

# MARRIAGE & THE PRESBYTERIAN CHURCH (U.S.A.)

**A People's Guide for Study & Conversation**

## USING THIS GUIDE

The 220th General Assembly (2012) called the Presbyterian Church (U.S.A.) to engage in a church-wide exploration of marriage in the 21st century. To stimulate and guide that prayerful discussion, *More Light* Presbyterians offered this Study Guide with a clear summary of various perspectives and questions to inspire conversation.

The 221st General Assembly (2014) has asked the church to engage in thoughtful consideration of marriage, and vote on ratification of recommendation 14F (amending the section on marriage in the Directory for Worship).

The perspectives on marriage outlined here continue to be held by many in the PCUSA. This description of various views among us, and questions to guide conversation about them, still offer valuable help for discerning together God's will for the church.

This guide has four sections: Biblical Considerations, Theological Considerations, Historical Considerations and Current Considerations. Each section contains material that highlights different perspectives held in the PCUSA on the nature of marriage. These are followed by a set of study questions meant to guide a conversation about the material in that section.

Like the historical and policy study issued in 2013 from the Office for Theology, Worship and Education, we are grateful for the groundbreaking work of the Report of the Special Committee on Civil Unions and Marriage presented to the 219th General Assembly in 2010. It is part of a list of resources for further study that is included at the end of this guide.

# MARRIAGE & THE PRESBYTERIAN CHURCH (U.S.A.)

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# INTRODUCTION

**A**s Presbyterians, we believe that no one person can know the will of God. This is a longstanding and foundational element of our Presbyterian church life: only together — with guidance by the Holy Spirit and through prayer, study and discussion — can we help each other see where we share a common understanding and where we need to focus to build one.

One area challenging the PCUSA right now is our understanding of marriage. While there are many aspects of modern marriage that need our prayerful attention, the one that prompted the 220th General Assembly to encourage the whole church to prayerful study together is marriage of same-gender couples. The Office for Theology, Worship and Education of the Presbyterian Mission Agency provided a review in 2013 of Christian marriage in the PCUSA. That study uses the Statement on the Gift of Marriage in The Book of Common Worship to structure its look at how the PCUSA has understood marriage. The section on marriage in The Directory for Worship (4.9001) is the foundation for the aspects of marriage highlighted in that study. It also provides an overview of church policy, including a summary of PCUSA “Stances on Homosexuality and Marriage.”

What this four-part study adds to that review is a consideration of the diverse perspectives among us on the inclusion of same-gender couples in our PCUSA understanding of marriage. Many in the church know same-gender couples whose lives together shine with all the attributes of marriage captured in our Directory for Worship. At the same time, there are also many in the church who believe that same-gender marriage is not appropriate for Christians.

This guide is meant to nurture the discussion that began in 2010 with

the Report on the Special Committee on Civil Unions and Marriage and continues in the 2014-2015 season of presbytery discernment as we vote on the General Assembly recommendation 14F to amend the section on marriage in the Directory for Worship. Whatever the outcome of that vote, the PCUSA is likely to continue this discussion of same-gender marriage for a good while.

This guide takes into account the fast-moving expansion of the modern understanding of marriage both in the church and the world. At the same time, there is a good chance that details regarding civil law for marriage of same-gender couples or church policy on marriage will have changed from what is described here when you take up this guide. Still, this outline of primary points of view on Scripture, theology, history and current affairs most likely will accurately reflect the rich mind of the church for a good time to come. The purpose here is to help us explore together God's will for us in this realm of marriage.

Reformed Christians are always on a journey toward greater understanding of God. This is certainly true with regard to our vision for marriage. More Light Presbyterians offers this study guide to the whole church with the hope that together, through prayerful, respectful study and conversation, we can come closer to discerning God's plan for the institution of marriage and how the PCUSA will participate in what God has in store. As you use this guide, you or your group are invited to join with others across the church in this prayer from our Presbyterian Book of Common Worship:

*“Through the embrace of love and the bonds of godly affection, make us one in the Spirit by your peace which makes all things peaceful. We ask this through the grace, mercy and tenderness of your Son, Jesus Christ our Lord.”*

Book of Common Worship, p. 812.

