

**Post-Assembly Response from Covenant Fellowship Scotland
to the Report of the Theological Forum to the 2017 General Assembly**

Brief Summary of Some of our Main Concerns

[Please see our fuller Response for further and more detailed argumentation.]

Introductory Comment

What follows is a response to the terms and main arguments set out in the report, but we would wish to prefix this by stating clearly at the outset that we recognise that there are members and office-bearers within the Church, brothers and sisters in Christ, who are same-sex attracted. We warmly welcome the contribution that they, with all God's variegated people, make to the worship, work and witness of the Body of Christ here on earth, as, together, we seek to serve God and his world, by living out our lives under the Lordship of our Saviour, Jesus Christ, as he is revealed to us in the Scriptures.

General Comments/ Concerns

1. We are concerned about the Forum's remit, working it appears independently rather than at the behest of the General Assembly and Councils of the Church.
2. We are concerned that the Forum's membership does not appear to be adequately representative of the theological views present in the Church regarding the present issue and more generally.
3. We are concerned about an apparent bias against the Traditionalist position in the wording of some aspects of the report.
4. We are concerned and saddened that more ministers, elders and members of the Church departed as a result of the Assembly decision on this matter.

Reflection on the Report's Appendix.

1. The Use of Scripture

Our main concern with this section is that, despite the section title, it does not engage with specific Scriptures at all, neither those fundamental to a Christian understanding of marriage (e.g. Genesis 2, Matthew 19) nor those which state the Bible's position with regard to same-sex sexual activity. Instead this section summarises two broad approaches to the interpretation of Scripture taken by different sections of the Church. How can one discuss any kind of 'marriage' without engaging with the basic texts on the subject?

With regard to Scripture, two main arguments are put forward for the Revisionist position. The first one (**section 1.4**) maintains that Scriptural condemnations of same-sex sexual activity (a) were 'framed in cultural contexts very different from our own' and (b) 'referred to individual acts rather than to committed and faithful people willing to enshrine their relationships in vows before God.' The further claim is made that such 'committed and faithful' same-sex partnerships were '**largely** unknown in the ancient world' so that, 'neither St Paul nor any other biblical writer **could** have had such partnerships in mind when they condemned same-sex sexual activity' (my emphases).

With regard to argument (a), the main texts (Leviticus 18:22, 20:13 and Romans 1:26f) are wholly unqualified and absolute in their prohibition and/ or condemnation. In response to argument (b), there is significant evidence of 'permanent, faithful, stable, male-male partnerships, life-long stuff,' to quote Professor NT Wright of the University of St Andrews (e.g., Plato's *Symposium*, Plutarch's reference to 'The Sacred Band of Thebes,' etc). Such a well-educated and well-travelled individual as Paul is as likely as any educated person of his time to have been aware of the whole gamut of sexual activities engaged in by members of the society of which he was a part.

Section 1.5 The Revisionists' second argument is stated as resting 'on a distinction between the text of Scripture and the living Word of God,' and the point is made that 'we owe our allegiance to Jesus Christ the

Word made flesh rather than adherence to the literal words of Scripture, and, for that reason, if people believe that Jesus is now calling the Church to a new understanding of how faithfulness may be displayed in human relationships, this should be taken seriously as a contemporary form of obedience.'

Our response? Yes, it is appropriate to distinguish between the written text of Scripture and the living Word, Jesus Christ, for they are not identical. However, they cannot be dissociated the one from the other. There is a direct and dynamic connection between the living Word and the written word, so that the Word of God, incarnate in Jesus Christ, cannot be known or understood apart from the written word of Scripture; so, 'allegiance to Jesus Christ' and 'adherence to the ... words of Scripture' go hand in hand. We cannot really know the living Word, Jesus Christ, apart from the revelation of him, and witness to him, given in the written word of Scripture. It is, therefore, difficult, if not impossible, to envisage a scenario where the living Word would encourage the rejection of the written word. This formulation, rather, tends to suggest a process whereby a subjective construct of the living Word is elevated above Scripture and this without reference to Scripture.

Section 1.5 also says that Jesus Christ 'speaks to us in our hearts and consciences.' That is true, but he does that through the written word being applied to our hearts and consciences by the inward working of the Holy Spirit, and not, as in this case, through what appears to be a new 'revelation' that is diametrically opposed to everything on the subject already attested in the Scriptures. Yet, this is what the report encourages us to regard 'seriously as a contemporary form of obedience.' The old disobedience has become the new obedience!

In **sections 1.6-1.10** the report turns to consider the Traditionalists' view of Scripture. Generally-speaking the view presented here, while perhaps true of certain, unthinking fundamentalists, is not a true representation of the position held by the Traditionalists within the Church of Scotland which has always placed high store on an educated ministry. Instead, unfortunately, it presents a caricature of the true position, though what these sections do show clearly is that the Traditionalists tend to pay closer attention than Revisionists to the actual words of Scripture; and that the words of Scripture tend to be normative for their Christian experience, rather than negotiable.

