriage as a fully Christian vocation and no less spiritual or salvific than celibacy and sexual renunciation. In consequence they concentrate—selectively—on the marriage-friendly passages of scripture, and tend to discount marriage-dovengrading passages. But, "what the apostle Paul said in 1 Corinthians 7 about the superiority of virginity still stood, for all the efforts of the Reformers to circumvent it" (J Pelikan, *The Christian Tradition*, vol. 4, p.249).

6.3 It is true that the Reformers do recognise celibacy as a gift for the few. But they are fundamentally sceptical about it on the theological grounds that it can harbour the notion of justification by merit and works. Calvin complained about "those frequent and unrestrained rhapsodic praises of virginity, so that scarcely any other virtue was believed to compare with it" [*Institutes* IV, 12,27]. The Reformation "high" view of marriage is therefore determined by a prior theological axiom: since people are justified by faith or grace only, then married,

sexually active people have direct and equal access to such justification and salvation. They are not handicapped or penalised compared to a vocational celibate.

6.4 Also, the desacramentalisation of marriage in the Reformation ensued not so much from any fresh marriage-theory as from its theology of sacraments. The criteria established to identify a legitimate sacrament were, first, its institution by the Lord himself with a "word of promise" and, secondly, accompanying visible signs specified by him. Since the traditional ecclesiastical sacrament of marriage met neither of these prerequisites, it could therefore have no sacramental status. Marriage could therefore not be seen as a means of grace, something rather than an urgent need of grace. The sacraments of Church tradition were accordingly seen as human inventions and so disposable accretions. In other words, there was simply no biblical authority warranting such ordinances.

6.5 In terms of Christian tradition as a whole, the Reformers radicalise the clear tendency of theological accommodation to marriage manifest in the Early Church after the evaporation of apocalyptic and eschatological expectation. It was the latter which had determined the nature of the marriage-and-family-unenthusiastic sayings of Jesus and Paul. Like the later Paul and many in the Early Church, the Reformers are driven to enhance the status and religious value of marriage. In the course of their zeal in this respect, they turn their back on the Christian celibate tradition (at least as understood), and effectively repudiate its potential. This was accompanied with a new or revived theology of the person and human relationships: "Solitariness hinders love of others" [Luther]. The historical effect of this within Reformation culture was to marginalise the celibate vocation almost out of existence, and make marriage the almost exclusive norm of Christian social existence and of Christian covenanted society.

6.6 This has determined the whole of Protestant tradition, religious or cultural, up to modern times. In Reformation marriage theology, the purpose of marriage is still essentially traditional, viz., mutual assistance, procreation of children, a suitable remedial vehicle for those "burning" with sexual desire to achieve moral chastity, etc. But paradoxically in light of its desacramentalisation, the religious quality of marriage is decidedly enhanced. In line with the axiomatic doctrine of the priesthood of all believers, and the call to love one's literal neighbour in a covenantal context, spouses offer priestly service to each other and their children.

6.7 It can be said that the Reformation clearly liberates marriage from a stigmatised spiritual status—but at a price. (i) It either does not do justice to the twin poles of the biblical witness, or it has recourse to strenuous manoeuvres to harmonise and unify them. This was not easy, since, as Calvin admitted with understatement, "Paul tends to favour celibacy" [*Commentary on I Corinthians*, 7:28]. (ii) It generated a tendency to make marriage compulsory and a law for all (as in the Old Testament). (iii) It reinforced general patriarchy, since it virtually extinguished the option of non-marriage for women, with the abolition of female monasticism. (iv) It reinforced male chauvinism by the tendency to regard the marital union as the means by which the man is made "whole". (v) Reformation marriage theology and practice represent a significant degree of laicisation, and so domesticisation or socialisation of the Church.

6.8 The abolition of the spiritual distinction between clerical and lay, following from the democratisation of grace and justification, made the Church more open, or vulnerable, to the interests of (Christian) secular society and the (Christian) state: it eliminated hordes of clerical and monastic celibates immune from civil law; it eliminated wealth-hoarding monasteries and convents; it offered (optimistically) the prospect of less immorality and illegitimacy, and so better social and moral law and order (a "godly commonwealth"), and it provided for divorce, as well as divorce and remarriage with varying degrees of enthusiasm or reluctance (including Scotland, but not England).

6.9 And so despite, or maybe even because of, the stripping of sacramental status from marriage, the strength of Reformation teaching on the matter is its elevation of the religious, spiritual and social status of marital existence. "There is no more virtuous, nice, godly, and desirable state" [Heinrich Bullinger]. In addition, it removed the taint of sin and guilt from marital sex—"the intercourse of husband and wife is a pure, honest, and holy thing" [Calvin, *Commentary on I Corinthians*, 7:6]. This kind of statement is to be seen in the context of a millennium and a half of Catholic tradition, rooted in early Paul and pagan Stoic philosophy,

whereby marital sexual activity was regarded as a very regrettable necessity, and only mentionable obliquely through euphemisms.

6.10 But the weakness of Reformation thinking on marriage was to make it almost a religious and social obligation, with little obvious concern for the subjective or internal side of the marital relationship—though Luther did once remark that "wife-love may not be forced" [*Table-Talk* 721]. Further, while the theology of marriage and sexuality in the Reformation undergoes a definitely positive transformation, the sociology and politics of marriage equally definitely do not—with the exception of equal rights in divorce. Patriarchal rule, wifely submissiveness, clear demarcation of duties and obligations etc. along wholly traditional lines are not only continued, they are enhanced—especially since in the Reformation, the effective religious leadership of the family passed from the woman to the male head of the household. Further, on the whole, a fundamentally diffident attitude to sexuality still prevails: at the end of the day, eros continues to be seen as somehow—or at least potentially—subversive of God, and so something which even married couples ought best to approach with prayer.

6.11 A relatively original contribution to thinking about marriage in the Reformation era is found in the thought of Martin Bucer, the Strasbourg Reformer, mentor of Calvin, who ended his days as Professor of Divinity at Cambridge. He was unique in arguing, albeit unsuccessfully, for granting divorce on the grounds of insuperable incompatibility, mutual loneliness and lovelessness. The priority he accorded in marriage to "unity and community of soul and body" recalls similar utterances in the Early Church by Origen and Clement of Alexandria. These had been mediated to Bucer by Erasmus, who had achieved notoriety for criticising the Catholic Church for its refusal to dissolve marriages where misery reigned, and where God could hardly be honoured or pleased.

6.12 Bucer's case was that a broken marriage is occasioned primarily by the irreparable fracture of the emotional and mental relationship, making nonsense of the "one person" that marriage is supposed to be; this should be sufficient to justify divorce, if only to prevent one of the partners committing adultery to "quality" for a legal divorce. In addition, "...it is not good for man to be alone, and prostitution is intolerable among the people of God" [*Commentary on the Gospels*, to Matthew 19:3-12].

6.13 Bucer's conception, advanced for the times in respect of its psychological realism, was that marriage functions primarily on the basis of love, affection, mutual understanding, and emotional compatibility. Yet it was derived in part from the patristic insight that "one flesh" refers to mental and emotional union, and not physical union which is just illustrative. This "primacy of subjective relationship" idea was to have a big future—initially in the English Puritan tradition, mediated to it from Bucer by John Milton—and from that to Anglo-American culture, where it became degraded and travestied under the form of "romance" and inflated marital expectations.

6.14 Calvin also testifies to the fact that in writing about marriage he knew what he was talking about. He also gave specific advice which later Protestant church and cultural tradition has very much ignored due to an almost idolatrous glorification of marriage. In his *Commentary on I Corinthians* 7:32, Calvin reflects:

It is a great advantage to those intending to be married that they be warned in advance about troubles, so that if they later unexpectedly encounter them, they may not fall into despair. We see that happening to a great many. They promised themselves pure honey, but when that hope does not materialise in reality, the slightest mishap is enough to depress them. Therefore, let them know in good time what they should expect, so that they may be prepared to put up with everything . . . anxieties, which are in contrast to wedding receptions, hilarity, and other joyful circumstances.

6.15 The churches in the Reformed tradition, that is, those influenced by Bucer, Zwingli, Calvin, Knox etc., did sanction and practise pastoral intervention of an often intimidating kind in marriage matters, in the name of church discipline. Yet the primary Reformer, Luther, had very different and unremittingly realistic views on the matter. Derived in part from his controversial theology of the Two Kingdoms, his views are worth quoting in full:

I advise that ministers should not interfere in matrimonial questions. First, because we already have enough to do in our own office. Second, because these affairs concern not the Church, but are secular things, pertaining to secular magistrates. Third, because such cases are in a way innumerable: they are very complex, and produce many great offences, which may tend to shame and dishonour of the Gospel. Moreover, we [ministers] come off badly in these matters. We are drawn into the business, and then if the outcome is bad, the whole blame is put on us. Therefore we will leave them to the lawyers and magistrates. Ministers ought only to advise and counsel the consciences—out of God's Word—when need requires [*Table-Talk* 748].

(b) Traditions in Scotland:

6.16 Reformation Scotland aspired to be, like Calvin's Geneva, "the most perfect school of Christ on earth". The recognised reality however was that there were just as many marriage problems and difficulties in Scotland as there were in Geneva, and as there had been evidently at the time of Christ. Justification by faith and grace, purified piety and worship of God, not even election and predestination brought special immunity from such problems. There was no peculiarly "Scottish" theology of marriage, and there is no reason why there should have been. Sixteenth century Europeans no more thought of adding national labels like German, Swiss, Dutch, English, French etc. to their theologies than Jesus Christ would have qualified his with "Palestinian" or "Galilean".

6.17 For prevalent ideas on the matter within the Reformed Scottish Church, one must look to the confessions of faith. In Scotland, two confessions were to have not only ecclesiastical status, but also civil legal status. These were the *Scots Confession* (1560) and the *Westminster Confession* (1645). The General Assembly however also sanctioned and recommended for use the *Genevan English Confession*, the *Heidelberg Catechism* (1563), and the *Second Helvetic* (Swiss) *Confession* (1561-6)—or as this last's own actual title was: "*Confession and Straightforward Exposition of the Orthodox Faith and Catholic Doctrines*". Within the Reformed world in general the last two, as Reformed consensus statements, were accorded special respect. Accordingly, there was nothing unusual about the Scots promoting them as part of a corpus of highly recommended confessional writings.

6.18 On the marriage question, the *Scots Confession* and the *Genevan English Confession* say nothing at all. This is not surprising, since confessions of faith in the Reformation proper were precisely that. That is to say, testimonies to what was believed on matters of fundamental faith and doctrine, and not prescriptive programmes for social and personal life beyond what is contained in the Ten Commandments.