# BIBLICAL CONSIDERATIONS

## Laying the Common Foundation for a Discussion

**B**ecause all of us in the PCUSA look to the Bible to be by the Holy Spirit, the unique and authoritative witness to Jesus Christ, our disagreements over many topics, including marriage, involve disagreements over our understanding of Scripture. For more than a century, the church has worked to agree upon parameters for interpretation of Scripture that hold together our freedom of conscience and our integrity as a Christian community.

What we suggest using here are the guidelines entitled, “Presbyterian Understanding and Use of Holy Scripture,” adopted by the 123rd General Assembly in 1983. These can be our common lodestars for our approach to Scripture in this church-wide study.

We encourage you to dwell upon these until everyone is familiar and comfortable with them and to return to them often in your discussion of the Bible:

1. *The Purpose of Holy Scripture:* Scripture’s purpose is to tell us about God and what God wants from humanity. It is not, for example, an astronomy or biology textbook.

2. *The Precedence of Holy Scripture:* Scripture comes first, before all other sources of knowledge; it does not replace other sources of knowledge.
3. *The Centrality of Jesus Christ — Jesus is the central message of Scripture:* Although this does not imply a “canon within a canon,” any decision made on the basis of Scripture should be coherent with the way Jesus taught and embodied God’s person and will.
4. *The Interpretation of Scripture by Scripture:* When faced with one text, investigate all the other texts relevant to the same issue. This includes interpreting the Old Testament on the basis of the New, and the New on the basis of the Old.
5. *The Rule of Love:* The fundamental expression of God’s will is the two-fold commandment to love God and neighbor, and all interpretations are to be judged by the question of whether they offer and support the love given and commanded by God.
6. *The Rule of Faith:* Scripture is to be interpreted in light of the past and present Christian community’s understanding of Scripture. For us, that means the confessions and catechisms. That does not mean new interpretations are automatically discounted, but anything new must be evaluated in the context of Christian tradition.
7. *The Fallibility of All Interpretation:* Every reading, confession and theology that refers to Scripture is subject to testing by further and more faithful searching of the Scripture to see if it is genuinely in accord with the Bible’s witness.
8. *The Relation of Word and Spirit:* Our tradition has always believed that the role of the Spirit in illuminating the reader is an essential part of Scripture’s authority.
9. *The Use of All Relevant Guidelines:* Hold law and Gospel in tension, use both Old and New Testament, and use all of these Reformed guidelines for interpreting Scripture.

# BIBLICAL CONSIDERATIONS

## Two Biblical Passages for Consideration and Study

There are many passages in Scripture that inform the church on our approaches to lesbian, gay, bisexual and transgender people as well as to marriage. Here are two to begin the conversation.

### *Genesis 2:18-25: Two Perspectives*

When reading this passage in the Creation story, many Presbyterians focus on God's stated purpose, "It is not good that man should be alone; I will make him a helper as his partner." God's clear goal here is to create a partner or helper for the man. It is not specifically to create a woman to be a wife. To achieve this goal, God first creates the animals, but the man fails to find a partner there. The human chooses as a helper, not the animals, but a human partner — the woman. From this perspective, God allows the man to choose the creature that is, for him, the best partner.

### THE CREATION STORY

Then the Lord God said, "It is not good that the man should be alone; I will make him a helper as his partner."

So out of the ground the Lord God formed every animal of the field and every bird of the air, and brought them to the man to see what he would call them; and whatever the man called every living creature, that was its name. The man gave names to all cattle, and to the birds of the air, and to every animal of the field; but for the man there was not found a helper as his partner. So the Lord God caused a deep sleep to

fall upon the man, and he slept; then he took one of his ribs and closed up its place with flesh. And the rib that the Lord God had taken from the man he made into a woman and brought her to the man. Then the man said,

"This at last is bone of my bones and flesh of my flesh; this one shall be called Woman, for out of Man this one was taken."

Therefore a man leaves his father and his mother and clings to his wife, and they become one flesh. And the man and his wife were both naked, and were not ashamed.

