

## A Critical Dialogue with Robert Song's

### *Covenant and Calling: Towards A Theology of Same-Sex Relationships (SCM, 2014).*

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## Introduction

Although barely over 100 pages in length, *Covenant and Calling* is one of the most significant recent theological contributions to the ongoing discernment about the Christian response to our changing sexual culture including its growing acceptance of same-sex relationships.<sup>1</sup> It offers a creative and original contribution which is solidly theological and focussed on respectful engagement with Scripture and tradition. It explicitly rejects common paths which are liberal in method, appeal to contemporary culture or downplay the importance of bodily difference (xi-xvii). Its tone is measured, lucidly setting out its reasoning in dialogue with those authorities and with foreseen criticisms of its proposed way forward. Although its academic apparatus is kept to a bare minimum, there appear to be a number of key influences – the author’s involvement in the Church of England’s recent Pilling Group, 3 classic theologians – Augustine, Barth and Paul Ramsey<sup>2</sup> - and 3 recent Anglicans – Michael Vasey,<sup>3</sup> Nigel Biggar<sup>4</sup> and Oliver O’Donovan.<sup>5</sup>

### Arguments

Song’s central argument is that we should recognise non-procreative covenant partnerships – which may be sexual and may be either same-sex or opposite-sex in structure – as a third calling alongside marriage and celibacy. Before outlining the five key planks in his argument, two key points need to be noted.

First, despite the book’s sub-title, this is not simply a theology of same-sex relationships but a much wider reconfiguring of a traditional Christian sexual ethic. If the argument for this third calling is unpersuasive, however, then the case for same-sex relationships presented in the book fails as it is dependent upon it. The focus of attention should therefore be on this proposal and its rationale as a whole and, in what follows, its merits are explored largely without reference to the controversy over same-sex relationships which only becomes the focus in section 5.

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<sup>1</sup> Robert Song, *Covenant and Calling: Towards A Theology of Same-Sex Relationships* (SCM, 2014). All page references in the text are to this work unless indicated otherwise.

<sup>2</sup> Paul Ramsey, *Human Sexuality in the History of Redemption*, *The Journal of Religious Ethics*, 16.1 (Spring, 1988), pp. 56-86.

<sup>3</sup> Although in a different manner, Song follows Vasey in proposing a pattern other than marriage for same-sex relationships. Like Vasey he does so in a way that deliberately eschews much standard “liberal” method and by looking to the eschatological renewal of all things in Christ as the theological focus. Michael Vasey, *Strangers and Friends: A New Exploration of homosexuality and the Bible* (Hodder & Stoughton, 1995). Vasey discusses the eschatological focus in relation to the new creation (pp. 33-35) and heaven (pp. 224-9) where he quotes “Jerusalem the Golden” at length which Song names in dedicating the book to Vasey’s memory.

<sup>4</sup> In focussing on procreation and its relation to marriage as the central concern in developing a Christian sexual ethic, the book picks up ideas developed by Nigel Biggar, in a 2004 article revised for a [2012 Changing Attitude publication](#). In a 2013 sermon on the debates about same-sex marriage Biggar presented the novel argument that has similarities to Song’s proposal: “Perhaps we should have a two-tier system, with committed relationships, whether hetero- or homo-sexual, beginning with the status of ‘amicable union’ and only graduating to ‘marriage’, when they become parental” Nigel Biggar, “Gay Marriage: What’s all the fuss about?”

<sup>5</sup> Perhaps most centrally there is Song’s focus on calling. This echoes O’Donovan’s comments, in one of his reflections on The St. Andrew’s Day Statement (which he helped write), that the concept of vocation needs to be central in reflection on homosexuality. Oliver O’Donovan, “Homosexuality in the Church: Can there be a fruitful theological debate?” in Timothy Bradshaw (ed), *The Way Forward* (Hodder & Stoughton, 1997), pp. 20-36 (on vocation especially pp. 30ff).

Second, the novel nature and significance of Song's proposal must be noted. He acknowledges that both Scripture and tradition offer no explicit support: "Throughout Christian history there has been an assumption that there are at most two callings, to marriage or to celibacy, in accordance with the New Testament pattern which never envisages any possibility of a third" (23). This silence of Scripture and assumption of Christian tradition is clearly a major obstacle for any proposal which claims to be authentically Christian. It is not, however, an insurmountable one in Song's view.<sup>6</sup> However, his case must start out with a strong presumption against it and present a strong argument that, as it amounts to "a radical development in the Church's understanding" (O'Donovan), it is nevertheless consonant with Scripture and either rectifying a flaw in the tradition or able to be accommodated as a development in continuity with tradition rather than destructive of it.

In evaluating Song's arguments, it is helpful to explore five main steps in his argument which, to a certain extent, build on each other. Although they lead to a "theology of same-sex relationships" most of the original theological work is found in arguments that can and should be evaluated without reference to a position on this contentious subject. The five main steps are as follows:

1. "The significance of the advent of Christ for sexuality. Sex BC is not the same as sex AD" (x). The tradition has recognised this by teaching that marriage is now not the only vocation as there is the calling to celibacy. This development also opens up the possibility of a further third calling of "eschatologically grounded covenant partnerships that are not procreative in nature" (59)

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<sup>6</sup> "We need to ask whether celibacy might not be the only other option opened up by the coming of Christ. Might it be that certain other kinds of relationships are also made possible which were theologically speaking never possible before?" (23). Here he seems to follow the argument of Oliver O'Donovan commenting on the [St Andrew's Day Statement](#). That statement could be read as absolutely and permanently rejecting the sort of argument Song presents. It insists that the church "assists all its members to a life of faithful witness in chastity and holiness, recognising two forms or vocations in which that life can be lived: marriage and singleness (Gen. 2.24; Matt. 19. 4-6; 1 Cor. 7 passim). There is no place for the church to confer legitimacy upon alternatives to these".<sup>6</sup> O'Donovan, however, [has explained](#) what this statement does and does not mean. His nuanced reading is worth quoting at length:

"The faithful homosexual Christian, however, is in a situation which the church cannot recognise as one of "two forms or vocations" within which a "life of faithful witness in chastity and holiness can be lived". As it stands, the claim that there are two and only two such forms, though well supported, as the authors think, from Scripture, is not directly a biblical one but claims the authority of unbroken church tradition. If that tradition were shown to be essentially defective (i.e. without the supposed support of Scripture) or (less implausibly) to be more accommodating than has been thought (e.g. including homosexual unions as a valid variant of marriage), then, of course, there would be no general difficulty. But that supposes a radical development in the church's understanding of the tradition. The Statement does not rule such a development out a priori; in principle, no Anglican who believed, as Anglicans are supposed to believe, in the corrigibility of tradition could rule it out a priori. Yet the authors do not entertain the suggestion that such a development is in train or can be anticipated, and so they conclude: "there is no place for the church to confer legitimacy upon alternatives", i.e. to marriage and singleness. This phrase has been read as saying rather more than it does. It is the conferral of legitimacy, i.e. by implication some kind of ceremonial endorsement, which it rules out. Relationships may have moral integrity in varying degrees without the church's formal authorisation. The integrity that is claimed for some homosexual unions does not depend on any ceremony. Indeed, when, in the ordinary course of events, the church solemnizes a marriage, it is not purporting to pronounce on the moral quality of the relationship involved. It is shaping the expectations of the community and conferring evangelical authorisation on the form which the relationship takes. Something similar can be said about vows of celibacy. It is this formal function which the authors think inappropriate in the case of a homosexual partnership, given the church's understanding of the two alternative vocations".

2. Such covenant partnerships “like marriages...would be marked by three goods” (28): faithfulness, permanence and fruitfulness.
3. As a result “the fundamental distinction within committed relationships is not whether they are heterosexual or homosexual, but whether they are procreative or non-procreative in orientation” (38).
4. As “sex may have, intrinsically and objectively and not just in the choices or willings of the partners, a different and separable meaning from procreativity” (59) such covenant partnerships can be sexual partnerships.
5. As “there is no necessary complementarity between the sexes other than that of procreation” (59) there can be no objections to opening this third calling to people of the same sex.

This paper’s first five sections explore each of these in turn, raising questions and presenting challenges to Song’s central claim in each one. Each section could be viewed as raising a hurdle (though some present a number of distinct objections) which Song’s proposal must get over in the race “towards a theology of same-sex relationships”. Some may judge it to fall at an early hurdle, others may be persuaded it can clear all the obstacles put in the path and reach the finishing line. The sixth section examines some wider questions about his proposal – its distinctiveness and eschatological basis and its relationship to marriage – and, through consideration of a possible variant, highlights which challenges raised in what follows are specific to Song’s covenant partnership path towards a theology of same-sex relationships and which apply more widely. The final seventh section draws a brief conclusion.

# 1. Christ's coming, celibacy and the theological possibility of covenant partnerships: The New Testament witness

Song's opening chapter ("The Beginning and End of Marriage") offers a clear, concise statement of the classic traditional Christian understanding of the place of marriage within salvation history and how the coming of Christ opens up the new, second calling of celibacy.

Beginning with creation, Song explores the ends of marriage as a created good combining the three goods of offspring, faithfulness and the bond of permanence. He then examines the significance of Christ as the fulfilment of creation and the way in which marriage images God's relationship to his people thereby giving further theological meaning and rationale to the created good. Finally, an eschatological perspective opens up and it is this which makes intelligible the calling to celibacy and resituates marriage within God's purposes and the life of his people. The central theme here is the significance of Christ's coming, summed up in the book's preface as "Sex BC is not the same as sex AD" (x). Song's new third calling of covenant partnership thus builds on the tradition's theology of marriage and sexuality and its reading of Scripture that opened up the second calling of celibacy. It is therefore important to explore and evaluate the biblical and traditional basis for celibacy and Song's portrayal of it in order to see how firm a foundation he has for adding in his third calling of covenant partnerships. Does he show that the opening up of the path of celibacy by the coming of Christ means that "certain other kinds of relationships are also made possible which were theologically speaking never possible before" (23) and in particular his proposed pattern of covenant partnership?

## *1.1 Luke 20, marriage, resurrection and procreation: life beyond death as the basis for non-marital calling(s)*

Song's primary textual basis in the New Testament is the discussion of resurrection and marriage in Luke 20.34-6 (and parallels in Matthew 22.23-33 and Mark 12.18-27). This is, according to Tom Wright, "far and away the most important passage about resurrection in the whole gospel tradition".<sup>7</sup> It records a challenge to Jesus by resurrection-denying Sadducees on the basis of Deuteronomy 25 which requires Levirate marriage i.e. when a married man dies without a child, his brother must marry the widow and their child will be counted as his brother's offspring.<sup>8</sup> They create a scenario in which a woman consecutively marries seven brothers who all die when she is childless, leading to the question of whose wife she will be at the resurrection. Jesus responds, according to Luke,

The people of this age marry and are given in marriage. But those who are considered worthy of taking part in the age to come and in the resurrection from the dead will neither marry nor be given in marriage, and they can no longer die; for they are like the angels. They are God's children, since they are children of the resurrection. (Luke 20.34-36)

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<sup>7</sup> N.T. Wright, *Resurrection of the Son of God* (SPCK, 2003), p. 415.

<sup>8</sup> "If brothers are living together and one of them dies without a son, his widow must not marry outside the family. Her husband's brother shall take her and marry her and fulfill the duty of a brother-in-law to her. The first son she bears shall carry on the name of the dead brother so that his name will not be blotted out from Israel" (Deuteronomy 25.5-6).

Song's argument, drawing on Wright,<sup>9</sup> is that the assumption here is "that marriage is instituted to deal with the problem that people die" (15).<sup>10</sup> There are, however, a number of loose ends if this is all that is said and if it is held that this alone provides the New Testament's theological basis for celibacy and potentially for any third calling. Three issues are raised by elements in the very passage to which Song appeals and need to be noted before looking to the rest of the New Testament.

### 1.1.1 "They can no longer die": Marriage and Death

The explanation "for they can no longer die" is peculiar to Luke's account. A serious problem in Song's argument is that he takes this single saying and, by highlighting the assumption behind it, appears to develop a reductionist rationale for marriage (and thus for callings other than marriage post-Christ) which is in tension with the rest of Scripture, including other sayings of Jesus in the gospels.

Matthew 19 and Mark 10 record a debate between Jesus and Pharisees about the chapter in Deuteronomy prior to Levirate marriage – the permission to divorce in Deuteronomy 24. Jesus appeals to Genesis 1 and 2 (which he conjoins) and how marriage was "from the beginning". In other words, within the biblical drama, marriage is not instituted to deal with the problem that people die. Rather, in the words of the Church of England's Book of Common Prayer, it was "instituted of God in the time of man's innocency".<sup>11</sup>

### 1.1.2 "They Are Like The Angels": Life Beyond Sex

Jesus in Luke gives two reasons for the lack of marriage (each signalled by *gar* in the Greek): they are not able to die anymore and – significantly, the only reason provided by Matthew and Mark – they are like or equal to angels.<sup>12</sup> The reference to angels could simply be a reference to their immortality but another commonly held explanation of this is that it refers to the angels not marrying and to the lack of angelic sexual activity.<sup>13</sup> The eschatological vision is, in other words, not simply one where there is no marriage because the overcoming of death means there is no procreation. It is also one where there is no marriage because there is no sex.

Loader, in his major study of the New Testament teaching on sexuality, writes that "sex and marriage are obsolete"<sup>14</sup> where people no longer die – "the vision reflects a value system which

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<sup>9</sup> "The logic of Luke's version of Jesus' riposte then depends for its force on two unstated assumptions: (a) that marriage is instituted to cope with the problem that people die; (b) angels do not die...In the new world that the creator god will make there will be no death, and hence no need of procreation. Jesus has addressed the question's presupposition, undermining the need to ask it in the first place". Wright, *Resurrection of the Son of God*, p. 423.

<sup>10</sup> Jesus' response shows that "if there is no death, the sustenance of the people of God no longer requires future generations to be born; and if there is no need for future generations to be born, there is no need for marriage...Where there is resurrection, there is no death; where there is no death, there is no need for birth; where there is no birth, there is no need for marriage". (15)

<sup>11</sup> Wright adds an important footnote which raises – and offers an answer to – a crucial question for any biblical theology but one which Song simply ignores: "Neither the evangelists, nor Jesus, nor his interlocutors, face the question which occurs to us: if marriage is designed to procreate the species in the face of death, why does Gen. 2 describe it being instituted before the fall? The only answer seems to be that the present question and answer remain limited by the implied scope of the Levirate law". N.T. Wright, *Resurrection of the Son of God*, p. 423, note 79.

<sup>12</sup> Luke has the unusual *isangeloi* (equal to angels) rather than Matthew and Mark's *hos* ("like" or "as") angels.

<sup>13</sup> To quote Wright elsewhere, although "most humans find it very hard to think of a non-sexual world...that's what Jesus probably means when he says that resurrected people will be 'like angels'". Wright, *Matthew for Everyone Part Two*, p 91.

<sup>14</sup> Loader, *The New Testament on Sexuality*, p. 434.



sees no place for sexuality in the resurrected life”.<sup>15</sup> Song, seems to recognise this in passing later when he writes,

The whole eschatological and ascetic thrust of the NT is towards a vision of the resurrection life which, against the majority Jewish teaching of the time, is not a re-creation of marriage and family life but *a life beyond marriage, sex and family altogether*. (74, italics added).

This eschatological vision of “life beyond marriage, sex and family” explains why the church understood Christ’s teaching – and the breaking in of the eschaton – to open up the path of celibate singleness. It creates problems, however, for the third calling which Song wishes to develop on the basis of his reading of Luke 20 and the calling to celibacy: a *sexual* relationship which he claims is similarly grounded eschatologically.<sup>16</sup>

### 1.1.3 “They Are Like The Angels”: Covenant Partnerships in Heaven?

The problem is actually even deeper than whether or not covenant partnerships can be sexual. Song is arguing for a new pattern of “committed relationship” alongside marriage but the argument in all three gospels for an alternative way of life to marriage is that it bears witness to the resurrection life where we will be “like the angels”. One assumes that Song does not believe that there will be covenant partnerships in the eschaton and that those in covenant partnerships are therefore more “like the angels” than those who are married. If covenant partnerships, like marriage, have no place in the “age to come” then – in sharp contrast to the calling to celibacy – it is hard to see how Lk 20 can support covenant partnerships as a third calling which, on the pattern of celibacy, is eschatologically grounded and a witness to the consummation of all things.

## 1.2 Other New Testament texts, celibacy and covenant partnerships

Luke 20 does not spell out the implications of Jesus’ eschatological vision for life in the here and now. It is not an example of Jesus giving teaching on sex and marriage but of him responding to a fictional scenario related to marriage in a challenge from opponents in order to defend his belief in the resurrection. A New Testament understanding of celibacy as a new, second calling alongside marriage must explore two significant passages, to which Song gives less detailed attention: Jesus in Matthew 19 and Paul in 1 Corinthians 7. These highlight the last two problems noted in relation to Luke 20.

### 1.2.1 Life Beyond Sex

The radicalness of the gospel call to celibacy as a new way of life made theologically possible by the coming of Christ cannot be over-stated in the light of the Old Testament’s emphasis on marriage and

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<sup>15</sup> Loader, *The New Testament on Sexuality*, p. 435. “The assumption appears to be....that no such thing as marriage (and so sexual activity) will exist” (433). As he goes on to explain, in Luke (he thinks not in Matthew and Mark), sex and marriage are tied to procreation and “where people no longer die, reproduction is no longer necessary to keep the species going; therefore sex and marriage are obsolete”. More than that, God’s power “so transforms human existence and embodiment in the holy realm that sex and marriage (the problems they create and the needs they serve) are dispensed with....the vision reflects a value system which sees no place for sexuality in the resurrected life” (435).

<sup>16</sup> Song is rightly cautious about speculating over the place of sex in the life of the resurrection, commenting that “we do not know what form our bodies will take in the life to come” or “what form human intimacy could take in a time when we will no longer see through a glass darkly but will see Love face to face” (61). He is though confident, quoting C.S. Lewis, that “if the life hereafter is without sex in any sense with which we are acquainted, it will not be because it will be less than the sex we are familiar with, but because it will be more” (61). But if covenant partnerships are, like celibacy, eschatologically grounded and genuinely bearing witness to a life of “trans-sensuousness” (61, using Lewis’ term) and “beyond sex” (74) then, like celibacy, it would appear that they should not involve sex.

procreation within the people of God.<sup>17</sup> Jesus' commendation of such celibacy in terms of "becoming a eunuch" (Matthew 19.12) is similarly shocking given the widespread contempt for eunuchs in part because "they were incapable of vaginal penetration" (Loader).<sup>18</sup> The rationale for this is clearly eschatological and in part is based on a vision of life beyond sex. The assumption (as in Luke 20) is that "in the future kingdom, the life to come, sexual relations will cease; accordingly some are called to live like that already now".<sup>19</sup>

A life beyond sex is also evident in Paul's commendation of celibacy in 1 Corinthians 7: if the unmarried and widows "cannot control themselves, they should marry, for it is better to marry than to burn with passion" (7.9). The two ways of life are thus clear: either celibacy which involves no sex or, if that is not possible, marriage. There is no basis in either of these texts for adding to the new calling of celibacy a third calling of committed sexual relationships. The challenge to Song's proposal is, in fact, even more serious.

