I will begin by examining the charge of the ‘traditionalists’ that everyone who disagrees with them about equal marriage is changing the definition of marriage. Scripture, tradition and church, it is alleged, do not give us authority to do so. Second, I will illustrate that the unchanging character of marriage is its very open-ness to change. Third, I will summarise some contemporary theological accounts of marriage, in order to show, fourth, that these accounts are welcoming to same-sex couples requesting God’s blessing on their marriage. Finally I raise a couple of wider issues – regarding children and the meaning of marital love.

1. WHOSE DEFINITION?

There is no single, permanent, definition of marriage. We who advocate opening the doors of marriage to couples of the same sex are accused of changing the definition of marriage. Opponents do not realise that marriage has always been changing. They hide the untenable assumption that marriage has an essence, unchanging through time, whereas the enduring appeal of marriage may lie in its very flexibility, in its uncanny ability to generate new meanings and inspire new commitments.

The Church of England rejected the possibility of affirming same-sex marriage in its response, in June 2012, to the Government’s consultation on its intention to legislate on the matter.¹ It put forward two main arguments, one of them from the ‘intrinsic nature of marriage’. This is clearly an appeal to essentialism (all but abandoned in current gender theory). Same-sex marriage would, it is said, ‘alter the intrinsic nature of marriage as the union of a man and a woman, as enshrined in human institutions throughout history.’ But there is no intrinsic nature of marriage. If there is, how

would we recognize it? The ‘human institutions’ of marriage have also enshrined polygamy, or rather polygyny – one man, several women. Opponents of the recognition of divorce followed by ‘further marriage’ a decade ago based a key argument on the ‘intrinsic nature of marriage’, this time arguing that permanence belonged to its intrinsic nature. It seems that neither monogamy nor permanence belongs to the ‘intrinsic nature of marriage’, but heterosexuality does. One wonders why.

The meanings of marriage within Christianity are determined by Christians themselves, and in particular by theologians reflecting on the experience of married followers of Jesus Christ in the light of scripture, tradition and reason. That is a very different task from asserting a permanent definition of marriage for the sole purpose of excluding problematic couples from joining it. Christian marriage has a **history**, and that history develops as the Church seeks the mind of Christ in each new generation.

### 2. THE CHANGING UNDERSTANDING OF MARRIAGE

The Hebrew Bible endorses marriage, but not as we know it today. It also endorses polygyny. Women are not full subjects in the Pentateuch, but are dispensable, being always the property of men. Jesus challenged this, Matthew and Mark recording his opposition to easy divorce. But the NT is much less positive about marriage than the Hebrew Bible. Luke depicts Jesus as being against it (20: 34-36). For Paul, it is never more than a concession to lust, hardly a theological basis for mutual love. The Household Codes of the NT, however, assume that many Christians marry. Their marriages were far from being egalitarian. The early church, following 1 Corinthians 7, and two texts attributed to Jesus (Mt. 19:11-12; Lk. 20:34-36) took the view that while marriage is good, celibacy is better.

Most historical scholarship has attempted to emphasise the unity of the NT. In the case of marriage that is difficult. The sheer diversity of 1st century views about marriage might turn out to be a great asset to the postmodern church. Many feminists (and not a few divorcees) agree with Paul that marriage is best avoided because it is a source of much anxiety (1 Cor. 7:32-35). Over half of adults in the UK are single. Why not? The purpose of marriage from the 2nd century on, was singular: procreation. Jerome (347-420) strongly discouraged marriage. Jovinian (d.405) taught that marriage and celibacy were equal. He was excommunicated for heresy. Augustine’s work on the *Goods of Marriage* was a mediating position, defining its threefold purpose as children; faithfulness; and

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sacramentality (probably comparing marriage vows with the vow of unconditional loyalty to the emperor that a Roman soldier was required to undertake).