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Based upon this understanding of the passage, two conclusions may be drawn. **First, in God's eyes, it is not good for anyone to be alone. God desires a helper for everyone. Second, God gives us, as to the man in Genesis, the ability to choose the partner who is the best helper.** For some, this may be a person of the opposite sex, but there is nothing requiring that choice. This allows the possibility that a same-gender partner may be the best helper and God's gift to some of us as a partner in life. Based upon this interpretation, this passage becomes support for same-gender marriage.

Conversely, many other Presbyterians find in this passage the foundational Biblical establishment of marriage being between a man and a woman. The heart of the passage from this point of view is the conclusion, "Therefore a man leaves his father and his mother and clings to his wife, and they become one flesh." These Presbyterians see this as the first marriage and the paradigm for all the rest.

This perspective on marriage in Scripture is affirmed for these Presbyterians in the New Testament. Jesus quotes this verse, along with Genesis 1:27, when speaking with Pharisees who want to test Him about divorce in Matthew 19:1-12 and Mark 10:1-12. Some Presbyterians take this to be Jesus' confirmation that marriage shall be between a man and a woman, the understanding they also have of Genesis.

At the same time, other Presbyterians find Mark 10:9 and Matthew 19:6a, "Therefore what God has joined together let no one separate," to be an enjoiner to support all committed couples whom God has blessed, including those who are same-gender.

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### *Revelation 21:1-8: Two Perspectives (see box page 11)*

On the one hand, the speaker here envisions “the new Jerusalem, coming down out of heaven from God, prepared as a bride adorned for her husband.” This echoes the prophetic images of God as the faithful husband, and Israel as the adulterous, then forgiven, wife in the Old Testament, and the depiction in the New Testament letters, of the husband as the head of the wife, reflecting Christ as the head of the church. Many Presbyterians hold the view that these confirm marriage to be between a man and a woman, always and only a bridegroom and a bride.

On the other hand, many Presbyterians hold lightly the maleness of God in Scripture and the femaleness of Israel or the church. From this perspective, God is larger and more mysterious than human gender, and we know that communities like the church are neither male nor female as a whole. What is central in this image, for those who see it this way, is the loving covenant between God and creature. They understand the reflection of that covenant among us to be equally possible between two men or two women as it is between a man and a woman. Just as the idea of equality between male and female was new not too long ago, so also the loving covenant between two men or two women is a new idea of our time. This passage confirms, for some, that God often reveals new things that surprise, delight and challenge us to grow and change.

Another verse of interest for our study of marriage is the vice list in verse 8: “But as for the cowardly, the faithless, the polluted, the murderers, the fornicators, the sorcerers, the idolaters, and all liars, their place will be in the lake that burns with fire and sulfur, which is the second death.” It is helpful in any group of Presbyterians to clarify together what these categories mean and who exactly is included in them since differences on these definitions color our assessments of what constitutes a valid Christian marriage.

**A NEW HEAVEN & A NEW EARTH**

Then I saw a new heaven and a new earth; for the first heaven and the first earth had passed away, and the sea was no more. And I saw the holy city, the new Jerusalem, coming down out of heaven from God, prepared as a bride adorned for her husband. And I heard a loud voice from the throne saying,

“See the home of God is among mortals.  
He will dwell with them;  
they will be his peoples,  
and God himself will be  
with them; he will wipe every  
tear from their eyes.  
Death will be no more;  
mourning and crying and pain  
will be no more, for the first  
things have passed away.”

And the one who was seated on the throne said, “See, I am making all things new.” Also he said, “Write this, for these words are trustworthy and true.” Then he said to me, “It is done! I am the Alpha and the Omega, the beginning and the end. To the thirsty I will give water as a gift from the spring of the water of life. Those who conquer will inherit these things, and I will be their God and they will be my children. But as for the cowardly, the faithless, the polluted, the murderers, the fornicators, the sorcerers, the idolaters, and all liars, their place will be in the lake that burns with fire and sulfur, which is the second death.

