

***The Wreck of Catholic Identity:  
Marriage Canon Revision in the Scottish Episcopal Church  
by Professor Oliver O'Donovan***

## The guidance currently offered to the Scottish Synod

In June the General Synod of the Scottish Episcopal Church will return to the proposal to change its Canon 31 on Marriage, removing the reference to “one man and one woman”, a step it prepared for in the equivalent meeting last year. At that time the Synod was presented with a paper from its Doctrine Committee, considering change to the doctrine of marriage “in the light of Scripture, Tradition and Reason”. That remains the only formal presentation of the questions at issue the church has published to date, so that when the question is asked, in Scotland and beyond, what considerations have led to this moment of decision, it is the sole source for an answer. It is important, then, to be clear what [the nature of the guidance](#) has been. [ref] “A paper laying out the theology of marriage as currently articulated through the Canons and Liturgy of the Scottish Episcopal Church, and exploring whether there is a case for change based on Scripture, Tradition and Reason”. [/ref]

In [a series of articles on the Fulcrum site published just ten years ago](#) I discussed the broader question of how the Anglican churches could think together about the gay issue. [ref] *Sermons on the Subject of the Day*, which appeared in print as *A Conversation Waiting to Begin*, London, SCM, 2009. [/ref] Between then and now I have written no more on the matter, and return to it now, prompted by the reflections offered to the Scottish Synod, with considerable reluctance. The paper in question devotes two whole pages to a partly critical response to what I wrote then, and I have no wish at all to pursue an argument, direct or indirect, with what they write about me, which was intended, and is taken, in candour and respect. But the issues now at stake, which were large enough ten years ago, are now infinitely greater: disagreements, which have been extended by the arrival of the so-called “equal marriage” on the secular statute-books, now spread out, like a Canadian wildfire, from the sphere of ethics into the sphere of doctrine, and threaten the catholic identity of the church. But in the vacuum of Anglican theological discussion that prevails in Scotland, these fateful deliberations are able to slip by without much notice. As a theologian holding a license from a Scottish bishop, though with no part in any of the Scottish deliberations, I am not quite at liberty to shrug my shoulders when all around me are shrugging theirs.

What do we mean by a “catholic identity”? We mean what the Scottish Episcopal Church claims for itself in its Canon 1, stating that it is “a branch of the One Holy Catholic and Apostolic Church of Christ.” But such a statement is not proved merely by making it, but by the way the church sets about making its most important decisions. The reference to Scripture, Tradition and Reason in the title of the Committee’s paper, then, elaborated briefly, and well, at the beginning of its document (§19-22), is therefore critically load-bearing, for this “tripod” of authorities is widely used by Anglicans as a shorthand for their responsibility to be both Catholic and Reformed. Scripture is the primary authority, the repository of the saving deeds and words of God, which demand our belief and obedience, but obedience must take form as thoughtful action (Reason), not handed over to irrational, spasmodic reactions to words from which the sense has departed, and it must be

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discovered in community with other Christians (Tradition), not handed over to the partial perceptions of our own limited angle of vision. The focus of the formula is practical; it aims to help us discern a faithful course of action where one is not obvious. To apply it well is not to negotiate a compromise among conflicting authorities, but to allow the three trajectories by which our consciousness is formed to converge upon a line of Christian practice that honours them all.

The Doctrine Committee was asked whether the church, in the light of this commitment to its catholic identity, could contemplate a change in the doctrine of marriage. The question is stated, however, in different ways at different points. In the title it is asked “whether there is a case for change”, while elsewhere (¶19) the question is “if... there is scope for recognising same-sex marriage.” To *make a case* for same-sex marriage on the basis of Scripture, Tradition and Reason sounds like squaring the circle, since by any account it is a highly untraditional practice. To *find a place* for it, on the other hand, is a task to which various possible approaches may spring to mind. When we study what the Committee made of its task, we are likely to feel that the damage it threatens to the church’s catholic identity is the result of trying to answer the question in its more demanding, rather than its less demanding form.

