

SAME-SEX MARRIAGE ECUMENICAL PERSPECTIVES

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This essay was composed at the request of the National Church Council of the Evangelical Lutheran Church in Canada to assist the church in considering the matter of the blessing of same-sex relationships.

1. THE CONTEXT

In 1989 Denmark became the first country in the world to authorize same-sex marriages. Since that time many countries have enacted legislation permitting same-gender couples, by means of a civil union, to obtain some or all of the rights of heterosexual marriage including adoption of children. Norway followed Denmark in 1993 and Greenland in 1996. At the present time, Argentina, Belgium, Chile, Iceland, Finland, France, Germany, The Netherlands, Portugal, Scotland, Sweden, South Africa, seven provinces and one territory in Canada (representing 85% of the population), and several states in the U.S.A. have also enacted legislation authorizing same-gender unions or partnerships. The consequences of these civil actions is that Christian churches around the world are being forced to consider their theology of marriage and to determine whether or not they are prepared to offer ecclesial blessings to same-sex unions. A number of denominations in Europe and in North and South America have taken official positions on this matter. For the most part, African and Asian churches, with a very few exceptions, do not permit the blessing of same-gender unions. The matter is under study in many churches around the world especially among the so-called "mainline" or confessional churches. The non-confessional or "evangelical" churches have responded, for the most part negatively, to the civil actions. What follows is a review of the positions taken by our major ecumenical partners.

2. CANADA

The Anglican Church of Canada

The General Synod of the Anglican Church of Canada has deferred a decision on the blessing of same sex unions until 2007. General Synod has requested the Primate's Theological Commission to review the matter both as to doctrine and discipline. The Synod has also requested the entire church to engage in a renewed study of sexuality that would include the voices of gays and lesbians. The Synod did affirm the sanctity of committed homosexual

relationships as a way of stating that committed relationships are preferred over transient ones.¹

The diocese of New Westminster through its Diocesan Synod has authorized same-sex unions. This authorization requires parishes to convene a special meeting of a parish to vote on the matter. Following such a meeting a request is made to the bishop for permission to bless the union. No priest can be obligated to bless such a union. The Canadian Anglican House of Bishops has approved guidelines for *Shared Episcopal Oversight* reflecting the New Westminster provisions.²

In November of 2004 the Niagara diocese approved a motion similar to that of New Westminster. Niagara's chancellor, in response to a question, stated that he did not see the issue as a matter of doctrine. Although personally favouring the motion, the bishop withheld the required consent pending further discussion.³

In October of 2004 the Lambeth Commission on Communion released the Windsor Report. This Commission was established by the Archbishop of Canterbury in 2003 and reported to the Anglican Consultative Council in October 2004. Since members of the Anglican Consultative Council are autonomous communions, the Windsor Report will go through a process of reception in the member churches that may take years. The recommendations of the Report call, among other things, for a moratorium on the blessing of same-gender unions; the ordination of non-celibate gay and lesbian clergy; and any interference by foreign bishops in the affairs of dioceses other than their own.⁴

The United Church of Canada

In 1984 The United Church of Canada affirmed acceptance of all human beings as persons made in the image of God regardless of sexual orientation. In 1988 the Church affirmed that all persons professing faith in Jesus Christ regardless of sexual orientation are eligible to be considered for ordered ministry. In 1992 the General Council directed that pastoral and liturgical resources be made available to congregations wishing to bless same-sex unions. In 2000 the United Church affirmed human sexual orientation (hetero- or homosexual) as a gift of God and determined to advocate for the civil recognition of same-gender partnerships.⁵

¹ Dr. Richard Leggett, Professor of Liturgical Studies, Vancouver School of Theology, private letter, November, 2004.

² Report of the Primate's Task Force for the House of Bishops concerning *Adequate/Alternative Episcopal Oversight for Dissenting Minorities*.

³ *Anglican Journal*, Nov. 15, 2004.

⁴ The Lambeth Commission on Communion of the Anglican Communion, The Windsor Report, October 2004.

⁵ Human Rights, civil recognition of same-sex partnerships, The United Church of Canada, issued May 15, 2003; updated October 15, 2004.