6.19 Yet after 1560 Reformed confessions of faith tended more and more to be confessions of faith and ethics. In this context, the *Second Helvetic Confession*, the *Heidelberg Confession* taken with the extensive *Commentary* on it by one of its co-authors, Zachary Ursinus, and the *Westminster Confession*, do address the marriage question. And since these texts composed an essential part of the staple theological diet of Scottish ministers until the eighteenth century, it is safe to assume that the basic, if not all, ideas in them became embedded in Scottish church attitudes.

6.20 The *Second Helvetic Confession* deals with marriage in article 29:

- (i) Not forgetful of Scripture, it speaks positively of those who are naturally celibate, and of their capacity for service "free from family distraction". Those who are not naturally celibate ought to marry.
- (ii) Marriage is understood partly as a remedy for sexual desire and a means of subjugating it, and partly as a state instituted by God to enable a man and a woman to live inseparably in mutual support, love and harmony. The procreation of children is not mentioned. In other words, relationship or partnership has a priority.
- (iii) The marks of a decent marriage are faith, piety, love, and purity. Marital strife, quarrels, sexual excess, and adultery are condemned. Matrimonial disputes are to be referred to family courts; while divorce is not mentioned, in Zwinglian Zurich divorce laws were the most liberal in Europe.

- (iv) Marriage and the family home are "in the presence of the Lord", so that serving the Lord in this context is no less worthy or appropriate than serving him in any other context.

6.21 The *Heidelberg Catechism* touches on marriage at only two points. First, at questions 108 and 109, in connection with the seventh commandment. Here the stress is on chasteness, human beings and their bodies being characterised as "temples of the Holy Spirit", so that all abuse is to be shunned. Second, at the end of the catechism, there is an anthology of scriptural passages for those in the various vocations of life. Among these are husbands and wives. The passages cited are exclusively from the late or questionably "Pauline" or early Catholic sections of the New Testament, like Ephesians, Colossians and I Peter, that is, from the most marriage-positive scriptural utterances. Accordingly, while husbands are urged to love and honour their wives—the weaker sex—as a religious obligation, the wives' religious obligation is stated in terms of obedience and subjection to their husbands.

6.22 In his *Commentary on the Catechism*, Ursinus asserts that when marriage functions in a manner not corresponding to the above model, this constitutes a "great breach of the lawful use of marriage". Further, marriage—untypically in Reformation literature—is characterised as an "indissoluble union", yet the marriage vows may be broken in the case of adultery. Also, Ursinus stresses that in marriage and family life, prayer is necessarily more "ardent and fervent" than in any other situation of life. Further, even the processes of love are understood hierarchically, by the use of the proverb, "Love descends, it does not ascend". Lastly, as among most of the Reformers, alongside the concern to sanctify marital sexuality is an equally strong concern to do everything possible to keep eros in check—in accord with ancient Christian tradition.

6.23 This last element, derived from the early Paul's low view of marriage as an almost unfortunate concession to human nature, reflects the predominant pessimistic realism of the "traditional" Christian doctrines of marriage—for which flights of theological optimism compensate.

6.24 The *Westminster Confession* has the distinction of being the only Christian confession of faith to recognise divorce explicitly, as well as the remarriage of at least innocent divorcees. Its article 24 is entitled "On Marriage and Divorce". Its chief relevant points are:

- (i) The purpose of marriage is mutual help, the increase of the world's population, and of the Church with a "holy seed"—an allusion to the ancient Church doctrine that those born illegitimately cannot be part of the Covenant or the true Church. Further, it is the sole legitimate channel for sexuality, and is designed to prevent immorality.
- (ii) Choice limitation: marriage is restricted to partners of the Reformed faith. Only then can marriage be said to be "in the Lord"—understood ultimately, as the proof-texts show, in terms of Old Testament hostility to marriage with foreigners or outsiders of different religions, and so idolaters.
- (iii) Divorce and remarriage of the offended party is permissible through the ordinary courts. [This was already the practice in Scotland and in Protestant Continental lands, but was not to become possible in England—apart from the Cromwellian interlude—until late in the nineteenth century.]
- (iv) The only grounds for divorce are adultery and wilful desertion (as in Geneva)—those pleading for or even considering an extension of divorce grounds are "corrupt".

6.25 On the face of it, the *Westminster* doctrine of marriage is seemingly very conservative indeed. Yet two qualifying observations can be made. First, even its authors found it hard to incorporate the whole of the scriptural testimony. For among the key biblical proof-texts cited, the high marriage-doctrine of Ephesians 5 is conspicuously absent. Secondly—and this may not be unconnected with the first: the standard patriarchal hierarchy model of marriage is also absent—no citation among the proof-texts of the biblical *magna carita patriarchalis* of I Peter. It is possible that the republican and so more egalitarian atmosphere of the context in which *Westminster* was composed may help to account for this—even though the *Directory of Public Worship*'s marriage service, seen as a covenantal occasion, does introduce in passing

the theme of wifely obedience. Yet in contrast to *Heidelberg* and Ursinus' *Commentary*, parental authority is in the *Larger Catechism* not conceived in terms of fatherly rule and government, but joint authority of "Fathers and Mothers".

6.26 In sum: it follows that the historical theology of marriage in the Church of Scotland subsisted within the parameters of the texts that have been dealt with above. Contemporary observers, inside and outside the Church, may well bemoan the apparent fact that the modern Church of Scotland has no discernibly "firm" doctrine of marriage. But it cannot be said that the Church never did have such a doctrine, that it has no tradition.

6.27 Moreover, how "firm" even such traditional doctrines were, is open to question. Those who hanker for definitive oracular pronouncements crystallised in some form of quasi-canonical confession will always fail to appreciate the essence of the Reformed tradition in particular. Unlike Lutheran, Roman Catholic and Anglican confessions of faith, sixteenth century Reformed confessions did not in principle have canonical or near-canonical status. "Relativism" is what characterised Reformed confessions: "We here in X confess Y at this point in time. This is how we interpret the Spirit and the Word at the moment". The implication is that other people in another place at another time, as well as we ourselves at another time, can at least perceive and express things differently.

6.28 Within sixteenth century Reformed traditions this is precisely what happened, with their plethora of national, regional and civic confessions. These could later be superseded, and were so. Therefore, "subordinate" meant "provisional", "liable to amendment" and "open to further instruction"—as some Reformed confessions explicitly stated. Such interim confessions proclaimed a consensus on the evangelical and catholic cores of the Christian faith; but they also represented actual diversities of opinion over the infinitely wide area of implementation and application of that faith in areas such as marriage.

6.29 Be all that as it may, in the three or four centuries after the Reformation up to the early twentieth century, the Church—universally—and Church-approved theologians experienced a famine of thought on the matter of marriage. In this epoch, questions on the subject were simply resolved with reference to confessional or dogmatic authority of one kind or other. But meanwhile, marriage itself and ideas about it were gradually, and sometimes fast, changing.

## 7 FROM THE ENLIGHTENMENT TO THE MODERN AGE

7.1 The Enlightenment (c.1650-1780) represents an acceleration in the political, legal, philosophical, cultural and even to some extent religious liberation from theology as policed by the churches. Underlying it was the Renaissance concept of human autonomy, a notion frontally repudiated by the Reformation, Catholic or Protestant. Such a concept entailed making decisions with critical independence from received tradition, whether metaphysical, religious or confessional. It also involved increasing attention to the real world and the actual condition and behaviour of the people in it. Other keywords were: amelioration of the quality of life rather than preoccupation with the refinement of one's soul; benevolence rather than fatalist abandonment; toleration rather than enforced uniformity; rationality rather than authoritarianism; faith, trust and acquiescence; human rights rather than inhuman servitude; individualism rather than corporateness.

7.2 The consequence was that in Western Europe the imperialism of Christian theology, with its claim to regulate or oversee all areas of thought, life and activity, was repugned, often ironically by largely Christian thinkers. Theology was deposed as queen of the sciences.

7.3 In the area of marriage, seminal thoughts were sown encouraging the notion of liberation from state, church, and social control. Freedom of choice leads to the historically novel idea of freely entered into marriages based solely on preexisting, verifiable mutual compatibility. In other words, marriage based on an autonomous, self-nourishing man-woman relationship, divorced from prior social, family or religious determination and influence. It was however still to be a long time before the potential disruptiveness of this idea became manifest.

7.4 On marriage and sexuality, the remainder of this survey will be confined to selective brief references to the contributions of various thinkers from the Enlightenment up to the twentieth century. Their ideas are very pertinent: the medley of views on the matter in our times (which many find "confusing"), represents the cumulative effect of such views added to the traditional and "historic" ones. It is a remarkable fact that the churches' contribution to these ongoing discussions was essentially reactionary, even though many of the innovative articulations were by people who professed the Christian faith. It was only with the cataclysmic waves in the first half of the twentieth century of the World Wars, Marxist dialectical materialism, totalitarianism (Communist or Fascist or Maoist), mass dechristianisation, secular humanism, the meteoric surge of human and physical sciences etc., that Church-approved theologians were driven to try to give kisses of theological life to the doctrine and practice of marriage.

7.5 In the seventeenth century, influential Protestant natural law philosophers like the Dutchman, Hugo Grotius, argued for the essential contractual nature of marriage. The Church retorted this in the name of Divine Law. Further, the Church saw in such a way of thinking something which would make divorce easier. Grotius and others insisted however that, by restricting divorce grounds to adultery and desertion, both Church and State passively encouraged immorality—a position taken ironically by Protestant Reformers in Zurich and Strasbourg, like Zwingli, Bullinger and Bucer in the previous century.

7.6 Enlightenment thinking on contractual marriage made much of the notions of "self-realisation", personal wellbeing, and "utility"—that is, marriage is only good and worthwhile if it is useful and beneficial (positive partnership, needs of children etc.). This utilitarian way of thinking (Hutcheson, Bentham) was viewed with distaste by the Church, as it was seen as eroding the moral quality of marriage in its benefits and not in God's command or institution. Further, the alleged preoccupation with "self" was contrary to the theoretical Christian concern with the "other"—even though Christian philosophers of the Enlightenment, like Francis Hutcheson, often pointed out that Church preachers' preoccupation with the salvation of individual souls encouraged in fact self-interest and egocentricity.

7.7 Another Protestant Enlightenment philosopher who held controversial views on marriage was Immanuel Kant. For Kant, freely and autonomously practised morality signified greater approximation to the Kingdom of God, the Supreme Good, than coercive enforcement of moral absolutes. In regard to marriage, Kant designated it as a "moral institution". It sanctions lifelong mutual possession and enjoyment of sexual and erotic attributes. Kant also pleaded for equal sexual rights, marriage for its own sake (and not just to produce and care for children), and the protection of spouses, especially the woman, from arbitrariness. In addition, spouses should be shielded from being objects of gratification, production, labour and service. Despite his efforts to humanise marriage etc., Kant's views were denounced by the Church of the day as "obscene".

