

**A Teaching Document on Sexuality and Marriage
from the Bishops of the Church of England:
Some Initial Suggestions as to Questions and Themes**

1. General Principles

We welcome the call for a teaching document on marriage and sexuality from the House of Bishops, which is to be founded, as the Archbishop of Canterbury has said, ‘in scripture, in reason, in tradition, in theology’ and ‘based on good, healthy, flourishing relationships, and in a proper 21st century understanding of being human and of being sexual.’ The quality of General Synod’s debate on the report GS2055 encourages us to think that a constructive, confident and open treatment of the subject is possible, drawing on the rich tradition of theology, ethics, philosophy and scientific engagement with which our church and tradition has been blessed. In seeking to draw up these notes, our discussions have shown the breadth of good will that is to be found among those whose training and expertise particularly suit them to be contributors to this task. We hope that part of the work given to the group or groups that are drawn together to resource the bishops will be reflection on what it means for teaching to be offered in the name of the Church of England, and that the basis for the exercise, and extent of the authority of the document that is produced, will be laid out.

We hope that the bishops will produce a document that can be of use for all Christians: in the sense that it might be offered as a resource for consideration beyond the Church of England (not least because it has drawn on experts beyond our own number), but also in terms of its scope. We need a document that does not address simply a limited range of aspects of sexuality, bearing upon some people, but that instead attends to the far wider scope of what it means for all human beings to be sexual creatures. We also hope that the document will promote the sense that it is possible to disagree over these matters in good faith, and that it will encourage those who differ to recognise one another as fellow Christians, created and redeemed by God. In particular, it strikes us as important for the future health and stability of the Church of England for our church to accept that there are principled differences among us about ways of interpreting the Bible. Though diverse, these are each nurturing in their contexts, and generative of faithful Christian lives and mission to the world.

We encourage members of our church, of all traditions, to embrace the project of resourcing this teaching document. Recognising that it could take some time to complete, we also hope that it will not encourage a period of further stasis, faced as we are with the pressing challenge of being the established church for our nation.

Considerable attention has already been paid to the idea of good disagreement, and to fostering understanding and respect across differences of opinion. We are confident that the bishops will wish to keep this as a priority, not least when it comes to disagreement not simply about conclusions, but also about the basic methods, sources and norms of theology and theological ethics.

As already noted, it will be impossible to fulfill the aims of this teaching document unless it is situated within an account of the Church of England's understanding of its own teaching office. We call upon the bishops to be clear about how they understand their office in that regard, and for them to be clear about the role of the whole people of God here, not least in sense of 'the sense of the faithful' and place of reception in relation to the teaching of the church. In all of this, in the words of Pope Benedict XVI, we must seek for a sense of what marks out an 'authentic development' in the tradition.

2. Sources and Method

2.1 Scripture

We hope that the report will draw upon the breadth of the Christian tradition, not least upon the full breadth of the scriptures, with no part of the variety of writing found there neglected (such as the wisdom tradition, for instance). There is room for a new openness to the breadth of scriptural writing in discussions of sexuality and marriage, and we hope that reflection on the Song of Songs, for example, might newly inform the thought of the church. Centrally, as Christians, we should be asking what the example of Jesus in the Gospels teaches us, not only about questions of marriage, sex and family, but also about our method and goals in carrying out these discussions. When it comes to biblical interpretation, we hope that particular consideration will be given to what it means for us to be seeking to be taught by scripture as Anglicans. For one thing, our deliberations ought to be historically well informed. We have a good deal to learn from the way in which other, previously controversial, aspects of Biblical interpretation have been handled, such as lending money at interest and slavery. From within doctrinal theology, consideration of what it means to be human – of theological anthropology – would seem to offer a particularly important contribution.

2.2 Science

We believe that discussions of sexuality in the twenty-first century are obviously discussions about 'science and religion'. At its best and most authentic, Christianity has not been afraid of humble and respectful attention to the nature of reality around us, or of empirical findings. To behave in any other way today would, perversely, be to support the notion of a conflict between science and the Christian faith, which is already, unjustly, so detrimental to the mission and standing of the church. We therefore call upon the bishops to place a high priority on making sure that everyone who is involved in the production of this teaching document is well-informed about scientific findings on the nature of human sexuality. In this attention to science and the empirical, one of the most decisive – and courageous – requirements will be for proper attention

to the parameters and procedures for distinguishing science from pseudo-science. To countenance the latter is to bring the church into disrepute.