### 1.2.2 Life Committed Wholly to Relationship with Christ

Probably the main reason celibacy opens up as a theological possibility with the coming of Christ is that the greatness of the inbreaking kingdom and the demands that it makes on us relativise the good of marriage and all human demands in committed relationships, including natural and voluntary familial relationships. Far from being an obligation, marriage can even be seen as (at least potentially) a distraction from the more important task of serving the kingdom. God now calls some people to such wholehearted devotion to the kingdom that they forsake marriage and the commitments to spouse and family which come with it. Christ himself embodies this new eschatological calling (something which cannot be said of any other proposed calling).

This is also part of what Jesus means when he speaks of those who become eunuchs for the sake of the kingdom of heaven, alluding to the total devotion to the king required of eunuchs in the ancient world.<sup>20</sup> This, as Loader notes, referring to 1 Cor 7.32-4, is "a view not dissimilar to Paul's about the hassles of being married in this age". As Song himself puts it – "The form of the present world is passing away, and the point of remaining unmarried is to enable the followers of Christ to devote themselves to the works of the Lord with their loyalties undivided" (18).

But this, within Song's scheme, would seem to entail not only remaining unmarried but remaining free of a covenant partnership. Far from being a possible third calling, bearing witness to the eschaton, it appears that covenant partnerships in this respect fail in exactly the same way as

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<sup>17</sup> The *New Encyclopedia of Judaism* begins its article on celibacy by stating that "Marriage is a commandment in Jewish tradition and celibacy is deplored"

<sup>18</sup> Loader, *The New Testament on Sexuality*, p. 441. Although "becoming a eunuch" clearly entails "no procreation" it more fundamentally meant "no sex". In the words of Danylak, *Redeeming Singleness*, "To eunuchize oneself entails more than simply not marrying but involves the sacrifice of one's right to marriage, procreation, and sexual relations, for the sake of the kingdom of God". Danylak, *Redeeming Singleness*, p. 157.

<sup>19</sup> Loader, *The New Testament on Sexuality*, p. 444.

<sup>20</sup> For this rationale see Danylak, *Redeeming Singleness*, pp. 157ff. As Loader comments, "The saying could be understood as enjoining celibacy for the sake of the kingdom of God in the sense of being thereby able to devote more time and energy to the task of proclaiming and working for it...Ultimately work for the kingdom will mean leaving all encumbrances behind, since they belong to this passing age, not to the life of the world to come" (Loader, *The New Testament on Sexuality*, p. 444). This, as Loader notes, is "a view not dissimilar to Paul's about the hassles of being married in this age". Echoing debates in wider Greco-Roman culture about whether or not one should marry, Paul writes that "the unmarried man is anxious about the things of the Lord, how to please the Lord. But the married man is anxious about worldly things, how to please his wife, and his interests are divided" (1 Corinthians 7.32-4).

marriage fails.<sup>21</sup> Covenant partnerships are wholly incapable of being “visible signs of the coming new age” because although, like marriages, they may have many qualities, those called to covenant partnership are, like those called to marriage, committing themselves to a loving relationship of permanent faithfulness with one other human being.<sup>22</sup>

### 1.3 Conclusion on New Testament witness

Much common Christian thinking and argument fails to consider the impact of the coming of Christ for our understanding of sex and marriage. Song, in seeking a basis for his proposed third calling, challenges this and shows we need to consider what has changed with Christ. His account is, however, highly selective with its concentration on Luke 20, the non-procreative character of the eschaton and the claim that marriage is transcended by the resurrection because it is there to deal with the problem of death. Once the fuller New Testament picture of the relationship between marriage, celibacy and the eschaton is considered it is clear that the biblical foundation for developing a third calling to a non-procreative form of covenant partnership, which may include sexual relationships, is much less firm.

The New Testament arguments for a new non-marital calling of celibacy are indeed eschatologically based and dependent on the coming of Christ and the breaking-in of God’s kingdom. Theologically, part of this relates to the overcoming of death and thus the end of any obligation to procreate as Song highlights. But this is not the only, or even the primary, rationale in the New Testament. In fact, at no point in the New Testament is celibacy encouraged or expounded as a calling because procreation has been transcended and no longer has the place it had in God’s purposes. Once the other, more explicit, reasons for there being a new calling alongside marriage are understood they cannot be extended to a third calling which is in the form of a covenant partnership as Song proposes. This is not only because such a partnership cannot justify being sexual on the basis of the New Testament’s eschatological vision but goes much deeper: like marriage there is no evidence such a partnership prefigures a pattern of human relationships present in the eschaton and like

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<sup>21</sup> Barry Danylak explains the logic of Paul’s advocacy of singleness in two ways, the removal of a negative and the embodiment of a positive: “From the standpoint of Paul’s expanded cosmological horizons, singleness is no longer to be considered a liability because it does not further the physical race of humankind. Rather, it can be viewed as a cosmological asset and visible sign of the coming new age”. The first sentence here is where Song focusses his argument and can certainly be applied to non-procreative covenant partnerships. The second sentence, however, is much more difficult to apply to his proposed third calling because of the primary nature of what makes singleness such a “cosmological asset” and “visible sign”: “When people choose to remain single for the sake of the kingdom of God because they recognise that their true sufficiency is found only in their relationship to Christ and the coming of his kingdom, and they orient their lives around this conviction, they become in their singleness visible signs of the coming new age”. Barry Danylak, *Redeeming Singleness: How the storyline of Scripture affirms the single life* (Crossway, 2010), p. 208.

<sup>22</sup> This characteristic of Song’s proposal has major consequences as regards the plausibility of there being a justifiable eschatologically grounded calling alongside celibacy based in the New Testament. Dave Leal, exploring gay marriage, highlights that the challenge brought by Jesus and Paul is that marriage is now not something for everyone but a calling. Marriage “is not recommended, treated as normal, or exalted above singleness. Rather the reverse, in fact...Paul’s emphasis is actually *upon* opportunity gained through not being married”. Leal concludes that because ‘the things of the Lord’ “will be the first concern of every Christian” from the perspective of the New Testament, “marriage is in many ways surprising in being a whole self-commitment which is permitted ‘in the Lord’”. Dave Leal, *On Gay Marriage* (Grove Ethics 174, 2014), p. 17. Although some may be shocked by such a stark statement, it appears to be a lot nearer the vision of Jesus and Paul than Song’s approach. Song sees us living in an age where, because of the coming of Christ, an additional form of “whole self-commitment” in the calling of covenant partnership has opened up alongside – and as an alternative to – marriage and, in addition, he claims that, like celibacy, it has an eschatological foundation.

marriage it makes serious personal demands and so is an additional commitment restricting people's freedom to serve Christ and his kingdom.

## 2. Marriage and the goods of covenant partnership<sup>23</sup>

If the theological basis for covenant partnerships is related to the theological basis for celibacy, the theological shape of them is much more related to the theological shape of marriage. Here again, however, there are a number of questions and loose ends in Song's account which arise before considering whether such covenant partnerships can be between people of the same sex.

### *2.1 Non-procreative partnerships as marriages within Christian tradition*

Song notes but does not, I think, recognise the full weight of the challenge that the tradition is familiar with the patterns of relationship which he wishes to recognise as a third, distinct calling. Indeed, at times, it has spoken very highly of such non-procreative relationships. Deliberately childless marriages and contingently childless marriages due either to age or because the couple prove to be infertile are all situations well known in the two thousand years of Christian theology. At no point did this lead to the suggestion of a third calling such as Song makes in this book.<sup>24</sup>

For example, as Song himself acknowledges (35), Augustine was clear about the relation between procreation and marriage. Despite the importance he gave to children within marriage, he was in no doubt that marriage was permanent in the face of infertility and did not consider the couple now to be either unmarried or pursuing a different non-marital calling.<sup>25</sup> In the Middle Ages sterility did not constitute an impediment to marriage<sup>26</sup> and modern Roman Catholic Canon Law is equally clear that "sterility neither forbids nor invalidates marriage".<sup>27</sup> Reformation churches, more tolerant of divorce, did at times allow the ending of marriage due to infertility.<sup>28</sup> However, this was not the only view.<sup>29</sup>

Although the church consistently condemned any attempts, including within marriage, to prevent procreation resulting from sexual intercourse, the question of *deliberately* childless marriages was

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<sup>23</sup> Originally had planned to have section in this on nature of calling to explore distinction of a personal calling and a vocation and a calling related to a pattern of life or institution which is given a theological grounding and commended and blessed by the church. Is this needed and if so where?

<sup>24</sup> This section leaves aside the issue of same-sex partnerships but these too have been recognised in the tradition. They are viewed as a form of friendship, hence a pattern of life compatible with celibate singleness or with marriage, rather than a distinct third calling alongside these two callings. The best study here remains Alan Bray, *The Friend* (University of Chicago Press, 2003). More contentious is the work of John Boswell on ceremonies within the tradition for the making of brothers.

<sup>25</sup> "For the bond of marriage remains even if the offspring for which the marriage was contracted is not forthcoming because of evident sterility. In consequence, even though the partners now realise that they will not have children, it is not permitted to separate and to have intercourse with others, even to have children. Should they do so, they commit adultery with those with whom they have sex, while they themselves remain man and wife". Augustine, *De bono conjugali*, (edited and translated by P.G. Walsh, OUP, 2001), para 17, p. 33.

<sup>26</sup> Apparently "a twelfth-century commentary on St Paul even advises marrying a sterile woman rather than a fertile woman if she is seen to provide a more agreeable remedy for incontinence" according to Pierre J. Payer, *The Bridling of Desire: Views of Sex in the Later Middle Ages* (University of Toronto Press, 1993), p.75.

<sup>27</sup> Canon 1084, §3. See discussion in Ladislav Orsy, *Marriage in Canon Law: Texts ad Comments, Reflections and Questions* (Dominican Publications, 1988), pp. 110-11.

<sup>28</sup> Witte comments, "If there were a failure of procreation – by reason of sterility, incapacity, or disease discovered shortly after the wedding – the marriage was also broken". John Witte Jr., *From Sacrament to Contract: Marriage, Religion and Law in the Western Tradition* (Westminster John Knox Press, 2<sup>nd</sup> edition, 2012), p. 132

<sup>29</sup> "If a couple proved to be barren, Calvin urged them to accept this as God's providential design... Calvin would also hear nothing of divorce on the grounds of sterility. Procreation was only one created purpose of marriage, he counselled". Witte, *From Sacrament to Contract*, p. 204

also regularly considered not least because Mary and Joseph were held to have had no children of their own but this did not mean that she and Joseph were not truly married. The belief that Mary was ever-virgin led to debates as to the role of consummation in marriage and what made a relationship into a marriage (*quid facit matrimonium?*). At no point was it seriously held that having children was what made a marriage, the debate was whether it was consent alone or consent and consummation<sup>30</sup> with the former finally gaining approval and being the current position of Roman Catholic canon law.<sup>31</sup>

This understanding, combined with the view that sexual intercourse engaged in when there was no intention to procreate was a venial sin, led to the phenomenon of “spiritual marriages” or (given the understanding of the marriage of Jesus’ parents) “Josephite marriages” where the married couple refrained from sex.<sup>32</sup>

The point here is that deliberately childless marriages are, although obviously unusual and not common, widely recognised in the Christian tradition as marriages. At no point in the tradition was it held that a marriage required children in order to be a genuine marriage and that therefore marriages which were childless – even deliberately so - were not truly marriages. The reason that Song proposes this innovation is that – in contrast to the tradition – he believes that intentionally childless relationships can be sexual relationships. This fundamental separation between sexual relationship and procreation – not the acceptability of non-procreative covenant relationships - is where he breaks with the tradition. This key element in his argument is explored further in section 5 below.

## 2.2 *The goods of covenant partnerships and of marriage*

Given the lack of such a third path in Scripture or Christian tradition, Song has to construct a new set of characteristics for covenant partnerships in order to give them a moral shape and to explain the obligations people undertake and commitments they make on entering into them. Here he largely follows a well-worn path in Christian defences of quasi-marital same-sex unions which are often described as “permanent, faithful, stable”<sup>33</sup> (although he would replace “stable” with “fruitful”). His

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<sup>30</sup> The answer to this question was particularly important once it was held that marriage was indissoluble except by death. In the 11<sup>th</sup> and 12<sup>th</sup> centuries there were two schools of thought – the Parisian (represented by Hugh of St Victor) held that consent (even without sexual intercourse) brought marriage into existence while the school of Bologna (represented by Gratian) also required intercourse. The former of these views, requiring only consent, was given papal approval (against his earlier Bolognan convictions) by Pope Alexander III (1159-81) and confirmed by Popes Innocent (1185-1216) and Gregory IX (1227-1241) although it was held that consummation is what makes a marriage indissoluble. See Orsy, *Marriage in Canon Law*, pp. 25-26, 67-68, 211ff and Witte, *From Sacrament to Contract*, p. 93.

<sup>31</sup> “Marriage is brought into existence by the consent of the parties, lawfully manifested between legally competent persons”. Canon 1057, §1 (Orsy, *Marriage in Canon Law*, pp. 59-60).

<sup>32</sup> This was sometimes a stage entered into after a marriage had been consummated but it could be the form of marriage from the start. A major study of these is Dyan Elliott, *Spiritual Marriage: Sexual Abstinence in Medieval Wedlock* (Princeton University Press, 1993). See also Susan Anne Niebrzydowski, ‘*Verry Matrymony*’: *Representations of the Virgin Mary and her mother, Saint Anne, as wives in Medieval England, 1200-1540* (PhD, Warwick, 1998), especially chapter 3; Anne Priyani Alwis, *The Celibate Marriage of Saints and Martyrs in Late Antiquity* (PhD. King’s College, London, 2001). The issue continues to be a matter of discussion in certain Roman Catholic circles. Among the various online discussions see Christopher Fish, “A Meditation on ‘Josephite’ Marriage” (2010) at <http://catholicexchange.com/a-meditation-on-%E2%80%98josephite%E2%80%99-marriage>; RAE, “Celibate Marriage, Validity and Consummation” (2010) at <http://catholic.nowealthbutlife.com/valid-consummated/>

<sup>33</sup> The phrase gained popularity through being the title of Jeffrey John’s regularly republished defence of same-sex relationships, Jeffrey John, *Permanent, Faithful Stable* (DLT, 1993, revised 2000 and again in 2012 with new subtitle “Christian Same-sex Marriage”).

path to this conclusion is, however, not totally clear.<sup>34</sup> The four steps in his argument appear to be as follows:

1. The three goods of marriage are each examined in the light of the coming of Christ
2. This shows that two of the goods (“faithfulness and permanence”) are to be distinguished from the other good (“procreation”)
3. These two goods give the basic structure of the third calling of covenant partnership
4. To these two goods a third good (“fruitfulness”) is added.

### 2.2.1 Step 1 – The three goods of marriage

In describing covenant partnerships it initially appears that Song is offering a form of modified marriage, not a totally new pattern, as he begins his discussion of a calling to covenant partnership by relating this to the goods of marriage:

Of the three goods of marriage, procreation has become redundant, theologically speaking, for those who are in Christ. Children are still a good....Likewise faithfulness and permanence also continue to be goods. But it is important to note that they are goods in a different way from procreation. For procreation is a good of creation... (27)

The key shift here is that having begun speaking of the “goods of marriage” he then refers to “a good” and “goods” and qualifies the goodness of procreation as a “good of creation”. Song thus begins his account of the goods of covenant partnership by detaching the three goods from marriage without explicitly stating, explaining or justifying what he is doing or relating it to the holistic vision of the tradition’s account of the goods of marriage which Song himself describes in these words:

Ever since Augustine, the Christian tradition has talked of three ‘goods’ of marriage, three ends that *jointly* constitute marriage....For Augustine....the goods of marriage came to be understood as *one marital good*” (5, italics added).<sup>35</sup>

In setting out his vision of covenant partnerships, however, Song speaks of faithfulness and permanence as goods in themselves and he seeks to root their goodness in different elements of God’s work from the good of procreation, drawing a stark contrast between procreation and the other two goods of marriage. We are exploring separable goods, not goods which together comprise the one good of marriage.

### 2.2.2 Step 2 – Distinguishing the three separated goods theologically

The second step of Song’s argument is that procreation is a different sort of good. His key claims merit quoting in full.

Procreation is

a good of creation that gains its final intelligibility from its being a participation by created beings, in a manner appropriate to created beings, in the original gift of creation itself. And

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<sup>34</sup> Although the taking of marriage as the pattern on which the new calling is based is evident, there are questions about both the specific details of the three goods (discussed below) and the relationship between marriage and covenant partnerships within his overall proposal (discussed in section 6.2 below).

<sup>35</sup> The comment by Song in this that “without any one of which marriage ceases to be marriage” is important. He appears at times to slip from this being a statement about marriage as a calling or institution to being a statement about any particular relationship which claims to be marriage (hence his appeal to childless marriages as really not marriages but a form of his third calling).

just as creation has now been fulfilled in Christ, so the purpose of procreation has now been fulfilled (27-8).

By contrast, faithfulness and permanence

are goods that gain their final intelligibility from their witnessing to the future relationship between humankind and God that has been made real in Christ and will be revealed in its fullness in the eschaton (28).

His conclusion is -

In other words, while the three goods are inseparable as goods of creation, the coming of Christ reveals their different logics and divergent trajectories (28).

The key phrase here is “final intelligibility”: one good of marriage finds its final intelligibility in creation and the other two find their final intelligibility in the eschaton. The theology undergirding this is never explained and neither is the proposed inter-relationship between creation, Christ (especially his incarnation) and new creation in relation to the three goods. In fact a good case can be made that all 3 goods are fulfilled in Christ and that all 3 also have eschatological significance.

#### *2.2.2.1 Faithfulness and Permanence*

Song says the goods of faithfulness and permanence “gain their final intelligibility” by reference to the future. This future relationship has “been made real in Christ” but this appears to contrast with creation (and procreation) which have been “fulfilled in Christ”. This distinction of “being made real” and “being fulfilled” is again never explained or justified and raises a number of questions.

Surely these two goods were already “made real” and intelligible from God’s work in creation (often understood in terms of a covenant) as Song himself accepts in writing of “the three goods as inseparable as goods of creation”. They are also made real and intelligible from God’s covenants in history.<sup>36</sup> Given that covenant partnerships “gain their ultimate intelligibility from being a witness to God’s covenant love to human beings” (Song’s definition on p28) it is therefore not clear why we needed to await the coming of Christ for this calling to have a place.<sup>37</sup>

Why can it not be said that these goods of covenantal faithfulness and permanence are “made real” in creation and historic covenants and then “fulfilled” in and “gain their final intelligibility from their witnessing to” Christ, to God taking human flesh to himself in the incarnation? This is what secures that which will only be fully revealed and visible in the future. The reason perhaps is that if we say this then these two goods are not as different from the good of procreation as Song suggests. We can say that not just creation but all God’s covenants have “now been fulfilled in Christ” (cf 2 Cor. 1:20). Not just procreation but the purposes of faithfulness and permanence have therefore also, in an important sense, been fulfilled. Indeed it could be argued that it is precisely because of this fulfilment of *all* the goods of marriage in Christ, that the second calling of celibacy opens up in human history post-Christ: that which marriage pointed to has now been fulfilled in Christ (but then

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<sup>36</sup> They are seen in the various covenants that comprise his covenant with Israel. They are also central to the first biblical covenant with Noah and every living creature which speaks of God’s permanent faithfulness – “I establish my covenant with you: Never again will all life be destroyed by the waters of a flood; never again will there be a flood to destroy the earth.” (Gen 9.11).