7.8 The "Romantic Age" (late eighteenth—early nineteenth century), with its notions of "romantic love", was very much a subjectivist protest against the sterility and *ennui* of conventional and still largely "arranged" marriages condoned by the Church. Now the stress was on "feelings", "friendship", and "relationship" as the basis of marriage. That is to say, marriage for "love" and "partnership"; love subsists autonomously. As well, it is divine, it is marriage.

7.9 A critical exponent of romantic love and marriage was the Protestant philosopher and theologian, Schleiermacher. He argued that, traditionally, most wives were concubines; such travesty-marriages should be easily dissoluble. And if the home was to be built on common love, will, and harmony, erotic love is insufficient. For marriages between Christians, the religious dimension consists in the fact of the communion of partners as analogous to communion with God. Using almost Chaldean language, Schleiermacher claims that the marital union, the "one person" or "one flesh" of biblical tradition, can only function successfully if mutual distinctiveness is acknowledged and honoured. In addition, Schleiermacher urged that there needs to be greater thought given to the integration of erotic, aesthetic, hedonistic and romantic impulses and pleasures with ethical and religious concerns.

7.10 The bulk of the nineteenth century saw a reaction against both the Enlightenment and Romanticism. This reaction takes various forms and names—e.g. Gothic revival, Evangelical

revival, Restoration (on the Continent), etc. This conservative wave is also partly explained not just as a reaction to, but also as an accommodation to the ideology of the Industrial Revolution. The preachers of capitalism, the free market and free trade were, ironically, opposed to "free" personal relationships, and individual "happiness" as constitutive of marriage. Nuclear family stability has priority over marital happiness and love.

7.11 The new "psychology" of the sexes provided ammunition. Woman is weaker and inferior, as the smaller size of her body and brain suggest. In the name of "harmony" she adapts to her husband, and in return is protected by the "security" of marriage. The "Christian home" is where the subordinate and dependent wife stoically "looks after" her husband, and bears and rears children for the benefit of society—for factories, armies, colonisation etc.

7.12 Further reinforcement was provided by philosophy: for example, by Fichte, the philosopher of "duty". In some ways he had a high view of marriage as a "moral relationship", and as "unpersonal" insofar as marriage constitutes a new "Person". But this "Person" is composed of male, active big-heartedness partnered by female love, devotion and passiveness. The conjugal "Person" and unity is governed and represented by the man; wives had few legal or property rights or independent social privileges.

7.13 This way of thinking was very influential and typical: "We" means the male "I"; "my wife and I"; "Mr and Mrs I M Meigh". "Mrs Donough McDonough" and so on. Duty to society is duty to husband, just as the husband's "duty" was to father children. Not surprisingly, celibacy was frowned upon, eros and sex were totally taboo subjects of conversation, childless marriages were viewed with pity or suspicion, and male recourse to prostitutes was widespread in the cities, as was female recourse to alcohol. In short, the predominant Victorian ethos was massively patriarchal: women "need" marriage, since they have a "dependent" nature. Men do a favour by obliging. And of course, generally speaking, this way of thinking was characterised as "Christian", or at least "pious" and God-fearing.

7.14 The twentieth century saw revolutionary new departures. On the non-religious side, Marxism offered the most radical critique of traditional marriage. Engels asked not what true marriage is, but whether there should be marriage at all. Monogamy pertains to patriarchal domination and property relationships. Reflecting on an alternative to the institution of marriage as a mode of "possession", Engels advocates free enduring relationships between people with equal rights and status. Such rights do not preclude a relationship with a third party.

7.15 Neomarxist Humanist thinking, represented by writers and thinkers like Fromm and Marcuse, stresses harmonious mutual self-fulfilment and the quest for "happiness". It found support in the psychology of Freud. This suggested that true happiness may consist in real sexual fulfilment, or at least the uninhibited expression of the sexual urge within a relationship. This also availed of natural biological theories, which saw conventional marriage as a sure means of repressing eros, and as a deterrent to sustained sexual pleasure.

7.16 It was from this camp that various "free love" manifestations, peaking in modern times in the "swinging Sixties", emanated. [On saying that, it should not be forgotten that there have been similar, if differently grounded, free-love movements among various Christian antinomian fringe groups going back to Antiquity.] That of the Sixties was soon exposed for what it was: it offered self-centred sexuality, and provided sexual choice and freedom for men largely, since women were reduced to being fair sexual game. Yet in reaction, it helped to provide a breakthrough for a feminist theory of sexual activity, with women making decisions and choices freely and autonomously.

7.17 Twentieth century theories of marriage were slung into life at long last by the tidal ideological waves over Christian values (of whatever place on the spectrum) of Marxist communism (nursery collectives, divorce on demand), secular humanism (sexual freedom), National Socialism (eugenic engineering), and American individualism (serial marriages, frantic quest for happiness). Interesting religious thinkers who addressed the issue indirectly were Buber and von Weizsäcker.

7.18 For Buber, true personhood, and so true humanity, consists not so much in egocentric self-cultivation, which may involve exploiting others, as in voluntarily cultivating the fulfilment of the "other". In marriage then there is a kind of exchange of identity. Von Weizsäcker maintained that Christian thinking should try to steer a path between the Scylla of

idealistic, elevated, spiritual devaluation of sexuality in the Christian tradition on the one hand, and the Charybdis of naturalistic overvaluation of sexuality on the other. He also recalled sacramental and covenantal concepts in relation to marriage; this may be characterised as the "mystery of marital nuptiality"—in respect of service, honour, goods, children, and the body.

7.19 These ways of thinking helped to pave the way for a more discriminating Christian theology of the "person" in relation to marriage and man-woman relationships. The "person" is not in its fullest sense just identifiable with the "individual", and so not an autonomous robotic being seeking self-realisation. The latter ideology can open the door to a new legalism, a new "justification by works and merit". "I must marry", "I must have sex", "I must have a relationship". Entering marriage on this basis is inviting trouble.

7.20 Pointing to the dimension of faith and the reality of the general mutual attraction of the opposite sexes, largely Lutheran theologians reaffirmed marriage as an "institution of (divinely) created order". These themes can be seen in the works of Seeberg, Thielecke, Althaus, and Brunner. They give fresh insight into the traditional Pauline "remedy for sin" concept. This they redefine as "coping with the guilt, tragedy, and power of Eros". Traditional Christian monogamy is reaffirmed on grounds other than "God's command or will". To Brunner, it is grounded in the trinity of man, woman and children. To Thielecke, monogamy is necessary because of the "natural" female need of a unique relationship; in women, the personal and physical in a relationship are more integrated.

7.21 An alternative to this may be found in Karl Barth. For him, Christian man-woman relationships derive their special quality from the Covenant, the Trinity, and Christ. It is a relationship of "beings". Being human—echoing Buber—is to be co-human. There is a creative interaction with polarity, distinctiveness, unity, complementarity, service, love etc. Barth maintains monogamy, but he also rejects compulsory marriage, and so allows monogamous and faithful co-habitation, like Augustine and others before him. Constitutive of true marriage is not law or a church wedding, but God—good biblical and Catholic doctrine. While Barth is a strong advocate of male-female interchange and joint activity, he still accords a formal precedence to the male. His strong aversion to homosexuality is in part a reaction to the homoerotic manipulations associated with the ideology of the Third Reich.

7.22 Lastly, among the mainstream churches in the twentieth century, the chief significant and comprehensive treatment of the matter in an officially authoritative and sanctioned way has been at Vatican II of the Roman Catholic Church in 1964-65. Marriage is dealt with in its dogmatic constitution, *Lumen Gentium*, and in the pastoral constitution, *Gaudium et spes*. The thinking contained in these reflects arguably the best of that found in Scripture, the Early Church, and even to some extent, the Reformation (e.g. the family as the "domestic Church")—all reinterpreted in a modern if still sacramentalist light. The "personalist" element is especially in the foreground. "Partnership" and "love" are cited as the normative elements in marriage, rather than the traditional child-procreation arrangement. Also stressed is the notion that Christian love seeks the real other person, and not the wished-for other person. Significantly absent and disowned is that which was always essential—even theologically—to the bulk of scriptural and Christian tradition, namely the hierarchical structure of marriage. Alternatives to marriage, while not Catholic, are not to be denounced as immoral and unjust ("living in sin"); they afford opportunities for counselling and witness.

7.23 Whether some of these ideas represent an accommodation to contemporary secular sociological realities and modernity, or follow logically from enlightening theological insight is a moot point.

7.24 In conclusion, the assemblage of material incorporated in this study has been designed chiefly to delineate a fairly elementary cartography of the subject. The intention has been to assist those concerned with the topic to make utterances about it with more informed coherence, and to be fully aware that "the Christian tradition" of marriage has incontestably been a coat of many colours. Last but not least, the material should illustrate incandescently that marriage problems and breakdowns are anything but a uniquely modern scourge about to cause the collapse of civilisation.

Ian Hazlett

## B. A REFORMED THEOLOGY OF MARRIAGE

### INTRODUCTION

1.1 Despite shifting social circumstances the Judaeo-Christian concept of marriage has shown considerable persistence over more than two millennia when compared with other institutions and ethical precepts. As a monogamous and enduring relationship between a man and a woman, marriage has provided a context both for companionship and the upbringing of children. Although the nature of the marriage ceremony, the grounds for divorce, the value attached to celibacy and the status of women have all varied in the history of our tradition, the claim continues to be made that the ordinance of marriage meets human needs and conforms to the highest theological insights of Scripture.

1.2 The greatest change that has taken place in modern times is the increased expectation that marriage will provide a relationship of equality and mutuality in which both partners can find personal fulfilment. The Christian faith with its claim that love is the supreme theological virtue ought to be able to respond positively to this development, and we find in Scripture and tradition (especially the Reformation tradition) suitable resources for this. There is clearly neither a monolithic nor immobile doctrine of marriage in the history of the church yet a theological position can be presented which preserves much of what is present in Scripture and tradition while also addressing contemporary needs and insights.