In 1184 at the Council of Verona marriage becomes a sacrament in a formal sense. Sacramental grace converts the desire for sex into the desire for babies: the *sacramentum* becomes a *medicinum*.\(^3\) The legal framework for marriage in the Western church was settled in the 13\(^{th}\) century. There were two major issues preceding the Reformation: whether marriage was about love; and what made a marriage a real marriage. Under the influence of courtly love, some theologians asked whether the basis for marriage could be *maritalis affectio*; could the phrase *consortium omnis vitae* [‘partnership of/for the whole of life’] describe its meaning?\(^4\) These are strikingly modern ideas, but the canon lawyers objected to them. How could they be verified? Legal marriage was to be the exchange of consent, between individuals – not families - in the present tense, in the presence of witnesses. That remains, as far as I know, the legal basis for marriage in all Western democracies and countries influenced by them. The presence of love in marriage was assumed, but it remained a thread of the church’s teaching about it.

The question whether a marriage was a real marriage was determined by the problem of the marriage of the Blessed Virgin. Since before 381 her virginity had been regarded as perpetual. Leaving aside the problem of the Lord’s brothers and sisters, Mary was assumed never to have had sex with anyone. Since people only married to have sex for the purpose of procreation, how could the marriage be a real one? The imperfect (but lasting) answer was that a real marriage was ratified by the exchange of consent: *concensus facit matrimonium*. Consent ratified the marriage (*matrimonium ratum*). Having sex *consummated* the marriage: failure to consummate it qualified for annulment if annulment were desired. Because they consented, their sexless marriage was nonetheless a real marriage. The consequence was that consummation of marriage was defined by a single biologistic act: ‘if the spouses have in a human manner engaged together in a conjugal act in itself apt for the generation of offspring’.\(^5\) The issue re-presents itself in the case of the question ‘Is a gay marriage a real marriage?’ John Milbank charges ‘that you can’t really have equal marriage because sexual consummation can’t be the criterion for gay marriage’.\(^6\) Assuming we can speak about criteria in this connexion, Milbank forgets that sexual consummation was never the criterion for straight marriage either. What made a marriage a real marriage was consent.

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\(^3\) Theodore Mackin, SJ, *What is Marriage?* (New York: Paulist Press, 1982), 32.


\(^5\) Canon 1061.

The arrival of Protestantism kept the legal basis of marriage, but the theology of marriage underwent a profound change. Marriage was no longer a sacrament (Protestants didn’t know what to call it: ‘an holy estate’; a ‘holy institution’; a ‘creation ordinance’, etc.). In Luther’s Two Kingdom theology, marriage belonged to the order of creation, not the order of redemption. The Church could bless it, because God ordained it, but the regulation and registration of it was a matter for the state. Divorce, notwithstanding the strictures of Jesus, was allowable for several causes. Luther renewed an emphasis on Paul’s concession to marry: to deal with the problem of male lust, hardly flattering to wives or the basis for a union of loving mutuality. The sacramental basis for marriage was dissolved, along with its required permanence. The covenant theology of Calvin incorporated marriage: and the covenant theology of marriage was adopted by Vatican II, but the definition of marriage as a covenant in Roman Catholic canon law had to wait until 1983.\textsuperscript{7}

Let me mention one more profound historical change, the Hardwicke Marriage Act of 1753.\textsuperscript{8} This act deprived betrothal vows of any legal, performative or commissive force. Prior to 1753 marriage began with betrothal (matrimonium initiatum). The Book of Common Prayer called the marriage service ‘The Solemnization of Matrimony’. The title assumed the couple were already married. They had come to church for the solemnization of a state of affairs that had already begun. A secular alternative – engagement – was substituted for betrothal. A single ceremony, already becoming common, was now required. According to the new orthodoxy marriages now begin with weddings. The spousals and the nuptials are telescoped into a single event – the wedding - the expense of which deters some couples from having one. No longer are betrothals and weddings separate markers in the process of a couple becoming one.

The last 60 years has seen a profound change in social attitudes to marriage, and there has been a corresponding response in the theology of marriage. Almost none of it has been done in the UK. The change to social attitudes can be helpfully described by four distinct shifts:

1) \textit{from the institutional to the personal}. All institutions are having to re-invent themselves, whether monarchies, universities, churches, companies and even national parliaments. Marriage, again like the monarchy, is still popular, but while the royals confine themselves to ceremony, high visibility, and join the cult of celebrities, marriage remains popular at the price of becoming a symbol of love, not necessarily permanent, between two marrying parties. Couples tend to think that


marrying is their own business. They are less and less interested in the social approval that the institution would once have been thought to confer upon them.