<sup>37</sup> This again is returned to in section 6.2 below.



so also has that which covenant partnerships supposedly point to and so why do they suddenly appear post-fulfilment?).<sup>38</sup>

#### 2.2.2.2 Procreation

In relation to the good of procreation questions can also be raised. Song here seems to go beyond the claim based on Luke 20 that procreation itself has no place in the new creation. He claims that procreation has no eschatological significance, that it is theologically fully intelligible within creation and without reference to the new creation and so “has become redundant, theologically speaking, for those who are in Christ” (27). Part of the issue here relates to wider questions concerning procreation in Song’s account (discussed in sections 3 and 4 below). However, at its simplest the only way in which there are humans to share in “the future relationship between humankind and God” (and humans in history who are “in Christ”) is because of procreation. Procreation continues to be the created means to this eschatological goal. This created good finds its fulfilment not in the conception of a new human creature but in the “great multitude that no one could count, from every nation, tribe, people and language, standing before the throne and before the Lamb” (Revelation 7.9) in which the final intelligibility of human procreation is clear as human beings “glorify God and enjoy him for ever” (Westminster Catechism).<sup>39</sup>

#### 2.2.2.3 Conclusion

In short, Song wishes to (indeed, his whole argument seems to require him to) draw a sharp contrast between one good - rooted in creation and fulfilled in Christ and now theologically redundant as lacking any eschatological significance - and two goods which, although described as goods of creation and “made real” in Christ, await and bear witness to a future fulfilment. It is far from clear that he has succeeded in giving sufficient theological rationale for such polarisation.

### 2.2.3 Step 3 – Faithfulness and permanence as two goods of the new calling

The *third* step argues that faithfulness and permanence are not simply goods in their own right but joint goods of a particular calling or form of life to which a third good is then added.<sup>40</sup> This is a

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<sup>38</sup> [LOOSE TEXT IN EARLIER DRAFT –WHERE FIT?]. Marriage within the Old Testament is seen as a figure of God’s covenant relationship with Israel. This covenant relationship is fulfilled in Christ and in the eschaton (where there is no marriage but the marriage imagery of bride and groom and wedding feast continue to have a place, now referring to that divine-human relationship). This fulfilment means that post-Christ we are now free not to marry. We are now able to bear witness to the coming of God’s kingdom and the fulfilment of his covenant with his people through a life of devotion to Christ lived in singleness and celibacy. This rationale presents problems for Song’s argument because he wishes to claim that, in fulfilling that to which marriage points and so opening a calling outside marriage, the coming of Christ opens up a new and different form of quasi-marital relationship. This bears witness in a human covenant to the divine covenant to which marriage also and already bears witness.

<sup>39</sup> Although a minority, some parts of the Christian tradition have continued to use similar language to that of the Old Testament and Abrahamic covenant in explaining the goods of marriage in relation to the church. So the Westminster Confession (1648) Chapter 24 refers to marriage being ordained in part for “the increase of mankind with a legitimate issue, and of the Church with an holy seed”. This likely draws on earlier Reformed and Puritan thinking such as William Perkins (in *Christian Oeconomie*, 1590) who gives as the first two of four reasons for marriage – “The first is, procreation of children, for the propagation and continuance of the seed and posterity of man upon the earth...The second is the procreation of an holy seed, whereby the Church of God may be kept holy and chaste, and there may always be a holy company of men, that may worship and serve God in the Church from age to age”. Both appeal to Malachi 2.15 for the claims in relation to a holy seed and appear to have given natural birth a stronger place in the growth of the church than the New Testament with its focus on new birth by the Spirit.

<sup>40</sup> It is not totally clear the pathway Song takes to this – some aspects suggest that (having detached them as described above) he is now combining these goods to create goods of a new calling, others suggest he is working with these goods having concluded that the coming of Christ leads to marriage being stripped of its

distinct and not inevitable move as the two goods have always been embodied and borne witness to God's own faithfulness and permanence in a number of different human callings and ways of life, not only marriage.<sup>41</sup> Song, however, argues that there is now, post-Christ, a particular calling from God to covenant partnership.<sup>42</sup> So *why* are these required features of this particular calling?

The answer here may simply be that this is a pattern of relationship which bears witness to the character of God and his covenantal love and his eschatological purpose for humanity. There is, in other words, nothing within created human nature to which non-theological reasoning can appeal, nothing in creation which finds fulfilment in this calling and nothing about the created nature of human life taken as a whole which explains why the goods should be conjoined in this way.<sup>43</sup> Despite his emphasis on the final intelligibility of these goods being eschatological, Song does also refer to them as "created goods" so it would appear he views them as rooted in creation but then the question is why there is no calling to covenant partnership before Christ.

A question must also be raised as to whether removing the good of procreation has any effect on the nature and realisation of the goods of faithfulness and permanence. There is a clearer moral logic in conjoining faithfulness and permanence for a relationship open to procreation (and the consequent need to nurture another human being) than for a non-procreative partnership. What reasons – other than being a witness to the permanent covenant faithfulness of God, an argument that presupposes a certain set of theological beliefs – can be offered in response to someone who argues for a form of union which embodies only one or even neither of these two goods? Is there, for example, no possible place for a pattern of non-procreative covenant relationship with someone of the same sex alongside one with someone of the opposite sex? It might be argued that what entails the need for combining faithfulness and permanence in the structure of covenant partnerships is that these qualities have something to do with the created nature of sex. However, although Song appears to hold that sex should be restricted to either marriage or covenant partnerships, he does not explain the logic of tying sex to permanence and faithfulness in relation to non-procreative sex and nor, crucially, does he require covenant partnerships to be sexual.

#### 2.2.4 Step 4 – The third good of fruitfulness

The further feature of covenant partnerships is that Song replaces marriage's good of biological procreativity with a more general category of non-biological "fruitfulness".<sup>44</sup> The reason for adding this – and only this – good to the other two, clearly echoing the third good of marriage, is not totally

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procreative good to yield the calling of covenant partnership as a form of marriage-minus (this leads to the question explored below in section 6 as to how to relate the 3 callings to each other).

<sup>41</sup> We are called to be faithful as God is faithful in a range of situations through promise-making and promise-keeping and by fulfilling our responsibilities and meeting our obligations. This covenantal ethic can and has been applied to many spheres of life including economics and work, creation care and medicine (on which see especially James Rusthoven, *Covenantal Biomedical Ethics for Contemporary Medicine* (Pickwick, 2014). While most of these patterns of relationship are not permanent in nature, we may make life-long commitments of a certain form to some people and there are familial relationships which are life-long and understood to entail permanent responsibilities and lifelong faithfulness.

<sup>42</sup> This con-joins these two goods to provide "a witness to God's covenant love to human beings" (28) that is a distinctive pattern alongside marriage and celibacy and distinct from other callings which also embody faithfulness and/or permanence.

<sup>43</sup> If this path is taken then an interesting question is why it appears to be non-Christians who have more often discerned and been willing to embrace this third non-marital calling especially as Song's claim is that "procreation has become redundant, theologically speaking, *for those who are in Christ*" (27, italics added).

<sup>44</sup> In describing them he is clear that "like marriages, they would also be marked by three goods" (28) although "the precise forms of fruitfulness each couple was called to would depend on their times and circumstances" (29).

clear. Or is this not an addition but a claim that post-Christ the third good has been transformed into this non-biological good? The substantive meaning of “fruitfulness” is also not obvious.<sup>45</sup> It appears to be a way of insisting that the calling must benefit others and not be simply a form of *égoïsme à deux*. If this is what it meant then, in sharp contrast to procreation, it should be a feature of any form of calling, any relationship or partnership including, of course, marriage.<sup>46</sup>

This addition of a third good alongside the other two taken from marriage and the naming it as “fruitfulness” to make as close a connection as possible to procreation show that the good of marriage (not simply two component goods of marriage or “God’s covenant love to human beings”) continues to be crucial in defining the goods of covenant partnerships. Even though Song wishes to distinguish them from marriage, he is clear that covenant partnerships are “like marriages” (28) and “share certain features with marriage” (27). The fundamental difference hinges on them being non-procreative and we now turn to explore that distinction and whether it can bear the weight placed on it by Song’s account.

### 2.3 Conclusion

If it has been concluded that the New Testament authorises or at least permits a third calling of covenant partnership the question arises to why it has not been discerned before and the shape and theological rationale of such a calling. This section has shown that the Christian tradition was fully aware of the form of opposite-sex union that Song wishes to reclassify as a covenant partnership and had no difficulty including it within the calling of marriage. It has also tried to chart how Song reaches his account of the three goods of covenant partnership and raised a number of theological and methodological questions about the four steps it has identified in that process.

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<sup>45</sup> “the length of the list is restricted only by the limits of the imagination and in practice would be expanded indefinitely” (29).

<sup>46</sup> Barth writes, in relation to childless marriages, “we must certainly not speak of an unfruitful marriage, for the fruitfulness of a marriage does not depend on whether it is fruitful in the physical sense” (Barth, *Church Dogmatics* III/4 (T&T Clark, 1961), §54.2, p. 266).

### 3. Procreative and non-procreative callings?

Despite the book's subtitle, Song is clear that in proposing covenant partnerships his claim is that "the fundamental distinction within committed relationships is not whether they are heterosexual or homosexual, but whether they are procreative or non-procreative in orientation" (37). It is therefore important to examine the role of procreation within his argument as it both marks the fundamental difference between marriage and his new proposed calling and provides a necessary step in opening that third calling to same-sex couples.

Although this is explored further below (3.2.3) it is important at the outset to state that by procreation Song appears to mean something like "the creation of a new human life in which the couple are the biological parents of the child".<sup>47</sup>

In assessing his arguments here it is helpful to look at them in the light of Scripture, tradition and reason.

#### 3.1 *The New Testament and procreation*

It is not in dispute that procreation is central within the Old Testament.<sup>48</sup> The issue is the change brought about by the coming of Christ and hence the New Testament witness. Luke 20 only refers, by implication, to the ending of procreation in the age to come. It says nothing about procreation in the present age post-Christ. The call to celibacy shows there is a non-procreative calling but the category of a calling to non-procreative committed (and possibly sexual) relationship is one about which the New Testament is silent. Song is, however, right to note that "there is almost nothing in the New Testament which actively encourages having children, nor is procreation ever given as a reason for Christians to seek marriage". However, in placing much weight on his claim that "the case for actively *having* children, as opposed to welcoming or giving instruction to those children that already exist, is very hard to make from the pages of the New Testament" (19), Song diminishes, almost to the point of elimination, the significance of procreation in the New Testament. There are three major weaknesses with this.<sup>49</sup>

##### 3.1.1 *How to read the New Testament's silence?*

First, Song is presenting an argument from silence and concludes from this silence that he has biblical support for his claim that having children "has become redundant, theologically speaking, for those who are in Christ" (27). It is, however, at least as plausible that child-bearing is such a natural human desire, one spoken of so highly in the Old Testament, one which produces the blessing and

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<sup>47</sup> Song sidesteps the difficult questions raised by artificial reproductive technologies. Although he would I think treat a couple having a child through IVF with their own egg and sperm as a procreative relationship and hence marriage, it is hard to see how this could apply to a situation which involves third parties either as gamete donors or surrogate mothers as then he would be allowing same-sex couples to be viewed as procreative and thus married. He certainly views adoption and fostering as a form of "fruitfulness" fitting for covenant partners but – given the child already exists – not as a form of procreation.

<sup>48</sup> The phenomenon of Levirate marriage discussed earlier in relation to Luke 20 shows, however, the complexity of how procreation and its relationship to marriage and biology is understood with the child being considered the child not of his biological father but of his father's deceased brother.

<sup>49</sup> Two further linguistic arguments are weaker but should be noted as signs that procreation continued to be significant to the New Testament writers – (a) if (at least some) non-procreative sexual activity was classed as a form of sexual immorality (*porneia*), then procreation may have continued to have some moral significance, see 3.1.3 below and (b) the references condemning use of drugs or potions (*pharmakeia*), especially when linked to *porneia* as in Revelation 9.21, 21.8, 22.15 may refer to drugs which prevent procreation.

the good (as Song accepts) of children, that it is not surprising that our snapshot of apostolic teaching in the New Testament canon does not make such a case.<sup>50</sup> Are the eschatologically-based arguments Song appeals to so strong that the relative silence on this subject means we must conclude there is *no* case to be made for procreation post-Christ? We have here an interesting paradox – Song is arguing that we should recognise a theologically based non-procreative calling even though it is found nowhere in Scripture because, although Scripture speaks very highly of procreation, nowhere in the New Testament is there an encouragement to have children. But this latter claim is itself false.

### 3.1.2 An ignored New Testament counter-example

Second, Song admits only one “possible counter-example” which he describes (19) as “the ambiguous and ostensibly un-Lutheran suggestion that women ‘will be saved through childbearing’ (1 Tim 2.15)”. This could indeed weaken his case given it seems to highlight the importance of childbearing post-Christ but more importantly it is neither the only nor the strongest text. Three chapters later Paul writes to Timothy – “I counsel younger widows to marry, to have children, to manage their homes and to give the enemy no opportunity for slander” (1 Tim 5.14). The verb appears only here in the New Testament but it quite clearly means to bear children (τεκνογονέω).<sup>51</sup> Paul is, in other words, calling on (the force of the verb varies between desire and command) young widows not only to marry but specifically to procreate. Song’s silence about this text is telling.

### 3.1.3 Paul’s continued concern about procreation

Third, in his discussion of Paul’s argument in Romans 1, Song offers a remarkably conservative reading in which he suggests non-procreation is a key factor in Paul’s argument.<sup>52</sup> Here, even if the argument is not explicit, is strong support for the view that non-procreation was not viewed as positively as Song wishes us to view it and that procreation was not theologically redundant in the mind of the apostle Paul.<sup>53</sup>

In other words, not only is it the case that the New Testament “never envisages” (23) a third calling alongside marriage and celibacy, the key to unlocking such a calling in Song’s argument – the New Testament’s claimed radical lack of interest in pro-creation and indifference to non-procreation in history post-Christ – is not as strong as he claims.

## 3.2 Marriage and procreation in Christian tradition

There are similar problems in Song’s proposal as regards the Christian tradition and its approach to procreation. Here three elements need to be noted: (1) the tradition is able to accept some non-procreative marriages as marriage but also (2) to reject the idea that a married couple can legitimately choose to separate sexual union from openness to children; (3) it also has a much larger

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<sup>50</sup> There may be interesting parallels here with arguments about infant baptism – does the lack of direct commendation in the NT mean it is unjustified?

<sup>51</sup> Though not as significant, it should also be noted that in 1 Timothy 5.10 one of the tests applied to enrolling a widow is whether she has brought up children (τεκνοτροφέω).

<sup>52</sup> He sees Paul describing “what happens when the creation order is reversed as a result of human sinfulness” (65) and names fruitfulness (in the biological sense) as part of that order. He says “there is even a possibility that he is implicitly referring to the connection between sexual differentiation and procreation in this passage” (66) and that the penalty received (1.27) is best understood in terms of childlessness – “when the command to be fruitful and multiply...is rejected, the natural corollary of non-procreative sex is non-procreation” (67).

<sup>53</sup> Brownson, similarly, though also arguing for same-sex unions, accepts that “Paul’s references to sexual misbehaviour in Romans 1.24-27 as ‘unnatural’ spring in part from their non-procreative character” (James V. Brownson, *Bible, Gender, Sexuality: Reframing the Church’s Debate on Same-Sex Relationships* (Grand Rapids, MI: Eerdmans, 2013, p. 255)

vision than simply procreation when it speaks of the good which Song argues has changed post-Christ.

### 3.2.1 Non-procreative marriages as marriage

As already discussed (2.1), non-procreative committed relationships were not viewed as non-marriages within the Christian tradition.<sup>54</sup> A good argument therefore needs to be made as to why this can no longer be the case and that instead this phenomenon requires the recognition of a new calling.

### 3.2.2 Separating sex from procreation as sin

However, as Song notes, *deliberately* childless marriages “where the couple enter upon marriage with the express understanding between themselves that they will not have children *as a result of their sexual relationship*” (29-30, italics added) is an approach which the Christian tradition has rejected. It has seen this as representing a misunderstanding of the goods and goals of sexual union and of the nature of marriage as divinely created.<sup>55</sup>

Although Song is sympathetic to the tradition’s teaching in his own understanding of marriage, his proposal that covenant partnerships be recognised as a third divine calling does not address the problem that the tradition did not only deny such a pattern of life the designation of “marriage” but viewed it as wrong.<sup>56</sup> In contrast, his approach leads to the conclusion that there are no moral questions to be asked about deliberately childless sexual unions: they do not need justification as they are a third calling alongside marriage and celibacy and bear witness to the eschaton. This means that he has given much more space to a voluntarist, in danger of becoming consumerist, approach to children and hence to “the preferred idioms and conceptualisations of contemporary secular culture” (xiii) than he wishes and would initially appear from his argument.

### 3.2.3 A wider vision of the good of procreation

Thirdly, the tradition, in its discussion of the goods of marriage and of offspring (*proles*) as one of these, has not been focussed simply on procreation in terms of the creation of a new life in the way that Song is in his account. Its concern has been not, to put it crudely, the union of gametes, but children - their birth and formation. Nigel Biggar sums this up as – “In Christian tradition, marriage is defined in terms of procreation—the conceiving of, and giving birth to, and bringing up of children”.<sup>57</sup> Christian tradition has been careful to conjoin procreation (in the sense of ‘the conceiving of, and giving birth to’ children) with the responsibilities (‘bringing up of’) that follow.<sup>58</sup>

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<sup>54</sup> Song accepts that “official Roman Catholic teaching does permit deliberately childless marriages” (32) and “childlessness is not theologically a sufficient reason for ending a marriage” (35).

<sup>55</sup> This understanding of marriage is much less common today. Even many (perhaps most) Christians are surprised that rejecting openness to children through sexual union within marriage is, in the light of Christian tradition, as shocking as proposing an open marriage with other sexual partners or a time-limited term (renewable) for marriage rather than a lifelong commitment. This shift is largely due to the availability of contraception and the exaltation of choice in relation to children.

<sup>56</sup> This question of the relationship between sex and procreation is explored further below in section 4.

<sup>57</sup> Nigel Biggar, “Gay Marriage: What’s all the fuss about?”

<sup>58</sup> So the 1662 Anglican Book of Common Prayer (following earlier liturgies) is clear in its account of marriage that marriage “was ordained for the procreation of children, to be brought up in the fear and nurture of the Lord, and to the praise of his holy Name” and canon B30 similarly refers to marriage as “for the procreation and nurture of children”.<sup>58</sup> Likewise, Roman Catholic Canon Law opens its section on marriage with the definition that “The matrimonial covenant, by which a man and a woman establish between themselves a partnership of the whole of life and which is ordered by its nature to the good of the spouses and the procreation and education of offspring” (Canon 1055).