In August 2003 at its 38th General Council the United Church of Canada officially recognized the covenanting of same-sex couples and the celebration of their partnership as marriage where authorized by law.⁶ At this same Council the United Church of Canada called on the federal government to recognize same-gender marriage in federal law.⁷ In October of 2004 The United Church of Canada appeared before the Supreme Court of Canada speaking in support of the right of same-gender couples to be legally married. The Church also argued in support of the right of religious officials and congregations to decide for themselves whether or not to make religious marriage services available to same-gender couples.⁸

The Canadian Council of Churches

The Canadian Council of Churches in a letter released October 7, 2004 said it was not able to take a position on the matter of same-gender marriages and would not do so. The letter by Richard Schneider, President of the CCC, was issued as the Supreme Court of Canada began hearings on the matter. It expressed the hope that "concord and consensus" might be discovered, but it also upheld the necessity of allowing churches "to disagree, even to disagree strongly."⁹

The Canadian Conference of Catholic Bishops

The Canadian Conference of Catholic Bishops issued a statement in December of 2004 affirming the traditional teaching of the Catholic Church that celebrates the Sacrament of Marriage as "the union of a man and a woman."¹⁰ The statement welcomed the Supreme Court's assurance of the protection of religious freedom on the matter. The statement additionally expressed pleasure that religious officials are protected from being compelled "to perform civil or religious same-sex marriages that are contrary to their religious beliefs."¹¹ While not using explicit language of rejection it is implicit in the statement that the Roman Catholic Church in Canada does not recognize the validity of same-sex marriage nor is there any intention to reconsider that view. The statement does urge all Canadians to debate the matter and to make their views known to their elected representatives.¹²

⁶ Marriage Unique, Couples Divers: Réflexion de L'Église Unie du Canada, Resource, United Church of Canada, 2004.

⁷ General Council 38 (2003), The United Church of Canada, news release updated January, 2004.

⁸ United Church Intervenes in Supreme Court on Same-sex Marriage, news release, United Church of Canada, Wednesday, October 6, 2004.

⁹ Letters, Canadian Council of Churches, Richard Schneider, President, October 7, 2004.

¹⁰ Statement by the Canadian Conference of Catholic Bishops on the Decision of the Supreme Court of Canada in the Reference on Marriage, December 9, 2004.

¹¹ Ibid.

¹² Ibid.

3. THE UNITED STATES OF AMERICA

The Evangelical Lutheran Church in America (ELCA)

In May of 2000 the Presiding Bishop of the ELCA issued a clarification of the Church's position on the blessing of same sex unions. That statement affirmed that the ELCA "upholds heterosexual marriage as the appropriate context for intimate sexual expression."¹³ It cited the ELCA 1996 Statement: *Sexuality: Some Common Convictions*, which declared that marriage is a "lifelong covenant of faithfulness between a man and a woman."¹⁴ In 1993 the ELCA Conference of Bishops had said that "there is basis neither in Scripture nor tradition for the establishment of an official ceremony for the blessing of homosexual relationships. We therefore do not approve such a ceremony as an official action of the church's ministry."¹⁵ They went on to say, "Nevertheless, we express trust in and will continue dialogue with those pastors and congregations who are in ministry with gay and lesbian persons, and affirm their desire to explore the best ways to provide pastoral care for all to whom they minister." A series of social policy statements has followed since that time.¹⁶

In May of 2000 the Greater Milwaukee Synod voted to recognize and affirm the blessing of same-gender relationships. The Southeast Michigan Synod passed a similar resolution. The Metropolitan Chicago Synod requested the ELCA to develop a rite of blessing for same-sex couples. In response the ELCA Churchwide Assembly in 2001 called for a churchwide study on sexuality under the title *Journey Together Faithfully, Part II*. The report and recommendations of that study will be brought to the Churchwide Assembly in 2005. The Task Force's report and recommendations will be made public January 13, 2005. To this point the policy on same-sex marriage remains as expressed in the 1996 statement on sexuality.

The Episcopal Church in the USA (ECUSA)

Episcopal bishops in North Carolina, Nevada, Utah, Los Angeles, Washington D.C. and Vermont have informed churches in their dioceses that they are authorized to bless civil homosexual unions. The General Convention of the Church in 2003 left the matter to individual dioceses noting: "We recognize that local faith communities are operating within the bounds of our common life as they explore and experience liturgies celebrating and blessing same-sex unions."¹⁷ The Episcopal Church distinguishes the blessing of same-sex unions from marriage. While the blessing of such unions is a religious ceremony, marriage is limited to heterosexual

¹³ Clarification Regarding Same-Sex Blessings and ongoing deliberation concerning Homosexuality, from the ELCA Office of the Presiding Bishop, May, 2000.

¹⁴ Ibid.

¹⁵ Ibid.

¹⁶ See *Journey Together Faithfully: A Call to Study and Dialogue*.