In **section 1.7**, the Forum claims that Revisionists and Traditionalists 'share an acknowledgement of the authority of Scripture and the authority of Jesus Christ as King and Head of the Church.' However, the level of authority that these two groups ascribe to Scripture varies considerably. For the Traditionalist interpreter Scripture has complete authority; for them divine authority is mediated through Scripture. As far as the Revisionists are concerned, however, it is not clear what level of authority Scripture has.

Section 1.9. The description of the Revisionist view that 'Scripture's meaning is somewhat wider than particular words themselves,' is borne out by this report itself in that, whereas all the Scriptures which comment on same-sex sexual activity condemn it, the Forum believes that the exact opposite message applies today.

The final sentence of **section 1.13** states that: 'The differences between us rest on how these Scriptures are to be heard today.' That, indeed, is the crux of the matter. Do we hear the Scriptures as the original authors intended them to be heard, as normative for the life of Israel, the covenant people of God, and normative for the Church of Jesus Christ throughout the whole world and all generations of time, or do we hear them in such a way that our own perspective and contextual situation becomes the starting point and standard of interpretation and, in a sense, we become the author, or even 'god' of the text, controlling its interpretation, and seeing in the Scripture our own reflection mirrored in the text.

The question of whether we truly 'hear' the word of the Lord, and how we hear that word, has always been at the heart of human relationships with God and one of the factors that affects whether or not we thrive in our covenant relationship with our Lord and Saviour (see, e.g., Gen 3:17; Gen 22:18; 26:5; Deut 28; 1 Sam 3:10; Is 50:4; 55:3; Phil 2:8ff; etc).

In Part 2, the Report turns to consider three extra-biblical types of argument: (A) ‘arguments based on understandings of human rights’; (B) ‘analogical arguments which try to build outwards from traditional understandings of marriage’; and (C) ‘fully theological arguments for the admissibility of same-sex marriage.’

2.2 (A) Human Rights Arguments

In terms of the ‘column inches’ assigned to this argument in the report, this would appear to be the least significant of the three types of argument presented in this part of the report. Moreover, within these columns very little argument, if any, is put forward specifically in support of same-sex marriage. Indeed, challenges to this kind of argument from within the Christian community – those of Hauerwas and Avare - are highlighted.

In the closing part of **section 2.2.7** reference is made to the way in which the human rights argument makes us ‘much more aware of discrimination and our failure to treat each other even-handedly.’ It is not clear if this is simply intended as a general observation on human rights or whether it is specifically related to the question of same-sex marriage.

It is only in the very last sentence of this part of the report that there is any specific reference to matters that might relate to the issue of same-sex marriage. The statement is made that: ‘We recognize that as a Church we have often failed to recognize and protect the identity and Christian vocation of gay people and believe that the Church as a whole should acknowledge its faults.’ Unfortunately, no evidence is provided to support this claim of ‘failure’. Equally, the report fails to provide any evidence as a basis for the General Assembly to accept point 4 of the proposed Deliverance which invites the Church ‘to take stock of its history of discrimination at different levels and in different ways against gay people and to apologise individually and corporately and seek to do better’. Nevertheless, whenever we become aware of discrimination in any part of the Church - whether historical or in the present - against people of same-sex orientation, it is only appropriate that this should be repented of and that apology be made individually and/or corporately, as appropriate to the specific instance.

In this whole section of the report no reference at all is made to the role of Scripture vis-à-vis the argument from human rights and only one passing reference is made to the place of Jesus Christ.

2.3 (B) Analogical Arguments

This would appear to be regarded by the Forum as a more significant argument than that based on human rights in that approximately 6.5 columns (38%) of the report are given over to it.

In this part of the report particular attention is given to Professor Jean Porter’s 2010 paper “The Natural Law and Innovative Forms of Marriage: A Reconsideration,”¹ in which she ‘reflect[s] on the implications of a natural law account of marriage for the gay marriage controversy.’ In this, she takes as her ‘starting point the concept of the natural law developed by scholastic jurists and theologians in the twelfth and thirteenth centuries (80).’ She then develops and applies that to contemporary society, arguing that it ‘does not rule out gay marriage but on the contrary, gives us reason to support the legal recognition of such unions (81).’

Much of the whole of this part of the report is taken up with reviewing the way the understanding of marriage has changed across the centuries and millennia. Porter believes that this leaves open the door for another change to take place now, opening the door to same-sex marriage. The real problem with this view is that while some aspects of marriage have changed over the years (e.g., should clergy be involved), others have remained absolutely constant across the centuries and millennia, and across the nations of the earth, the most obvious of all being that marriage has always involved the marriage of male and female.

