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A Not So Modest Proposal: Faithfully Redefining Methodist Marriage

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Abstract: In *The Empirical Stance*, philosopher of science Bas Van Fraassen argues that religious traditions, like scientific traditions, can undergo Kuhnian epistemic crises and paradigm shifts. Resolving these crises often involves modifying the meaning of concepts considered core to the tradition's identity. This then poses an epistemic challenge for would-be faithful practitioners, namely, how can a proposed modification of a core concept be prospectively judged as a reasonable and legitimate extension of the tradition, rather than the heterodox departure it appears to be? In this paper, I argue that many Protestant traditions face an epistemic crisis concerning the classical definition of Christian marriage. I go on to show how Protestants, e.g., Methodists, might go about modifying the concept of Christian marriage in a manner remaining sufficiently loyal to all that is best in our Christian past.

Introduction

The 2015 Supreme Court decision *Obergefell v. Hodges* modified the historic definition of U.S. civil marriage to include same-sex couples.¹ This decision, however, did little to settle debates over marriage occurring within various Christian denominations. Take, for instance, my own denomination, the United Methodist Church ('UMC' hereafter). In November 2013, Rev. Frank Schaefer was defrocked after conducting the same-sex marriage of his son in violation of the UMC's *Book of Discipline*. Seven months later, he was reinstated despite the fact that the definition of marriage in *Book of Discipline* remains the same. Thirteen years prior, theologian Stanley Hauerwas published a piece explaining why he resigned from the Committee to Study Homosexuality, a committee commissioned by UMC's General Conference in 1988:

¹ *Obergefell v. Hodges* 576 U.S. ____ (2015).

The United Methodist Church, as well as most mainstream Protestant churches in the United States, does not know how to think about homosexuality because they do not know how to think about marriage and divorce.²

Hauerwas is right; the UMC still does not know how to think about marriage. This persistent lack of clarity and quickly shifting decisions in cases like Rev. Shaefer's is evidence we no longer know how to apply the concept of marriage in making well-founded ecclesial decisions. My aim in this paper is thus two-fold: (1) show that the UMC and, by extension, other Christian churches are in an epistemic crisis concerning their traditional concept of marriage; and (2) begin the project of modifying this concept to include same-sex couples, intersex and transgender people, while remaining sufficiently faithful to the good of our Christian traditions.

Classical Christian Marriage – A Concept in Crisis

What does it mean to say the UMC is in the midst of an epistemic crisis? In *The Structure of Scientific Revolutions*, Thomas Kuhn famously argued that the history of science is marked by epistemic crises and paradigm shifts. In *The Empirical Stance*, Bas van Fraassen claims that Kuhnian crises also occur in religious traditions. When it comes to crises in the sciences, van Fraassen cites the usual suspects: Galileo's proposed replacement of Aristotelian cosmological concepts and the nineteenth century debate over the presumed necessity of Euclidean geometry. When it comes to religions, he cites the debate among early Jewish Christians over whether it was possible to "become a Christian without becoming a Jew."³

To unpack and defend van Fraassen's claim that religious traditions can undergo crises of the Kuhnian kind, let me say more about what I take the relationship between science and religion to be. First, I agree with those who reject the so-called conflict myth, namely that modern western science and Christianity are inherently, practically and perpetually at war with one another.⁴ Second, I reject Stephen Gould's model of the relationship as two, non-

² Stanley Hauerwas, "Resisting Capitalism: On Marriage and Homosexuality," *Quarterly Review: A Journal of Theological Resources for Ministry* 20.3 (2000), 313-326.

³ Bas van Fraassen, *The Empirical Stance* (New Haven: Yale University Press, 2002), 70.

⁴ For some of the most current and strongest arguments debunking this myth, see Alvin Plantinga, *Where the Conflict Really Lies: Science, Religion and Naturalism* (New York: Oxford University Press, 2011) and Peter Harrison, *The Territories of Science and Religion* (Chicago: University of Chicago Press, 2015).

overlapping magisteria (NOMA). For Gould, science and religion are two entirely disparate forms of inquiry, addressing different questions and employing differing methods in answering them. To view scientific or religious claims as potentially incompatible with one another is thus tantamount to a category mistake. As many have pointed out, however, Gould's NOMA thesis does not bear up under historical scrutiny. There certainly have been and still are many instances where practicing Christians believe that scientific pronouncements are in genuine tension with claims supported by scripture and traditional religious authorities. There is no good reason for thinking that Gould is better positioned to understand the content and epistemic status of religious claims than practitioners who are actually conversant within the relevant field of discourse. Besides, Gould's thesis rests on the fact-value distinction, a distinction articulated and defended by Enlightenment philosophers that few epistemologists and philosophers of science are willing to defend today.