### STUDY QUESTIONS

1. Which of the above interpretations fit best with your prayerful reading of the texts? Or do you hold yet another perspective on them?
2. When you put yourself in the shoes of those who hold other interpretations than your own, what do you see and learn?
3. When you look at the passage from Genesis, what discussions arise around the words “helper” and “partner” specifically in your understanding of gender? Does the passage provide any understanding of “woman” and “man” that can inform our understanding of marriage?
4. When you apply to these passages the guidelines for “Presbyterian Understanding and Use of Holy Scripture” listed earlier, with thoughts on marriage in mind, what fresh ideas arise?
5. What other Bible passages come to mind as valuable for your group’s study of marriage, particularly of same-gender couples? You may want to make plans to explore them, sharing different views and applying these same questions or others you may formulate together.

# THEOLOGICAL CONSIDERATIONS

## General Themes in Reformed Theology

 Our Reformed Christian faith emerged in Europe almost five hundred years ago as a faithful effort to reform the Roman Catholic Church. Out of the rich and complex theology developed by Reformed Christians through the years, three themes seem particularly relevant to our study of marriage: the sovereignty of God, human freedom within God's covenant of love, and what it means to be both reforming and Reformed. One of the distinguishing theological emphases of Reformed theology is God's active sovereignty over every aspect of life. What this means at its simplest is that God's will shall be done; God's hand is in everything whether we see it or not. God inspired the creation of both church and state and works through both. God is sovereign over all.

Some of us who conclude that God condemns gay and lesbian relationships generally conclude that God's sovereignty is being thwarted by same-gender marriage. Others in the PCUSA see God as sovereign over gay and lesbian people, creating them to love another of the same gender and blessing their life-long covenants of love in marriage.

The energizing tension in Reformed faith, which arises from holding together God's sovereignty with the freedom given to human beings by God, is seen

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in a second distinctive emphasis among the Reformers, that is, the centrality of the covenant between God and humanity. God's covenant of love with us requires this gift of freedom in order for us to freely choose to love and serve God in Christ. Our freedom also includes freedom of conscience with regard to our reading of Scripture and acting in the world.

This generates constant discussion in the Reformed church as to the meaning of the Bible and God's will for us as individuals and as a community of faith. Take, for example, when gay and lesbian Presbyterians express an intention to marry another of the same gender out of their faithful understanding of God's call to them, and Presbyterian pastors feel called to preside at these weddings. For some, the Reformed emphasis on freedom of conscience permits them to do these things within the loving covenant with God. Other Presbyter-

### THE CONFESSION OF 1967, 9.47

The relationship between man and woman exemplifies in a basic way God's ordering of the interpersonal life for which he created mankind. Anarchy in sexual relationships is a symptom of man's alienation from God, his neighbor, and himself. Man's perennial confusion about the meaning of sex has been aggravated in our day by the availability of new means for birth control and the treatment of infection, by the pressures of urbanization, by the exploitation of sexual symbols in mass communication, and by world overpopulation.

The church, as the household of God, is called to lead men out of this alienation into the responsible

freedom of the new life in Christ. Reconciled to God, each person has joy in and respect for his own humanity and that of other persons; a man and a woman are enabled to marry, to commit themselves to a mutually shared life, and to respond to each other in sensitive and lifelong concern; and parents receive the grace to care for children in love and to nurture their individuality. The church comes under the judgment of God and invites rejection by man when it fails to lead men and women into the full meaning of life together, or withholds the compassion of Christ from those caught in the moral confusion of our time.

rians, whose consciences feel violated by the blessing of same gender couples — which they consider contrary to our covenant with God — object to this kind of pastoral care being offered by any Presbyterian teaching elder.

A third theme of Reformed theology that is especially relevant to our study of marriage is the acceptance of new things erupting into our faith and life captured in the foundational description of our church, “Reformed, always being reformed.” This is a perspective that rests upon the way in which the Reformers offered a new way to be the church as an alternative to the Catholic Church of their time.

Actually, for our ancestors, the church they created was both new and old, because the inspiration for their sense of church was the early church of the New Testament. At the same time, the experience for the people was something amazingly, refreshingly new. For some Presbyterians, this emphasis on reform requires a “return” to limiting marriage to between a man and a woman. For others, being reformed opens the possibility of living into something new that the Holy Spirit has revealed to us now: the love and commitment between two men or two women that has all the qualities of marriage.