In contrast, Song's focus on marriage in terms of procreation is understood simply as the creation of a new life – "a participation by created beings, in a manner appropriate to created beings, in the original gift of creation itself" (27) – whose biological parents are the married couple. He thus says that "procreation has become redundant, theologically speaking, for those who are in Christ" while immediately adding "children are still a good" (27). This focus is necessary in part because he sees the bringing up of children as part of the fruitfulness for covenant partnerships and so not a distinctive feature of marriage. It also perhaps derives from his focus on Luke 20 and the argument that new life is eschatologically not necessary. Such a definition is, however, reductionist and risks distorting the Christian tradition which has a much larger and more dynamic conception of this good of marriage.

### *3.3 Procreation as distinguishing two callings – is it reasonable?*

The narrowing of procreation in Song's account of marriage to creating a new life rather than the more holistic vision of the good embodied in a shared life receiving and nurturing children also creates a number of problems in terms of a reasoned account of the distinction between marriage and covenant partnerships. This distinction of callings depends on whether a committed relationship is "procreative or non-procreative in orientation" (37) but what this means and how it is discerned remains unclear.

Song distinguishes between deliberately childless marriages<sup>59</sup> and marriages that are contingently childless.<sup>60</sup> The key difference is that one involves a determination of the human will (viewed as a sinful determination in the tradition as discussed above) while the second is a biological fact of life (sometimes interpreted as a consequence of the Fall). One is an "orientation" of choice and the other an "orientation" of circumstances.<sup>61</sup>

This highlights the peculiar nature of procreation as a good of marriage: in contrast to the other goods, it is not a good which is in the gift of the people who marry either as individuals or as a couple. This is why, in entering marriage through making promises, there are promises to forsake all others and to commit to one's spouse until death parts but there is no promise to procreate.<sup>62</sup> Theologically, as signalled by the word, pro-creation is a creative work of God in and through the actions of the parents.

These facts of life highlight the challenge in any attempt to establish a new calling which is distinct from marriage simply by being "non-procreative in orientation". It raises questions as to definitions of the distinguishing criteria ("procreative or nonprocreative"), what is meant by this feature being located "in orientation", and whether, when and how a couple are able to distinguish if their calling is to marriage or to covenant partnership.

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<sup>59</sup> "where the couple enter upon marriage with the express understanding between themselves that they will not have children as a result of their sexual relationship" (29-30)

<sup>60</sup> Here he identifies two sub-categories - "couples who enter on marriage knowing that they will certainly not have children, on the grounds of the age or known infertility of one or both of the couple" (34) and "those who discover their infertility only after they have embarked on marriage" (35).

<sup>61</sup> In both cases recent technological developments have given humans much more control and greater choice than in past centuries. The determination not to procreate can be more effectively secured through choosing to use contraceptive methods (and abortion if procreation is not held to be achieved simply by conception) while the inability to procreate can be more effectively, but not universally, overcome through choosing to use artificial reproductive technologies (ART).

<sup>62</sup> A person can promise these other goods to another but procreation is not something to which an individual can commit themselves in a promise to their spouse. Nor is it something which a couple can together promise to achieve jointly, even if they are male and female and healthy and of child-bearing age.

### 3.3.1 When does procreation happen?

In terms of definition, it makes most sense to understand procreation as a good strictly accomplished by conception.<sup>63</sup> This, however, makes the distinction between the two callings a strange one which is, in many cases, impossible to discern certainly publicly and perhaps even for the couple themselves: a couple who are childless through miscarriage or abortion are nevertheless married while a couple who are childless and have never conceived<sup>64</sup> are not married.<sup>65</sup> The situation is even more complex once we bring in reproductive technologies which Song does not address.<sup>66</sup>

### 3.3.2 What is meant by “procreative or non-procreative in orientation”?

Even without reproductive technologies Song’s proposal creates odd situations.<sup>67</sup> The other goods of faithfulness and permanence are also only realised in the future but the couple are married on the basis of their promises to live a certain pattern of life – that of the calling to marriage. But the good of procreation cannot be promised in this way. Any couple “marrying” without having already conceived are therefore in an unclear situation as to their calling within Song’s account. Whatever their “orientation” – positive, neutral, or negative – towards possible future children, their desired “procreative” or “non-procreative” outcome cannot be guaranteed.

### 3.3.3 Are we/they married or covenant partners?

This can make distinguishing the two callings very difficult in reality. Song appears to hold that – as long as they are male and female and not too old to bear children – a committed couple should be viewed as married unless and until they either declare they are deliberately childless (but what happens if they then subsequently conceive?) or find they are contingently childless. In relation to the latter pattern of relationship he writes that “there is no question that these should be regarded as marriage” (35) but then states that “theologically we might interpret this as the dawning recognition of a different vocation from the one they originally expected”. He then describes this different vocation as “one that takes place within a married relationship but that is lit up from an understanding of covenant partnerships” (36) rather than simply as a covenant partnership. It therefore remains unclear exactly what is happening in such (not uncommon) situations. Has the calling changed from marriage to covenant partnership or is it rather that the calling was to covenant partnership all along but is only now recognised as such? Or is it that they are still “within a married relationship” in some sense even though they really fit his description of covenant partnership?<sup>68</sup>

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<sup>63</sup> This is particularly so as in other writing Song takes a conservative position on the status of the embryo.

<sup>64</sup> This could be because of a biological problem such as azoospermia present throughout their relationship.

<sup>65</sup> This of course can be solved by redefining procreation so that a child has to be born but here again the problem of distinguishing the two callings on the basis of a new life remains – what if the child is still-born or dies in infancy and the couple then remain childless? Is their calling to marriage or to covenant partnership?

<sup>66</sup> Song appears to define marital procreation such that it must involve the egg and sperm of the couple and not someone else – it is a child of the marriage relationship. Otherwise a same-sex couple where one of the couple is a biological parent of a child would strictly fall into the calling of marriage rather than covenant partnership. This means that a couple who have a child through IVF using their own egg and sperm are married whereas those who use a donor egg or sperm are not married but covenant partners. It is unclear how best to describe a couple who have a child conceived *in vitro* but not never implanted or conceived from their own egg and sperm but through a surrogate who carries the child *in utero*.

<sup>67</sup> A couple who legally marry with a child from a previous relationship but have no more children are strictly in a covenant partnership whereas a cohabiting couple with their own children who legally marry are married.

<sup>68</sup> In addition to the logical problems this also potentially creates significant emotional and pastoral problems. Infertility is usually a cause of great pain and can raise major questions of personal identity and failure. If



If Song's distinction between two callings on the basis of whether a partnership is procreative or not is to be made then the better solution would be that proposed by Nigel Biggar in his sermon addressing the question of same-sex marriage:

Perhaps we should have a two-tier system, with committed relationships, whether hetero- or homo-sexual, beginning with the status of 'amicable union' and only graduating to 'marriage', when they become parental. That would be the most rational arrangement. And the fact that it's rational doesn't make it unchristian. On the contrary, it's rational precisely because it would rescue the Christian affirmation of the goodness of procreation from waters that have become muddied by modern technological developments. You heard it here first! To my knowledge, no one else has proposed this, and I'm not about to start campaigning for it.<sup>69</sup>

### 3.4 Conclusion

Song is quite clear that an "important conclusion" in his thesis is that

if we are to introduce the category of covenant partnership at all, the fundamental distinction it connotes is not between heterosexual and homosexual relationships but between procreative and non-procreative relationships (37).

This section has, through appeal to Scripture, tradition and reason, raised a number of problems with seeking to develop a third calling on this basis. A key issue raised by some of these and by some earlier discussion is the relationship between sex and procreation (section 4) which in turn plays an important role in opening up covenant partnerships to same-sex couples (section 5).

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finding a "marriage" to be non-procreative also means it theologically ceases to be a marriage these are likely to be even greater.

<sup>69</sup> Nigel Biggar, "Gay Marriage: What's all the fuss about?". As this make clear, because Biggar differs from Song on what counts as "procreation" he is happy to refer to same-sex *marriages* where the relationship involves the care of children.

## 4. Sexual Covenant Partnerships?: The relationship between sex and procreation

The distinctive character of covenant partnerships may be that they are non-procreative but what makes them controversial<sup>70</sup> is if they are sexual relationships. As Song notes, it would be quite possible to endorse the notion of covenant partnerships “but with the proviso that such relationships should be non-sexual” (50). He, however, does not want to add such a proviso to his account and so the question of the relationship between sex and procreation needs to be considered. In evaluating Song’s case it is first necessary to examine his primary argument which is to challenge his opponents by claiming that once contraception is permitted there is no basis for objecting to non-procreative covenant partnerships being sexual. Then his much less developed case for the goodness of such sexual relationships must be assessed.

### 4.1 *Sex, Contraception and Covenant Partnerships*

The question Song must address is one of “the nature and purpose of sex” (54) and in particular its relationship to procreation. His argument here is that although “*marriage* is unavoidably linked to procreation” (54) it does not necessarily follow that “*sex* is also unavoidably linked to procreation” (54). Part of the problem here is that, in an important sense, as we have seen, marriage in the tradition is not “unavoidably linked to procreation”.<sup>71</sup> The other part of the problem is focussed on what is meant by “sex is unavoidably linked to procreation”. At one level this is clearly false – most sexual acts do not result in procreation.<sup>72</sup> Song says an unavoidable link means that “every time a married couple has sex, they must be open to the possibility of having children...sex...would always have to have that procreative possibility” (54-55). This is the view he is challenging because he accepts that it would, if true, rule out sexual covenant partnerships. However, he further claims that if one does not accept this statement then one is not really saying that “sex is unavoidably linked to procreation” and so one does not have a ground to object to non-procreative sexual covenant partnerships. Each part of this statement therefore needs unpacking in order to tease out the different issues.

#### 4.1.1 *Acts and Relationships*

By referring to “*every time* a married couple has sex”, Song moves, in considering the nature and purpose of sex, from his normal focus on a pattern of relationship<sup>73</sup> to sex as an act whose meaning and purpose is to be found in the occasional act not in the series of acts in the context of the relationship. In so doing he is, interestingly, following the line of argument associated with Roman Catholic moral theologians who reject contraception rather than Anglican and other Protestant theologians. And yet he is later quite clear that, quoting O’Donovan, “marriage should not be conceptualised in a way that reduces it to a series of one-night stands” (58) and so “procreativity is properly predicated of marriage as a whole, not of particular occasions of sexual intimacy” (58). Here then he is not focussed on “every time” but on “marriage as a whole”. He does not explain

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<sup>70</sup>Almost all our relationships are non-procreative relationships and moral questions do not arise about them as result of their non-procreativity

<sup>71</sup> If by marriage we are referring to a particular instantiation of the marital pattern of relationship then it is possible to be married but not be procreative as procreation as a good of marriage requires the creative work of God and is not a good which is in the gift of the people who marry either as individuals or as a couple.

<sup>72</sup> In *Sex By Numbers* (Profile Books, 2015), David Spiegelhalter claims that “only 1 in ever 1,000 acts of hetero-sex ends up in conception and sex is ‘non-procreative’ in 999 out of 1,000 occasions” (Loc 426 of 6500).

<sup>73</sup> “the shape of the question is not in the first place about sex, but about relationships” (51).

why, given this judgment in relation to how marriage and procreation are linked, when asking about the purpose of sex he insisted on understanding (and removing) the link with procreation by reference to each isolated sexual act.

#### 4.1.2 Marriage and Sexual Relationships

The other crucial question is why he here speaks of “marriage as a whole” rather than “a sexual relationship as a whole”. The Christian tradition has taught that the only proper pattern of sexual relationship is marriage. Within the tradition, a statement about what should be true of marriage is a statement about what should be true of any sexual relationship. Song, in seeking to separate the two, relates “procreativity” to “marriage as a whole” but as procreation is more directly tied to sex than it is to marriage a case needs to be made for saying this rather than relating “procreativity” to “a sexual relationship as a whole”. There is, however, no explanation why his argument about procreativity and marriage is not equivalent to the view that “procreativity is properly predicated of a sexual relationship as a whole, not of particular occasions of sexual intimacy”, a view which would destroy his whole argument for sexual, non-procreative covenant partnerships.

#### 4.1.3 What is meant by “sex”?

In considering the proper connection between sex and procreation there is also the question as to what is meant by sex and so “sexual relationship”.<sup>74</sup> This is important (Song notes it at p. 52) and lack of clarity here leads to number of confusions. “Sex” can have a very narrow and specific definition of the potentially procreative act of penile-vaginal intercourse or it can be used for a wide range of much broader actions.<sup>75</sup> This is important because the relationship between “sex” and procreation is clearly quite different, and different moral arguments arise, depending on the definition.

#### 4.1.4 Distinguishing the contraception and sexual covenant relationship debates

The debate about contraception is primarily about the link between procreation and “sex” in the narrow sense of a potentially procreative act. The debate on which Song is focussed in defending non-procreative sexual covenant partnerships is the different one of the meaning and purpose of “sex” (especially the moral significance of a lack of relation to procreation) in both senses. He is proposing sexual relationships in which “sex” in the narrow sense is always purposefully non-procreative and/or “sex” only takes place in the broader sense. Ultimately his argument must, with same-sex covenant partnerships, include a defence of sexual relationships which are physically incapable of “sex” in the narrow sense and inherently non-procreative relationships.

Song seemingly elides these two debates to argue that once one accepts contraception it must be the case that sexual but purposefully non-procreative relationships are also acceptable. He says that “if one concedes that contraception is justifiable, one also concedes that sex is characterised by a good which is independent of and additional to its orientation to procreation” and so “sex has other roles and is open to other meanings and purposes than procreation” (58). The peculiarity here is that most of those opposed to contraception would not deny the latter statement about sex having other meanings and purposes. The key question is what is meant by sex having a good “independent of....its orientation to procreation” and whether the separation of the various goods and total removal of the good of procreation from sex within a sexual relationship is morally insignificant.

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<sup>74</sup> Cf Bill Clinton, “I did not have sexual relations with that woman”.

<sup>75</sup> This broader range may encompass other forms of “genital acts” (to use the language of the 1987 General Synod motion) or extend further to any activity (even if non-genital) intended either to lead to orgasm or, more broadly, to express or encourage sexual pleasure and arousal.

There are, in other words, two different levels here: the proper relationship of “sex” in a narrow sense - penile-vaginal intercourse - to procreation (the contraception debate) and the proper relation of “sex” in a distinct and wider sense to procreation (Song’s interest). To move to the latter needs an account of how “sex” in the wider sense relates to the narrower potentially procreative sense. Song does not give this but seems to lump the two together and to claim that as long as one allows contraception (and so acknowledges a good of sex other than procreation in penile-vaginal intercourse) one cannot object to the wider forms of “sex” on the grounds that they are non-procreative. But the connection between the two is not as simple.

Here the previous question (4.1.1) of the level at which one offers a moral assessment – whether each act or a whole relationship and if the former what counts as a distinct act - is also important. We can begin with the simpler case of evaluating each act. Someone opposed to all contraception who evaluates each sexual act in its own right holds the view that “sex” in the narrow sense must not seek to prevent the sexual act being procreative. In and of itself this does not necessarily entail any particular stance on “sex” in the broader non-procreative sense. There are at least 3 possible viewpoints. First, that any such acts are always wrong because every sexual act (in the broad sense) must also be procreative and these are inherently not procreative. Second, that such acts are not wrong as long as they are directed towards and culminate in non-contracepted sexual intercourse. Here these sexual acts are, in effect, not being judged as separate acts in themselves but understood as part of a single act (“love-making” perhaps) which is ordered towards and an intrinsic part of the narrower sexual act open to life.<sup>76</sup> Third, that such acts, as they have no procreative potential, are in reality acts of a different kind altogether and so to be morally judged on other grounds than their (non)relation to procreation.<sup>77</sup> Thus a case could, in theory, be made both against contraception and in favour of same-sex sexual relationships on the grounds that the latter never engage in the sexual act whose *telos* contraception illegitimately seeks to frustrate.

So far the focus has been on morally evaluating each act but once one argues that what matters is not evaluating every act but acts in the context of relationship then the complexity increases. Once this happens, Song’s proposed category of sexual covenant partnerships does not, despite his claims, have a solid defence as soon as one accepts contraception is justifiable. This is because he has to defend a separation of “sex” from procreation at the level of a sexual *relationship* and not simply at the level of an individual sexual *act*.

Sex within his third calling is not only acceptable within a relationship that also includes contracepted acts of penile-vaginal intercourse (the Protestant position in the “contraception in marriage” debate). It is also acceptable (1) when every act of such intercourse seeks to prevent conception and (2) in sexual relationships (whether opposite sex or same sex) which never include such intercourse but only “sex” in the broadest sense. It is these two patterns of sexual relationship that need to be justified to defend sexual covenant partnerships. Song fails to do this when he claims such justification follows from any acceptance of contracepted sex. In short, the acceptance of using contraception within marriage does not entail accepting the total separation of sex and procreation within a relationship which his argument requires.

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<sup>76</sup> Colloquially, foreplay is acceptable as long as one does then play and play properly ie procreatively

<sup>77</sup> It is important to recognise that in Scripture and tradition sexual acts are not judged solely in relation to procreation or – Song’s tendency – the qualities and structure of the relationship but also on other factors such as an understanding of God’s purposes in creation and the significance of the human body and the need to honour it.

Nobody denies that sex – in both senses – has goods (classically the unitive good and the good of mutual pleasure) other than procreation. The contraception debate is about whether in any particular sexual act it is always wrong to seek to enjoy those other goods while rejecting the procreative good. Believing that this is not always wrong does not mean one has to accept the much more radical and total elimination of the procreative good of sex from a whole sexual relationship that is required for Song’s defence of covenant partnerships.

#### 4.2 *Good Sex AD and BC*

Song’s insistence on the goodness of non-procreative sex needs to provide an account of the other goods of sex and his argument that these are somehow related to the incarnation and the eschaton (and thus legitimate non-procreative sexual relationships post-Christ when they did not pre-Christ) also needs to be defended. He recognises the former of these (though says little about the latter) and the existence of much contemporary discussion. Although he acknowledges that most of these authors “seem strangely untroubled by not having the formal moral theological vocabulary to draw upon” (59), he himself also says very little to defend the goodness of an intentionally non-procreative sexual relationship.

##### 4.2.1 *Sexual intimacy and knowledge of God*

Song’s sole theological argument about the goodness of non-procreative sex is “the connection between sexual intimacy and our knowledge of God” (59) and the claim – with an appeal to Song of Songs and Rowan Williams – that the delight experienced in erotic and sexual encounter and “the intimacy of communion that one experiences with another” is in fact “a foretaste of the intimacy of communion one will experience with God”. Sexual relationship “may thus become a glimpse into the inner life of God and focus for us the very reason for our creation, that we might participate in this” (60).

No theological justification, certainly no biblical basis, is offered for such incredibly strong claims about sex as effectively a means of God’s self-revelation and grace. A Scriptural basis would be very difficult to find. Although he appeals to Song of Songs, there are serious problems with connecting its erotic love poetry to knowledge of God through sex. The reading of the text as an allegory is found in later tradition (much of it embarrassed by its earthy sexuality) and is never made in the book itself (which could be argued as deliberately challenging the divinisation of sex<sup>78</sup>) or the wider canon. Indeed, a strong case can be made that, in contrast to surrounding cultures, the Old Testament is very careful to separate the sexual act from divine revelation. Thus Davidson begins his monumental study of sexuality in the Old Testament by highlighting that “there is a radical separation of sexuality and divinity in the Genesis account of origins”.<sup>79</sup> His first detailed study of the features of Old Testament sexuality (chapter 3) focusses on this and how “any attempts to divinize or sacralise sexuality in Israel, as done in the pagan fertility myths and cult practice, is met with the strongest divine denunciation”.<sup>80</sup>

This is not, it must be stressed, to separate God from the sort of loving relationship described in the Song of Songs. Despite its concerns about divinising sex the Song, as Davidson shows, does relate its celebration of created sexuality to God in its thematic conclusion where 8.6 gives him the title of his

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<sup>78</sup> See Richard M. Davidson, *Flame of Yahweh: Sexuality in the Old Testament* (Hendrickson, 2007), pp. 554-6. He later notes that “many commentators find no reference to God or the sound of God’s voice in the Song” but, although in the context “it is understandable that...the divine presence/voice would have to be muted in the context of sexuality”, he argues for God’s presence and voice (p. 622).