2.3 Ethics

In order to teach about marriage and sexuality, the bishops will necessarily also have to teach the church about the sources of theological and ethical thought, and how to use them. We look for a document that will address the various prevalent approaches to ethical thinking – such as virtue ethics, natural law, duty-based accounts, and utilitarianism – assessing their strengths and weaknesses. There will be much to be gained, for instance, from a consideration of the virtue tradition, in seeking to discern what it would mean to be just, courageous, moderate and wise in relation to sexual relationships and conduct. Since most Christians normally make use of more than one basic approach to ethics, attention will necessarily have to be given to how the various models or ethical outlooks relate to each other.

Reflection upon human relationships and the sexual dimension to life has been undertaken throughout human history, and today the bishops of the Church of England address a culture that weaves together intellectual and cultural perspectives, both ancient and more recent, with a greater variety than ever before. Today, as down Christian history, our ethical thinking is enriched by conversations with those outside our tradition. One does not have to share our faith in order to make wise discernments about the nature of the world and humanity that we share, aided by what Calvin called ‘common grace’. On the other hand, we also believe that Christianity is particularly constituted by the witness to God of ‘the prophets and the apostles’, and supremely by the revelation of God in Jesus Christ. Those twin facets of our relationship to other traditions call both for a generous openness to what any common reflection on the nature of human beings and relationships might teach us, and confidence in the specific tradition of the Christian faith, and in our case of its particularly Anglican embodiment. The teaching document will therefore be strengthened by attention both to what Christians share in common with all people of good will when it comes to sexual ethics, and also to what informs a distinctively Christian perspective on this subject. Indeed, it will be important to consider how the very categories with which we tend to set out such discussions, such as ‘morality’ and ‘ethics’, are themselves in need of a distinctively Christian theological critique. Central to all of this is the question of what it means for Christian ethics to be part of the Good News.

Alongside this consideration, attention is due to what we mean by categories such as ‘morality’ and ‘ethics’ within a Christian vision. Similar careful attention is also due to the meaning of terms that belong to the particular discussion of the topic in hand – terms such as sex, gender, marriage, sexuality, homosexuality and heterosexuality – with historical awareness that what was previously meant by various categories, or included with them, has been significantly different in the past from what we likely understand by them today. More generally, given the current

prevalence of a ‘retrieval’ model in theology today, the bishops should ask what there is about previous approaches to marriage and sexuality from which we might profitably learn.

3. Detailed Questions

The breadth of social and theological topics facing the bishops is extensive. The suggestions that follow can no more than begin to address the range of topics which we think might usefully be considered.

3.1 Some theological questions

What meaning does the body have in Christian theology and ethics? What does it mean to honour God with, or in, or as, a body? How should the theology of the church respond to a cultural context where so great a tension exists between bodies as they typically are, and the body presented, and even idolised, in some idealised fashion?

What is the meaning of purity in Christian theology and ethics, and what are the limits of its application and usefulness? What does it mean for the concept to have gendered implications, and how is that significant?

What bearing does eschatology have upon sexual ethics?

What does it mean in sexual conduct to be loving one’s neighbour, and the wider community, and to be seeking the Kingdom of Heaven?

What is the significance in these debates of Luther’s idea of ‘the freedom of a Christian’?

What is the theological meaning of celibacy, particularly in relation to vocation?

What does it mean to bless people, commitments, endeavours and states of life: what are the meanings and purposes of blessing, and how do they relate to the questions in hand? What can we bless, and what can we not, and on what do we base such decisions?

How, and to what extent, is human identity necessarily and inherently both biological, and culturally informed and expressed? What about that is good, and what is prone to sin? How does the life of grace relate to our natural inheritance, and how does Christian identity relate to natural identity or identities? How do themes in the doctrinal area of ‘grace and nature’ bear upon our questions?

What is a properly Christian understanding of sacrifice, and how does it relate to Christian sexual ethics, and the rhetoric with which it is discussed? How does this relate to Christ being the end of sacrifice?

How do questions of the development of tradition and of doctrine bear upon the questions under discussion? What does it mean to honour one’s theological forebears, not least when they have got something wrong?

Are there passages in the Bible, relating to gender and sexual practice, and to other moral and ritual matters, which the church teaches need no longer be followed, or read on face value? How are they discerned and distinguished from other passages? Can the church make a plausible and consistent case for how it handles different examples?

How might or should the category of desire be understood theologically? Is it licit or expedient to distinguish between sexual desire, inclination and orientation?