### THE BIBLICAL WITNESS

2.1 The witness of both Old and New Testaments is to the covenant love of God which is free, enduring and forgiving. At the same time, it is a love which imposes demands upon the beloved who is called to reciprocate. This love discloses the mystery of God's being and informs the cosmic drama of creation and redemption. It is significant that in describing the mystery of God's love for Israel and Christ's for the Church the Bible has recourse to the human analogy of marriage. The relationship of husband to wife corresponds to the relationship that the love of God establishes with human creatures. The human reality of marriage receives its supreme theological justification in virtue of the analogy drawn with the divine love. This is the proper theological basis for marriage as opposed to the appeal to random 'proof-texts'. Jesus Christ 'was the legatee of the great spiritual tradition of his nation, which (with great tenderness often) regarded the national relation to God as wedlock, and treated public apostasy as adultery. Marriage was the point where God most closely touched man, so far as social ordinances were concerned.'<sup>1</sup>

2.2 While polygamy is present in portions of Old Testament history the overwhelming witness is to monogamous marriage. The two creation stories in Genesis 1-2 appear to present a differing rationale for marriage, yet these are not mutually exclusive and together they constitute powerful reasons for marriage. Genesis 1 looks to the fruitfulness of the marriage bond and is echoed by much in the Old Testament that speaks in praise of children and the significance of the inheritance of faith. Genesis 2 stresses the affective dimension of the relationship between Adam and Eve. The uniqueness and intended permanency of the relationship is powerfully expressed in the conclusion: "Therefore a man leaves his father and his mother, and cleaves to his wife, and they become one flesh." (Genesis 2:24) This text, moreover, is given the highest endorsement by Jesus in asserting the intended indissolubility of the marriage bond and in doing so elevating the status of women. (Mark 10:7)

2.3 Elsewhere, the dual function of marriage is endorsed in the Old Testament. The love of Jacob for Rachel, the imagery of the Song of Songs, the eulogy of the virtues of the good wife at the end of Proverbs, the Psalmists' hope that children yet unborn will praise the name of God, the commandments to honour parents and to refrain from adultery: all these are consistent with the explanation of marriage as a divinely appointed ordinance in the opening chapters of Genesis.

<sup>1</sup> P. T. Forsyth, *Marriage: Its Ethic and Religion* (London, 1912), p. 27.

## MARRIAGE IN THE THEOLOGY OF KARL BARTH

3.1 The most comprehensive treatment of marriage in twentieth-century Reformed theology is probably that found in Karl Barth's *Church Dogmatics* III/4. The theological setting of the marriage relationship is already laid out in III/2 with its claim that human nature is fundamentally relational and corresponds to the eternal relations found in the Godhead. Barth speaks about there being an analogy of relation (*analogia relationis*) within the being of God on the one side and between God and human beings on the other. This is enacted in the life of Jesus Christ whose love for fellow human beings corresponds to his love of God the Father. Human nature is here revealed as being for others. There is no 'I' without a corresponding 'Thou' to whom the 'I' is bound in relation. The identity of the human person cannot therefore be understood in isolation from his or her encounter with other persons.<sup>2</sup>

3.2 The biblical concept of 'covenant' is central to Barth's theological anthropology. Humanity is created by God for God. Human beings are called to covenant partnership with God. This entails that human beings are called into partnership with one another as members of the covenant community. This relational dimension of human nature belongs to all human beings and not merely to those who acknowledge Jesus Christ. Indeed, Barth can even claim that this 'reality of human nature and its recognition are not, therefore, restricted to the Christian community, to the "children of light", but, as we are told in Luke 16:8, the "children of this world" may in this respect be wiser than the children of light, being more human, and knowing more about humanity, than the often very inhuman and therefore foolish Christian.'<sup>3</sup>

3.3 Our humanity as fellow-humanity (*Mitmenslichkeit*) reflects our calling to be God's covenant partner. This is evident in a range of relationships in which we find ourselves but none is so basic structurally and functionally as the male-female relationship. Sexuality cannot be abstracted from the wider setting of human life. When the writer of Genesis 2:24 speaks of the man and woman becoming one flesh a 'total and indissoluble fellowship' is implied.<sup>4</sup> This is confirmed by the analogies Scripture perceives between marriage and God's relationship to Israel, and Christ's relationship to the Church.

3.4 Marriage is described as a 'unique, unrepeatable and incomparable encounter and relationship between a particular man and a particular woman.'<sup>5</sup> It is a life-partnership which determines every area of human existence and the fact that it has significance not only for the couple but also for others makes it appropriate that a wedding ceremony should mark the decision to enter in such a relationship. This description of marriage is elucidated in seven ways:

(a) Marriage is a matter of divine vocation. It is by no means obligatory as Christ's own unmarried state demonstrates, yet some persons are called by God to marriage. 'Let every one lead the life which the Lord has assigned to him, and in which God has called him.' (1 Corinthians 7:17) The vocation to marriage is a call to enter into a life-partnership for it is here that love is present in all its seriousness and intent of purpose.

"In marriage as a life-partnership it is a matter of repeating in all seriousness the Yes of love. But 'in all seriousness' means in a life which is the whole life of man, in toil and care, in joy and pain, in sickness and health, in youth and age, in wrestling with the many questions, small and great, inner and outer, individual and social, which lovers united in a common life can and may as little evade as other men, but all these things in the fellowship of their life, in some way or other together, in the special orientation of the one on the other, in the evenness of step between the two selected and willed for this purpose. 'In all seriousness' means experiencing all this in the succession of unforeseeably many days of twenty-four hours and

<sup>2</sup> There are parallels here with the work of the modern Scottish philosopher John Macmurray in his Glasgow Gifford Lectures published as *The Form of the Personal* (Faber, London, 1957 & 1961).

<sup>3</sup> *Church Dogmatics* III/2, (T&T Clark, Edinburgh, 1960), p. 276.

<sup>4</sup> *Church Dogmatics* III/4, (T&T Clark, Edinburgh, 1962), p. 134. Barth also asserts that 'coitus without co-existence is demonic'. *Ibid.*, p. 133.

<sup>5</sup> *Ibid.*, p. 182.

unforeseeably many years of fifty-two weeks, with the intimacy of an everyday and every night companionship which discloses everything on both sides, in which each very soon gets to know the other with terrifying exactitude, and in which the greatest thing can become astonishingly small and the smallest astonishingly great. . . . This seriousness of love is what we mean by marriage as a life-partnership. And when love stands the test of this seriousness, it means that marriage is a partnership which is fulfilled not merely according to the claims of duty, but gladly, joyfully and willingly, in repetition of the Yes of love."<sup>6</sup>

(b) Marriage is an ongoing activity which must be entered into freely and responsibly. Its fundamental goal must be the establishment of partnership and where this is subordinated to some other end the marriage is disrupted.

(c) If the love which constitutes the relationship is genuine it will aim at a fellowship which is all-embracing and which affects the totality of one's life experience. The nature of a partnership implies equality and freedom but Barth, nonetheless, wishes to maintain that the male must take the initiative and exercise primary responsibility. It is this defence of male headship which makes Barth's doctrine of marriage unappealing to many contemporary readers.

(d) As a life partnership it must be exclusive. The choice of a partner implies the decision to forsake all others. Marriage is thus essentially monogamous and is disrupted by the intrusion of a third party. In this respect, commitment and fidelity are marks both of human marriage and of God's covenant love for all people.

(e) Marriage aims at permanency. A lasting life-partnership is sought because fidelity knows no temporal limits. A trial marriage must inevitably lack this aspect since the intention to establish a lasting relationship is absent.

(f) Marriage aims at freedom and must therefore be entered into freely. Love cannot be forced or merited but can only be given graciously. Mutual recognition must be present for a genuine marriage to be formed and Barth charges both Protestant and Roman Catholic ethics with neglecting the importance of the inner genesis of the marriage relationship. The fact is certainly not to be overlooked that the failure of most if not all unhappy marriages is to be traced back to a mistake in their inner composition, to an error and misunderstanding in that process of mutual recognition, choice and love.<sup>7</sup>

(g) A marriage must act responsibly in relation to the wider world around it. Marriage is not only an event of domestic significance; it has ecclesiastical, social and legal implications.

## TWO CONTEMPORARY CRITICISMS OF BARTH

4.1 The account that I am seeking to present follows Barth in most respects but there are two points of disagreement that I would wish to stress at this juncture. The correspondence between the love of God for creatures and the love realised in marriage should not be allowed to obscure the disanalogies. There are two in particular which should be observed:

4.2 The love between God and Israel, and Christ and the Church, conforms to a hierarchical pattern. God is the initiator of the relationship and requires obedience from the people whom he chooses. In this respect there must always be a subordination of Israel to God and of the Church to Christ. The biblical writers sometimes use this subordination to provide theological reinforcement of the headship of the husband over the wife, and this has often been repeated by later theologians. I believe that we can reject this theological legitimisation of male domination without losing sight of the proper correspondence between divine love and the love that finds expression in human marriage. The essential message of Scripture must be discerned while the inessential and culturally relative aspects of what is written must be set

<sup>6</sup> Ibid., p. 187.  
<sup>7</sup> Ibid., p. 214.

aside.<sup>8</sup> Although the act of discernment will itself reflect the perspective of the interpreter the task is nonetheless an unavoidable one. The love of God as faithful, forgiving and everlasting is a central theme of Scripture. It tends to diminish human differences since it emphasises the manner in which every human being stands in the same relationship to God. The couple who seek marriage are both created in the image of God, redeemed by Christ and sanctified in the fellowship of the Holy Spirit. Their oneness in Christ dissolves rather than reinforces differences of race, social status and gender. The relationship into which they enter is therefore a partnership rather than one of super- and sub-ordination.<sup>9</sup> While it corresponds to the love of God it should not be held as reflecting the sovereignty of God in the superiority of the male.

4.3 Unlike the love of God, marriage is an expression of love between two fallible and imperfect human beings. While the intention is to establish a partnership that is permanent and enriching this may not be achieved due to error, failure or misfortune. Unlike God, human beings may make a mistake when they choose a partner, or through the course of time a relationship which flourished at the outset of marriage may reach a point of irretrievable breakdown. We should recognise the reality of this without either forgetting that the proper intention of marriage is to establish a permanent relationship or underestimating the hurt and distress that generally accompany marital breakdown. In the kingdom of God marriage will be indissoluble but amidst the imperfections of the present this ideal is never fully attainable. We should recognise therefore that, as a marriage partnership breaks down, the decision to divorce may sometimes be the correct one. The report to the 1957 General Assembly on the 'Re-marriage of Divorced Persons' remains instructive:

"Marriage requires the inner security which is given by life-long trust and fidelity, while a stable home provides the best environment for the proper nurture of children. Yet it is also believed that some homes come to such a degree of instability, and relationships become so poisoned by infidelity, cruelty and neglect, that divorce ought to be granted. Divorce is here thought of more as a remedy for an intolerable position than a judgement upon a matrimonial offence."<sup>10</sup>

We should admit this honestly and not seek to accommodate it by presenting the spurious argument that in some metaphysical sense the marriage had never really taken place, or that (*pace* Barth) it was from the outset a violation of the divine command. Even within lasting marriages there will be tensions and problems constantly to be overcome. In this respect marriage is a task and a vocation that has to be worked at, and like every other aspect of the Christian life it requires the grace and healing of Jesus Christ.