<sup>79</sup> Davidson, *Flame of Yahweh*, p. 18.

<sup>80</sup> Davidson, p. 85.

book – the flames of love are the very flame of Yahweh and so “this human love at its best – as described in the Song – points beyond itself to the Lord of love”.<sup>81</sup> But this is a connection made between the pattern of love described in the particular form of sexual relationship portrayed in the Song. It is not something which can be extended to speak of one of the goods of sex – whether in the narrower or, as Song’s argument requires, broader sense – being knowledge of God.

There is nothing in the New Testament to challenge this Old Testament perspective which is not surprising given, as Davidson’s chapter concludes, “the various syncretistic religions of the NT milieu included the divinization of sex”.<sup>82</sup>

#### 4.2.2 Sex and life in the age of the Spirit

Even were one to grant Song’s (and Williams’) arguments relating sex to our knowledge of God, there is another paradox in his argument. Central to the Christian confession is that God has made himself most fully known in the Incarnation and that he makes himself known to us by his Spirit who now, post-Christ, fills his people in a manner unknown in the Old Testament such that our bodies are temples of the Holy Spirit. The significance of this and the changes it effects is, of course, at the heart of Song’s proposal of covenant relationships. Even if one grants that sex pre-Christ does have a revelatory power or is a means of divine grace, it would be expected that (as with the Law) this does not remain unchanged in the age of the Spirit after God has spoken to us through his Son. Song, however, argues that rather than being relativized as a good of sex, sexual intimacy is now even more significant as it offers “a foretaste of the intimacy of communion one will experience with God” and so justifies patterns of sexual behaviour and relationship which, pre-Christ, were not acceptable within God’s people. This factor of his argument needing to justify new forms of sexual intimacy post-Christ highlights a further problem: while the biblical evidence that good sex mediates God is weak, the common warning of Scripture is that there are certain forms of sexual behaviour and relationship that, rather than giving us knowledge of God, will lead to separation from God.

#### 4.2.3 Sexual immorality redefined

By proposing that post-Christ there is a new calling to covenant partnership as a form of *sexual* relationship, Song is effectively arguing that the change from BC to AD redefines sexual immorality. A pattern of relationship that was to be considered a form of sexual immorality pre-Christ has now not only ceased to be so but has become a new divine calling and path of holiness.

Given this situation, the silence of Scripture is a serious challenge to Song’s proposal. In both the Old and New Testaments the people of God are consistently and strongly warned about the dangers of various forms of sexual immorality. Song himself notes that in passages such as 1 Cor 6 sexual behaviour is related to eschatological exclusion (71). Given this, were the definition of sexual immorality to change significantly as a result of the Incarnation one would expect this to be clearly stated in the New Testament. After all, other changes post-Christ, notably in relation to circumcision or food laws, are clearly stated even though these relate to behaviours not of eschatological significance. There is no such clarification. This omission may not be surprising in relation to male-female sexual relationships. This is because no clear explicit condemnation of all non-procreative heterosexual sex as immoral appears in the Old Testament Scriptures and, apart from this change in the relationship of sex to procreation, there appears to be no difference between the licit pattern of heterosexual relationship in pre-Christian Judaism (i.e. marriage) and heterosexual covenant partnerships. The omission is much more serious in relation to same-sex sexual relationships (on which see section 5.2 below) but more fundamentally the principle of redefining sexual immorality is

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<sup>81</sup> Davidson, pp. 630-1.

<sup>82</sup> Davidson, p. 132.

established as soon as one argues that a new pattern of sexual relationship is acceptable post-Christ which was not acceptable pre-Christ.

#### 4.2.4 The goods of sex in the light of Christ and the eschaton

If, as has been argued, it is not the relativizing of procreation but the separation of sexual behaviour from procreation at the level of a sexual relationship which is the distinctive feature of Song's argument then it is unclear how this crucial development is justified within his overall theological framework.

There are two key theological realities shaping his account – the coming of Jesus and the eschatological goal which he reveals. It is these which reconfigure our understanding of sex and marriage. He can, however, point to no place where Jesus himself teaches that there is now a new good of sex or that a reconfiguration of the goods of sex has taken place such that conduct which was previously not good becomes good.<sup>83</sup>

Given his own wise reticence about speculating about the place of sex in the new creation and his apparent belief that the eschaton is in fact beyond sex Song also has no basis on which to argue that sex detached from procreation is a foretaste or witness to the world to come. Indeed the one good he cites as justification for the change is particularly weak. If in the new heavens and the new earth there is no Temple (the focus of God's mediating presence in both the Old Testament and, reconfigured by the Spirit, in the New Testament) because God is "all in all" (Revelation 21.22) it is hard to believe that eschatologically there is still sex as a "glimpse into the inner life of God".

#### 4.2.5 Sexual desires and orientation in salvation history

A notable lacuna in Song's account is how sexual desire or orientation is to be understood within his account of how the changing of the times in Christ impacts us as sexual beings. This is only important for same-sex covenant partnerships but it does raise an important question – why is it only post-Christ that God provides a holy way of life for those who are same-sex attracted? The traditional debate in this area has tended to revolve around whether same-sex sexual desire is (like marriage) part of God's good created order or a consequence of human sin and the Fall. The latter option is not compatible with Song's account but the former raises the question as to why, if part of the diversity of sexuality in creation, it is only with the coming of Christ that same-sex relationships become legitimate. It is hard to see how his theological reconfiguration based on eschatology is able to address this question and so it appears he faces an impasse when it comes to locating same-sex sexual desire theologically within salvation history.

### 4.3 Conclusion: Christ, creation and sex BC & AD

The key change that Song is arguing has occurred in salvation history as regards sexuality and sexual ethics is not really – as it appears – the opening up of other non-procreative patterns of life alongside celibacy. The key change in his proposal of covenant partnerships is the opening up of a pattern of non-procreative sexual relationship. He is, in other words, arguing that Christ, through resurrection and revealing a new creation beyond death, breaks the link established in creation between sex and procreation.

This is not simply a matter – as in arguments for contraception – of breaking the link in specific acts so that it is legitimate to seek to prevent conception in certain cases of sexual intercourse (an

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<sup>83</sup> Despite being neither a Christian nor a theologian, Matthew Paris is correct in stating that "Jesus was never reluctant to challenge received wisdoms that He wanted to change. He gives no impression that He came into the world to revolutionise sexual mores. Even our eye, if it offends us, must be plucked out". Matthew Parris, "No, God would not have approved of gay bishops", *The Times*, August 9<sup>th</sup>, 2003.

argument which is not usually advanced on the basis of the new creation being non-procreative). Nor is it simply permitting, in a sexual relationship, the legitimacy of sexual acts in the broader non-procreative sense of “having sex”. It is commending a pattern of sexual relationship as a life calling which intentionally either seeks to prevent conception from every act of sexual intercourse or (through biology or preference) restricts sexual expression to activity which is wholly non-procreative.

The argument Song advances for this new understanding of sex AD is an appeal to other goods of sex which were already present BC but which did not, at that time, make such patterns of sexual relationship acceptable. There is no new good of sex post-Christ that was not present before and which now justifies this total separation of a morally good sexual relationship from the good of procreation. Rather, he is claiming that because eschatologically there is no procreation, whether or not a sexual relationship is in any way related to procreation is now simply a matter of personal choice – for those who wish to maintain the connection there is marriage, but for those who do not, there is covenant partnership. Despite his desire not to fall prey to modern individualist, voluntarist and liberal ways of thought, it is hard, given the lack of support in Scripture and tradition, not to see this proposal as shaped by such understandings and creating exactly the problem he raises if covenant partnership is viewed as marriage: raising important consequences “for our understanding of sexual relations: sex would easily become whatever we choose to make it mean, its procreative capacity becoming a contingent feature of it” (88).



## 5. Same-sex sexual relationships and the nature of sexual differentiation

So far the focus of our questions and critique of Song's arguments has been overwhelmingly on his theological case for a new third distinct calling of covenant partnership as a non-procreative, but potentially sexual, bond between two people. Inasmuch as his ultimate goal is to move "towards a theology of same-sex relationships" (the book's subtitle) by including same-sex unions within such covenant partnerships, there is one final hurdle he must overcome. This relates to sexual differentiation and has two elements: the importance of sexual differentiation in Christian anthropology and sexual ethics and the negative portrayal of same-sex sexual behaviour in the Christian scriptures ("whatever it was that the biblical writers were referring to in relation to same-sex sexuality, they took themselves to be opposed to it" (62)) and tradition.

### 5.1 Sexual Differentiation

Song's argument here is to start from the acknowledged fact that "Christian tradition has known of no other kind of marriage than that between a man and woman" but that we need to "think through to its roots the rationale for sexual differentiation in marriage" because if "the reasons for thinking that marriage should be sexually differentiated are reasons that apply only to marriage, then covenant partnerships would be freed to be either heterosexual or homosexual" (39).

Drawing on the important study of Christopher Roberts (though rejecting his conclusions in relation to marriage and same-sex unions), Song notes three rationales for sexual differentiation in marriage.<sup>84</sup> First, marriage embodies a hierarchical relationship between the sexes (40-42). Second, marriage is non-hierarchical as a relationship but embodies an intrinsic complementarity which is understood biologically, or in relation to human or social sciences, or theologically (43-44). Third, marriage is intrinsically open to procreation (48-50). He argues against the first two and for the third, leading to the conclusion that "if procreation is no longer eschatologically necessary, then there are no grounds for requiring all committed relationships to be heterosexual" (49). In summary, "Sexual differentiation is therefore justified within marriage, but it is only justified because marriage in creation is oriented to procreation. There are no other grounds that can provide the theological weight needed to *require* that marriage be sexually differentiated" (48-9).

Before responding to his arguments against the first two rationales and assessing his claim that in effect the only theological significance of sexual differentiation is because it enables procreation it is important to look at the biblical witness in some detail and, much more briefly, note the scientific evidence.

#### 5.1.1 Biblical texts

Song's handling of some of the key biblical texts raise a number of serious questions about how well he can defend his argument from Scripture.

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<sup>84</sup> Christopher Chenault Roberts, *Creation and Covenant: The Significance of Sexual Difference in the Moral Theology of Marriage* (T&T Clark, 2007).

### 5.1.1.1 Genesis 1

A crucial text is the description in Genesis 1.27 of male and female as the image of God. Here Song argues that “the actual ground given in Genesis 1 for sexual differentiation” is “the role that it plays in procreation” (47). This he bases on the fact that “the declaration that human beings are made male and female in Genesis 1.27 is immediately followed by God’s pronouncement of blessing and God’s command that they be fruitful and multiply in 1.28” (4). Interestingly he then relates this directly to marriage although Genesis 1 itself makes no mention of marriage but simply of the male-female structure of humanity. In other words Song appears to limit the significance of this saying (and the sexual differentiation of humanity of which it speaks) to procreation and to marriage when the text does not do so but has a much wider purview.

It cannot be disputed that the procreative capacity of male and female is an important theme of these verses. It must also be recognised that they seek to distinguish humanity as male and female from the other creatures in various ways including designation as ‘image of God’. Procreation however is not a distinctive feature – the commands to humanity in 1.28 to be fruitful, increase in number and fill are all found already in relation to non-human creatures in 1.22 although there is no explicit reference to sexual differentiation in creatures earlier.

In reacting against too strong and reductionist a correlation between being made in God’s image and being made male and female, Song appears to have gone too far in denying any place for what appears implicit in the parallelism of Genesis 1.27. A further argument that the importance of relationship and otherness in being made as male and female is part of the text’s message is found in the distinctive use of the plural – “let us make” – which, however it is understood, is unprecedented in the previous accounts of God’s creative action.

Whatever reading one gives of these verses and the meaning of ‘the image of God’, the additional aspect of this creation account is that it is in some sense male and female together, in relationship with one another, who represent humanity as divinely created and constituted as the image of God. There is no basis either here in Genesis or elsewhere in Scripture for referring to other forms of partnership or union as embodying this. On this basis there would appear to be important symbolic and theological differences between partnerships which unite male and female and those which unite two males or two females. That in itself does not mean the latter are prohibited. It does though mean that same-sex unions or partnership are significantly different from a union of male and female because sexual differentiation is important, irrespective of whether or not that male-female union is procreative.<sup>85</sup>

That sense of the importance of sexual differentiation within humanity as including but not being reducible to procreation is given further support by Genesis 2.

### 5.1.1.2 Genesis 2

Here, in contrast, to Genesis 1, the narrative (generally accepted as originally a separate creation account from a different source) focuses on humanity as male and female and is explicitly ordered

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<sup>85</sup> Should something be added drawing on Tom Wright about how union of male and female relates to union of heaven and earth in creation?

towards explaining the institution of marriage (Gen 2.24) although (despite what one would expect from Song's account<sup>86</sup>) there is no explicit reference to procreation.

Song's discussion on this seeks to highlight its alleged patriarchal and hierarchical elements but these claims have been challenged by numerous biblical scholars who have shown how such readings import these elements into a surprisingly egalitarian text.<sup>87</sup> Here he seems to agree with more conservative "headship" readings of the text<sup>88</sup> but to reject them as significant for Christians on the basis of a wider biblical witness to equality (42, a similar approach to that found in Brownson).

Song gives surprisingly little attention to the fact that Genesis 2 presents male and female as the same yet different through portraying the woman as, uniquely, taken out of the man (something to which Paul draws attention in 1 Cor 11:8, 12). This then leads to the man's response to the woman which has nothing to do with the procreative potential that now exists (or with an assertion of authority over her) but with this sense of similarity and yet otherness – "bone of my bone, flesh of my flesh" (Gen 2.23).

This is also reflected in what he calls her – *issa* to his *is*.<sup>89</sup> There can be little doubt that the man's reaction is being presented by the author as the divinely intended response to his creation of the woman and thus a sign of the fact the woman is the answer to the problem identified by God in v18 which no other creature could meet: "It is not good for the man to be alone. I will make a helper suitable for him". While it is certainly possible that this has procreation in view – the aloneness is overcome not only by a partner but a partner enabling him to reproduce and thus ensure no return to being alone – it is difficult to argue from the man's poetic response that this is the only way in which the woman complements the man and is "suitable for him" and the source of his delight.<sup>90</sup> The text, while not filling out any details, therefore gives a strong basis for arguing that there is a wider, creation-based theological significance in our sexual differentiation into male and female. One of the likely implications of this is that a male-female union is significantly different – due to God's purpose in creation - from a same-sex union.

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<sup>86</sup> Song acknowledges this when he describes Gen 2 as one of the passages "that imply or suggest sexual love without clear reference to procreativity" (55).

<sup>87</sup> See eg Davidson, Goldingay etc. In book might here draw on my piece for AWESOME/Reform on Gen 2. Song says the chapter has "often been taken to legitimate the patriarchal ordering of society and the subordination of women – a conclusion that at any rate the second of the two Genesis narratives does rather little to disrupt" (5) and then referring back to this earlier comment and noting alternative readings he comments 'these observations only marginally diminish the overwhelming sense that we are offered here an androcentric perspective' (40).

<sup>88</sup> i.e. those which claim biblical support and so a basis in God's created order for the first of his three options to explain sexual differentiation

<sup>89</sup> In the words of Davidson again, "The wordplay in v.23 between 'is ("man") and 'issa ("wo-man") and the explanation that the woman was taken out of man are not given to buttress a hierarchical ranking of the sexes but rather to underscore man's joyous recognition of his second self....The man becomes aware of his own identity as he discerns the identity of 'issa....He is saying yes to God in recognizing his own sexual nature and welcoming woman as the equal counterpart to his sexuality". Davidson, p. 33.

<sup>90</sup> It must though be granted, as Song notes, that Augustine and other men have sometimes been unable to see this bigger picture.

### 5.1.1.3 *Male and female and God and his covenant people*<sup>91</sup>

In considering marriage and sexual differentiation, particularly in the light of Song's proposed third calling, attention needs to be given to the significant number of biblical texts, in Old and New Testaments, which speak of God's covenant relationship with his people by reference to the marital union of a man and a woman. In Song's own words, "marriage is not just grounded in an understanding of creation, but also in some way signifies God's relationship to God's people" (6-7). The imagery is used by several Old Testament prophets (e.g. Hosea, Jeremiah, Isaiah, Ezekiel) and is taken up in the New Testament by Jesus (e.g. Matthew 9.15 and parallels), Paul (most fully in Ephesian 5) and the author of Revelation (e.g. Revelation 19.7, 21.2).<sup>92</sup> It is always nuptial imagery in which God/Christ is represented by the groom and Israel/the Church by the bride. There is no similar imagery for any form of same-sex union or covenant.

The question is therefore whether or not this witnesses to something of importance about sexual differentiation and if so what that is. In arguing that "Sexual differentiation is therefore justified within marriage...because marriage in creation is oriented to procreation. There are no other grounds that can provide the theological weight needed to *require* that marriage be sexually differentiated" (48-9) Song would appear to hold that if sexual differentiation is significant in these texts then it must somehow be related to marriage's procreative potential but it is very difficult to argue this is the concern in the texts themselves. The choice must then be made between (a) accepting that this imagery points to something significant about being male and female beyond procreation (thus undermining his central argument in relation to sexual differentiation and covenant partnerships) or (b) concluding that, despite the consistently gendered pattern of the biblical witness, in fact the metaphor is not in any way tied to the union of male and female. It would appear that Song takes this latter view and is of the view that in Scripture these texts are not really referring to marriage as he understands it but to a form of opposite sex covenant partnership. They can, in principle, therefore be extended to his proposed covenant partnerships, whether same-sex or opposite-sex. So, after noting this biblical theme, he concludes that "it justifies the language of covenant in relation to marriage" but then defines marriage without reference to procreation and more in terms of his category of covenant partnership – "that is, the public undertaking by the two partners of promises of committed faithfulness one to the other, together with the growth in relationship that emerges out of such commitments" (7).

The option he rejects – (a) above - is clearly the one which has shaped the Christian tradition in its thinking about marriage and the forms of sexual union it can sanction. It holds not only that the creation accounts point to more than procreation as of significance in sexual differentiation but that this central, universally male-female covenantal metaphor in Scripture means that there *is* another ground than procreation that can provide the theological weight needed to require that marriage be sexually differentiated. This is that the marriage bond brings together those who embody a fundamental created otherness within humanity – through their being male and female - which enables marriage to thereby witness to the covenantal union between God and his people in the way that a union of two people of the same sex cannot.<sup>93</sup>

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<sup>91</sup> Perhaps add more here on importance of nuptial figure/imagery in Scripture and tradition eg see recent thesis on church as bride of Christ in magisterial teaching.