In holding the Committee’s work up to the measure of each member of the “Anglican tripod”, we are asking how well it has succeeded in doing what it set out to do. We must bear in mind, however, that the tripod is not a checklist to be ticked off item by item, but three coordinates for plotting a course. How any one of them is viewed will necessarily affect how the others are viewed. So in principle we could take the three in any order. We take the relation to Tradition first, simply because it is on that point that the Committee sets out its approach in bold and uncompromising strokes.

## Tradition, Catholic Doctrine and the Goods of Marriage

From their first attempts at self-definition among the strands of the Reformation, Anglican churches resisted the Protestant tendency to think of the church’s tradition as a deadweight, and saw it as an essential determinant, subject to reasoned Scriptural critique, of responsible Christian action. The tradition of the undivided church was an ideal for Reformation to aspire to conform to. The claim of Tradition is a moral claim, because it sums up what we owe the community that taught us how to believe and act. When we face new questions requiring new answers, we must seek to locate them within the horizon of questions that have been asked and answered before us. Our duty to Tradition is a certain kind of discursive reasonableness, learning everything we can from those who have gone before us, reasoning together with them wherever possible. This is the heart of the “catholicity” Anglicans have claimed. It requires a consciousness of history, willing to take bearings from the experience and reflection of earlier Christians, extending them to meet our current questions rather than start afresh. But there is also a contemporary awareness involved, an openness to the wider community of Christian contemporaries, who will come to the same questions from different angles of vision. About this contemporary dimension we shall not have much to say in what follows, since the document itself says very little about it. We cannot pass it by, however, without observing that its striking silence about the various initiatives of the Anglican Communion to handle the question it has in hand is hardly innocent.

On the role of historic tradition the Committee does have something to say, and what it says must strike the ears of Scottish Anglicans with a harshly unfamiliar ring. In paragraph ¶15, a key

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methodological statement referred to at crucial moments in the argument, it confronts the emphatic wording of Canon 31.1 that the doctrine of marriage expressed there is “the doctrine of this Church”. [ref] “The Doctrine of this Church is that Marriage is a physical, spiritual and mystical union of one man and one woman created by their mutual consent of heart, mind and will thereto, and is a holy and lifelong estate instituted of God.” It is interesting to note that this declaration was noted and repeated by the Lambeth Conference of 1988 (*Conference Report*, “Christianity and Social Order”, §128) as “representative of all the provinces of the Communion”. [ref] Reading this claim as a simple factual statement about the doctrine of the Scottish Episcopal Church, the Committee wonders where the authority for such a statement can lie, and being unable to find one, dismisses it as a mistake. (The question of *change* of doctrine is not on the table at this point; the discussion is of what the church’s doctrine *is*.) It thus excludes two very natural alternative understandings of the Canon’s intention. One is that this is the doctrine of the Scottish Episcopal Church because it is, as claimed in Canon 1, “a branch of the One Holy Catholic and Apostolic Church of Christ”, and what the catholic church teaches the Scottish Episcopal Church must teach also. The other is that the Canon *made* this doctrine the doctrine of the Scottish Episcopal Church simply by stating it.

The argument that supports this reductive interpretation is that clergy at ordination are required to affirm “the doctrine of the church to be set forth within the liturgies”. This would be most naturally read, perhaps, as affirming a *consonance* between doctrine and liturgy, so that no doctrine may be foisted upon the church in defiance of its liturgy, but here again the Committee imposes a distinctive interpretation, taking the oath to state that formulations of doctrine, whether drawn originally from councils or theologians or even from the Scriptures, are exclusively those expressed in liturgy (and no other text) and in the liturgy of the Scottish Episcopal Church (and no other church.). The implications of this view are very startling. Though the Scottish Episcopal Church may confess itself to “believe one holy, catholic and apostolic church”, no role at all is allowed to the tradition of the catholic church in establishing Scottish doctrine. Beliefs which every member of the church, perhaps, has supposed the Scottish church to affirm are summarily discarded: the Chalcedonian Formula of Christ’s person as “truly man and truly God”, for instance, and even the claim of Canon 1 that the Scottish church is “a branch of the One Holy Catholic and Apostolic Church of Christ.”