¹ J Porter, ‘The Natural law and Innovative Forms of Marriage: A Reconsideration’, *Journal of the Society of Christian Ethics*, 30, 2 (2010), pp 79-97. Note that page numbers in the text above refer to this article.

Moreover, as Porter points out, the scholastics recognized that this was because Genesis 2 was regarded by them as absolutely foundational!

2.4 (C) Theological arguments with particular reference to the work of Professor Robert Song

This is a substantial argument going by the 4.5 columns (25%) of the report given over to it. It is also, apparently, the most significant of the arguments set forth in the report, being described within the report itself as 'the more thoroughgoing theological argument,' (2.4.2) and regarded as containing 'the most perceptive theological move in the literature to date' (2.4.5). This section of the report relies heavily on the work of Professor Robert Song in his recent book *Covenant and Calling: Towards a Theology of Same-Sex Relationships* (SCM Press, London 2014).

Comments on the Forum's Use of Song's Book

1. It seems rather incongruous that such a high profile be given in the Forum's report to Professor Song's work for two main reasons:
 - a) In the report, Song's work is set alongside other arguments whose methodology Song himself has 'tried **not** to follow' (my emphasis) and, indeed, has 'sought to avoid' because of major inadequacies he finds in their arguments. These arguments Song avoids are, generally-speaking, the three main arguments used by Revisionists and they include the 'Human Rights Arguments' found in section 2.2. of the Forum's report, as well as some sections of 2.3. The Forum's report makes no reference to this significant clash of methodologies.
 - b) What Song is arguing for in his book is specifically NOT same-sex **marriage**, but something significantly different, which he designates as 'covenant partnership' – the clue is in the title to Song's book. Indeed, in chapter 5 of his book, Song highlights the main problems he sees with thinking of 'covenant partnership simply as marriage.' As Song states quite clearly (p 26): '**marriage** understood as a creation good **is not possible** for same-sex couples' (my emphases).
2. This leads to the further point that Song's book is fairly recent in academic terms, having been published only in 2014. Very few ministers in the Church will have known it was being studied closely by the Forum. Significant time – not just months, but years - is needed to reflect on the whole of Song's book and on the universal and ecumenical scholarly response to it. It seems highly unusual, therefore – and perhaps even inappropriate? - for a Forum of the General Assembly to base a large part of its argument on such a new piece of work that the academy itself has not had sufficient time to reflect on, engage with, and respond to, let alone the clergy and eldership, or the Church at large. It is alarming that the traditional doctrine and practice of the Church with regard to marriage, that have lasted for 500 years and were last affirmed resoundingly by the 2012 General Assembly, should be swept aside within 5 years largely on the basis of one piece of work from one scholar – a work that has already been heavily criticised, though also highly praised, by different sections of the academic theological community.

Comments on Specific Sections of the Report

Section 2.4.3 The example given in this section - that the Church has gradually come to learn that a woman may represent Christ at the Holy Table at the celebration of the Eucharist - is not one developed by Song in his book. Rather, here the Forum is presenting its own Christological twist, or addition, to Song's argument. We will return to this later.

In **section 2.4.5** the report focuses on what is presented as a significant biblical passage for Song's argument, Luke 20:34-6, but especially v 35. The translation used in the report (present tense), and on which Song's argument is based, presents an over-realised eschatology, rather than the partially-realised eschatology recognized elsewhere in the NT. In other words, yes, the coming of Jesus marked the beginning of a new (eschatological/ end times) era of world history, with some changes happening, but at

present we live in the 'now and not yet' era as we await the second coming of Jesus to finally bring in the Kingdom of God in all its fullness – at which time all will change.

One of the changes that seems to have happened with the first coming of Christ is that some Christians began to have a calling to celibacy, though others continued to have a calling to marriage (1 Cor 7), whereas at the return of Christ, in the new creation there will be no marriage.

Sections 2.4.6 – 2.4.11. Unless you have read Song's book, you will not be able to appreciate how the Forum's report gets from what is stated in 2.4.5 to what is said in the following paragraphs. That is because these paragraphs cover in the main chapters 2 and 3 of Song's book where he moves beyond what is clear in the NT to a measure of speculation, or to what he, and the Forum, would describe as the 'deeper structure' of the biblical story.

Here, Song introduces the idea of covenant partnership, which he regards as a 'third vocation' distinct from both marriage and celibacy.

The real problem with this is that if such a 'third vocation' did in fact exist in the Early Church we would have expected to see at least some evidence of it in the NT. But we do not. What is more, Song himself admits frankly (p 23) that the NT 'never envisages any possibility of a third [vocation].' If such a 'third vocation' resulted from the coming of Christ, how come it didn't appear in the Book of Acts or in the NT, or, for that matter, in the first 2000 years of the Christian Church? The reason Song gives for this is that Jesus and Paul and the Early Church were unable to free themselves from the societal pressures that regarded same-sex sexual relations as scandalous!