<sup>92</sup> See discussion in Davidson, 113-7 on God as Bridegroom.

<sup>93</sup> It is likely, from his comments elsewhere (e.g. 72ff) that Song also rejects this option because of its inherently unequal and patriarchal consequences. While it can certainly be part of a defence of his first option of a hierarchical relationship between the sexes and has been so used, nobody has seriously suggested that

#### 5.1.1.4 1 Corinthians 11:1-16

The other main biblical passage which Song cites is Paul's difficult to understand discussion in the opening verses of 1 Corinthians 11. Although he offers few details or defences he reads this as strongly hierarchical, referring to "women wearing veils in church on the grounds that they are at the bottom end of a theological chain of being" (40). This represents an understanding of the text now widely rejected on the grounds that the head-covering of the woman is not to be understood as a sign of her being *under* authority but *having* authority herself and the fact that verse 3 which he cites does not follow the order expected if it was a hierarchical chain of being (God-Christ-man/husband-woman/wife) but instead speaks of Christ-man, then husband/man-woman/wife and then God-Christ. In addition, whatever is being argued in vv8-9 about a creation-based ordering has to be read in the light of the Christo-centric argument in vv10-11.

The more fundamental problem this passage represents for Song's argument is that it is clear that Paul is here seeing some significance in gender differentiation (even if the exact nature of that is not clear to us) and nothing suggests that it is only to do with procreation. Song appears to grant this but to identify the significance as a "symbolic order" in terms of "a hierarchy of being" (72) which he is confident we can then dismiss (though thereby granting that his reduction of sexual differentiation's significance to procreation lacks warrant within the biblical text). An alternative is to see here a further biblical witness to the importance of sexual differentiation within humanity beyond that of procreation and thus further evidence that there is no Scriptural basis for treating same-sex and opposite-sex unions as equivalent.

#### 5.1.1.5 Galatians 3:28

The one text which is most open to being read as supportive of Song's argument that sexual differentiation should not be taken as significant in relation to covenant partnerships is Paul's statement in Galatians 3:28 that "There is neither Jew nor Gentile, neither slave nor free, nor is there male and female, for you are all one in Christ Jesus". It is generally accepted that, by referring to "male and female" (in contrast to the earlier "neither...nor..."), there is an allusion here to the Genesis creation account (Genesis 1.27). Song at first simply sees this as highlighting "the sacrament of baptism in which no distinction is made between men and women" (42), a contrast, although he does not highlight this, with male-only circumcision. He later, however, extends this further by saying that "Baptism and the new identity in Christ take us beyond the creation categories of male and female in a way that renders them no longer of defining importance" (49). This he then "teasingly" suggests may mean that we "even find the creation categories here partly contradicted" (49) and that this text helps us not only understand phenomena such as intersex but also why Augustine "struggled to understand what rationale sexual differentiation would continue to have" (49) in the new creation.

Unfortunately, Song does not develop this further anywhere in his argument. An argument could be advanced that, whatever sexual differentiation meant in creation, this is transcended in Christ and in the eschaton. This means that we are now to live beyond being "male and female" and one consequence of this would be that we should not distinguish in our ethic between "same-sex" and

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this metaphor means that the qualitative distinction between God and humanity is to be mapped onto the distinction between male and female. The question is whether a recognition of some form of "difference" is an important part of the metaphor and whether that difference is something found simply between any two human beings or rather between the two forms of created humanity, male and female, represented in the union of marriage.

“opposite-sex” unions because “we are all one in Christ Jesus”. Although he hints at being open to a form of this argument the case is left undeveloped. This may be because of a realisation that such a reading faces a number of major exegetical hurdles.

First, it fails to recognise the verse makes sense in relation to a Jewish prayer in which a man thanks God that he has not made him a Gentile, a slave or a woman and shows that Paul, as a small part of his wider argument against new converts embracing Judaism, wants to make clear that in Christ there is no basis for such an understanding.<sup>94</sup> This is the point rightly made by Song’s reference to baptism.

Second, not only is there no other passage in Paul which would give support for such a radical obliteration of sexual differentiation, in many places – not least in 1 Corinthians 11 as noted above – Paul clearly addresses those in Christ as male and as female, as husbands and wives, as fathers (just as he sometimes addresses slaves and masters, Jews and Gentiles). These distinctions do continue to have some significance and force even though in Christ they are subordinated to, and to be lived out in relation to, the fundamental identity of being in Christ.

Third, Paul’s understanding of new creation in Christ is one of renewed creation not a destruction of creation. To quote Tom Wright,

So does Paul mean that in Christ the created order itself is undone? Is he saying, as some have suggested, that we go back to a kind of chaos in which no orders of creation apply any longer? Or is he saying that we go on, like the gnostics, from the first rather shabby creation in which silly things like gender-differentiation apply to a new world in which we can all live as hermaphrodites – which, again, some have suggested, and which has interesting possible ethical spin-offs? No. Paul is a theologian of new creation, and it is always the renewal and reaffirmation of the existing creation, never its denial....<sup>95</sup>

Fourth, Wright’s proper caution needs to be more carefully stated as there may well be an element in what Paul writes of creation being transcended in Christ. This is not, however, to be understood in terms of sexual differentiation but – as is central to Song’s account – in relation to marriage. The phrase “male and female” quite possibly alludes to the union of male and female in marriage.<sup>96</sup> Paul would, in line with what we have seen as Jesus’ teaching in the gospels and his own teaching in 1 Corinthians 7, then be referring in this verse to the eschatological end of marriage and the fact that, in Christ and the new creation, marriage (and procreation with it) no longer has the significance that it has in creation. If this is what Paul is saying the verse adds further weight to earlier arguments (e.g. section 1.2 above) that, given the re-evaluation of marriage in the light of Christ, it is hard to see how the in-breaking of the eschaton opens up a new form of quasi-marital union (both for “male and female” and also for “male and male” and “female and female”).

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<sup>94</sup> In the words of Tom Wright, “I think Paul is deliberately marking out the family of Abraham reformed in the Messiah as a people who cannot pray that prayer, since within this family these distinctions are now irrelevant”. Tom Wright, “Women’s Service in the Church: The Biblical Basis” (2004).

<sup>95</sup> Ibid.

<sup>96</sup> On this reading see Karin Neutel, *A Cosmopolitan Ideal: Paul’s Declaration ‘neither Jew nor Greek, neither Slave nor Free, nor Male and Female’ in the Context of First-Century Thought*, Chpt 4. Need to read this more carefully!

#### 5.1.1.6 Conclusion

This short survey of the key biblical texts cited by Song reveals how little biblical basis there is for his argument that sexual differentiation should only be viewed as of significance because of its necessity in relation to procreation. There is, in fact, no biblical basis for this conclusion and a large amount of biblical testimony which gives support to sexual differentiation having wider significance. Some of this (but not as much as Song suggests) could be used to support the first of his three rationales (hierarchical ordering of male and female) but the weight of the witness in relation to both creation and redemption is toward his second rationale – a non-hierarchical intrinsic complementarity between male and female.

#### 5.1.2 Scientific Evidence

Turning to the scientific evidence, this is perhaps an even more complex and contested area than that of biblical exegesis and hermeneutics. It is clear that those who appeal to a range of scientific disciplines reach different conclusions as to the extent and significance of differences between men and women. Some go so far as to speak of them as originating on different planets (men are from Mars and women from Venus<sup>97</sup>) while others seek to show this to be a myth<sup>98</sup> and draw attention to the “delusions of gender”.<sup>99</sup> I have neither the space nor the expertise to survey and assess these and it is important to realise that Song also does not engage with this question in any depth and the relevance of it to the theological questions is itself a matter of dispute.

Clearly, if the scientific evidence is that there are no significant biological differences between men and women other than their respective contributions to reproduction – a strong claim but one on which Song’s case depends – then Song’s argument is strengthened considerably. Those who insist on a wider theological significance for sexual differentiation are left with no scientific support for their claims and must rely solely on biblical exegesis and theological arguments. If, however, there are significant biological differences then the theological and ethical significance of these then need to be considered. It is, in fact, not totally clear what conclusions Song has reached in this area. It appears to be that sexual differentiation is only significant because it enables procreation but he does also claim that, in relation to the history and evolution of human cultures, “it is not implausible to trace the ultimate cause of gender difference overwhelmingly to the different roles men and women play in relation to the conception, gestation and upbringing of children. Gender complementarity in other words is itself very significantly predicated on the connection of sexual differentiation with procreation” (48). Here he seems to grant there could be other important differences between male and female but to hold that these are related to, even derived from, the procreative difference. This would appear to be much safer ground scientifically than dismissing all alleged differences as simply the result of social and cultural forces. However, this then keeps open the question as to whether these wider, biologically-based gender differences are part of God’s created purpose in sexually differentiation and have theological, and potentially moral, significance deriving from a doctrine of creation. If they are to be understood as part of created difference then at the very least one should not treat same-sex unions and opposite-sex unions as – even when detached from procreation – equivalent to each other.

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<sup>97</sup> John Gray, *Men are from Mars, Women are from Venus* (Harper Collins, 2002).

<sup>98</sup> Deborah Cameron, *The Myth of Mars and Venus* (OUP, 2008).

<sup>99</sup> Cordelia Fine, *Delusions of Gender: The Real Science Behind Sex Differences* (Icon Books, 2011).

One of the most recent and thorough studies of the biological evidence is by the distinguished developmental biologist Lewis Wolpert who titles his book “Why Can’t A Woman Be More Like A Man”.<sup>100</sup> His concluding chapter opens by summing up his findings – “having studied the evidence I am persuaded that there are significant biological differences that affect how the two sexes behave”.<sup>101</sup> He ended a newspaper article summarising his findings with the following

So there really are significant biological differences between men and women from before birth until death. These influence their basic sexuality, careers, psychology, emotional make-up, skills and health. Social factors undoubtedly come into play too, but there are many ingrained myths, for which the evidence is very poor, such as women being less intelligent than men or speaking much more than men; and some trivial myths for which the evidence is quite good, such as men being better at map-reading and women poorer at parallel parking. There is no doubt that biology, via evolution and genetics, has made men and women significantly different. Being different is what makes the interaction of the sexes so infinitely complicated and baffling; it is also what attracts us to each other, and ensures the survival of our species. To seek to understand the evolutionary and genetic reasons for our differences is not to drive a wedge between the sexes, but to understand what has made us so successful, so well adapted to life on earth.<sup>102</sup>

There is clearly much more work to be done in this area, not least in relation to neurological differences between male and female brains. Any findings concerning differences are going to be in terms of ranges, placing men and women as in distinct, but doubtless overlapping, spectra or bell curves – nobody is claiming the differences can be universalised to apply to every individual man and woman. There is, nevertheless, in line with Wolpert’s conclusion, still a good basis for holding that our biological sexual differentiation into men and women impacts a wide range of areas of our human experience and behaviour and that it does so from a very early age. These differences are then likely to lead to different dynamics in relationships. Of course, even if this is accepted, its theological significance and ethical implications still need to be examined. However, the central point is that, scientifically, Song’s apparent argument that humanity’s biological sexual differentiation is *only* of significance in relation to procreation remains at best unproven.

### 5.1.3 Conclusion

Song’s argument was that although there are three broad rationales for why marriage should be the union of a man and woman, the only convincing one of these was because of marriage’s openness to procreation which requires a man and a woman. He therefore argues that a non-procreative covenant partnership need not be restricted to opposite-sex couples but can include same-sex couples and that the only significance difference between marriage and covenant partnerships is related to procreation.

The preceding sections have shown that there is very little biblical support for insisting we must limit the significance of sexual differentiation only to procreation (it is rarely directly related to procreation and is brought into a range of other areas) and that a good case can be made

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<sup>100</sup> Lewis Wolpert, *Why Can’t A Woman Be More Like A Man* (Faber & Faber, 2014).

<sup>101</sup> Wolpert, p. 173.

<sup>102</sup> Lewis Wolpert, “Yes, it’s official, men are from Mars and women from Venus, and here’s the science to prove it”, Daily Telegraph, 14<sup>th</sup> September 2014. Online at <http://www.telegraph.co.uk/women/womens-life/11087100/Yes-its-official-men-are-from-Mars-and-women-from-Venus-and-heres-the-science-to-prove-it.html>



scientifically that the biological distinction of male and female impacts a much broader area of life than determining respective roles in human reproduction.<sup>103</sup>

In terms of his two alternative rationales, the argument that marriage embodies a hierarchical relationship, in turn reflecting a wider creation-based hierarchy between male and female, is very strong in Christian tradition and can argue it has some biblical warrant (certainly more than the view Song proposes). However, the most compelling biblical vision is that in which sexual differentiation within marriage is non-hierarchical but “embodying an intrinsic complementarity”. This view can claim to be well-founded in a canonical, theological reading of the biblical texts (which are not as hierarchical as Song claims) and can point to scientific evidence that the differences between male and female extend beyond their reproductive roles.<sup>104</sup>

It is, however, important to realise what this alternative understanding does and does not entail for Song’s argument and the debate about same-sex partnerships. In particular, it does not in itself automatically rule out the legitimacy of some form of same-sex covenant partnership. The argument that there is theological significance in sexual difference beyond procreation would entail at best caution (though perhaps something stronger) about proposing categories or callings which fail – as does Song’s category of ‘covenant partnership’ - to differentiate between a same-sex union and an opposite-sex union. Song resists speaking of same-sex marriage because he believes marriage is open to procreation and thus requires sexual differentiation. If in fact marriage is only male and female for additional reasons, because sexual differentiation has a wider significance, then this would mean that non-procreative male-female covenant partnerships should probably be distinguished from same-sex covenant partnerships. It also means that the difference between same-sex covenant partnerships and marriage is not exactly the same as the difference between heterosexual covenant partnerships and marriage. This makes the justification of same-sex covenant partnerships more complex than Song acknowledges as they are not simply marriage stripped of procreation. However, even if sexual differentiation is of greater significance than Song argues, this, while requiring him to offer more arguments for same-sex covenant partnerships, would not, in itself, be sufficient “to make theological claims that permanent relationships *must* always be heterosexual in nature” (46).

There is, however, another major challenge Song faces given he wishes to argue not only for same-sex covenant partnerships but for these as sexual relationships and this for many does represent a roadblock to accepting sexual same-sex partnerships. This is the biblical witness in relation to same-sex sexual behaviour.<sup>105</sup>

## 5.2 *The Bible and Same-Sex Sexual Behaviour*

Song is very aware that for many people a major barrier to accepting his argument for sexual same-sex covenant partnerships is that we face, in his words, “a choice of either following ‘the plain meaning of Scripture’ on the one hand or plain disobedience on the other” (63). This section will

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<sup>103</sup> Need to consider how such a reductionist view of male-female difference would interpret the trans experience which seems to be clear that much more of significance in being male or female than simply reproductive capacity.

<sup>104</sup> Add some refs here?

<sup>105</sup> Additional arguments may be considered in relation to scientific evidence concerning differences in male and female patterns of sexual attraction and behaviour which will make same-sex and opposite-sex sexual relationships different but these will not be considered here.

seek (5.2.2) to explain and evaluate why he rejects this framing of the situation and (5.2.1) how he handles “the half-dozen or so biblical texts that appear to refer directly to same-sex relations” (62).

### 5.2.1 Reading the Classic Texts

In contrast to many writers, Song does not seek to limit the scope of the classic texts in the Old and New Testaments. As he himself puts it on more than one occasion, he is “reasonably content to acquiesce in relatively conventional readings of the texts” (70, cf 75). Thus claims that seek to limit their condemnations eg simply to male anal sex (in Leviticus, 63) or to men (by removing reference to lesbians in Romans 1, also 63) are not defended.

#### 5.2.1.1 *Romans 1*

In contrast to those, such as Brownson, who seek to diminish or even ignore the appeal to creation in Romans 1, Song is clear that Paul’s argument is that “as a result of human fallenness....this creation ordering is reversed....It is this inversion of the Genesis account that is the key to understanding the passage” (65, 66). Or, “what Paul is providing here is an account of a fall from the created, protological good” (67). He claims, however, that this fall, disordering or inversion relates simply to procreation: “in rejecting same-sex relations Paul’s argument turns not on a conception of sexual complementarity which can be abstracted from procreation, but on the connection between sexual differentiation and procreation” (67).

His only attempt to defend this textually is to claim that the reference in 1.27 to men receiving in their own persons the penalty for their same-sex behaviour refers to childlessness. This, though, is not only a weak conclusion textually<sup>106</sup> but an odd punishment given Paul himself (as Song notes) favoured celibacy which has the same consequence and, if Song is right, there is, in the light of Christ and the eschaton, nothing wrong with childlessness.<sup>107</sup> His riposte to that is to claim that “Paul’s argument at this point does not depend on explicit knowledge of Christ” (67). Even if one can defend this in terms of Paul’s argument, it is very strange that Paul here highlights the one pattern of sinful behaviour – non-procreative sexual intercourse – whose moral status, according to Song, is changed by the coming of Christ rather than the many other sins he then lists later in the chapter.<sup>108</sup>

#### 5.2.1.2 *Genesis 19 and Leviticus*

In relation to the Sodom narrative, Song rightly highlights the importance of inhospitality and the violent nature of the attempted acts (weakening its relevance to contemporary debates) while acknowledging that “to say that the sin was not sexual at all seems unlikely” (68). Turning to Leviticus he rejects those seeking to limit it to cultic practices and accepts that “the prohibition is grounded in the vision of human sexuality that we find in Genesis 1” (69). Interestingly he does not also refer to Genesis 2 and he once again focusses exclusively on procreation. Those seeking to find a way to sidestep Leviticus (with some variant of the “shellfish” argument) are also given no support by Song in part because “there is a plausible case that the two principal New Testament passages

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<sup>106</sup> Check commentaries here but don’t think it is common

<sup>107</sup> There is also the case that given in Romans 1 there is an abandonment of relations with the opposite sex (itself a matter of significant exegetical and hermeneutical debate – does this refer to all individuals and thus presume prior heterosexual behaviour?) it is far from clear that childlessness is always a necessary consequence of the pattern of behaviour described by Paul here.

<sup>108</sup> There are similarities here to the suggestion that Paul’s argument in Romans 1 is that the behaviour is “against nature” but since God acts against nature in grafting on Gentiles in Romans 9-11 (there are verbal echoes of Romans 1) we must not therefore conclude that what he describes here is really wrong.

outside of Romans that do appear to refer to same-sex relations are in fact deliberately evoking these Leviticus prohibitions and are therefore in a sense re-legislating them” (70).

#### 5.2.1.3 *1 Corinthians 6 and 1 Timothy 1*

Here again Song shows little sympathy for those seeking to narrow the scope of these texts and instead concludes that “in using this language Paul is restating the Leviticus case, which is in turn based on the claims in Genesis about sexuality in creation” (70).

#### 5.2.1.4 *Conclusion*

Song’s reading of these specific texts is one which broadly favours “traditionalist” over “revisionist” interpreters in much of the current debates about appealing to Scripture.<sup>109</sup> He not only rejects many common re-interpretations but accepts, in large part, the creation-based theological rationale offered by conservatives as the rationale for the biblical prohibitions. The reason he does not draw the same conclusions is because of his approach to “a contrast between the surface meaning of the texts and the deeper structure of the biblical story” (63) and his proposed “strategy for reading the texts” (71) involving a balance in reading Scripture “between the particular and the general” (63).