4.4 It is incumbent upon the church to bear witness both to the divinely ordained reality of marriage as a life-long relationship and also to the grace of God which outlasts human weakness, sin and misfortune. As at the Reformation the church could speak of the seriousness of marriage while honestly recognising the pastoral reality of marital breakdown, so today we are called upon to speak of marriage as a unique gift of God while also recognising that God may work in and through the remedies of divorce and remarriage. The pain and hurt of marital breakdown (for children also) cannot be underestimated. Yet the possibilities of healing and grace must also be affirmed as implications of the gospel of Jesus Christ. Here again the 1957 Report affirms both grace and law:

<sup>8</sup> The interpretive task of criticising the parts of scripture in the light of its central message is unavoidable. (It is sometimes referred to in more technical discussions by the German concept of *Sarkkritik*.) We already see this taking place in the teaching of Jesus, and in recent times we have been particularly conscious of the necessity of critical experts in the debate over the ordination of women.

<sup>9</sup> In a recent essay the American Presbyterian theologian Shirley Guthrie offers the following description of Christian marriage: "Christian marriage is a life partnership based on mutual human love in faithfulness to God, confirmed and witnessed to by a wedding service, and sustained by dependence on God's forgiving and enabling grace in Jesus Christ." 'Towards a Theology of Christian Marriage', *Major Themes in the Reformed Tradition*, ed. D. K. McKim (Eerdmans, Grand Rapids, 1992), p. 326.

<sup>10</sup> General Assembly Reports, 1957, pp. 829-830.

"The Committee recommends that the Church should cease to debar one class of divorced persons from re-marriage while permitting it to other classes, and that the criterion should be not so much guilt or innocence in the past, but rather, where guilt has existed, the presence of sincere repentance, together with the resolve to enter upon a union that shall be in a full sense Christian."<sup>11</sup>

## MARRIAGE AND THE KINGDOM OF GOD

5.1 In the New Testament the message of the Old is both radicalised and relativised. These two aspects of New Testament teaching need to be seen together in our present situation. In the proclamation of Jesus the seventh commandment is radically extended. 'You have heard that it was said, "You shall not commit adultery" but I say to you that everyone who looks at a woman lustfully has already committed adultery with her in his heart.' (Matthew 5:27-28) Sexual purity and respect for the marriage bond are required not just of outward behaviour but in the innermost reaches of the heart and mind. Every idle thought must be made captive to obey Christ. (II Corinthians 10:5)

5.2 Jesus' teaching on divorce is more radical than the practice of the society to which he belonged. A man could lawfully divorce his wife on a variety of grounds but the resistance to divorce in Mark 10:2 ff. implies the permanence of the marital bond while also elevating the status of women in Jewish society. The appeal to Genesis 2:24 gives dominical support to the notion that marriage is a relationship appointed for mutual support and companionship.

5.3 The New Testament also sees marriage as a human sign of the love of Christ. The love of Christ for his people is likened in Ephesians 5 to the love of a man for his bride. Marriage is once again an expression before God of the love which is total, unending, forgiving and faithful. The analogy of subordination is clearly drawn by the Pauline writer when he instructs husbands and wives on how to behave towards one another. However, we may reject this aspect of the analogy as temporally and culturally conditioned without abandoning the writer's witness to the love of Christ as reflected in the bond that unites wife and husband.

5.4 At the same time we have to recognise that marriage is not the most important event in human life for Jesus and the New Testament. It is never idolised or treated as an end in itself. Jesus himself was a single man, so was Paul. Jesus taught that the bonds of the kingdom of God were more important even than family bonds. His followers, both men and women, had to leave their families for the sake of the cause to which he had called them. Paul teaches that it is permissible to marry—it is better to marry than to be aflame with passion (I Corinthians 7:9)—but he thinks that for many Christian people there may be more important things to do with their lives than marry.

5.5 As a relationship ordained by God, marriage must serve the higher ends of the kingdom. As an institution it must promote rather than obstruct the relationships between human beings and God which are the life blood of the kingdom. Marriage promotes human fulfilment before God by providing a goal for human life which is not self-centred. The partnership and the needs of the partner now become paramount. The individual finds fulfilment by working for and serving something which is greater than himself or herself. This is true of the Christian life generally and it is a central paradox of the faith. 'Whoever loses his life for my sake and the gospel's will save it.' (Mark 8:35)

5.6 The community of the kingdom transcends the ties of marriage and family. This has at least two implications in the present context. First, marriage cannot become an enclave into which we retreat and the family must never become a ghetto. As a social unit a wife and her husband are commanded to love their neighbours as themselves. The married are required to press their marriages into the service of God's kingdom in the nurture of children, and in the service of church, community, society and the wider world. The home must be open towards the world and couples should welcome friends and strangers alike into the marital household. Secondly, for some there may be better ways of serving God's kingdom than through marriage. It is in this context that the value of celibacy ought still to be recognised. It should be

seen as a means of releasing time and energy for service and witness which might not otherwise be possible. If the church appears to marginalise the single person we must point to the celibacy of Christ himself.

5.7 It is in the fellowship of the church, established by the Holy Spirit, that we find an anticipation of the ties of the kingdom. Marriage and the family have a place in this fellowship (as the practice of infant baptism vividly demonstrates) but at the same time the 'household of faith' transcends and relativises natural and biological ties. A moving example of this is the way in which many marriages and families are confirmed, supported and even redeemed by the friendship of single persons in the Church. This mutual enrichment illustrates both the radicalising and relativising of marriage that we find in the New Testament.

## MARRIAGE, SEX AND PROCREATION

6.1 While marriage has often been justified primarily in terms of its procreative function and only secondarily in terms of its affective purpose, there are strong scriptural and theological reasons for reversing the order of these priorities. The prominence of Genesis 2:24 in the New Testament and the analogy between divine love and human marriage suggest that marriage is to be understood first and foremost in terms of the love that develops between a woman and a man. This love has a romantic and erotic aspect but it must evolve in practical ways and even learn how to exist at times when the romantic and erotic are entirely absent. In doing so the commitment and purposiveness that inform marriage as an enduring partnership are displayed. In traditional Roman Catholic theology the primary purpose of marriage was the raising of children while the primary function of the sexual act was procreative. In Protestant theology greater emphasis fell upon the 'mutual help of husband and wife' for which marriage was ordained, although the significance of procreation was never lost sight of.<sup>12</sup> This has now been largely endorsed by post-Vatican II Catholic theology, although the continuing prohibition of methods of artificial contraception sits uneasily with the insight that marriage is for mutual support and enrichment.

6.2 In endorsing a partnership that is permanent and secure, the Christian doctrine of marriage seeks not only to witness to the divine love but also to respond to our deepest needs as human persons. In this respect it sees marriage as a secular reality rather than a Christian sacrament.<sup>13</sup> Although it is an ordinance which God uses in the Christian life, it is also effective outwith the life of the Christian community.<sup>14</sup> As such it meets vital personal needs. Marriage seeks to establish a stable context for personal life and in doing so it promotes the sustaining, healing and growth of this life. Without the security and fidelity of the marriage bond these become problematic. If commitment is called into question, the stability of the relationship is immediately threatened. If fidelity is withheld the relationship is destabilised since true affirmation of the other must be lacking.

"The mystery of God's covenant is partially expressed in marital love, where in the depth of the exchange couples experience a glimpse of unconditional recognition.

<sup>12</sup> *Westminster Confession* XXIV.2. This reverses the order of priorities outlined in the 1662 Anglican *Book of Common Prayer*.

<sup>13</sup> At the Reformation the medieval view that marriage was one of the seven sacraments was vehemently contested. Both Luther and Calvin claimed that a sacrament was a sign and seal of the divine promise instituted by Jesus Christ, and that it was therefore inseparably linked to the word proclaiming that promise. Since marriage was not ordained for this purpose (unlike Baptism and The Lord's Supper) it could not be considered a sacrament. As a divinely ordained state matrimony was older than the New Testament and recognised outwith the Christian community. The Reformers were supported in this claim by the linguistic argument that the Greek word 'mysterion' (Ephesians 5:32) should be translated 'mystery' rather than 'sacrament'. The Vulgate translation 'sacramentum' had concealed this until the appearance of Erasmus' edition of the Greek New Testament. Cf. Martin Luther, *The Babylonian Captivity of the Church*; John Calvin, *Institutes* IV.14.3; Huldreich Zwingli, *Commentary on True and False Religion*, Chapter 16.

<sup>14</sup> Emil Brunner argues that the divine ordinance of marriage is given in response to two of our deepest aspirations. A strong and genuine love between a man and a woman seeks permanence, exclusiveness and fidelity, while in the context of the family a mother, father and child are bound to one another in a way that is unique and irrevocable. (*The Divine Imperative*, p. 346).

acceptance and appreciation, in brief of mutual love. Similarly the hell of vacuum, emptiness and non-being is felt by the spouse who feels ignored, rejected and taken for granted."<sup>15</sup>

6.3 Within the context of marriage the role of sex can only occasionally be procreative. At all times, however, it can be an act either of celebration, gratitude, affirmation, comfort or reconciliation. It is only in light of the ideal of marriage that a negative verdict upon pre-marital or extra-marital sex makes sense. Refraining from extra-marital sex is a necessary condition of fidelity within marriage, while refraining from pre-marital sex is entailed by the claim that the proper setting for the most intimate physical union is within the commitment of marriage and the personal values that are therein realised. In this respect, refraining from pre-marital sex may be understood as fidelity in advance. There are many who have regretted pre-marital relationships but probably fewer who have ever regretted a decision not to enter into them.

6.4 The norm of marriage implies a negative verdict upon pre-marital and extra-marital sex. However, there are many persons for whom the norm is no longer or may never be attainable—e.g. the homosexual man or woman, and those who fear marriage through some childhood trauma. In circumstances where the ideals of marriage cannot be realised, it may be asked whether the traditional rules governing sexuality still apply. In the contemporary debate it is sometimes argued that a relationship which in some measure resembles and approximates to marriage may be a source of strength and enrichment to both persons; thus it may be claimed that the grace of God enables the relationships of those for whom marriage is never possible. It is clear that a number of difficult and pastorally sensitive questions lie in this area and these need to be honestly addressed by the modern Church. In next year's report these will be examined more fully; but whatever conclusions we may reach, the Christian witness to marriage should take the form of a positive and unapologetic commendation of all that is good in the traditional ideal, rather than a censorious and hurtful denial of life-styles which do not correspond to that ideal. It might also be acknowledged that as the grace of God is necessary for the healing of even the most auspicious marriages, so the grace of God may triumph in the relationships of those for whom marriage is never or no longer possible.