Never, perhaps, has the Scottish Episcopal Church been offered an account of its doctrinal basis so wholly shrunken to the mould of radical Protestantism. Certainly, no *Anglican* church has ever asserted such independence of the catholic tradition. Fortunately, the Committee’s interpretation of the situation cannot possibly be right, for it is self-refuting. The affirmation made by a candidate for ordination is not a liturgical formula, but a canonical one. Even if it supported the Committee’s account, it could not claim greater authority than the solemn assertion of Canon 31. What the *liturgy* requires a bishop to promise, on the other hand, is to “uphold...catholic doctrine founded on the Scriptures” (Ordinal 1984). A doctrine defined in the positivist terms the Committee proposes could not by any stretch of language be described as “catholic” (*i.e.* universal).

In the light of this radical preliminary, the Committee’s own uses of the doctrinal traditions of the universal church are, as we would expect, limited. The relation of the two sexes, male and female, in God’s purposes for creation and redemption, is discussed often, widely and in every theological period, and special interest attaches to the ecumenical convergence on this point in the twentieth century between Barth and the Catholic *nouvelle théologie*. All that is passed over in silence. There is, in fact, only one point at which the Committee is ready to engage with traditional teachings about

marriage, and that is the doctrine of the “goods” or “ends of marriage”. It was not, perhaps, the obvious point for them to choose, since it contributes nothing to the “one man and one woman” question. Yet it is echoed in the words of Scottish Canon 31, and has had a significant part in Anglican liturgy since Cranmer used it in the preface of the marriage service of 1549. To illuminate the Committee’s handling of it, I ask indulgence for a few words, as brief as they can be made, on its background.

Cranmer’s formulation captured an early sixteenth-century form of a teaching which had already been very fluidly treated since Augustine first described the three goods of marriage as “offspring, faith and sacrament”, a trio of ascending dignity corresponding to body, soul and spirit. Constantly reworded and reordered, Augustine’s original is sometimes barely traceable behind the versions offered by twentieth-century liturgical reformers, which usually, however, preserve the tripartite structure. Though the Scottish Book of 1928 contracted the three into two, Canon 31 perfectly echoes the ascending threefold order in its expression “physical, spiritual and mystical”. For Augustine the point was to overcome a very general view among his contemporaries that in the age of redemption marriage had no value other than sustaining the reproduction of the race until the coming of Christ. The supreme value of marriage, Augustine thought, lay in its reflection of the unfailing love of God in a sacramental covenant made between two persons inseparable for life. That was his “third good”, which appears in the Committee’s idiosyncratic re-formulation as a fourth, and is introduced as a peculiarly twentieth-century inspiration! Augustine thought of this good of marriage as a “sacrament” (translating the Greek *mustêrion*, from which we derive the adjective “mystical”), reflecting the unfailing covenant of love between God and man precisely through the indissolubility of the marriage-bond, a feature for which the revelation of Christ was uniquely responsible. Thus the term “sacramental” or “mystical” was thus, in his teaching, applicable to the bond of marriage itself.

On this point the Committee resists following him, as had the Anglican Reformers, whose priority it was to free themselves from the incubus of Peter Lombard’s theory of the seven sacraments, reasserting the unique place of baptism and eucharist. They reconceived the third good to skirt around the sacramental reference and to incorporate certain aspects of the second good that risked being lost sight of. In a phrase easier to enjoy as poetry than interpret as theology, Cranmer said that marriage “signifies...the mystical union that is betwixt Christ and his church”. Later Anglicans, no longer haunted by Lombard’s appalling dogmatic construction, became more relaxed about speaking of marriage as a “sacrament”, observing that this expression was, in effect, Scriptural. For in Ephesians 5:32 the apostle, having quoted Genesis 2:24 (“the two shall be one flesh”), continues directly: “This is a great *mustêrion*” - “this” referring, to all appearances, to marriage. The framers of the Scottish Canon 31 stood in this tradition when they applied the term “mystical (sc. sacramental) union” to marriage. For this they are roundly scolded by the Committee, which insists on the precise words of Cranmer. Unsympathetic to the delicately balanced interpretation of marriage that has predominated in Anglicanism - marriage naturally belonging to creation, but given a symbolic or “sacramental” function in the order of redemption - a return to the Protestant reaction is encouraged, and repeated emphasis is placed on the purely creational and non-redemptive status of marriage.