### The Book of Confessions

All elders in the PCUSA promise to be instructed and led by the confessions authorized by the church as they lead the people of God. The eleven confessions in *The Book of Confessions* are both statements of who we are as a church now and historic documents rooted in particular times and places. This tension between the “then” of each confessional document and the “now” of our time requires a constant conversation with our forbearers. Let’s have that conversation as a vital part of our study of marriage.

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The index to *The Book of Confessions* confirms that marriage is not a central concern in the confessions of our church. The Nicene and Apostles' Creeds, written in an era when marriage was the prerogative of the state alone, do not mention it. When the Reformers became the prevailing church structure in large regions of Europe, they inherited the power over marriage established by the Catholic Church in the 1200's. John Calvin led the Reformed Protestant church into a pattern of sharing the regulation of marriage with the state, prompting churches like the PCUSA to maintain harmony with state laws on marriage.

The brief treatment of marriage in the Second Helvetic Confession (5.245-5.248) and The Westminster Confession (6.131-139) reflects a presumption that marriage is between a man and a woman, one consistent with the social norms of the times. Amendments made by both the PCUS and the PCUSA to the chapter on marriage and divorce in The Westminster Confession (6.131-139) reflect the struggle of the Presbyterian tradition in the 20th century to reform our understanding of divorce. Some among us in the PCUSA find in this a foundation for further reform in our expansion of marriage to two men or two women.

At the same time, there are other parts of the confessions that speak directly to concerns related to marriage. One important section to consider together is in The Confession of 1967, 9.47, where "anarchy in sexual relationships" is explored. Some Presbyterians find what is noted as "moral confusion" in a person's claim to be lesbian or gay since, for them, God made only male and female to cleave to the other. However, others see "the moral confusion of our time" in anyone requiring gay and lesbian people to try to change their sexual orientation or to be celibate, particularly when our Reformed ancestors were so clear that celibacy is a gift, not a viable human choice for everyone. Additionally, while some might take the reference to marriage

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between “a man and woman” in this section to be definitive, others see it, along with the male references to God and humankind, to be a remnant from the era when our linguistic horizons had not yet expanded to be inclusive of women and of those who are lesbian and gay.

One final theological consideration is the role of one of our oldest Reformed tenets: freedom of conscience, captured in The Westminster Confession of Faith and repeated in F-3.0101 in the Book of Order.

**“God alone is Lord of the conscience, and hath left it free from the doctrines and commandments of men which are in anything contrary to his Word, or beside it in matters of faith or worship (The Westminster Confession of Faith, 6.109).”**

Some teaching elders and sessions have found here their freedom to offer the pastoral care of officiating and welcoming in their sanctuaries the legal weddings of their gay and lesbian church and community members. Historically, pastors in the Reformed tradition have been given full discretion to choose to preside at the wedding of a couple or not, based on their prayerful sense of the couple’s readiness to marry. Many teaching elders also understand The Directory for Worship to be a guidebook, not a rulebook, given the Protestant effort to open worship practices to the inspiration of the Holy Spirit in contrast to the strict rubrics, or rules, of Catholic worship. Both of these historical perspectives support freedom of conscience regarding pastoral care related to marriage in the view of many Presbyterians.

At the same time, there are many Presbyterians for whom the concept of freedom of conscience is not relevant to the matter of same-gender marriage. For these teaching and ruling elders, the prohibition against same-gender relationships in Scripture seems clear and undergirds prohibition against marriage between two men or two women for all in the church. In their view,

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the Directory for Worship does establish rules for worship and W-4.9000 sets the rules regarding marriage. From this perspective, freedom of conscience does not apply.

### STUDY QUESTIONS

1. How do the doctrines of divine sovereignty, God's covenant, and continuing reformation inform your faith in general and your stance on marriage in particular?
2. Are there other essential elements of your faith that impact your perspective on marriage? Could you share them for further discussion?
3. Is the tension clear to you between the historical particularity of our confessions and our declaration that these statements share with the world what we presently believe and resolve to do? How do you faithfully hold these together as you use the confessions in this study of marriage?
4. Read together Section 9.47 of The Confession of 1967. How do these insights inform your understanding of marriage? How does it relate to your approach to same-gender marriage?
5. How does the Reformed commitment to freedom of conscience impact this study and the road you see ahead for the church regarding marriage?