What is the meaning of ‘complementarity’ in relationships? What are the aspects, dimensions and criteria by which it is discerned? How does it, or does it not, relate to gender?

3.2 Questions relating to Church and Society / Mission / Anglican Identity

How do these questions bear upon the role of the Church of England as the established church?

What is properly or distinctively Anglican about our situation and the proper shape of any response? What does ‘Anglican’ mean in this context, and how does it relate to our more local and immediate context as the Church of England?

How is the mind of the Church of England expressed? How do previous statements inform the ongoing work of theological and ethical discernment? As an example, we might take discussions of the role and authority of the Bible from the Doctrine Commission in 1938 and 1976.

How can the church respond positively to what, in the movement for marriage equality, is surely an historically unexpected move to value marriage, and what it stands for, among younger people?

How do these deliberations relate to the church’s desire to increase the number of ordinands in training?

What is the Anglican understanding of the relationship between ethics and pastoral care? Are all statements to be treated as ‘precepts’, or do some feature as ‘counsels’?

To whom, and for whom, are the bishops of the Church of England most fundamentally responsible? If there are competing claims between concerns for wider unity and concerns for local mission, how should they be judged or settled?

What line does the church take on controversial, ineffective and widely condemned attempts to change sexual orientation?

How does diversity of opinion and judgment, in these matters or more generally, relate to being considered a Christian in good standing within the church, or a member of the clergy in good standing (where it bears, for instance, on consideration for serving the church in senior positions)? The same question should be repeated in relation to candidates for ordination.

Which aspects of sexual ethics deserve or require particular attention today? Which questions are, in fact, most asked of those who currently teach the Christian faith in parishes and other

settings? What, for instance, does the Church of England wish to teach about sex education in schools, consent, sexual violence, marital rape, pornography, masturbation, or limits to sexual practices (not least among married heterosexual couples)? If pronouncing on matters such as sexual practices among married heterosexual couples is deemed unacceptably intrusive, how far should that also go for other couples?

What characterises the current climate in which young people are growing up and being formed in this domain? What expectations are prevalent, for good as much as ill, about sexual conduct and experience? How should the church speak constructively, pastorally and insightfully into that context?

What does equality between sexes mean and demand? How does this relate to, concur with, and differ from previous dominant Christian positions and understandings?

What should wisely be said about the development of sexual relationships over time, and their relation to ageing and changing states of life? How might sexual ethics be considered in such a way as to take such aspects into account? How might or should the church speak to the question of sexuality and ageing, and the consequences, for instance, of the loss of a spouse?

What does the church wish to say about the status of stable, faithful, long-term heterosexual relationships? In what sense might marriage be understood as coming into being over time in these or other settings, outside formal legal or religious recognition? Are all couples in a sexual relationship outside of marriage ‘living in sin’? If not, what are the criteria for judging this?

What should, or might, the Christian make of contemporary trends to see gender as something other than a male / female binary, or as something with more than a duality to its variety? How do questions of gender relate to questions of biological sex, and the complexities which are found there?

How can the church most effectively respond to mental health problems that are particularly prevalent among younger LGBTI people?

3.3 Questions relating to Transgender and Intersex

Given the frequency of intersex traits (by some estimates as common as red hair), and the fact that many are ‘invisible’, how legitimate or useful is it to construct theologies of sex, gender and sexuality which assume that everyone is clearly and unequivocally either male or female? Given that it is possible to have e.g. ‘male’ chromosomes and ‘female’ anatomy, or other ‘unusual’ combinations of physical characteristics, how useful is the language of ‘same-sex’ and ‘opposite-sex’? Should intersex be understood as an exception to the male and female ‘rule’ or as something which should disturb or disrupt the male-and-female model of human sex, and brings the ‘rule’ (and, perhaps, theologies grounded in it) into question? How can intersex Christians’ experiences and understandings of their bodies as sites of divine blessing be properly honoured? Given some intersex people’s unusual anatomy, how useful are understandings of e.g.

consummation grounded only in penile-vaginal sexual intercourse? For those who hold that only a male may legitimately be a bishop (or a priest), or that two males may not legitimately marry one another, in what do their definitions of maleness lie: chromosomes/gonads/genital appearance/gender identity/gametes/something else?

In restricting its scope to lesbian and gay people, the Pilling Report (2013) claimed that trans and intersex people ‘raise important theological and pastoral issues’ which it says were ‘outlined in chapter 7’ of *Some Issues in Human Sexuality*. However, *Some Issues* makes little reference to intersex people (as intersex members of the Church of England frequently complain). Will the teaching document on marriage address the specific questions posed by intersex people raised above?