Does the detailed development of the doctrine of the three goods of marriage matter in the long run? Probably not. What does matter is that in taking up the thought of previous generations of

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Christians, we should engage with their concerns, not merely with their forms of words. Following a somewhat pedestrian item-by-item treatment of the words of the sixteenth-century liturgy, the Committee failed to appreciate how far its concerns actually converged with Augustine's. All in all, their document shows them to be rather unfamiliar with the teachings of the early church. They even venture to write, "It was not imagined either in biblical times or in subsequent church teaching that sexual acts were morally legitimate only when spouses intended procreation" (¶144), apparently unaware of the huge weight of evidence against them.[ref] For the record, we may quote Clement of Alexandria (*Paidagogos* 2.10): "It remains to consider the proper occasion for intercourse... 'Multiply!' was God's command, and it must be obeyed...Pleasure for its own sake, even within marriage, is unlawful, unrighteous and unreasonable." And Gregory of Nyssa (*De Virginitate* 8), writing about the patriarch Isaac: "He married Rebecca when he was past the flower of his age...so that his marriage was not a deed of passion, but for the sake of God's blessing that should be upon his seed. He cohabited with her till the birth of her only confinement, and then, closing the channels of the senses, lived wholly for the unseen." And Augustine himself (*De nuptiis et concupiscentia* 1.4.5) in a text which Cranmer echoes: "Sexual intercourse between male and female for procreation is a natural good of marriage, misused by those who, like beasts, employ it not for propagation but for the satisfaction of lust." But these are merely samples which could be repeated many times over. [/ref] This is, of course, an interesting case of how we must listen to Tradition in the face of a disparity of assumption between ancient and modern churches, a disparity which it fell to the Reformation to recognise and engage with. Without going into how that task was, or should be, handled, we may simply note the essential point: to get behind the form of the teaching to its underlying concerns, and to seek to articulate and respond to those concerns within our own very different setting. That is what the commitment to respect tradition implies.

## Scripture

The authority of the Scripture is experienced through its capacity to give us a purchase on the world we inhabit. The whole point of thinking *by reading Scripture* (always in dialogue with tradition) is to understand ourselves where we are. We do not "read ourselves" in the text, as is sometimes misleadingly said, for the text is about David, Jesus and Paul etc., not about us or our problems. But the experiences and teachings of David, Jesus and Paul provide the coordinates by which we may plot our own position and our spiritual and moral tasks. There are, then, two discernments involved in the moral hermeneutics of Scripture: the discernment of what the text is saying on a given matter, and the discernment of ourselves and our position in relation to what it has to say about it. There is a logical sequence in the two discernments, which cannot be inverted, and yet we have to make them together and in parallel, for it is the discernment of Scripture that provides us with the categories and analogies we need for discerning ourselves.

If the document's methodological statement about doctrine is strongly anti-traditional, its methodological statement about Scripture is to all appearances strongly pro-Scriptural. It adopts as its own the words of the English Article 20, which declares that "it is not lawful for the church to ordain anything contrary to God's Word." Yet appearances are deceptive, for that principle is only a negative one, setting limits to the competence of the church. (In the sequence of Articles it comes at the head of the ecclesiological section, not together with Articles 6 and 7, where the Reformers spelled out the principles on which Scripture should be read as generating doctrine.) Operationally, the Committee reads Scripture in a limited way, and with even more limited aims.