## THE MARRIAGE CEREMONY

7.1 The question of whether a civil or religious ceremony is necessary to constitute a marriage is raised by the increasing trend towards cohabitation. If not necessary, a religious ceremony is highly desirable for Christian persons. We are not isolated individuals seeking to gratify our own needs; we are members one of another. We belong to families, we belong to the community of the church, and we have a responsibility to the society in which we live. Marriage is therefore not just an important event for us as individuals, it is an event which affects our families, our churches and our societies. In marriage we are entering into a partnership which is a social unity and this has a deep-seated effect upon who we are and what we do. (The recent appearance in gift shops of greetings cards for those beginning cohabitation reveals the social significance of living together.)

7.2 It is appropriate that there be some public ceremony which marks the beginning of the partnership that is being entered into.<sup>16</sup> To include one's family is an expression of respect for parents and relatives, and it also enables families to recognise the broadening of their family circle. Official civil authorisation of a marriage also indicates a respect for the society in which the couple live and a public desire to serve that society as a partnership and not merely as two individuals. It also expresses the conviction that the order and stability of society are strengthened by respect for the bonds of marriage. Finally, a church wedding service bears witness to the fact that marriage is a gift of God which requires divine support and grace. It

may even be a significant event within the Christian community—in which case it is entirely appropriate that the congregation should take vows to support the marriage taking place.

## CONCLUSION

8.1 Marriage is a partnership sustained by dependence on the forgiving and enabling grace of God. We need redemption not only for the worst things in our lives but also for the best. Every calling of God is both rewarding and yet demanding, and this is as true of marriage as of anything. As the most intimate and exacting relationship into which we may be called, it requires the grace of God to forgive, reconcile and strengthen. Yet as a calling of God it takes us out of ourselves and enables us to find fulfilment in relationship with others not only in the home but in the church, the community and the world.

8.2 Perhaps the most alarming factor in recent debates is not so much the outright rebellion of those in their late teens and early twenties as their sheer incomprehension in the face of traditional Christian teaching regarding pre-marital sex and co-habitation. Nonetheless, even here there is still an aspiring toward the security of a lasting relationship which does not appear to have been eradicated by material, social and medical changes. There are significant indicators of a natural longing for companionship, permanency and security which the Church needs to harness in its witness.

8.3 The Church often laments the increasing incidence of marital breakdown and in so doing creates the false impression that there was once a golden age of the family. Perhaps the time has come not to look aghast at the statistics but to rejoice and marvel at the fact that so many marriages do endure. That the astonishing demands and intimacy of the relationship can lead not to breakdown but to human well-being is a sign that marriage can respond to our deepest needs and can continue to reflect the love of God.

## C. A RESPONSE TO "THE ROMAN CATHOLIC UNDERSTANDING OF MARRIAGE AND INTER-CHURCH MARRIAGE"

Turning to the document published in the Joint Commission on Doctrine's report to the General Assembly of 1991—"A presentation of the current Roman Catholic understanding of Christian Marriage and Inter-Church Marriage"—sanctioned by the Bishops of the Roman Catholic Church in Scotland, we can now evaluate the differences in emphasis and practice still existing between our two churches. We do not reproduce the full text of the Roman Catholic document here; it was printed in the 1991 Blue Book, pp. 233-254. Quotations from it are printed in this report in italics; page references are given in the footnotes.

It is important to recognise that the differences in emphasis between the churches exist within a context of broad general agreement. Inevitably, more space is devoted here to the points of difference than to the areas of agreement; but the Panel endorses substantially, subject to the reservations in paragraph (a) below, the opening assertion of the Roman Catholic document that "in both churches marriage is regarded as instituted by God in creation as a covenant of love between the spouses: a covenant freely made by which husband and wife mutually give and accept one another in lifelong union under God."<sup>1</sup> We would also agree with the statement that "both churches hold that the marriage covenant requires total fidelity from both husband and wife: in their exchange of consent each accepts the other exclusively until death."<sup>2</sup>

The Joint Commission on Doctrine specifically asked for the Church of Scotland's response to the following points:<sup>3</sup>

<sup>1</sup> Assembly Reports 1991, p.233.

<sup>2</sup> Ibid., pp.233-4.

<sup>3</sup> Ibid., p.237.

<sup>15</sup> Jack Dominion, *Marriage, Faith and Love* (Darton, Longman and Todd, London, 1981), p.56.

<sup>16</sup> Cf. Shirley Guthrie, op. cit. pp.328-330.

- (a) Marriage as a covenant for life
- (b) Its indissolubility
- (c) Current civil legislation and the Christian understanding of marriage
- (d) The value of pre-marriage preparation
- (e) The value of shared pre-marriage preparation for an inter-church situation
- (f) The development of an appropriate shared liturgy for inter-church marriages
- (g) The shared pastoral care of inter-church families
- (h) The impact of the Roman Catholic self-understanding on local practice.

#### (a) MARRIAGE AS A COVENANT FOR LIFE

This is undeniably the ideal, though the term "covenant" may be misleading if the analogy of God's covenant with Israel and the Church is pressed too closely. In his paper "A Reformed Theology of Marriage", Professor Fergusson points out that God's covenant love is indeed a model for the marriage relationship in that God displays total faithfulness and constancy. It is not, however, appropriate to a marriage relationship which now we regard as existing between two equal partners.<sup>4</sup> In biblical terms, God is the initiator of his covenant relationship with the community of faith. Although his covenant involves binding obligations on the part first of Israel then later of the Church, it is in no sense a partnership of equals. The community bound by God's covenant is the receptor of divine grace and initiative—a role similar to that of women in marriage two thousand years ago. It was natural and logical for Paul in the male-dominated world of his day to liken the God/Israel covenant, and the relationship between Christ and the Church, to the man/woman marriage covenant; but the more seriously we take the concept of marriage as partnership, the less appropriate it is to relate it to God's covenant as its model. "Lifelong commitment" is a less misleading term, and one which people can more easily relate to now. "Commitment" avoids any hierarchical God/Israel comparison. It also has less of the ring of prescriptive legalism—another danger of the word "covenant" if it suggests no more than a legally binding contract.

#### (b) THE INDISSOLUBILITY OF MARRIAGE

*In the case of a validly contracted and consummated marriage between two baptised Christians, the Roman Catholic Church maintains that there is a sacramental bond which may not be dissolved, and, in consequence, it does not permit the remarriage of those who have obtained a civil divorce. A non-sacramental marriage may be dissolved 'in favour of the faith'. The Roman Catholic Church also has a canonical or legal procedure by which the validity of a given marriage can be examined; if the marriage is found never to have existed, then a decree of nullity can be granted which would allow the parties to contract a valid marriage.... Children of a non-sacramental marriage which is later dissolved, or of a putative marriage (i.e. believed to be valid by one of the parties) which is later annulled, are considered legitimate.<sup>5</sup>*

There is an undeniable logic in the Roman Catholic position, arising from the view of Christian marriage as a "sacramental bond" different in kind from every other marriage. On this view it does not lie within the church's power to undo a sacramental bond. Therefore if a marriage has become an intolerable burden, a couple may be counselled to separate; but their status as married is inviolable, unless grounds can be shown why the marriage was not, in the first place, properly constituted in canon law. From a Church of Scotland perspective, however, it is questionable whether it is possible to distinguish between couples who are "sacramentally" married and those who are just "married". The Reformed Church sees marriage as an institution common to all cultures and with deep social significance in all cultures. The specific dimension of Christian marriage—that the two partners make their commitment in the context of their relationship to Christ—while it marks a significant

enrichment to their union does not make them more or less 'one' than a couple who marry without shared Christian faith. We wish to resist any suggestion that 'ordinary secular' marriage is a mere second best, and to accord it its dignity as a gift of God in the created order. The idea that a non-sacramental marriage may be dissolved 'in favour of the faith' seems to us liable to carry the implication, even if that is not the intention, that the former marriage is in some way less real than the latter.

Some Church of Scotland ministers, while not regarding marriage as a sacramental bond, share the Roman Catholic view that the lifelong nature of the marriage commitment must in no circumstances be compromised. They see it as a matter of conscience not to re-marry anyone who has had a previous church marriage, so long as the other partner of that marriage is alive. Others—probably now the majority of ministers—do not rule out the possibility of re-marriage. No-one has suggested, to our knowledge, that marriage vows should be for anything less than life, or that the Christian view of marriage should be altered in any way that allows it to be seen as temporary or provisional. Ministers who consent to re-marry those who have been divorced do so in the conviction that God is a God who forgives, and because they do not accept that a broken marriage is the one failure he will not forgive. Professor Fergusson has argued that relationships which flourished at the outset, and which were entered with the highest of ideals, may still reach a point of irretrievable breakdown, and that this must be acknowledged honestly.<sup>6</sup> The failure of the first attempt does not mean that the second is being entered lightly. Those who have been through the pain of divorce often come to their second marriage with the deepest desire not to repeat the horror of such trauma.

It would be quite wrong for the church to be used for glib partner swapping, or if the possibility of re-marriage seemed to provide an easy escape from the strains and demands which are always involved in a developing marriage relationship. Ministers are required to satisfy themselves as to the circumstances of a previous breakdown; and there is undoubtedly a danger that if re-marriage is too easily available couples may put less effort into making their existing marriage work.

In our view, however, the relevant criterion is not the Roman Catholic concept of validity; it is the more pragmatic test of viability. If the dynamic qualities of a marriage relationship—love, trust, acceptance, support, togetherness, sharing—have been replaced by hurt, accusation, constant disharmony and tension, to the point where there is no realistic hope of the relationship being other than destructive, it has to be asked what sense it makes to say that 'theologically' or 'sacramentally' the couple are still one. This seems to suggest a view of the sacrament which contradicts the existential reality of the couple's union having broken, even if they are devout Christians. The acceptance of re-marriage where contrition and new hope are as far as possible tested, seems to us an act of obedience to the spirit of the gospel, whereas the insistence that re-marriage is impossible if it was canonically satisfactory risks making sacramental theology a manifestation of law rather than of gospel as it intends to be.

#### (c) CURRENT CIVIL LEGISLATION AND THE CHRISTIAN UNDERSTANDING OF MARRIAGE

Before the Reformation the Scots law of marriage was essentially the Canon law. In 1564, to clarify the situation resulting from the abolition of papal jurisdiction, secular courts—the commissary courts—were set up to administer the law of marriage. The law applied remained the pre-Tridentine Canon law modified where it conflicted with Reformed doctrine. Divorce for adultery was admitted without legislation; divorce for desertion was regulated by statute; the degrees of relationship within which marriage was prohibited were defined by statute in accordance with Scripture; irregular marriages constituted by exchange of consent or by sexual relations following on a promise of marriage or evidenced by cohabitation with habit and repute were recognised. The commissary courts were more firmly bound into the secular court structure by allowing appeal to the Court of Session in 1609. By the 17th century, therefore, it was clear that marriage was being regulated by Scots law as a matter of civil status

<sup>4</sup> See above, *A Reformed Theology of Marriage*, 4.2.