2) from the formal to the optional. Until recently marriage was regarded as the only family form where the raising of children was acceptable. Now about half of children are brought up by their biological married parents. Couples are increasingly doubting whether a wedding adds anything to their life-long intentions towards each other.

3) from the public to the private. The 18th and 19 centuries saw women confined increasingly to home, to the private sphere. It is clear that women have now come out of the closet of the private sphere. But the institution of marriage has become a more private matter. It is no longer the business of school teachers, bank managers, or inspectors of taxes, to ask questions about the marital status of parents, customers or earners. Wealthy couples now seek weddings, as well as honeymoons, away from their localities in exotic locations.

4) from the hierarchical to the egalitarian. Christian households have been dominated by husbands. The pattern of the Household Codes of the New Testament has been kept into the 20th century. But women who now run international companies, pilot aeroplanes and command Her Majesty’s ships are not going to return to docile obedience in home and church. For most couples, including Christians, the only version of marriage on offer is an egalitarian one, where there is a full partnership of equals.

I would sum up these changes by saying that people now marry for love, and only for love. That is a fragile basis for marriage, and presents a profound paradox. I return to that problem in part 4.

The previous paragraphs have shown that marriage, the institution which same-sex couples will soon legally join, has a changing history, one which is matched by a changing understanding of what it is and what it does. Within the Christian era, there have been deep changes regarding how it is entered and at what age; whether and how it may be exited; whether it is open to clergy; whether it is a sacrament; and what, if anything, it signifies in the human relation to God. It is not difficult to establish that marriage has been a changing institution. Gay marriage is a profound change, akin to opening up marriage to the clergy, and not all proposals for change are acceptable. Opponents of same-sex marriage will remain unconvinced. That is because, Christian teaching has consistently assumed that marriage is between a man and a woman. Some further arguments are clearly needed. In the next section I show that there are theological arguments for claiming this change should be warmly welcomed.
3. CONTEMPORARY MODELS OF MARRIAGE

3.1 A UNION OF HEART, BODY AND MIND

Jesus himself spoke of marriage as ‘one flesh’. He cites Genesis 2:24, where the term first occurs (Mk.10:8-9; Mt.19:5-6), and immediately adds ‘Therefore what God has joined together, let no one separate’. Various meanings have been thought to flow from this uncompromising accomplishment of marriage, most obviously that a marriage approved by God is indissoluble. In the Genesis story the man and the woman are ‘one flesh’ because the woman has been made from the flesh and bones of the man. The man recognizes his own body in the body of the woman that the Lord God brought to him (Gen.2:22). The saying about ‘one flesh’ has not been favourable to women over time. It has been used to support the legal inclusion of a wife’s body and property within her husband’s body and property. She belonged to her husband in a total, irrevocable and unidirectional way. Second in the order of creation and deriving from the man, she is second in the hierarchy of gender. We now see dangers in ‘one flesh’. It stifles. It leaves little space for independence and individuality. There are more positive ways of reading ‘one flesh’, namely as a union of body, mind and heart where there is no gender hierarchy but a mutual interdependence. (Whether the ‘one flesh’ has to be the combination of a man and a woman is a question to be decided later).

3.2 A COVENANT

An important document from the Second Vatican Council says ‘The intimate partnership of married life and love has been established by the Creator and qualified by His laws, and is rooted in the conjugal covenant of irrevocable personal consent’.\(^9\) Marriage, apparently for the first time in Roman Catholic thought, is called a *foedus*, a covenant, ‘an image and a sharing in the covenant of love between Christ and the Church’. John Calvin is the author of the idea of marriage as a covenant in Protestant traditions.\(^10\) With careful qualification, God’s relationship to God’s people in the First Testament can be seen a covenant.