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The New Testament it discusses conforms to the canon-within-a-canon promulgated by Germanic New Testament studies of the nineteenth century: the Jesus of the synoptics, the Paul of the unquestioned epistles, nothing from the Johannine literature, nothing from the Deutero-Pauline epistles. So the wedding at Cana in Galilee and the “great mystery” of Ephesians 5, both of which bulk large in traditional expositions of the New Testament doctrine of marriage, are passed over in silence. But the texts on which the Committee is not silent fare no better. An extended Excursus, introduced somewhat on a side wind under the heading “Marriage as a remedy for sin” (¶¶57-74), affords an opportunity to observe the strategy the Committee adopts in handling Scripture, which is to eliminate piece by piece whatever might seem to contribute to the New Testament’s teaching on marriage. It is not so much a hermeneutic strategy as an anti-hermeneutic one, a set of procedures for disregarding what might otherwise appear to have something of interest to teach. One may summarise the method not too unfairly in a few operational principles which the document appears to follow:-

(i) If a passage of the New Testament discussing marriage has some contextual reason for doing so, it is to be treated as not discussing marriage at all. So Jesus, speaking of marriage in connexion with the divorce-debate of his day, does not speak of marriage, only of divorce. Paul, speaking of marriage while urging the eschatological value of the single life, is not speaking about marriage but about eschatology. It goes without saying that Paul’s most famous remarks on homosexuality in Romans 1 are not speaking about homosexuality, but about the relation of Jewish and Gentile cultures. And so on. In each of these cases the identification of the contextual interest is perfectly correct. What is arbitrary is the assumption that Jesus and Paul are incapable of making a connexion between one thing and another, *and meaning what they say!* All moves made by Jesus or Paul towards joined-up thinking are to be dismissed as *ad hominem* chop-logic.

(ii) If a passage of the New Testament speaks of marriage in a way that reflects a connexion with ideas current in its own times, it does not interest us. We may learn from Jesus and Paul, it appears, only when they stand out in complete isolation from anything their original hearers could have thought. “Jewish ethical ideas of the day” are a misty background into which almost any words spoken by Jesus or Paul can be made to fade away and be lost sight of. (It requires only a moment’s reflection on their relation to the rabbinic culture to see how this principle can leave us with absolutely nothing in the New Testament to talk about.)

(iii) If there is any complexity, or evidence of debate, in a New Testament discussion of marriage, it is to be set aside as “contested”. The various strands of New Testament teaching on divorce, for example, which, even without any conscious attempt to harmonise the differences, converge decisively on a general approach which was far from that of the “Jewish ethical ideas of the day”, are, because of their differing pastoral interests, not to be taken into consideration.

(iv) If there is any matter on which a decisive development of thought occurs within the Hebrew Scriptures, it is a contested witness. “Scripture” is to be invoked undifferentiatedly, ignoring the historical relationship of earlier texts to later. So we are told several times that “Scripture” has a place for polygyny (commonly called “polygamy”), but there is never a hint that by the time of Jesus of Nazareth polygyny looked like a very ancient and primitive practice, long since ruled out by the practice of the Mosaic law.



All of which leads to the remarkable conclusion, by no means uncongenial to its anti-sacramental bias, that the only biblical text about marriage on which the Committee feels confident in leaning its weight is the saying of Jesus in Matthew 22:30 that there is no marrying in heaven. From where it is only a small step, though the Committee does not take it, to conclude with most radical Protestantism that since marriage is wholly confined to this world, the State had better be left to manage it as it thinks fit, while the Church concentrates on higher things. It is not surprising, perhaps, that the Committee, having established a purely legal criterion for accepting elements of tradition, has ended up treating Scripture in a legal way, simply as a set of constraints to be evaded rather than a teaching to be made sense of. The Committee's readers, confronted with the disclaimer that its purpose is not to "nullify", but to "point out...considerations" (¶169), will surely have difficulty in taking it entirely seriously. If there was a strategy of interpretation to which these "considerations" (valid enough, on their own terms) made a constructive contribution, then the approach would look something like an attempt to *read* Scripture. But there is no text in the world that could be read on the principles the Committee has followed, unless, perhaps, it is a legal statute one is seeking to evade.