### 5.2.2 *Song’s Hermeneutical Strategy*

Having clearly rejected one common path “towards a theology of same-sex relationships” – that which challenges traditional readings of key texts – there are a number of other possible ways of reaching Song’s desired conclusion in relation to Scripture. Song’s strategy has similarities – but also important differences - with the four most common approaches. First, the argument that there are precedents for disregarding what Scripture teaches on a specific subject which we can now follow in this area (5.2.2.1). Second, and most importantly in his approach, that the texts have a different force once read canonically in the context of the overall theology and trajectory of Scripture on the subject (5.2.2.2). Third, we have advantages over the biblical authors which mean we can reach different conclusions (5.2.2.3). Fourth, we need to apply some over-riding biblical ethical principle, usually love, rather than appeal to specific texts (5.2.2.4).

#### 5.2.2.1 *Alleged hermeneutical parallels*

For traditionalists, one of the most frustrating arguments made in defence of same-sex relationships as biblical is the one which simply argues that the church has appealed to Scripture and been wrong on various issues in the past and so needs to change its mind on this one as well. Song’s argument appeals to the standard issues cited but is more nuanced and also significantly different: “this would not be the first time where something widely accepted by Christians now has been adopted in the face of biblical texts” (72).

He cites three and each merit a brief comment. First, slavery which “the New Testament did not reject out of hand, but that is universally condemned by Christians now” (72). Here the shift is from biblical toleration to universal Christian prohibition and it is one for which the book of Philemon could be said to give a fairly direct canonical and theological basis. This is a different shift from that of a universal biblical prohibition to not just Christian toleration but Christian commendation as is being proposed by Song for same-sex relationships. Second, the role of women. Here Song seemingly accepts the exegesis of certain passages offered by headship/complementarian conservatives, all of which have been strongly challenged, and gives limited recognition to the many counter-examples apart from Galatians 3.28. He thus portrays the situation as much more

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<sup>109</sup> For the details of these debates see now the comprehensive account in Martin Davie, *Studies on the Bible and Same-Sex Relationships since 2003*

analogous to the same-sex relationship argument despite the fact that there (as he has granted) the traditionalist reading of all the texts is strongest and there are no equivalents of, say, Junia, the female apostle of Romans 16. Finally, and more briefly, he refers to remarriage after divorce although here he accepts that this does not fit his “in the face of biblical texts” case given the Matthean exception and Pauline privilege (73-4). Interestingly, he does not cite perhaps the strongest example for his case – the taking of interest.

In summary, doubtless some have happily described their stance as Christians in these three areas as being “in the face of biblical texts”. In each case, however, the exegesis of texts being rejected is often flawed. The stance is much better defended by reference to other biblical texts addressing the subject matter and appeal to both an underlying biblically based theology and the wider biblical witness. In other words, the biblical texts cited and rejected on slavery, the role of women, and remarriage after divorce do not always say what is claimed – sometimes even taken on their own in their immediate textual and cultural context, sometimes when read canonically - by those who offer a Christian response they describe as contradicting biblical teaching.

In addition, in each of these areas, Scripture taken as a whole itself raises questions about such readings for any intelligent reader. It offers teaching or examples which give a canonical basis for the now commonly accepted Christian stance even if it sits uneasily with some texts taken in isolation. The question is therefore whether or not a similar defence can be developed in relation to the biblical texts on same-sex sexual behaviour. Here the first and fundamental challenge is that the biblical witness is uniformly negative in both Old and New Testaments and is theologically grounded (as Song accepts) in the doctrine of creation. There is a total lack of any canonical witness commending or even tolerating sexual relationships between people of the same sex which could then perform an equivalent function to Paul’s counsel to Philemon, examples of women in leadership, and acceptance of remarriage after divorce in certain situations. As Song recognises, the claim is that “in all these cases, Scripture itself provides a basis for rejecting, eliding or otherwise qualifying the seemingly plain teaching of Scripture, whereas in the case of same-sex relationships Scripture provides no basis for such a development” (74). It is his response to this argument which lies at the heart of his hermeneutical strategy.

#### *5.2.2.2 A biblical trajectory and theology?*

The central argument Song is making is that the case he makes for a third calling of non-procreative covenant partnerships and the separation of sex from procreation is biblically based. Thus in relation to sexual same-sex covenant partnerships he believes that “Scripture itself provides a basis for rejecting, eliding or otherwise qualifying the seemingly plain teaching of Scripture” (74). In other words, the strength of his justification for not opposing same-sex sexual relationships despite his fairly conservative reading of the classic texts depends on the strength of the arguments already examined. In particular it depends on the strength of his claim that the vision he articulates is biblical and that “even if there is no surface trajectory in the New Testament towards same-sex relationships, there are still a variety of reasons for finding such a rationale that arise from within the New Testament and that are in sympathy with its fundamental commitments” (75).

Rather than repeat the detail of the critiques I have already presented of these arguments, I will here simply summarise the key points which relate to claims about biblical teaching in relation to creation and the eschaton. The heart of his argument is that although the texts may have negative

force if read only in the light of creation they do not do so in the light of the New Testament witness about the eschaton.<sup>110</sup>

In relation to creation it has been argued above that the creation accounts and the later biblical appeals to creation cannot be simply reduced to a concern with procreation as the only significant feature of sexual differentiation into male and female (see especially 5.1.1 above). Even more important is that Song grants that according to Scripture same-sex relationships are a “departure from a creation good”, “a fall” and a “disruption” of created order (67). This raises three important issues for any claim Christians can now celebrate such relationships. First, it leads to a biblical theology in which the eschatological vision of the new creation is not one that produces “an ethics of creation renewed” (71) alongside an ethic which transcends the created good (as celibacy does). It authorises an ethic which contradicts creation. As in other writers, new creation now opposes creation. Second, it does not have a way of locating same-sex sexual desire in relation to humanity as created by God (see 4.2.5 above) – its expression is legitimated in the light of the eschaton but cannot appeal to God’s purposes in creation. Third, there is no evidence that the negative New Testament assessments are best explained because of a failure to consider the implications of there being no procreation in heaven for a creation-based ethic. This leads us to the biblical problems with the other end of the alleged trajectory in Song’s hermeneutical strategy – Scripture’s witness to the eschaton.

In relation to the eschaton, there is no evidence that Scripture sees humanity’s destiny as one which involves sexual behaviour. As Song himself says in summarising his argument, “the whole eschatological and ascetic thrust of the New Testament is towards a vision of the resurrection life” as “a life beyond marriage, sex, and family altogether” (74, italics added). This therefore provides no basis for a Scriptural trajectory in which an appeal to the biblical teaching on new creation might legitimise new forms of sexual behaviour which Scripture prohibits (see 1.1.2 and 4.2.4 above). Even more seriously, in 1 Corinthians Paul does explicitly relate same-sex sexual behaviour not to creation but to the eschaton and “makes clear the eschatological context according to which wrongdoers of those kinds will not inherit the Kingdom of God” (71). As Song admits, even if one granted the case that the terms here may not refer to all forms of homosexual behaviour, there are numerous verses which refer to *porneia* “in an eschatological context” (71). In their first-century Jewish context *porneia* plausibly includes same-sex relationships and there is certainly no evidence that Paul was redefining this key term in the light of Christ and the eschaton.

The proposed trajectory is thus weakly grounded in Scripture at both ends – creation and new creation. This is perhaps why no biblical writer and no writer in later Christian tradition has read the trajectory of Scripture in quite the way Song does or reached the conclusions he has reached about there being a biblical “basis for rejecting, eliding or otherwise qualifying the seemingly plain teaching of Scripture” (74).

### 5.2.2.3 *Going beyond Scripture and Saint Paul*

It is indisputable that any case for sexual same-sex relationships cannot claim explicit, direct authorisation from the apostle Paul or any other biblical author. The argument is, of necessity, one that goes “beyond the Bible”. But there are significantly different ways of doing this. As we have seen Song is clear that there are precedents (5.2.2.1) but he also seeks to argue that Scripture itself

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<sup>110</sup> Thus he writes of Paul in Romans 1 that he is providing “an account of a fall from the created protological good” but not a complete sexual ethic and “he is not at all addressing the question whether there might be any other way of understanding same-sex relations than a departure from a creation good....if Christ’s coming is decisive for our understanding of marriage and sexuality....then there is more to be said....” (67).

authorises and gives a shape to the way in which he is advocating going beyond the Bible (5.2.2.2). What if that argument, though, is unconvincing? What of other ways of making this move and arguing that even if commending same-sex sexual partnerships “would have been impossible in the first century” (72) that does not make it impossible for us?

Song lists seven rhetorical questions (75-6) which highlight a range of different ways in which it would be possible to accept a conservative reading of the classic texts (“we do not need to claim that the Bible was secretly pro-gay”) but still say something different today. They are mostly common arguments in the current debate and it is worth noting the different forms of argument represented in these questions. He does not explore the questions although he seems to grant that, if supported by the evidence, they could all be legitimate hermeneutical strategies. The basic fundamental move here is an argument that Paul (and other biblical authors) were prevented from being able “to form any distinction between generalized sexual immorality and licentiousness on the one hand and stable, faithful, same-sex partnerships on the other” (76) but that we are able to make this distinction. The following potential lines of justifications lie behind his various questions:

- 1) We have different understandings of sex and sexuality. These may relate to knowledge<sup>111</sup> or conceptualisation.<sup>112</sup>
- 2) We have to consider and evaluate experiences and phenomena he never had to address.<sup>113</sup>
- 3) We have both the time and the cultural context in which we are able to consider our experiences of and responses to same-sex relationships in a way he could not.<sup>114</sup>

These are all important points to consider in developing a contemporary theology and sexual ethic but they do not inexorably lead to revising traditional Christian teaching.

In relation to the first the specific claims need to be weighed and tested in relation to both our world and that of biblical authors. For example, “how secure is our knowledge in relation to sexual orientation and did the ancient world lack any similar conceptualisation?”<sup>115</sup> and “did Paul conceptualise sex in terms of a superior active partner and inferior passive partner and if so was that

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<sup>111</sup> For example, in relation to sexual orientation where “maybe he thought that homosexual adventures were conducted by heterosexuals bored with conventional sex” (75) and those in same-sex relationships “were behaving contrary to their own nature” (75).

<sup>112</sup> For example, he may have assumed sexual relations “symbolised and required a social hierarchy of superior and inferior” (75).

<sup>113</sup> For example, “maybe he thought that sexual relations should always be between equals and that the kinds of homosexual relationship he was familiar with involved an unequal relationship that threatened this” (76) or that “most same-sex relationships were conducted by already married men” (75).

<sup>114</sup> “Even if Paul was aware of consensual, committed same-sex partnerships from literature, philosophy or general observation of life, it is one thing to know about them the abstract, another to know about them from close acquaintance and to begin to ponder and weight their significance. And even if he had begun that process and had started to entertain strange thoughts about them – and there is no evidence at all to suggest this, we should be clear – the overwhelming social, religious, pragmatic and rhetorical pressures would have made it all but impossible for him to have written differently than he did” (76).

<sup>115</sup> Edward Stein famously concludes his lengthy study that the reality is that we have a long way to go “in terms of justifying our metaphysical and scientific views about sexual orientation and sexual desires” and that “our confidence that we have advanced a great deal in our understanding of sexual orientation compared to Aristophanes and his fellow celebrants in *The Symposium* is premature” (Edward Stein, *The Mismeasure of Desire: The Science, Theory and Ethics of Sexual Orientation* (OUP, 1999), p. 348). Bernadette Brooten shows that ““contrary to the view that the idea of sexual orientation did not develop until the nineteenth century, the astrological sources demonstrate the existence in the Roman world of the concept of a lifelong erotic orientation” (Brooten, *Love Between Women*, p. 140 concluding Chpt 4 which explores “predetermined erotic orientations” in classical horoscopes and other writing on astrology).

the basis for his moral judgments?”<sup>116</sup> Where there are clear differences, a judgment then needs to be made on whether our understandings are superior and to be preferred and, if so, the theological and ethical implications need to be carefully argued out. Here we cannot simply assume that our understandings are superior because later. Nor, if we believe in divine revelation, can we say that the biblical authors were wholly captive to their cultural contexts, neither critiquing them nor writing in ways that speak into other cultures.

Second, there can be no disputing that our experiences are different from those of biblical authors. This is a reality which impinges on all moral theology – new phenomena and forms of human action appear through history (nuclear weapons, genetic manipulation) and even where there is significant continuity with the past there are also discontinuities (war today is both similar but also very different from war in previous centuries). In fact, every single situation in which we seek to act ethically has its unique, distinctive features which we need to weigh and consider theologically and morally. Once again one question here is just *how different* our experiences are compared to those of Jesus, Paul and others and whether we can know this with any confidence. But more important is whether these differences are sufficient for us to revise their moral arguments and judgments rather than to approach these differences seeking to see how those moral arguments and judgments shed light on our situation and can shape our understanding and response.

Third, similarly we do have greater freedom to consider our experiences of and responses to same-sex relationships in a way Paul could not. We need though to be careful about claiming that “the overwhelming social, religious, pragmatic and rhetorical pressures would have made it all but impossible for him to have written differently than he did” (76). On the one hand, Paul was quite willing to face incredible pressures because of his radical and new beliefs (for example over circumcision in relation to Jews or the Lordship of Christ in relation to Rome) and we need to be cautious about claiming external pressures would make certain changes of mind or practice impossible. On the other hand, in much of western society many of the pressures Song identifies are now brought to bear on those who continue to take a traditional Christian stance in response to same-sex relationships. It could be argued that those developing arguments similar to his are to some degree responding to those pressures. Song’s statement that “the fact that it would have been impossible for him does not mean that it is necessarily impossible for us who live in the space shaped by the story of which he was an apostle” (76) is thus not wrong in itself – one might, returning to an earlier discussion, apply it to Christians campaigning against slavery in society in a way impossible for Paul – but it is also the case that because something is no longer impossible for us does not mean that it is right for us.

In all three cases, therefore, these lines of argument in defence of going “beyond the Bible” are not free-standing unless they amount to an uncritical acceptance of contemporary truth-claims in order to relativise the biblical material. They have a place only within a theologically shaped evaluation of such claims in order to determine whether there is any way in which, “shaped by the story of which he was an apostle”, we can reconfigure Paul’s own ethical teaching. In evaluating competing understandings of sex and sexuality and in discerning a faithful response to new experiences we will be giving expression to our worldview and passing theological judgments either explicitly or implicitly. If we conclude that we today can respond to patterns of homosexual behaviour by making distinctions which Paul did not make we cannot therefore simply appeal to these differences between our world and his. For such a judgment to be theologically rigorous and accountable to

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<sup>116</sup> Paul’s astonishingly egalitarian argument in 1 Corinthians 7 is very difficult to square with a hierarchical view which undoubtedly was prominent in the ancient world.

Scripture these hermeneutical steps must appeal to the wider arguments of the book. To the extent that those arguments are persuasive, these further hermeneutical steps will have some force. Where they are not persuasive, these steps will simply amount to a claim that we know better than the biblical witness.

#### *5.2.2.4 Love and the analogy with war*

A common appeal in debates about same-sex unions is to love as the fundamental Christian ethic which can over-turn the teaching of specific texts. Once again, Song offers a variant of this argument by appealing to Christian disagreements over war: “Why is it that war, and therefore who one may kill, can be widely justified in the Christian tradition by appeal to love, whereas same-sex relations, and therefore who one may love cannot?” (78).

There is an important challenge in this aspect of Song’s argument to explain how the traditional understanding embodies love but the attempt to use this analogy to justify his own case is weak.

First, his argument that armed conflict is “another moral issue that involves reading the New Testament against its plain meaning” fails to do justice to texts such as Romans 13, the fact that the Old Testament must also be considered in any Christian ethic, and that from early in the church’s history and for many centuries now the just war reading has been widely accepted as consonant with Scripture. Once again, as with the other examples cited earlier, the biblical narrative has texts in tension that demand a Christian reader to make sense of them as a whole in the way that cannot be claimed in relation to same-sex unions.

Second, the Christian argument for justified war is based in neither creation nor new creation but in God’s providential work of preserving a fallen world – it is, like punishment generally, a remedy for human sin and disobedience. Although Song is not clear on how he locates the experience of same-sex attraction within the biblical drama, it does not appear that his argument is for covenant partnerships as a remedy for, and restraining of, sin.

Third, although he notes the difficulties in much situation ethics he nevertheless writes of “the irony of not being able to appeal to love in order to justify love” (78). This, though, fails to recognise that the traditional argument can acknowledge the existence of love in same-sex relationships – as a form of friendship. In addition, the existence of love in other relationships does not automatically indicate that the form of relationship is one which is a divine calling or that all forms of behaviour (sexual or otherwise) within the relationship are acceptable.

Fourth, his appeal to the diversity found on this matter within churches as a basis for a similar response in relation to same-sex relationships needs to address more than issues of biblical interpretation. In relation to war, all churches acknowledge that war is a consequence of human sin and, even if at times justifiable, not a human activity which is to be encouraged or blessed as good in itself. In contrast, he and others are arguing for same-sex sexual unions as a good in themselves, a way of holiness to be blessed by the church, in the face of a tradition that has viewed them as a form of sinful disobedience. The disagreement in other words runs much deeper. To approach it from the other side, the church has celebrated marriage because it believes this practice shapes human beings to conform to a divinely ordained form of life which is given for human flourishing and bears witness to the gospel. Even though he does not wish to call it ‘marriage’, Song’s category of ‘covenant partnership’ has a similar moral standing and significance. War is not viewed in this way by non-pacifist Christians and has never been celebrated as a form of life within the Christian church. It is hard to see how a church could authorise such a vision of covenant partnerships in a way acceptable to those who believed this form of life was a pattern of disobedience.



### *5.2.3 Conclusion*

Song's work illustrates that, in seeking to defend same-sex relationships from Scripture there are three broad strategies that can be adopted. He clearly rejects the view that the classic texts can be reinterpreted so that they do not address our concerns (5.2.1). His main approach (5.2.2) appears to be to argue for a hermeneutic in which those prohibitions are relativized by his overall theological account which he believes is faithful to Scripture. This means that it is the assessment of this bigger picture – its biblical basis and theological cogency – which are crucial. In other words, only if he has cleared the hurdles raised in earlier sections and is persuasive that his case is biblical is there any chance that he is able to convince that his argument as a whole is biblical despite the classic prohibitive texts. At times, however, he appears to accept that we may simply need to judge the biblical writers as too limited in their knowledge and by their culture and be willing to overturn their moral judgments on the basis of our own knowledge and cultural context. This latter perspective represents a significantly different approach to how Scripture is authoritative for Christian ethics.

### *5.3 Conclusion*

If Song's case for covenant partnerships as a third calling is accepted despite the criticisms raised in the previous sections, he has a final hurdle to jump before it becomes a convincing case for sexual same-sex relationships. This section has examined the two main challenges – whether the significance of sexual differentiation can be limited to procreation (and hence be judged irrelevant in relation to a non-procreative covenant partnership) and how to read the biblical texts condemning same-sex sexual behaviour. It has argued that the former of these is not as strongly based in either Scripture or science as Song claims and that, given he accepts a fairly conservative reading of the classic texts on homosexuality, his argument on how to interpret these today either stands or falls on the basis of the plausibility of his wider argument for covenant partnerships or becomes a question of whether we can legitimately appeal to contemporary knowledge and cultural context in order to disregard biblical teaching.