Part of the contemporary value of speaking of marriage as a covenant is its implied contrast with contract.\textsuperscript{11} This understanding of marriage as a covenant, offered by the Church to marrying couples, whether or not they are believers, expresses the specialness of their intentions in a way that also nudges them towards faith. Marriage offers a different level of human relationship, that contrasts with other personal relationships, and is also a defence against the temptation within advanced societies to treat people as things by introducing notions of dominance, ownership, calculation, or obsolescence. Marriage requires, but cannot be exhausted by, the legal frameworks that specify it. Couples may long for a language that articulates the meanings of their commitments, in the first place to themselves and to each other, and covenant language provides it.

3.3 AN IMAGE OF THE NEW COVENANT

The covenant which is marriage tells us about what Christianity is, for the Christian faith is nothing else but a covenant, The New Covenant, or Testament. The New Covenant is Christianity. It is what Christ seals with his own blood. (Mt.26:28; Mk.14:24; 1 Cor.11:25) It defines the arrangement of the Christian scriptures into two parts. Pope John Paul II made the striking connection between the covenant of marriage and the covenant that is Christianity:-

The communion of love between God and people, a fundamental part of the Revelation and faith experience of Israel, finds a meaningful expression in the marriage covenant which is established between a man and a woman.

For this reason the central word of Revelation, "God loves His people," is likewise proclaimed through the living and concrete word whereby a man and a woman express their conjugal love. Their bond of love becomes the image and the symbol of the covenant which unites God and His people.\textsuperscript{12}

What the Pope envisages here is the mingling of divine love with human love such that the human love comes to fruition in the ‘partnership of the whole of life’ (a medieval definition of marriage – \textit{consortium totius vitae}). That partnership is already a sharing in the divine covenant with humankind, and Christ’s covenant with all the people of God. The bond of love between married couples is what they have in common with the covenant-love of God for God’s people. Use of the terms “image” and “symbol” provide the continuity between the two loves. Pastorally put, couples are able to find their way to God through the love they already have for one another.

\textsuperscript{11} For an extensive discussion of ‘covenant’ in relation to marriage, see Adrian Thatcher, \textit{Marriage after Modernity: Christian Marriage in Postmodern Times} (Sheffield, UK, and New York, USA; Sheffield Academic Press, and New York University Press, 1999), pp.68-77, 87-95.

3.4 A GIFT OF BODIES

Several writers have drawn attention to some of the parallels between the sacrament of the eucharist and the sacrament of marriage.\textsuperscript{13} Such parallels are already latent in Ephesians 5. Christ gives us His body in the eucharist. But that is something we also do when a person gives his or her body to their partner and receives the partner’s body in return. Marriage, of course, is not necessary for the giving over of one’s body in abandon to a beloved other. But Christians insist there is something unique about marriage, that in the giving and receiving of persons, to and from each other, exclusively, faithfully, and permanently, a new vista opens up upon marriage. The physical expression of love becomes intertwined with the sharing of lives in a deep commitment, which is unconditionally expressed by the self-giving of God for us in love and in death. That is why marriage is sometimes called a \textit{mimesis}.\textsuperscript{14} ‘Mimesis’ means a strong representation or imitation of something else (‘mime’ and ‘mimic’ come from the same root). Marriage mimes the love of Christ for the Church. The author of Ephesians would agree that marriage is \textit{mimesis}. After quoting the verse from Genesis that a married couple ‘become one flesh’ (Gen.2:24), he adds ‘This is a profound mystery—but I am talking about Christ and the church’. (Eph.5:33) The ‘profound mystery’ is that love within marriage takes on the character of something \textit{divine} – Christ’s own love for the Church.

3.5 A SACRAMENT OF MUTUALITY

There is a forgotten detail of Western thought about the marital sacrament, that marriage is the only sacrament that does not, or rather did not, need to be administered by a priest. A couple is validly married (assuming no impediment) when they make vows to each other in the present tense before witnesses. The priest pronounces them married, and blesses them, but the blessing is not what makes the marriage (as it is in Eastern churches). The Council of Trent required the presence of a priest for the marriage to be valid, and both Catholics and Protestants reacted to the abuses of clandestine marriages by tightening their grip on the entry to marriage. But the presence of the priest or minister at a wedding should not eclipse the ancient understanding that the couple \textit{minister the sacrament to each other}.