<sup>5</sup> Assembly Reports 1991, p.233.

<sup>6</sup> See above, *A Reformed Theology of Marriage*, 4.3.

and that position has remained. The separate commissary courts were abolished in the 19th century thereby emphasising that marriage was a matter within the general civil jurisdiction of the courts, or at least of the supreme court, the Court of Session. However, although it could be said that a Christian understanding of marriage lay behind the law being applied by the secular courts when jurisdiction was originally transferred to them, current civil legislation no longer purports to regulate marriage in accordance with any view of Christian doctrine. The law on the constitution and dissolution of marriage, so far as regulated by legislation, is regulated on a pragmatic basis.

So far as constitution of a marriage is concerned, the law intervenes in the following areas: the prohibited degrees of relationship (now considerably narrowed), the age of the parties and witnesses (now 16), the registration of marriages (including prior notice of intention to marry, which is now entirely a civil matter) and the qualifications of the celebrant of a marriage. The main branches of the Christian Church are left to settle their own forms of marriage ceremony and to make clear to the parties what their Church's understanding of marriage is. The current legislation, echoing the provisions on civil marriage in the Marriage (Scotland) Act 1939, requires that the parties declare before the celebrant and witnesses that they accept each other as husband and wife and that the celebrant declare them to be husband and wife; the better view seems to be that it is the exchange of consent by the parties which alone is essential to the constitution of marriage; there is no statutory definition of what marriage is. Definition is left to the common law and it appears that for a union entered into in Scotland to count as a marriage the requirements are that the union be heterosexual, monogamous and, in principle, entered into for life with all the incidents that the law attaches to the status of marriage. Nothing in the legislation on the constitution of marriage seems incompatible with a Christian understanding of marriage.

So far as dissolution of marriage by divorce is concerned the current legislation extends the grounds considerably beyond the grounds of adultery and desertion for which some scriptural warrant could be found. The theoretical basis of the law of divorce is now irretrievable breakdown of the marriage but the breakdown has to be established in defined ways which in effect allow divorce by consent. The procedures have also been simplified. The Church of Scotland has not challenged the authority of the state to regulate the law of divorce in this way. This is consistent with the view that marriage is a matter of civil status over which the Church of Scotland claims no separate jurisdiction; it does not imply approval of resort to divorce as lightly as the legislation (which also regulates the conduct of non-Christians) would permit, nor does it imply a willingness to re-marry all divorced persons on the basis that they are now by the civil law free to marry.

Civil legislation thus presents fewer problems for the Church of Scotland than for the Roman Catholic Church. As the Roman Catholic statement rightly claims, "*The Church of Scotland would accept any freely contracted marriage as valid*", whereas "*a catholic must publicly exchange consent in the presence of a celebrant authorised by the Church (normally the local priest in his parish) and two witnesses... A catholic who does not observe canonical form—or, in exceptional circumstances, obtain a dispensation from it—is not validly married in the eyes of the Catholic Church.*"

Here again, the Roman Catholic view of marriage as a sacramental union effected by God is relevant. The Church of Scotland holds that there is indeed a Christian understanding of marriage. Faith informs and affects our perception of marriage, as of other universal human phenomena—e.g. work, money, child-rearing—which exist outside the Church as well as within it. The richness of expectation, forgiveness, gratitude, which belong to happy faith are resources which a Christian marriage may hope to claim and enjoy. Yet we would not claim that a marriage between Christians is, as marriage, different in kind from marriages between other people. Its essence is the mutual consent and intention of the two partners, who offer their shared venture to God and seek his blessing upon it, believing that since the marriage belongs to his gift of life, God joins them together. Within the love of God, the meaningfulness of a marriage can be raised to a new height and assume a distinctively Christian character, but so can relations among friends, or parents and children, or neighbours. All of these alike are

given new significance in the light of Jesus' teaching regarding love, but none in our view is elevated to the status of an objective representation of the gospel such as we have in Baptism and the Lord's Supper. In view of all this, it is ironic and tragic that theological divisions among us have caused so much pain and confusion for Catholic and Protestant marriage partners, since what their Churches both proclaim is that the resources offered by their faith can lead to a distinct enrichment of married life.

#### (d) THE VALUE OF PRE-MARRIAGE PREPARATION

We admire the systematic efforts of the Roman Catholic Church to ensure thorough counselling and preparation for couples intending to marry. Church of Scotland organisation of this is haphazard. In spite of the efforts of central Committees and Presbyteries there are probably few parishes where marriage preparation involves more than one or two talks with the minister and a rehearsal before the wedding.

The practice of involving non-ordained church members with appropriate skills and specialisations, we find wholly admirable. Many couples seeking marriage in church find it difficult to talk freely to the minister, and ministers themselves are not always the best qualified to help couples at this stage. Many marriages which break down in their first decade might have stood more chance of success if there had been more effective preparation. They might also have been helped by the opportunity to reflect and discuss and share during the first year or two of marriage. We believe it could be worthwhile for parishes to offer such a forum for couples, say, who had been married in the past twelve months. In pre-marriage and post-marriage counselling, as in the training of ministers for their part in this important work, the Church of Scotland would benefit from a more systematic programme.

#### (e) THE VALUE OF SHARED PRE-MARRIAGE PREPARATION FOR AN INTER-CHURCH SITUATION

#### (f) THE DEVELOPMENT OF AN APPROPRIATE SHARED LITURGY FOR INTER-CHURCH MARRIAGES

#### (g) THE SHARED PASTORAL CARE OF INTER-CHURCH FAMILIES

#### (h) THE IMPACT OF THE ROMAN CATHOLIC SELF-UNDERSTANDING ON LOCAL PRACTICE

These points on which responses have been sought from the Church of Scotland are inter-related and we therefore treat them together. Regrettably we consider that the possibilities opened up by (e) (f) and (g) are all affected, negatively, by (h).

We recognise with appreciation the modifications to legislation that have been made since the second Vatican Council, which are intended to make it easier for Roman Catholic Christians and others to recognise one another as mutual partners in marriage and in faith. Nevertheless it must be said that from the Church of Scotland's point of view that legislation still falls short of the recognition which we deem theologically important—that other churches and their members are no less 'in Christ' than the Roman Catholic Church.

The central issue here is the ecclesiological one (Vatican II, *Lumen Gentium* No.8) that the Church of Christ *subsists* in the Roman Catholic Church, and that only in that church is the fullness of the means of salvation. It is difficult to see how real mutuality can be affirmed while the other communions cannot be seen as peers in the presentation and communication of the gospel. Until we manage to articulate an ecclesiology which allows both churches to know that they are recognised in each other's eyes as full and mutual partners, it is going to remain difficult to avoid the sense of pressure on the partnership in terms of Roman Catholic ecclesiological understanding. We would agree with the final sentence of the Roman Catholic statement, that "*the final resolution of the problems of inter-church marriages lies in that unity*

of Christians for which we work and pray".<sup>8</sup> but we cannot anticipate that this will involve an unrevised agreement by other churches to the terminology and content of *Lumen Gentium*. "A Catholic who wishes to marry a Christian of another church or ecclesial community must ask 'permission' from the local bishop: one wishing to marry a non-Christian must apply for a 'dispensation'. 'Permission' implies that marriage is within the law but certain canonical conditions have to be met; 'dispensation' implies that marriage is contrary to the law but may be authorised in exceptional circumstances. The Roman Catholic Church thereby acknowledges a real distinction between a marriage between two Christians and a marriage between a Christian and a non-Christian. This distinction is based on the real but imperfect communion that already exists between all Christians."<sup>9</sup> While we recognise that the shift from 'dispensation' to 'permission' as the precondition of a canonical marriage is a real gain in acknowledgement of intra-Christian 'mixed marriage', we judge that the acknowledgement of our common baptism should render permission unnecessary in the long run.

More specifically, we believe that the status of marriage as a sacrament is a matter for further exploration between our communions. This is in part to do with the issue of dominical institution, and to the fact that the Roman Catholic claim that "the marriage covenant... has, between the baptized, been raised by Christ the Lord to the dignity of a sacrament" (Canon 1055)<sup>10</sup> was not so declared until 1274. The question of how the development of doctrine is understood in relation to the magisterium and to scriptural evidence continues to be controversial here. We wish to affirm that while marriage is among the human activities which have God's blessing and manifest his goodness to us, it is not in the technical sense a sacramental means of grace.

We welcome the alteration in Canon Law which no longer obliges the Roman Catholic Church to seek promises from a non-Roman Catholic partner about the upbringing of children. This "tacit acknowledgement of his or her right to freedom from coercion in religious matters"<sup>11</sup> is one we would wish to apply to all marriage partners, and we hope that pastoral practice will increasingly reflect the theological recognition of the couple's free and mutual decision-making responsibility.

We concur with the professed aim of joint pastoral care in inter-church marriage—that "it may bear as effective a witness as possible to a lived Christian unity"<sup>12</sup>—but believe that this lived unity would be much more convincing (both to the couples themselves and in the public's perception) if there were not so much pressure from one side creating the impression that only one partner is a true believer. It is our opinion that most happy and successful inter-church marriages flourish in spite of, rather than because of, the efforts of denominations to safeguard their own members' loyalty. Although the statement claims that "we accept each other's baptism" and that "together we believe that by our baptism in Christ we become members of his one Body",<sup>13</sup> there seem to us still some pastoral grounds for concern that the revised legislation has not yet been wholly successful in freeing mixed intra-Christian marriages from internal and external pressures which threaten the genuine mutuality intended, and demanded by the very reciprocity of marriage.

Because of Scotland's long tradition of mistrust, even hostility, between the Reformed and the Roman Catholic communions, there is still often real distress in both Church of Scotland and Roman Catholic homes when a member of the family wishes to enter an inter-church marriage. In spite of all the welcome ecumenical advance of recent years and the much happier climate between our two churches, there is still much healing to be done. We believe that both churches should be working, in their pastoral care of a mixed marriage, to emphasise the shared Christian faith of both partners; whether such pastoral care is exercised individually or jointly is probably not too significant. Since both churches share the scriptures, baptism in Christ, the ancient creeds and a commitment to the risen living Lord, there are huge areas of

<sup>8</sup> *Ibid.*, p. 237.

<sup>9</sup> *Ibid.*, p. 236.

<sup>10</sup> *Ibid.*, pp. 234-5.

<sup>11</sup> *Ibid.*, p. 236, 2.

<sup>12</sup> *Ibid.*, p. 236, 4.