# HISTORICAL CONSIDERATIONS

## Changes in marriage through time in Western culture

In ancient times the institution of marriage was a business arrangement, consented to by both fathers, and used for the purpose of consolidating power and increasing property holdings. Marriage contracts could be broken if another alliance offered better prospects. These arrangements changed very little in the early years of Christianity. Although Paul exhorted women to obey their husbands and men to love their wives, for the most part love, if it came into the marriage at all, was a result of marriage and not a consideration prior to the fact. Polygamy, still not uncommon at the time, was phased out under the influence of the early church.

Until the 16th century, celibacy was considered the ideal for Christians. Men who had taken vows not to marry, however, often had concubines and children with no legal rights. Although this was problematic for the church, the hierarchy continued to encourage celibacy, developing ever-stricter policies on who could marry whom, and prohibiting marriage between distant cousins, relatives not related by blood, and even those who had close societal ties, to the point where sometimes no suitable marriage partner could be found. For those with means, waivers to these rules could be purchased from the church.

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The sixteenth century Reformers Martin Luther, John Calvin and others instituted major changes in marriage law and practice. They held celibacy to be undesirable based on their experience and understanding of Scripture, and believed it should be reserved for only the very few who had the gift. They encouraged clergy to marry, and loosened the restrictions on the eligibility of marriage partners. They also permitted, under limited circumstances, divorce and remarriage, which had been totally banned by the church prior to that time. They recognized the authority of civil government to regulate marriage, making it mandatory that marriages be publicly registered with the state. According to their understanding, three things were needed for marriage: the consent of both partners, the consent of their parents, and the presence of witnesses. Marriages continued to be primarily financial and political transactions.

While a husband's public status increased when he married, because he became the head of a household and spoke or voted on behalf of his family, the wife's status decreased. The husband's promise was to provide for and protect her and the children. Her promise was to obey and serve him. Women's wages were considered the property of the man, whether she worked in the home or outside. She had no public voice or vote. He also owned her services and body, and could not be convicted of marital rape or, except in unusual cases, of spousal abuse. The courts considered it a husband's right to beat a recalcitrant wife. This situation continued in the United States well into the twentieth century and created social norms that have influenced beliefs around the proper and expected roles that men and women should have in marriage and society – beliefs that remain today.

While marriage presided over by clergy was common in New England, in the early American South, the majority of marriages were privately accomplished without presence of clergy, because clergy were scarce. Few records were kept,

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and the surrounding community set the norms and provided or withheld its approval. Bigamy was not unusual. Husbands sometimes left their wives to move westward and then married again in the new territory, although abandoned wives could arrange for divorce. Polygamy, which had been practiced by some small Christian sects in Europe, was introduced in this country by the Mormons, but eventually outlawed. Same-gender marriage, which had been prohibited by the Christian church for centuries, was occasionally practiced among Native Americans.

Slaves were not permitted to marry because they had no standing to make legal contracts. With the master's permission they could informally marry, but their families could be broken up and sold at any time. It was not unusual for white slaveholding men to claim sexual rights with the women they "owned," and one of the primary objections to slavery by abolitionists was that it broke the sanctity of marriage. When the institution of slavery came to an end, many states enacted laws preventing marriage between the races; especially in Western states, this included Asians.

With the legal empowerment of women in the twentieth century, marriage became a more egalitarian institution. Women gained rights over their own bodies. Contraceptives and abortion became legal. Women could now defend themselves against abusive husbands and take ownership of their own paychecks. While financial stability through marriage remained an issue, mutual attraction and love came to the fore. Men stopped asking the woman's father for permission to marry her, fathers stopped giving their daughters away in marriage, and women no longer promised to obey their husbands. A shift grew in the understanding of marriage as an equal partnership. As the mutual consent of the couple became paramount, divorce laws were also liberalized to allow divorce by the consent of both parties.