If we are to make intelligent use of the Bible in this discussion, we must read it as a history, a witness to the transformation of morality by the intervention of God in the giving of law and prophecy and in the fashioning of Israel's experience and expectations. If we are to make intelligent use of the New Testament in this discussion, we must read it as offering to answer some questions posed, and not resolved, by the testimony of the Hebrew Scriptures. If the experience of the first Christian believers, and the witness they bear to it, matter to us at all, we have to take it as a whole, not selectively. That is quite consistent with letting each literary element speak in its own way, for the New Testament is a complex textual construction, not a homogeneous one. A good reading of the New Testament's view of marriage, moreover, will be attentive to its historical context as an aid to understanding the text, not merely as a screen to block it out. That context is the context of the ancient Roman world as well as of Herodian Judaism, and one of the things that any attention to it will notice is a massive historical unanimity, transcultural and transhistorical, on the character of marriage as a union of man and woman. There is cultural variation on how homosexual relations are viewed, and there is cultural variation on how divorce is viewed, but there is no cultural variation on whether homosexual partnerships can be regarded as equivalent to marriage. We may, of course, think that our modern experience forces us to take an independent view. But we can take that view intelligently only as we face that massive unanimity and treat it as a question to be grappled with. What experience do we have, that they did not have? What experience did they have that we may have forgotten? Can we bring our distinctive experience into the framework of the experience witnessed by the Scriptural text, and of the work of God in the sanctification of human existence? When we begin to frame questions like that we can get past the legalistic haggling, "disqualifying" our experience because it does not have a direct echo in the Scripture, "disqualifying" Scriptural texts because they do not bear on our experience, and we can begin to ask: can Scripture throw light on whatever there may be of *novelty* in our experience? At which point the task of biblical hermeneutics begins to open up into an organised moral enquiry.

## Reason

The role of "reason" in the Anglican tripod is precisely to make our thinking practical. In any exercise of practical reasoning there are two distinct steps: a discernment of the situation we are in,

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and a discernment of a course of action open to us in that situation. If it is true of every decision we make for ourselves, it is doubly true of decisions we seek to make together, that we cannot settle on an action until we can envisage the situation in which we are to act. Making a decision is like leading a horse; it is not safe to come up behind it and tug it by the tail, but you must start from within the field of vision. What, then, if there is disagreement about how to describe the situation we are in? Like all disagreement, it must be dealt with by *locating* it precisely. Practical reasonableness implies that we know just what we disagree about, and what we do not. And in order to describe our disagreement carefully, we have to describe our agreement carefully. For our agreement is whatever our disagreement is not, and the better we can describe it, the better we can describe our disagreement, too.

So we might have expected the Committee to prepare for the exploration of practical ways forward by setting out as fully as possible the extent of what is agreed among all parties. It might, at the very least, have asked whether the doctrinal statement of the Canon *as it stands* could command assent, with one or another qualification, by all parties. But here we come to the most purely puzzling aspect of how the Committee has faced its task. It begins at the back end, starting from three possible ways forward, named Options A, B and C, and trying to work *back* from them to the “arguments and counter-arguments” that could be supposed to support them (¶129). These are rival practical proposals, plucked from the air as solutions to a problem that has not been clearly stated, formulated mechanically according to the logic of left, right and centre, intended to exhaust all the possibilities though they plainly do not. They are allowed to organise the Committee’s exploration of all other topics, controlling the way in which it thinks about Tradition and Scripture. This *a priori* organisation of alternatives is what takes the place in the Committee’s reflections of practical reasonableness. And it is a bad substitute.

The method then becomes convoluted. Of the three Options (A in favour of no change, B in favour of amending the marriage canon, C in favour of making provision for same-sex couples short of marriage) they postpone discussion of the moderate one on the ground that it “does not speak directly to a theology of marriage” (¶128). In fact, it speaks to it no less and no more than the other two; it is merely a prejudice on the Committee’s part that theology is possible only in relation to extreme positions, not in compromises. This prejudice they impose on their discussion as “the clearest way to set out arguments and counter-arguments”. The clarity they are looking for, unfortunately, is the false clarity of arguments and counter-arguments attached to simple contradictory propositions. But these are arguments and counter-arguments that nobody ever advances, since disagreements in life do not arise from contradictory propositions, but from differing emphases and interpretations, and ordinarily thoughtful people, who never disagree without also disagreeing on what it is they disagree on, inevitably generate arguments and counter-arguments which relate to each other with some complexity.