¹⁷ General Assembly, Episcopal Church in the USA, 2003.

couples. No Episcopal Diocese in the USA allows clergy to perform marriages for same-sex couples. At the same time, "The Episcopal Church is on record as being committed to continuing discussion and discernment around these questions, about which we do not have a common mind, and to equal protection under the law and full civil rights for homosexual persons."¹⁸

The United States Conference of Catholic Bishops (USCCB)

In November of 2003 the Conference issued a statement entitled *Between Man and Woman: Questions and Answers about Marriage and Same Sex Unions*. The statement affirms the traditional Roman Catholic understanding of marriage as "a faithful, exclusive, lifelong union of a man and a woman joined in an intimate community of life and love."¹⁹ It further states that "a same-sex union contradicts the nature of marriage. . . . Therefore it is wrong to equate their relationship to a marriage."²⁰

The Presbyterian Church in the United States (PCUSA)

In 1991 the General Assembly of the Church declared it "would not be proper for a minister to perform a same-sex union ceremony that the minister determines to be the same as a marriage ceremony."²¹ The General Assembly Permanent Judicial Commission affirmed that declaration in 2000. A same-sex union regarded as a marriage is seen as a contravention of the *Book of Order*.²² At the same time it is recognized that the Church may bless a same-sex ceremony, which is not "determined to be a marriage."²³ Same-sex blessings may not involve the appropriation of liturgical forms taken from the service of Christian marriage.

4. EUROPE

Denmark

In 1996 the Bishops of the Lutheran Church of Denmark (the state church) established a commission of Bishops to recommend whether or not the Church should, with a ritual, formally bless same-sex partnerships. A report issued in May of 1997 concluded that a "registered

¹⁸ Press release from the Presiding Bishop of the Episcopal Church in the USA, statement on same-sex commitments.

¹⁹ *Between Man and Woman: Questions and Answers about Marriage and Same-Sex Union*, USCCB, No 1.

²⁰ *Ibid.*, No 4.

²¹ Office of the General Assembly (PCUSA), Advisory Opinions: Note 7.

²² *Ibid.*

²³ *Ibid.*

partnership does not constitute any threat against marriage."²⁴ In October of 1997 the Bishops approved the blessing of homosexual partnerships within the congregations. This is not regarded as marriage, which is understood as between a man and a woman. The Church does not permit same-sex marriage.

Norway

In 1993 Norway enacted legislation to give legal recognition to homosexual unions. This gives civil unions the same rights as heterosexual couples except the right to adopt children and have a church wedding. The Lutheran Church of Norway (state church) does not permit same-sex marriage.

Sweden

Civil marriages of same-sex couples are permitted under Swedish law. Same-sex marriages, however, are prohibited in the Lutheran Church of Sweden (the church was recently disestablished from the state). The Church does not recognize same-sex civil marriages or partnerships as marriage.

Finland

In 2001 the Finish parliament voted to permit the registration of same-sex relationships. This gives same-sex couples the same rights as married couples except the right to adopt children and the right to family name. A distinction is made between registration and marriage. The Lutheran Church of Finland (state church) will not perform religious ceremonies for same-sex couples. Marriage is understood to be a relationship between a man and a woman.

Belgium

In November 2002 the Belgian senate approved a bill to recognize same-gender marriage. I have found no information on the position of churches in Belgium.

France

France adopted in 2000 a domestic partnership law that allows civil same-sex unions with such marriage rights as inheritance tax, housing, etc. These are civil laws under a Civil Solidarity Pact, which is registered in a courthouse. I have no information on ecclesial blessing of such pacts.

The Netherlands

²⁴ Commission on the Blessing of Same-sex Partnerships.

The Netherlands in 2001 granted full marriage rights to same-sex couples. The Lutheran Church in Holland is now merged with two other churches and the new church permits the marriage of same-sex couples with the same rights as heterosexual couples.

Germany

Germany in 2001 authorized the marriage of same-gender couples but does not allow them to adopt children. I have not found specific information on the positions of the nine Landeskirchen.

5. AFRICA

The primate of the African Anglican Conference in Lagos, Nigeria in October of 2004 issued a strong statement commenting on the Windsor report of the Lambeth Commission. In the statement the Bishop calls on the Episcopal Church USA and the Anglican Church of Canada to repent of their actions and to honour Lambeth Resolution 1.10 that rejected "the blessing of same-sex unions."²⁵ I have not been able to find a report of any church in Africa recognizing same-sex union or affirming their blessing either as a civil union or a marriage. The bishops went so far as to indicate they may cease training of African theologians in Western institutions as a signal that they regard such a concept as homosexual union contrary to African cultures.

6. ASIA

I have not been able to locate specific information on the responses to this issue from churches in Asia. Chinese psychiatrists still regard homosexuality as an illness. Japanese psychiatrists have recently declared homosexuality is not an illness. To this point the issue of the blessing or marriage of same-gender couples seems not to have been the subject of much discussion.

7. CONCLUSION

It is apparent there is no consensus among our major ecumenical partners on the matter of same-sex marriage or the granting of ecclesial blessing to same-sex partnerships.

²⁵ *A Statement from the Primates gathered at the first African Anglican Conference, Lagos, Nigeria, October 2004*, p. 2.