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Being allowed to freely make a choice of whom to marry became a civil right when the *Loving v. Virginia* case was adjudicated by the Supreme Court in 1967, declaring that it is unconstitutional to prevent a couple from marrying on the basis of race. Gay and lesbian individuals and their allies continue to seek the right to same-gender marriage. At this writing, 33 states and the District of Columbia have instituted marriage between two men or two women through legislation or state Supreme Court decisions. The Supreme Court of the United States has ruled on the grounds of equal protection under the law that the many benefits given by federal law to legally married couples cannot be withheld from legally married same-gender couples.

What strikes many Presbyterians in the sweep of history is the consistent understanding of marriage as being between one man and one woman.

What other Presbyterians see is steady change in the understanding of marriage. They see change that has brought us to this day when marriage is understood by many as being between equal partners who are committed to loving one another and building their lives together, including partners of the same gender.

### STUDY QUESTIONS

1. What changes in marriage and gender roles for men and women over the past two thousand years outlined here stand out most to you and how do you, as a Christian, feel about them?
2. What troubles you about the current state of marriage in this country and what do you see as good about it? What parts of your Christian faith underlie your views?
3. What bearing do the changes in marriage through history have upon the present expansion of marriage to include same-gender couples? How does your faith inform your conclusions on this?

# CURRENT CONSIDERATIONS

## United States Civil Law and the Current Understanding of Marriage

**A**t this writing, 33 states (AK, AZ, CA, CO, CT, DE, HI, ID, IA, IL, IN, KS, ME, MD, MA, MN, NC, NH, NJ, NM, NV, NY, OK, OR, PA, RI, UT, VA, VT, WA, WV, WI, and WY) Washington D.C., and two Native American tribal jurisdictions (Coquille, Suquamish) legally permit same-gender marriages. The 6th Circuit Court of Appeals has reversed pro-marriage rulings in KY, MI, OH and TN, which could pave the way for a national ruling by the Supreme Court. Legislative and judicial action is ongoing in attempts to strengthen, replace or challenge these laws.

With the 2013 Supreme Court decision in *Windsor v. The United States*, about 1,400 legal rights that had been reserved for heterosexual marriages were granted by the federal government to legally married same-gender couples. Among these benefits are rights to joint parenting; joint adoption; status as next-of-kin for hospital visits and medical decisions; joint insurance policies for home, auto, and health; immigration and residency for partners from other countries; rights to annuities, pension plans, Social Security, and Medicare; wrongful death benefits for a surviving partner and children; veterans' discounts on medical care, education, and home loans; and joint

fling of tax returns. At the same time, same-gender couples residing in states that do not recognize their relationship as marriage may not be eligible for these federal benefits. In addition, no same-gender couple, legally married or not, will receive state benefits for married couples in those states.

### **The Presbyterian Church (U.S.A.) and the Current Understanding of Marriage**

At present the PCUSA defines marriage as follows: “Marriage is a gift God has given to all humankind for the well-being of the entire human family. Marriage is a civil contract between a woman and a man. For Christians marriage is a covenant through which a man and a woman are called to live out together before God their lives of discipleship. In a service of Christian marriage a lifelong commitment is made by a woman and a man to each other, publicly witnessed and acknowledged by the community of faith.”  
*(Book of Order W-4.9001)*

In states where same-gender marriage is permitted, some Presbyterian teaching elders are being asked to officiate at same-gender weddings. All pastors have traditionally had the right to determine whom they will marry within the parameters of what is allowed by the state. In 2008, however, the General Assembly Permanent Judicial Commission, in an authoritative interpretation of the Book of Order, ruled that Presbyterian teaching elders were not permitted to “state, imply, or represent that a same-gender ceremony is a marriage.” (GAPJC Decision 218-12, *Spahr v. Presbytery of Redwoods*) For some, this ruling against same-gender marriage was consistent with their understanding of Scripture and centuries of church tradition, and therefore presented no difficulties. For others, it created a pastoral crisis, because, as they saw it, the ruling required pastors to discriminate against same-gender couples in their congregations who came to them with the expectation that they would be able to wed like other couples in the sanctuary of their own church home.