However, we need not reproach the Committee with making the arguments for the remaining two Options unduly clear. Distributed artificially across the four goods of marriage, the jumble of assorted contentions, each stated in a single highlighted sentence, display at a glance the helplessness of the Committee before the task of presenting reasoned trains of thought leading to reasoned courses of action. They are neither the arguments *actually used* by those who advocate the alternative positions, nor are they arguments *implied by* those positions. They are not *the best* arguments for the respective courses of action, and sometimes they do not support the position



they are said to support. Driven, I can only suppose, by the virtual impossibility of “making a case” for same-sex marriage within the tradition, instead of the not-impossible task of “finding a place” for it, the Committee has resorted to the logic of the comedian-and-stooge act, assigning the arguments here or there on the simple basis that Option A must have the stupid-sounding ones, Option B the clever-sounding ones.

Is that too harsh? Well, consider the following three examples:-

(i) “Procreation is the primary cause of marriage” is assigned as an argument in support for Option A. (By “cause”, of course, is meant “final cause”, as in the “causes for which marriage was ordained” in Cranmer’s wording.) Although originally, as we have seen, procreation was the humblest of the three goods in an *ascending* series, it later came to be assumed that the sequence was *descending*, making procreation of primary importance. But that view was falling out of favour by the early part of the twentieth century. Even Pius XII, articulating the Roman Church’s ban on contraception in 1930, carefully avoided asserting it. The last occasion I know of when the primacy of procreation was claimed was at the Lambeth Conference of that same year. The Committee claims that the Church of England Bishops asserted it in 2012, but a cursory glance at their quotation (borrowed from the Pilling Report) is enough to show that the Bishops argued for nothing of the kind.[ref]The Church of England document in question is labelled [GS Misc 1027](#). The view attributed to the bishops is nowhere to be found in it. [/ref] So why should we believe that anyone in Scotland would use this argument in support of Option A?

(ii) The “social function of marriage is prior to its procreative function” is an argument assigned to Option B. Shorn of the language of “priority” and recast in terms of dignity or importance, it could stand for what most contemporary Christians believe (in common with Augustine), namely, that the lifelong union of a couple is a good of a higher order than the biological procreation of a child - parenthood in all its social dimensions is another matter, of course. By what right, then, is this piece of general commonsense appropriated to the exclusive support of Option B? And what service does it render to that case?

(iii) “A genital understanding of the ‘one flesh’ union is reductive” is another argument that Option B is supposed to use. Curiously, this re-asserts a more traditional view of the phrase “one flesh”, as including a household and a family, over against a twentieth-century fashion, promoted by one school of New Testament scholarship, for seeing in it no more than a reference to sexual intercourse. How, then, has this traditional account of the “one flesh” phrase come to be seen as the property of Option B? The answer is unfortunately plain: the contradictory has just been attributed, equally arbitrarily, to Option A!

These three examples (and they are not the only ones) demonstrate the incapacity of the Committee’s back-to-front method to make any sense of the disagreement within the Anglican churches. It is equally unjust to both sides of the argument, for with Option A assigned the role of upholding all the out-of-date assumptions, Option B that of correcting every misunderstanding, neither position appears as a joined-up piece of reasoning leading to a conclusion. And there is something of greater seriousness to be said: the tendency of the presentation is to amplify division. The scope of disagreement is vastly extended, to include such matters as the “natural” status of homosexuality among animals (¶151) the status of intersex gender roles (¶196-97), “essentialist” understandings of gender (¶199), and so on. On any one of these there may quite

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possibly be disagreements, but not *the same* disagreement with *the same* opponents. Those who wish to focus disagreements on the bare essentials will make sure, first of all, that where possible all points of view are expressed in the words of respectable advocates of the view, not in words put in their mouths; secondly, that where arguments are attributed hypothetically, they are the strongest arguments for the position that can be imagined. By arming the advocates of Option A with the weakest arguments imaginable, the Committee has adopted the methods of the polemical pamphleteer, not of the interpreter and arbitrator.