The great contemporary relevance of this detail lies in the couple being co-ministers. They are co-equal in their mutual ministry. They marry each other. Two further, simple, points may be

tellingly made about this. First the joint ministry of the couple is a fine basis for equal regard and full mutuality over every detail of the marriage. The couple are full and equal partners in the common enterprise. There is no suggestion that one loves while the other obeys.

3.6 A SIGN OF THE COMING KINGDOM

Nuptial mysticism assists the churches’ renewed engagement with marriage in a social climate indifferent to it. There has to be a very high premium placed on marriage in order for any kind of nuptial mysticism to work at all. Whatever the relationship between Christ and the Church, or between the Lamb and the Heavenly City, the symbols most honed to express it are derived from the experience of the marital union. The union of husband and wife in a common life becomes the material out of which the union of God with the estranged world is envisaged. Biblical marriage presupposes betrothal before marriage, the ‘spousals’ before the ‘nuptials’. The transition from one to the other involves a period of waiting and expectation, finally and joyfully expressed at the nuptial banquet. As the Church awaits the culmination of the ages and the restitution of all things through Christ, (Acts 3:21) marital imagery lies at the base of the expression of this hope. Marital love is capable of imaging the divine love for the world that triumphs over everything that is set against it. Nuptial mysticism shows how wedding receptions can consciously carry rich theological significance, since the Bible itself uses them to prefigure the triumph of divine love at the end of time.

3.7 A COMMUNION OF PERSONS

Pope John Paul II is responsible for developing a strong analogy between relations between human persons and relations between the divine Persons within God. In the divine Trinity, these Persons are distinct Persons, yet their individuality does not compromise the indivisible unity that God is. God’s life is Communion. Human life is made for communion, too, yet it is marred by disruption and violence. It needs redemption. Everyone is made for communion with one another and with God. Marital status provides no prior condition, still less a guarantee, for the possibility of living in communion. That said, being married is a communion of persons which involves deep physical intimacy. It follows that love-making in marriage, together with the sharing of marital life which it expresses, provides a powerful and perhaps supreme instance of communion among or

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between persons. Yes, in this communion of persons, the divine Communion of Persons appears and lives.

### 3.8 Marriage is an Ascetic Discipline

Eugene Rogers has argued that marriage is an ‘ascetic discipline’. The argument assumes the requirement of chastity on all Christians including married ones. It is difficult to remain exclusively faithful to one’s married partner, but marriage is a God-given institution, an ascetic discipline, that encourages faithfulness and perseverance. It shares with celibacy the difficulty of remaining chaste, and requires discipline, aided by grace, to sustain it.

### 4. Application of Models to Same-Sex Partners

All eight models are obviously applicable to marriages between couples of the same sex. Let us imagine a Christian lesbian or gay couple who are devoted to each other, who wish to make the same vows to one another, before God, that straight couples are required to make. They vow to love and cherish each other, ‘for better, for worse, for richer, for poorer, in sickness and in health, to love and to cherish, till death us do part’. They will love each other as Christ loves the Church. Their relationship is a *communion of persons* with the hope of growing in deepening love and fruitfulness. Their relationship is a *gift of bodies*, no less a mimesis of Christ’s self-giving for us than any straight marriage. Their relationship is a *covenant*: they wish it to be given further covenantal form by asking for marriage and making their vows before God and the congregation. It is as capable of being an *icon of the New Covenant* as any straight marriage. They will *minister their sacrament to each other* and discover the grace of God within it. They can become a ‘*unity of heart, body and mind*’. Their joy in each other stands as much an *anticipation of the end times* when all barriers to the triumph of love are broken down, as a straight marriage. These pictures of marriage are truly inclusive. They answer the question ‘What is marriage?’ better than some stipulative definition designed to exclude.

### 5. Wider Issues

Lastly I raise two issues raised by critics of equal marriage. Here are two:

#### 5.1 Whether Children are Forgotten?

The primary purpose of marriage has been understood, until well into the 20th century, to be procreation. The new doctrine that sexual pleasure can enhance the unity of the married couple by expressing erotic attachment has been around for about 50 years. Is there a danger that a basic purpose of marriage has

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already been too undermined by contraception and pre-wedding sex? Does not the offer of marriage to couples incapable of conceiving children undermine the procreative purpose of marriage still further?