## CURRENT CONSIDERATIONS

In some instances, same-gender couples whose pastors refused to marry them left the Presbyterian Church. In others, ministers who agreed to officiate at same-gender weddings had to face judicial action in the PCUSA. Such disciplinary action is costly both for the accused and for the church, not just in monetary terms, but also in the straining of relationships.

The 221st General Assembly, in June of 2014, issued a new authoritative interpretation of the Book of Order, which supersedes the 2008 GAPJC decision. The new interpretation states in part: “Teaching elders have the pastoral responsibility to assess the capabilities, intentions, and readiness to be married of any couple as permitted by the laws of the place where the couple is seeking to be married. Exercising their discretion, teaching elders may conduct a marriage service for any such couple.” This action restored freedom of conscience regarding marriage to teaching and ruling elders, permitting ministers to officiate at same-gender weddings and sessions to hold such weddings in their churches, while at the same time preserving the right of teaching and ruling elders to adhere to the long-held traditional definition of marriage as between a man and a woman.

The 221st General Assembly also approved an amendment to the Directory for Worship which states, in part: “Marriage is a gift God has given to all humankind for the well-being of the human family. Marriage involves a unique commitment between two people, traditionally a man and a woman, to love and support each other for the rest of their lives.” Also in the amendment is the following paragraph: “Nothing herein shall compel a teaching elder to perform nor compel a session to authorize the use of church property for a marriage service that the teaching elder or the session believes is contrary to the teaching elder’s or the session’s discernment of the Holy Spirit and their understanding of the Word of God.” If ratified by a majority of the presbyteries, this amendment will take effect in July of 2015. Such an amendment recognizes that committed Christians may differ

in their interpretation of Scripture and in their understanding of the will of God. Commissioners at the General Assembly expressed the hope that the Presbyterian Church (U.S.A.) can encompass such differences while remaining in the unity of the Holy Spirit.

At this writing, the Authoritative Interpretation is operative in the jurisdictions where civil marriage law includes same-gender couples and presbyteries are in the midst of the ratification vote on the recommended amendment to section 4.9000 in the Directory for Worship.

### STUDY QUESTIONS

1. Is civil marriage equality for same-gender couples a value that you hold? Why or why not?
2. Should there be a distinction between marriage equality in the civil realm and marriage equality in the church? Why or why not?
3. As you understand the example and teachings of Jesus, what is the appropriate response of the church to requests of same-gender couples to have their marriages blessed within their congregations?
4. What impact do you foresee on the PCUSA, given the direction marriage seems to be taking?
5. What comes to your mind when you reflect upon the actions of the 221st General Assembly, the Authoritative Interpretation that permits pastors officiate at and sessions to hold in their sanctuaries weddings for same-gender couples and the recommended section 4.9000 in the Directory for Worship?

# CONCLUSIONS

**A**s you conclude this study, we invite you to share with one another any gratitude you may have for the willingness of your group to honestly voice convictions, to listen carefully to one another, and to seek understanding.

We pray with you that your time together and the outcomes of your study were inspired by the Holy Spirit, pleasing to God, and witnessed to the world the love of Jesus Christ, our Savior.

As noted in the introduction, many different aspects of marriage in the 21st century are matters of concern for the Presbyterian Church (U.S.A.). It is very likely that marriage will continue to be a topic for our prayerful discernment for a long time to come. It is our hope that the experience of grace you have had in the discussion nurtured by this guide may inspire you to repeat this process in prayerful consideration of other elements of marriage.

If there were any factual details that changed between the publishing of this study guide and your use of it, thank you for updating that information as you went along.

And we invite us all to pray together this prayer adapted from  
*The Book of Common Worship*, p. 823:

*“Eternal God, you set us to live in families. We commend to your care our Presbyterian family. Keep us, we pray, free from bitterness, from the thirst of personal victory, and from pride itself. Fill us with faith, virtue, knowledge, moderation, patience and godliness. Light the fire of kindness among us all, through Jesus Christ our Lord. Amen.”*

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