Finally, having assessed the five key stages in his argument for covenant partnerships as sexual relationships between two people (whether same-sex or opposite-sex) we need to examine how he situates this new third calling theologically and in relation to marriage.

## 6. Making Sense of Three Callings

This final section turns to look not at the arguments advanced in favour of recognising a third calling but the situating of such a third calling in relation to wider Christian theology and in relation to the two recognised callings, particularly the calling of marriage.

### *6.1 In what way(s) are covenant partnerships distinctive and eschatologically grounded?*

The clear theological distinction between marriage and covenant partnership within Song's argument is that the former is rooted in creation and has no eschatological form whereas the latter, like celibacy, is rooted in the eschaton (and its rooting in creation remains largely opaque). Covenant partnerships, whether non-procreative opposite-sex relationships or committed same-sex relationships "share certain features with marriage" as we have seen (section 2 above) but "they are theologically speaking *not* in fact the same and have a different place within the divine economy" (27)). This is part of what gives shape to his explanation of fruitfulness – "since such relationships are eschatologically grounded, they would take their orientation from the demands of the Kingdom" (28). There are, however, a number of puzzling features when the eschatological grounding and witness of covenant partnerships is explored more fully alongside the biblical witness which gives such an eschatological basis to celibacy.

#### 6.1.1 Which goods are distinctive and eschatological?

The argument appears to be that it is in being non-procreative that covenant partnerships are distinguished from the created good of marriage and thereby bear witness to, and show they are theologically grounded in, the eschaton. This is also what they share in common with the calling of celibacy that is clearly eschatologically grounded within Scripture and tradition. The argument in relation to celibacy is clear – it opens up as a calling on the basis that there will be no marriage in heaven as the New Testament's "vision of the resurrection life...is...a life beyond marriage, sex and family altogether" (74). Celibacy as a life of singleness and abstinence from sex thus bears witness to the eschaton in a distinctive way that marriage as a life of partnership and sexual union cannot.

There are a number of loose ends when similar questions are explored in relation to covenant partnerships. First, it is not clear that one can speak of non-procreativity as itself a "good" and, as noted above, the wider, positive third good of "fruitfulness" that effectively replaces "procreation" is not one which distinguishes covenant partnerships from marriage or indeed other relationships and callings. Second, although Song refers to the other two goods of covenant partnerships as goods which "gain their final intelligibility from their witnessing to the future relationship between humankind and God" (28), as discussed above (2.2.2) these goods are not uniquely eschatological but rooted in creation, witnessed to in historic covenants and fulfilled in Christ's incarnation. Furthermore, they are goods of marriage and also numerous other callings, including various forms of relationship, which are non-procreative. These two goods, in other words, do not identify a special calling which distinctively witnesses to the eschaton.

#### 6.1.2 What additional witness is given by covenant partnerships?

An interesting question to ask is what it is that covenant partnerships bear witness to that is not already borne witness to in either marriage or celibacy. Or, even more precisely, what

eschatological witness is given by covenant partnerships that is not given by the eschatological witness of celibacy?

On both counts it is hard to see what answer can be given from within Song's account. That does not mean that there cannot possibly be such a third calling. It does mean that it appears to lack any theological necessity or to add anything to Christian witness that is lacking in the tradition's account of two callings. That, together with the lack of explicit biblical basis for the calling, severely weakens the case for such a third calling.

In fact, covenant partnerships seem to be not so much eschatologically founded but rather a hybrid of the two callings of marriage and celibacy, a merger between them in which each is stripped of certain features that are essential to it. From celibacy it takes the embracing of life beyond procreation but strips off the requirement of singleness and sexual abstinence. From marriage it takes the goods of faithfulness and permanence but strips off the good of procreation.

### 6.1.3 Eschaton or "Between the Times"?

To be fair to Song, there appears to be a tension or unclarity in his use of the language of eschatology. He frequently refers to his third way as eschatologically founded in a way that opens up the questions explored above on the basis of the Christian understanding of the relationship between celibacy and eschatology. To give a few of the strongest statements, often in key summaries of his argument:

- He is presenting "a theological case for eschatologically grounded covenant partnerships which are inherently non-procreative" (49) and defending "eschatologically grounded covenant partnerships that are not procreative in nature" (59) or "non-procreative committed relationship that may also function as a kind of eschatological witness" (28)
- Covenant partnerships "bear eschatological witness to the goods of faithfulness, permanence and fruitfulness, and thus participate in the corporate ecclesial discernment of vocation, in which some are called to bear witness to the goods of creation, others to creation's fulfilment in the coming Kingdom?" (36)
- The key distinction he wants to draw is "between those relationships which witness to the goods of creation and those which witness to the eschatological future" (37).
- His view is that "if we consider the eschatological significance of Christ for sexuality, different vistas may open up" (71) and in particular "there is theological space for eschatologically grounded covenant partnerships" (75).

However, at other times the language is a bit more focussed on the here and now than the eschatological future:

- He introduces his argument as "rooted in the eschatological character of the time we indwell" (xi)
- He opens his discussion of reading the Bible by stressing the need for looking to the whole biblical story and understanding it in the light of "life lived between the times of the resurrection and the *parousia*" (63).
- He writes of covenant partnerships as a "witness to the time between the times, when God's purposes for creation have been fulfilled in Christ, but where we await their final manifestation" (50) and he contrasts them to the fact that "some are called to celibacy to point forward to the time when God will be all in all" (50).

It may therefore be that his argument would respond to some of the criticisms above by downplaying some of the stronger statements in the first list and emphasising those in the second. This could mean speaking of three periods in God's work, rather than just two, mapping on to the three callings he sets out:

1. Marriage including procreation rooted in creation,
2. Celibacy rooted in the consummation of all things and
3. Covenant partnerships as a witness to both the "now" (life beyond procreation in the current age) and the "not yet" (and so distinct from celibacy and its eschatological witness and retaining many of the features of marriage as a created good).

This leads into the area which, although Song only addresses it at the end of his book in relation to mapping his account onto contemporary society, raises fundamental theological questions about the exact nature of his argument: the relationship between marriage and covenant partnership (and, though this has less prominence, also friendship).

### *6.2 How do covenant partnerships relate to marriage?*

As described above, Song's argument is clearly for "a new theological category" (81) distinct from marriage. The two callings are in fact mutually exclusive in that one has procreation as an essential defining feature and the other has non-procreation as an essential defining feature. In his final chapter, however, Song seeks to relate this argument to the different social forms of recognition for same-sex relationships (basically as a new institution such as "civil partnership" or as marriage) though he is careful to say that he is "laying out some possibilities rather than firmly arguing for any one of them" (83).

To view covenant partnerships as civil partnership keeps the theologically grounded distinction from marriage but faces a number of challenges, in particular the current restriction of civil partnerships to same-sex couples and the fact that civil partnerships are seen as second-class whereas theologically covenant partnerships are a distinct but equal calling. To view covenant partnerships as marriage, however, also raises significant problems, not least merging what his book as a whole seeks to distinguish. His third option – marriage as covenant partnership – offers, however, a different way forward which Song clearly sees many benefits in but which he believes "would constitute a very significant theological change" (91). It could, however, address a number of the problems raised above in relation to his theological argument for covenant partnership as well as enabling the church to embrace society's move towards same-sex marriage more wholeheartedly than his current proposal with its important theological distinctions between covenant partnership and marriage. What might this alternative theological approach look like?

#### *6.2.1 Marriage as covenant partnership?: An outline*

If marriage is to be viewed as covenant partnership then clearly covenant partnership is no longer being defined as Song defines it which is as a mutually exclusive calling in relation to marriage. Rather, it must become an all-embracing category which includes both procreative and non-procreative unions ie both covenant partnerships and marriage in Song's definitions. Such an approach therefore does not require the creation of a third calling alongside marriage and celibacy but rather the reshaping of one of those callings – marriage – so that it is simply a form of the broader category of covenant partnership.

This has a number of benefits when compared to Song's proposal of a separate, third calling.<sup>117</sup> The articulation of the goods of covenant partnership is now able to be achieved as part of the reshaping of marriage and its goods with fruitfulness not being the insertion of a replacement for the good of procreation but an over-arching good which may take the form of biological fruitfulness in procreation (as in traditional marriage) but may not. Furthermore, the problems of distinguishing procreative and non-procreative callings are no longer present as both are embraced within the now all-encompassing category of covenant partnership. In other words, the various problems with Song's account of covenant partnership raised in sections 1-3 above are no longer present or at least not as strongly or in the same form as within his account of covenant partnership as a distinct third calling.

This understanding of covenant partnership could also claim a basis in creation if one were to accept Brownson's argument that the Genesis language of "one flesh" refers not to marriage as traditionally understood but rather to the creation of a kinship bond between two people, which is an acceptable description of covenant partnership. This could also solve the problem of how to locate same-sex attraction theologically which is raised if covenant partnerships are only a calling post-Christ. In addition, the biblical language relating marriage to God's covenant with his people could now be read (as Song appears to do implicitly) as referring to covenant partnerships, one form of which is marriage.

Despite these potential benefits, this alternative account of covenant partnerships and their relationship to marriage raises a number of questions and highlights a number of important issues.

#### 6.2.2 Marriage as covenant partnership?: Some questions

First, there is the question of how this calling of covenant partnership relates to marriage as traditionally understood by Christians. On one level it could be argued that the account above of marriage as covenant partnership is – as long as it is limited to a male-female union – not that different in practice from the traditional account of marriage. That, as we've seen, has (unlike Song) not viewed the presence of non-procreative marriages as incompatible with the institution of marriage and its procreative good. It has, in other words, incorporated within its account of the calling of marriage instances of both procreative and non-procreative unions, just as would this account of marriage as covenant partnership. The way in which this alternative account does this and in particular its desire to include same-sex unions within the category of covenant partnership will, however, lead to radical changes and highlights again some key areas of debate and disagreement as explored below.

Second, a crucial element in Song's argument for covenant partnership is the theological difference made to sex and marriage by the coming of Christ and it needs to be asked how this might have a place in this reconfiguration of his proposal. He describes this in terms of "marriage itself as changed theologically by the coming of Christ" so that "after the birth of Christ covenant partnership is the deeper and more embracing category, with procreative marriage now being the special case" (89).

This could represent a radical change in the nature of the calling which becomes something new and significantly different from that which it was before: "reworking marriage from within and showing that it itself had become something new in Christ" so that "marriage has been decisively affected by the new eschatological context in Christ" (91). Some have argued for a similar sort of development

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<sup>117</sup> It should be noted that Song is open to other, additional callings, mentioning that of "non-vowed singleness" as another kind of calling (50, n4).

in relation to the nature and calling of political authority pre-Christ and post-Christ in which certain features pre-Christ are shed post-Christ. So, although a major reshaping of the traditional teaching on marriage, this would not be an unprecedented form of argument.<sup>118</sup> There may also be interesting parallels to draw between the nature and role of the law, given that Christ is “the end of the law”.

An alternative option would be to view the effect as primarily epistemological – the coming of Christ reveals covenant partnership as God’s purpose and brings to light what was always the divine intention in creation but which was largely hidden prior to Christ. Here it may be that the key shift is not simply the revelation of a new creation beyond procreation which Song stresses but a theme particularly noteworthy in the tradition, especially Augustine and also Barth, although largely absent from Song’s work: the fulfilment in Christ of God’s covenant purposes through Israel leading to a change in the place of procreation.<sup>119</sup> On this understanding it is not simply that a life beyond procreation bears witness to the fact that God’s purposes in creation (Gen 1.28, “be fruitful and multiply”) are transcended in the non-procreative eschatological future. Procreation was also central to God’s covenant promises to Abraham (“I will make of you a great nation” (Gen 12.2); “So shall your offspring be” (Gen 15.4-5)) and the divinely chosen path for fulfilling his covenant promises. Now that those promises have been fulfilled and the path reached its *telos* in the birth of Christ, procreation no longer has the same place of necessity within God’s purposes in history. So Augustine contrasts the requirements before Christ and after Christ not in relation to the eschatological future but the fulfilment of the historic covenant with Abraham and Israel:

In the early days of the human race it was the duty of the saints to exploit the good of marriage to multiply the people of God, so that through them the Prince and Saviour of all peoples would be predicted in prophecy and then born. It was not to be sought for its own sake, but was necessary for that other purpose. But now, since there is a teeming abundance of spiritual kindred from all nations on every side to enter upon our holy and pure fellowship, even those zealous to be joined in marriage solely to beget children should be urged to embrace the more honourable good of continence instead.<sup>120</sup>

Barth, in his discussion in *Church Dogmatics* III/4, §54.2, similarly writes:

In the sphere of the New Testament message there is no necessity, no general command, to continue the human race as such and therefore to procreate children. That this may happen....is all that can be said in the light of the fact which we must always take into fresh consideration, namely, that the kingdom of God comes and this world is passing away. *Post Christum natum* there can be no question of a divine law in virtue of which all these things must necessarily take place. On the contrary, it is one of the consolations of the coming kingdom and expiring time that this anxiety about posterity, that the burden of the postulate that we should and must bear children, heirs of our blood and name and honour and wealth, that the pressure and bitterness and tension of this question, if not the question itself, is removed from us all by the fact that the Son on whose birth alone everything seriously and

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<sup>118</sup> See, for example, Cullman and O’Donovan.

<sup>119</sup> Although neither Augustine or Barth are referred to, a very similar argument is advanced at length in relation to the biblical witness and the promise of seed/offspring by Barry Danylak in *Redeeming Singleness* and more briefly in his Grove booklet, *A Biblical Theology of Singleness* (Grove, Bible Series No 45, 2007).

<sup>120</sup> Augustine, *De bono conjugali*, (edited and translated by P.G. Walsh, OUP, 2001), para 9, p. 23. The theme recurs throughout the treatise (eg paras 15ff, 19 and 22) and is used to explain how the patriarchs in marrying and begetting children “were not overcome by lust but were constrained by devotion” and why polygamy was tolerated.

ultimately depended has now been born and has now become our Brother. No one now has to be conceived and born. We need not expect any other than the One of whose coming we are certain because He is already come.<sup>121</sup>

Song's concern to emphasise the change brought about by Christ would thus still have a place. Prior to Christ, divine revelation focuses on (perhaps even restricts covenant partnerships to) procreative unions (what we have traditionally referred to as "marriage") but this is a limitation of the created good of covenant partnership and post-Christ that wider more fundamental category is able to be revealed fully and to take shape in human history with "marriage" contained within it.

Third, it needs to be considered what is lost in this alternative account of covenant partnerships that Song's proposal retains. There are two main consequences of viewing marriage as simply a sub-set within covenant partnerships. First, there is no longer any distinctive calling which is tied to the good of procreation – that calling is simply one form of the wider category of covenant partnerships which as a calling may be either procreative or non-procreative. Second, and obviously connected, there is no longer any distinctive calling that is tied to the union of male and female. Both of these represent major losses in relation to the traditional Christian doctrine of creation and marriage within creation whereas Song's account retains these elements but adds to them a third calling which does not give them a place.

Fourth, this different configuration of the relationship between marriage and covenant partnerships still faces a number of important theological challenges in the light of traditional Christian teaching. Although it has the advantage that most of the issues raised against Song's account of covenant partnership as a third calling distinct from marriage in sections 1-3 above are no longer present it remains the case that - because of the inclusion of same-sex sexual unions – the issues raised in sections 4 and 5 continue to be relevant: the relationship between sexual activity and procreation and the significance of being male and female. In fact these are arguably even weightier challenges because, as just noted, there is no longer any distinctive calling that embodies the significance of being made male and female and the created good of procreation. The problem of a lack of support for this alternative account of covenant partnerships in either Scripture or Christian tradition also remains a major problem and indeed leads Song to caution that this view – whatever its attractions – "would constitute a very significant theological change" (91).

### *6.3 Conclusion*

In conclusion, Song's proposal of a new third calling of covenant partnership, mutually exclusive to marriage because lacking the good of procreation which he views as essential to marriage, struggles to show how it is distinctive and rooted in the eschaton. One solution is to see it as witnessing to both the "now" and the "not yet". An alternative approach would for Song's proposal to be reconfigured by redefining covenant partnership to include both procreative and non-procreative unions and so viewing "marriage as covenant partnership". This would overcome a number of the challenges discussed above which face the proposal as set out in his book and would also a Christian acceptance of society's current redefinition of marriage which would map fully onto the category of covenant partnership. It would, however, also raise new and different theological challenges. Either account, by including sexual relationships between people of the same sex within covenant partnerships, has to address the severing of any connection between sexual behaviour and procreation, the failure to differentiate same-sex and opposite-sex unions, and Scripture's consistently negative witness concerning same-sex sexual behaviour.

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<sup>121</sup> Barth, *Church Dogmatics* III/4 (T&T Clark, 1961), §54.2, p. 266.

## 7. Conclusion

This paper has sought to assess Song's proposal of covenant partnership as a third non-procreative calling alongside marriage and celibacy and one which would include, but not be restricted to, committed quasi-marital sexual relationships between two people of the same sex.

It has done so by leaving his conclusion as regards same-sex relationships to the end of the analysis on the basis that his theological defence of these relies on a much more fundamental development and wider reconfiguration of the church's traditional sexual ethic. Long before reaching his arguments for including same-sex relationships within covenant partnerships there are a number of significant exegetical, theological, ethical, and philosophical challenges that his account must overcome. If it cannot address these adequately then – unless it is adapted – the case for sexual same-sex unions as covenant partnerships fails.

Approaching his argument in this way has also highlighted that a major element in his proposed calling of covenant partnership (which is never fully argued for or even directly addressed) is that the coming of Christ has led to the severing of any connection between sexual behaviour and procreation in sexual ethics and God's purposes for human flourishing. This marks a major break with the tradition which although stressing that the in-breaking of the eschaton in Christ opened up a non-procreative calling insisted that any such calling must also be non-sexual.

This question of the relationship between sex and procreation (section 4 above) is one which has to be addressed not just by Song but by any account defending sexual same-sex relationships as is the question of the significance of sexual differentiation within humanity and in particular the bearing of this differentiation on how we read and apply the biblical texts prohibiting homosexual behaviour (section 5).

It is indisputable that Song's account is marked by a deep knowledge of and respect for Scripture and Christian tradition, something which is not always evident in those proposing a revision of the Church's traditional sexual ethic. He offers it as part of the ongoing "conversation, communal discernment and [the] effort to hear Christ in one another and under the authority of Scripture, tradition and reason" (xvii) and is honest about both the novelty of his proposal and the danger of self-deception and offering "an exercise in rationalization, the legitimation of conclusions reaching on entirely other grounds" (xvi).

If one were already to have reached a conclusion that sexual same-sex partnerships are a path of holiness and faithful Christian discipleship then his argument for covenant partnerships represents perhaps the most theologically rigorous and rich defence of such a view on offer. However, the various weaknesses highlighted above, especially when faced with the strength of the witness of Scripture and Christian tradition, means that his proposal ultimately fails to deliver a theologically convincing alternative to the view that, in the words of the St. Andrew's Day Statement, the church "assists all its members to a life of faithful witness in chastity and holiness, recognising two forms or vocations in which that life can be lived: marriage and singleness" and is not authorised "to confer legitimacy upon alternatives to these".