But if advocates of Option A may complain of being made stooges of, what of the advocates of Option C? Relegated to little more than an Appendix, they are assumed to be simply halting between two opinions, offering a compromise without principles, and to have no doctrinal point of view. That there might be theological arguments for a pastoral practice partly independent of the Doctrine of Marriage is an idea never acknowledged by the Committee. The strength of the mongrel Option C, over the feebleness of the two thoroughbred Options the Committee devoted its attention to, lies precisely in its capacity to find scope for practical innovation within the existing doctrinal framework. A church confronting a situation new to history, it supposes, needs a pastoral innovation which it can experience and reflect upon, designed to meet the situation in which it finds itself, sustained in tension, but not destructive tension, with the Catholic doctrine of marriage. In being content to “find a place” rather than “make a case”, Option C appreciated something important about the leading of the Holy Spirit, something that could have been learned from Acts 15: it is not a matter of deducing a conclusion from premises, but of seeing new practical horizons in new circumstances.

It is no concern of mine to argue for Option C; these reflections merely seek to point out what the Committee might have been expected to observe. It does, however, offer us a view of the kind of practical reasoning that can grapple with a practical dilemma posed by a novel situation: the projection of a new practice in faithful analogy, but not strict conformity, with old practice. Once the rationality of that kind of argument is understood, the doors swing wide to other possibilities. The 2015 Synod was offered Options called D, E and F. Again, it is not within the scope of this critique to extend the list, but because the Committee toyed with arguments that could have led in another direction, I shall highlight just one possibility that it might have considered but did not - let us call it Option X.

From time to time the Committee envisages same-sex marriage as an *extension* to the existing normative core of marriage between one man and one woman. “Same-sex marriage enhances the heterosexual norm” (¶149), we find included in the arguments for Option B, though it is obvious at a glance that it does not support Option B at all. Option B requires the removal of every reference to sexual difference from the Canon on marriage; marriage is to be seen as between two *persons* - period. This view, much more interestingly, takes sexual difference as the core paradigm for marriage, and envisages analogies and variations clustered around it, so that same-sex marriages are “exceptions that enhance the norm”. It is a thought that deserves exploring, at least. Sharing with Option C the logic of innovation, it goes further that Option C in treating marriage as a category capable of sustaining analogies to it. The implication for the Canon would presumably be that it might be “amended to extend” the understanding of marriage, as the Committee itself puts it (¶115). The Doctrinal statement would be left in place, but qualified with a canonical permission to apply the term “marriage”, with use of the liturgy, to other kinds of couple.

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Attracted as it may have been towards such a path, the Committee never entertained it as a possibility, and the reason for this was simply the rigid and incongruous way the arguments had been marshalled into two opposing camps. So the sum of the “reasoning” that it had to offer to the Scottish Synod is this:- It’s an all-or-nothing decision. You can take an initiative to care for the needs of gay couples, or you can keep faith with the doctrines of the universal church, but you cannot do both. But is the alternative really so exclusive? There is every reason to doubt it. It appears so to the Committee simply because they have suppressed the logic of other possibilities. They wanted a *deductive* logic, which would start from premises in Scripture and Tradition and yield conclusions that would meet the perceived pastoral need. In their attempt to get it, they maimed Scripture and Tradition to the point where they could supply no premises at all; having failed to get it, they effectively denied the possibility of any chain of reason that could bind practical innovation to Scripture and Tradition. But the logic of practical reason is always inductive, not deductive. And they never looked for a reasoning of that kind.

There will be questions, some of which will presumably be aired at the Synod, whether this or that initiative will attract the censure or support of the Anglican Communion, and how greatly that matters. But the question our review raises is a prior question, on which the minds of Scottish Anglicans, as of Anglicans worldwide, ought to be focussed before any thought is given to a concrete decision and its consequences: how to conceive and discuss new pastoral initiatives in faithfulness to the catholic Christian identity the church professes. If an Anglican church is convinced of the need to provide new support for same-sex couples, can it find a way of imagining that innovation that will not result in a shipwreck of its identity? If it cannot, it hardly matters what others will think of what it does or does not make up its mind to do, for it has given up the attempt to be true to itself.