<sup>13</sup> *Ibid.*, p. 237, 6.

common ground. Such a marriage should, reasonably, have a much more hopeful spiritual basis than a marriage between any Christian and an unbeliever. Sadly, the faith which ought to be a source of strength and unity can turn into a destructive and divisive force when either church finds it necessary to safeguard its own member in advance against defection. The division is highlighted at the marriage ceremony and perpetuated throughout the life of the couple by the present impossibility of their ever sharing in the Eucharist.

We welcome and commend the suggestion that joint liturgical resources should be developed for use by priests and ministers involved in inter-church marriages. We also happily acknowledge that shared marriage services are now more usual and more easily arranged than was the case in the past. We would hope that the following guidelines would be acceptable to both churches and might form the basis of any liturgy prepared on an inter-church basis:

- (i) there can be only one officiant at any marriage, and the vows may be exchanged only once. The officiant will normally be the priest or minister of the church in which the marriage takes place, but the assistant (normally the priest or minister of the bridegroom) should have a significant role in the service, not merely a token "walk-on" part.
- (ii) the service should bear witness to our common belief in marriage as a gift of God and as the context in which both partners can grow and develop in their shared Christian faith.

The Panel has found great value in the clear expression of Roman Catholic doctrine and law presented in the 1991 statement. The fact that we were asked to prepare a response from the Church of Scotland has necessarily resulted in the above comments being reactive and concerned most with areas of divergence. We emphasise again our welcome for the exchange of views opened up by the Joint Commission on Doctrine and our acknowledgement of the efforts made by the Roman Catholic Church in Scotland, within the limits of its ecclesiological self-understanding, to remove some of the negative aspects of teaching and practice with regard to marriages between partners of different traditions, and to encourage these unions to realise their rich Christian potential.

#### D. CLARIFICATION OF THE ROMAN CATHOLIC POSITION

A Note prepared by Roman Catholic members of the Joint Commission on Doctrine, on the Roman Catholic position that the Church of Christ subsists in the Roman Catholic Church (cf. Vatican II, *Lumen Gentium*, no. 8)

The Roman Catholic Church by grace of God is blessed with:

- the fullness of the means of salvation
- institutional integrity as the Church of Christ
- being "wholly" the Church of Christ, even if not the "whole" Church.

This does not mean:

- that there is not a presence of the Church of Christ in other Christian Churches
- that other Christian Churches lack all unity, holiness, apostolicity or catholicity
- that other Churches lack "true faith" or are completely bereft of "divine mandate"
- that members of other Churches are not truly believers
- that other Churches are not means of salvation for their members
- that many elements of truth and holiness are not to be found in other Christian Churches.

For a Catholic entering upon an inter-Church marriage, it means that he or she:

- cannot put their Catholic faith and life at risk
- cannot take a neutral view about children belonging to another Church and must do his or her best to baptise and bring up children in the full communion of the Catholic Church

- can and must recognise that the marriage unites the spouses in Christ
- can and must fully recognise a Christian partner as being "in Christ"
- can recognise the spiritual gifts of the partner's Church
- can participate in the worship of the partner's Church (but not receive Communion)
- can draw on the spiritual heritage of the partner's Church
- can incorporate such spiritual heritage into the Christian upbringing and education of the children
- can encourage the family, short of eucharistic communion, to experience worship in the Christian traditions of both partners.

## II A CONTEMPORARY CONFESSION OF FAITH

### Remit:

The General Assembly instruct the Panel, when addressing concern for a modern Confession of Faith, to give consideration to the difficulties involved in common confession of faith today.

The Panel is of the opinion that this is not an appropriate time for the formulation of a new Confession. For this position, the Panel advances three main reasons, as follows:

1 The drawing up of a new Confession would be divisive in the present climate of theological opinion in the Church. There are extremely diverse views in the Church today, ranging from conservative attitudes towards the inspiration of Scripture to liberal positions regarding some of the central tenets of the historic creeds. The purpose of any creed or Confession is to provide a test of orthodoxy. A new Confession would require to have a legal status, and subscription to it could lead to unchurching many who at present feel able to subscribe to our current doctrinal standards. In a Church where there is such a multiplicity of views, however, some doctrinal guide is necessary, both for the instruction of members, and as a definition of the Church's faith to the outside world. The Panel believes that its Statement of Christian Faith, approved by the 1992 General Assembly, meets this need and could, if it were thought necessary, be adapted for use at ordinations and licensings.

2 If and when the climate of theological opinion is more favourable towards the drawing up of a new Confession, the Panel believes that it should be done ecumenically. Already a considerable consensus exists in matters of faith, among the Churches. It is the mission of the Church which justifies moves towards a greater degree of Christian unity, and that mission would be inhibited if new Confessions were to be created by the Churches independently of each other.

3 As the Panel stated in its report to the 1986 General Assembly, the legal status of the Westminster Confession of Faith is very complex, and the Panel is still of the opinion that it is wiser to leave that Confession alone in its present constitutional role. A new Confession of Faith would require to fit a narrow legal purpose and this would be an inhibiting factor in its formulation.

## III GUIDES FOR STUDY OF THE FAITH

### Remit:

The General Assembly instruct the Panel to examine the feasibility of preparing or commissioning a series of studies designed to assist church members and others who encounter difficulty, in the light of the findings of biblical criticism and other scholarly disciplines, in accepting the doctrines of the Christian Faith as traditionally formulated; and to report thereon to the General Assembly of 1993.

A Working Party was set up under the convenership of the Rev. Gordon Grant. At its second meeting the Rev. Ainslie McIntyre, who moved the motion in the General Assembly, was present and read a statement explaining the background to his motion. The most important of the questions which, in his opinion, ought to be answered for the benefit both of church members and of those outside, is "What is faith? Is it 'Trust in Jesus Christ as Lord' or assent to a series of propositions, or both?"

Dr Gary Badcock presented a paper, for which the Working Party had asked, on "Proposals regarding Study Material based on the 1992 Statement of Faith". The paper, which was warmly received, sets out the aims of the proposed study material, stating that the series of studies should be both apologetic and doctrinal in character. Dr Badcock lists specific areas for study and bases his suggestions on the trinitarian framework of the Statement of Faith.

The Working Party was also greatly assisted by the Very Rev. Professor Robert Davidson, Interim Secretary of the Department of Education, who attended the second meeting. Professor Davidson pointed out that there is already a variety of suitable material in published form, and that the Department of Education has considerable expertise in this field. Accordingly he suggested that the Working Party might approach the new Board of Parish Education, and in particular its Curriculum, Development and Planning Committee, with a view to joint work being carried out on the project. The Vice-Convenor and Secretary of the Panel therefore met with staff members of the Board of Parish Education. They were of the opinion that the aims of the remit would be met if suitable material were to be incorporated in the new Church Learning Programme deriving from the new curriculum which the Board is preparing. The relevant studies contained within it could be linked to the Statement of Faith and this would help to keep it before the Church. The Panel's office-bearers would be happy with this arrangement and the Panel would be represented at a later stage when this material was being produced.

## IV A THEOLOGICAL EXAMINATION OF ANTI-SEMITISM

### Remit:

The General Assembly instruct the Panel to consider the feasibility of a theological examination of Anti-Semitism.

A Working Party under the convenership of the Rev. Dr Stewart Todd was set up to deal with this remit. It seemed to the group that this was a task which could appropriately be undertaken by Churches Together in Scotland and ACTS was approached. Their negative response has been received in the last few days before the printing deadline for this Report.

An enquiry has however recently been received from the Board of World Mission and Unity's Working Party on Racism, and consultation with them seems advisable. This the Panel's Working Party will undertake.

## V JOINT COMMISSION ON DOCTRINE

### Church of Scotland/Roman Catholic Church in Scotland

The Joint Commission on Doctrine met in October 1992. It is pursuing various possibilities for making the Joint Interim Report on Inter-Church Marriage (1991) more widely available. The joint report provides ministers and priests with a useful resource when they are involved in inter-church marriages. The Joint Commission was encouraged to learn that the Scottish Association of Inter-church Families had found the report very helpful and had expressed the hope that the churches could make it more easily accessible.

The Joint Commission began to look at the recent report of the World Alliance of Reformed Churches dialogue with the Roman Catholic Church: *Towards an Understanding*

of the Church. The initial impression is one of welcome and encouragement. It is hoped that a study of the document may help to take forward our relations with the Roman Catholic Church in Scotland in several important areas, not least in understanding our respective histories. The document is printed in Appendix A and the Joint Commission hopes to present the results of its study to the General Assembly as soon as possible.

The Joint Commission gave consideration to the remit of the 1992 General Assembly asking "the Joint Commission urgently to explore . . . the possibility now of the Roman Catholic Hierarchy in Scotland granting a special dispensation, on ecumenical occasions, for an invitation to all communicant members of other churches to participate fully in the Sacrament".

The Joint Commission does not feel able to give a full response to this remit for a number of reasons:

1 The Joint Commission is conscious that this issue is essentially a multilateral one. The very fact that the remit refers to 'ecumenical occasions' suggests that it therefore properly involves more than the Church of Scotland and could not be a matter for bilateral action. It is an issue of current concern both to other member churches of ACTS and also to the Council of Churches for Britain and Ireland, both bodies which regularly share ecumenical worship.

2 The Joint Commission is also conscious that the broader issue of Inter-communion is already part of the agenda of the ACTS Commission on Unity, Faith and Order and that the ACTS Commission expects to publish in the near future a paper on the question, outlining the differing positions held by the churches. While this paper will deal with the broader issue, it is clear that it will also relate to the special ecumenical occasions talked of in the Assembly's remit.

3 The Joint Commission will be addressing the issue as it arises in the context of the WARC/RC document: *Towards an Understanding of the Church*. So to that extent and in that particular bi-lateral context the issue is part of our current discussion.

The Joint Commission is confident that, with the issue appearing on so many concurrent agendas, the urgency of the matter is not going unheeded, and with patience and prayer and careful listening to one another a way forward will be found.

## ADDENDUM

The Rev. Gordon Grant this year completes his term as Vice-Convenor of the Panel. During the last three years he has represented the Panel on the Faith and Order Liaison Group, also ACTS Commission on Faith and Unity. He chaired the Working Party which last year collated and coordinated comments from Presbyteries and Kirk Sessions on the Draft Statement of Faith, and he has since been Convenor of the Working Party dealing with the question of a new Confession of Faith and study material on doctrinal issues. The Panel is greatly indebted to him for the commitment and enthusiasm he has brought to all of its work.

## APPENDIX

The report printed below, of the second phase of Reformed/Roman Catholic International Dialogue, has been studied by the Faith and Order Liaison Group of the Panel and the Board of World Mission and Unity. The Liaison Group felt that it was sufficiently important to present in full to the General Assembly, and asked that it should be attached to the Panel's own Report. Passages thought by the Liaison Group to be of particular importance have been highlighted.