There are four good answers to this question. First the Catholic Church, while insisting on the procreative purpose of marriage has never denied marriage to couples known to be infertile. While biological fertility is assumed, it is not a sine qua non for entry into marriage. Second, adoption and fostering is open to same-sex couples. Thirdly there is an increasing number of couples who choose ‘childlessness’ intentionally, and marry in the Church of England, apparently contrary to the insistence of Canon B30.1 that marriage is ‘for the procreation and nurture of children’. Fourth, there are other ways in which any marriage can be ‘fruitful’.

5.2 WHETHER LOVE IS DESTROYING MARRIAGE?

Another ‘wider issue’ for all married couples is whether love is destroying marriage? Several recent books announce the baleful influence of love on marriage. The Normal Chaos of Love\(^\text{18}\) charges that love has become an empty category. The authors of In the Name of Love\(^\text{19}\) interviewed 18 men, all of whom were convicted of murder or attempted murder of their female partner. Disillusionment with romantic love is blamed. The subtitle of the book is Romantic Ideology and its Victims. Hierarchical marriage worked, the authors say: in the event of disagreement, the wife submits. Companionate marriage doesn’t work: there is no procedure for resolving disputes. More recently the philosopher Pascal Bruckner asks Has Marriage for Love Failed?\(^\text{20}\) He rightly claims that marriage for love is a modern invention which inverts ‘the old relationship between love and marriage’. The argument is that

marriage was sacred, and love, if it existed at all, was a consequence of marriage; today, love is sacred and marriage is secondary. But now marriage appears to be becoming increasingly superfluous. For the past forty years or so, the number of weddings has been declining, the number of divorces exploding and the number of unmarried individuals and couples growing, while single-parent families are becoming more numerous. Love has triumphed over marriage but now it is destroying it from inside\(^\text{21}\).

The question is the subject of another conference. These authors are right about modernity. Marriage has not, historically, been about love. St Paul’s beautiful encomium to love in 1 Corinthians 13, often chosen to be read in marriage services, is preceded by the advice to resist marriage in 1 Corinthians 7. There is no obvious connection between love and marriage in Paul. The Deutero-Pauline author of Ephesians tells husbands to love their wives as Christ loved the church (the beginning of a Christian theology of marriage). But wives aren’t expected to love. They are required to submit. It is not even clear whether loving their husbands is something they can achieve. Nonetheless, I think the Christian story at its most convincing when it advocates marriage for love. All the models in section 3 above are about God’s love and the gracious invitation to share in

\(^{19}\) Aaron Ben-Ze’ev and Ruhama Goussinsky, In the Name of Love: Romantic Ideology and its Victims (New York: Oxford University Press, 2008).
\(^{21}\) From the cover description of the book.
it. Love is the principal reason for marriage, but romance is a small but important part of it. Christians need to know what they are doing when they advocate marrying for love. They should not be cashing in on the saturation of popular culture by romantic love. They should show how the marital symbols of Christian faith express divine love and enable deep participation in it. This will not rely on worn-out accounts of Four Loves. It will balance sacrificial love with love as mutuality (found in God’s own inner Trinitarian being). It will speak of God’s erotic desire for us, perhaps the ultimate source of all rightly-directed human desire. Marriage must be, as Werner Jeanrond has said, ‘an institution of love’. Commending the Christian doctrine of marriage as an institution of love, he makes the mild suggestion that ‘this understanding of marriage might also offer an appropriate starting point for a theological discussion of a possible broadening of the concept of marriage beyond the traditionally heterosexual framework’.

There are other wider issues, but you will be relieved that I will not deal with them here and now. They include why Anglican theologians have been duped by the secular notion of complementarity; what value may be given to sexual intimacy outside marriage, especially if it expresses a permanent commitment; how the churches may honour what might be called ‘marital values’ whether they are within a formal marriage or not. These are issues for another time. I hope enough has been said to encourage some same-sex couples to embrace marriage, and to encourage the churches to embrace them.

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22 See F. LeRon Shults and Jan-Olav Henriksen (eds), Saving Desire: The Seduction of Christian Theology (Grand Rapids MI / Cambridge UK; 2011).