To this, the response of Song and the Forum is to say that the Church has changed its understanding on other things like slavery, by looking not just at the 'surface meaning' of texts, but looking at the 'deeper structure of the biblical story.' Our response would be, if and when the Church does that it is because there are already indications elsewhere in Scripture that there is another way of interpreting the Scriptures (e.g. in the case of slavery).

The Forum's 'Christological' Take

Sections 2.4.3-4 and 2.4.16-18. In using this example, the Forum's argument goes like this: From the fact that our Church now accepts that a woman can represent the man Jesus at the Holy Table and say the words of the Eucharistic Prayer over the bread and wine, the conclusion is drawn that 'sexual difference is not as theologically all determining as we may have thought.'

One major problem with this argument is that it is difficult to see how this case relates to the question of same-sex marriage. Wherein lies the analogy? This example has nothing to do with marriage and nothing to do with sexual relationships, straight or gay. At the most, it is about sexual difference, but certainly not about sexual orientation. The only point of contact between the two scenarios seems to be that a woman can represent a man. Perhaps, the logic behind the inclusion of this 'example' is that a woman can 'represent' = 'take the place of' the 'man' in a traditional marriage?

The report also notes (**section 2.4.17**) that the 'normal response' to this accusation from Traditionalists is that 'there are "seeds" in Scripture which allow for a fuller leadership by women, but that there are no "seeds" in Scripture which 'show hospitality to gay people.' The report then goes on to suggest (**section 2.4.18**) that Robert Song's recent work may, perhaps, show that 'some "seeds" are discernible.'

While it is true that the position which prevailed for centuries in the Church of Scotland was that women should not be in positions of leadership, not least because of Paul's teaching (e.g., in 1 Cor 14:34, 1 Tim 2:12, etc), the Scriptures themselves, both OT and NT, have recorded without any embarrassment the leadership roles of at least a small band of women across the centuries of the life of God's covenant people. From the OT, one can think of the judge and prophetess, Deborah (Judges 4:4), and the prophetesses, Miriam (Ex 15:20), Huldah (2 Kings 22:14) and (possibly) Isaiah's wife (Isaiah 8:3), while the

NT regards Anna (Luke 2:36ff) and the four daughters of Philip (Acts 21:9) as prophetesses. In addition, Paul himself was not backward in expressing appreciation of the work of a significant number of women whom he describes as his 'fellow-workers' (Rom 16:1, 3, 7, 12; Phil 4:3; etc.) and who are variously said to have 'worked hard in the Lord' or to have 'contended at [his] side in the cause of the gospel.'

What's more, the evidence pointing to the fact that Junia (Rom 16:7) was a female apostle is now generally regarded by commentators on Romans as 'overwhelming', and, in the light of these and other advances in knowledge, many evangelical scholars have become more aware of the possible cultural contexts which may have given rise to Paul's teaching in 1 Corinthians 11 and 1 Timothy 2.

While there are some Traditionalists who are not persuaded by such arguments, nevertheless other Traditionalists have indeed changed their position with respect to women in eldership and ministry because they now acknowledge that there are much more than just 'seeds' in Scripture which allow for a fuller leadership role for women, there are clear examples in both OT and NT. With respect to same-sex marriage, however, the case is still very different. There are no examples at all, and nothing that even vaguely looks like a 'seed' that might develop in that direction.

The Problem of Basing Decisions of General Assembly on New and Untested Interpretations of Scripture

In section 3 (a) of the report, the Forum tells us that 'theological reflection has moved on in the last 5 years since the 2012 report 'Believing in Marriage.' But Professor Song's 2014 book is the only piece written since 2012 that has been used by the Forum, and even it does not argue for same-sex marriage!

Conclusion

The Theological Forum has put forward a report which seeks to justify the Church permitting designated ministers and deacons to conduct same-sex 'marriages'. Unfortunately, the Forum has not engaged with the relevant Scriptures, has to some extent caricatured the 'Traditionalist' position and has not produced one cohesive argument for its proposal, rather attempting to bring together various strands that are sometimes totally contradictory the one to the other. Moreover, it has based its core theological case on a single piece of writing of one scholar whose work does not even argue for what this report is advocating, and provides no solid foundation upon which to abandon the long-held, orthodox position of the Church, which it holds with the vast majority of Christians worldwide and which is ably expressed in the Church's Confession of Faith (based on Genesis 2:24): 'Marriage is between one man and one woman'.

It is deeply regrettable that the General Assembly embraced this report with its deliverances. We cannot but call the Church to repentance on this issue.

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