Recent Church of England documents on marriage – e.g. ‘Men and Women in Marriage’ (2013), the ‘Pilling Report’ (2013) and GS 2055 (2016) – have not considered the marriages and marital needs of transgender people, even though they have been, and continue to be, affected by legislative developments since 2004. Will the teaching document draw on the experience of transgender people, including Christian trans people, and consider their needs in relation to marriage? If so, will the document be using the most up-to-date terminology as it is emerging among transgender people? Will consideration be given to this growing phenomenon of a rich range of gender identities, including among married people, which question the notion of a rigid dichotomy between male and female, man and woman?

Although published after the House of Bishops’ meeting of January 2003, chapter 7 of *Some Issues in Human Sexuality* on ‘transsexualism’ gives the impression that the lives of trans people pose an ongoing theological dilemma for the Church. However, the House of Bishops’ Summary of Decisions of January 2003 (HB-03M1) confirms that it had already agreed that two positions on trans people ‘could properly be held’: ‘some Christians concluded on the basis of Scripture and Christian anthropology that ... “gender reassignment” or “sex change” were really a fiction’; ‘others were persuaded’ in response to ‘profound and persistent’ indications ‘that medical intervention... was legitimate and that the result could properly be termed a change of gender.’ This decision facilitated the marriage of trans people with full gender recognition to someone of the opposite sex in Church of England churches, and exemption from officiating at such a marriage by clergy with conscientious objections. Will the protocols that facilitate the marriage of trans people with full gender recognition to someone of the opposite sex (‘The Gender Recognition Act 2004 and the Church – What the Law says: A Note from the Church of England’s Mission and Public Affairs and Legal Divisions’ (2005)), which are not widely known, be included and discussed in the teaching document?

The Gender Recognition Act 2004 sought to prevent unnecessary disclosure of a trans person’s gender history as the 2005 Note acknowledges. Given the above restriction, does the Church of England hold any data about how this protocol concerning the marriage of trans people has worked in practice? If so, will this be reflected on in the document?

What is the Church of England's understanding of the marriage of a couple, one of whom has transitioned but has not obtained full gender recognition?

Will the teaching document review recent developments in UK marriage legislation and its complex impact on trans people's relationships, not least in relation to couples who were married before a transition in gender identity?

What is the Church of England's view on the controversial matter of spousal consent in relation to gender recognition introduced by the Marriage (Same Sex Couples) Act 2013?

3.4 Questions relating to Sex and Marriage

What do we learn from the historical study of marriage as an institution? Is marriage only one thing? Is sexual intercourse only one thing: are there gradations here, and if not, where is the boundary drawn? How might or should sexual intercourse be defined in those for whom penile-vaginal intercourse is not possible (e.g. because of disability, intersex or some other reason)?

What does the church value or look for in a sexual relationship? What are the goods of marriage? How does the understanding of the Church of England here relate to historical traditions within the churches more widely on this question? How are we to understand such goods of marriage? Can they be interpreted analogically? How is the good of children (*proles*) to be understood today? Are a couple sinning, or falling short, or even failing properly to contract a marriage, if they enter into a marriage intending not to have children? Should relationships between those who intend from the outset not to have children be considered as something other than marriage?

What is the bearing of Article XXXII on these discussions?

Is marriage a sacrament, as the *Book of Homilies* perhaps unexpectedly suggests? If so, what does that mean? If not, how is marriage to be understood in terms of the economies of nature and of grace? What is the status of civil marriage in the eyes of the church? How does it relate to a marriage in church? Is a marriage between two Christians different from a marriage either between two unbaptised persons, or between one person who is baptised and another who is not?

How does the church's definition of marriage square with divorce and remarriage, and especially the emphasis (for instance in GS 2055) that marriage is 'life long'?

When it comes to consideration of the proper setting (or best, or only suitable setting) for sexual intercourse, what is the status of a civil partnership? More widely, how is a civil partnership to be understood theologically, for instance in relation to the legal point that couples who convert their civil partnerships to marriages are considered to have been married from the time at which the civil partnership took place? What is the particular moral bearing of a couple finding themselves in a situation where they would marry if they could, but where they are unable to do so for some reason? Are they under the same strictures as those who simply do not wish to marry, although they could?

Prepared by Andrew Davison, June 2017, drawing on a panel of experts, extending particular gratitude to Christina Beardsley for her contribution to the discussion of transgender and intersex. The panel includes the following names.

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