How then should someone, particularly a would-be faithful practitioner of Christianity, understand the relationship between science and religion? Here is where I look to Hermann Cohen, a nineteenth century Neo-Kantian Jewish philosopher, and contemporary epistemologist Linda Zagzebski for help. According to Cohen, for classical ethical and religious traditions to flourish, they must remain open to developments in any methodologically sound cognitive enterprise, namely, the natural sciences. He acknowledges that such vulnerability seemed at odds with the robust universality, strict normativity and fundamental status rightly accorded to ethico-religious concepts and propositions:

Here we arrive at a crossroad which we feel prompted to compare to the prophetic metaphor: Heaven and Earth, nature and science, may pass away, if only God's word, if only ethics shall remain. On the other hand, if ethics must become a science, and nothing but a science—will it not thus become subject to the destiny of all natural sciences, by being submitted to scientific methodology?⁵

Still, he came to see the Kantian project of trying to save ethico-religious precepts by rendering them non-scientific or non-cognitive as a mistake. He thus maintains, as do I, that a religion's ongoing vitality and cultural significance requires that adherents learn to wisely navigate their way through

⁵ Hermann Cohen, *Ethics of Maimonides* translated with commentary by Almut Sh. Bruckstein (Madison Wisconsin: The University of Wisconsin Press, 2004), 9.

the “Charybdis” of cognitively empty dogmatism and the “Scylla” of an unduly heterodox scientism.⁶

Consider too Zagzebski’s latest thesis on the epistemic authority reasonably granted to a religious community:

The epistemic authority of my religious community is justified for me by my conscientious judgment that if I believe what We believe, the result will survive my conscientious self-reflection on my total set of psychic states better than if I try to figure out what to believe in a way that is independent of US.⁷

Given this thesis, my reliance on the epistemic authority of my religious tradition is warranted by my confidence that, as a community, we are exercising intellectual virtues aimed at truth, knowledge and understanding. I contend that exercising these virtues implies that religious communities sustain an on-going dialogical relationship with conscientious scientific communities.⁸ If this is right, the would-be faithful Christian will bear her share of this responsibility, a responsibility deriving from her status as an epistemic agent and as a member of a particular denomination or religious community.

Since Gould is wrong and the cognitive domains of science and religion can, do, and should overlap, we must not be surprised when revolutionary developments in the one initiate a Kuhnian crisis in the other. For van Fraassen, the historical fact of such crises presents us with a challenge:

[W]e take ourselves to have knowledge and to know what it is to be rational. Yet we also look back and see that in our past our presumed knowledge went into crisis, and the crisis was resolved in ways that burst the very categories of our then-putative knowledge and reason. We could perhaps think of ourselves as so superior to our past that these reflections are now irrelevant—and maybe that is the natural epistemological attitude. But what if we acknowledge that we could be in that position again?⁹

⁶ Cohen, *Ethics of Maimonides*, 9.

⁷ Linda Zagzebski, *Epistemic Authority: A Theory of Trust, Authority, and Autonomy in Belief* (New York: Oxford University Press, 2012), 200-1.

⁸ It should be noted that many participate in both communities and one would think that conscientiousness is a disposition that individuals carry into their various intellectual endeavors, even if it manifests differently.

⁹ van Fraassen, *The Empirical Stance*, 73-4.

I have argued that this is a position members of both scientific and religious traditions can find themselves in. I will argue now that this is a position many Christian denominations find themselves in with respect to the prevailing definition of marriage.

Van Fraassen lists four typical features of epistemic crises and their subsequent resolution. First, there must be an “old or ‘classical’ framework” in danger of being replaced by a proposed new one.¹⁰ Second, this danger stems from the fact that at least one of the concepts considered core to its classic formulation has become so plagued with anomalies that the tinkering required to accommodate them begins to appear ad hoc. As a result, our confidence in the explanatory power and predictive success of the framework begins to wane. For a proposed successor framework to be considered a viable option, it must serve as a kind of promissory note to better accommodate and explain these anomalies, thereby restoring and building on the cognitive gains of its predecessor. Third, retrospectively we see that some of these proposed successors delivered on their promise: Einsteinian physics is hailed as the legitimate successor of Newtonian physics; the Christian Bible is viewed, at least by Christians, as a legitimate interpretive expansion of what is contained in the Hebrew Bible. Fourth and finally, prior to its adoption, the proposed successor is viewed as an “inconsistent,” “obviously false,” nonsensical and, in the religious case, a blasphemous reinterpretation of its predecessor.¹¹

So does the prevailing definition of Methodist marriage satisfies van Fraassen’s first criterion? Does it pick out a constitutive concept within the framework of classical Christianity? The answer is yes. The *Book of Discipline* considers itself neither “sacrosanct” nor “infallible.”¹² It does, however, claim to present the theological foundation distinctive of the Methodist heritage and the starting place for any future extensions of the tradition intending to retain “all that [is] best in the Christian past.”¹³ The *Book of Discipline* states:

We affirm the sanctity of the marriage covenant that is expressed in love, mutual support and personal commitment and shared fidelity between a man and a woman. We believe that God’s blessing rests upon such a marriage whether or not there are children of the union. We reject social norms that assume different standards for women than for men in

¹⁰ van Fraassen, *The Empirical Stance*, 71.

¹¹ van Fraassen, *The Empirical Stance*, 71-2 and 102.

¹² *The Book of Discipline of the United Methodist Church 2012* (Nashville, TN: United Methodist Publishing House), v.

¹³ *Book of Discipline*, 2012, v.

marriage. We support laws of civil society that define marriage as the union between one man and one woman.¹⁴

Given the Supreme Court decision, the last sentence obviously needs to be changed. That said, marriage as defined here assumes and prescribes that only unions between one unambiguously male partner and one unambiguously female partner may experience the blessing of God characteristic of a sanctified marital covenant. The definition thus presumes what is often called a disjunctive, binary sex and gender taxonomy of humankind.

This binary taxonomy undergirds a substantial portion of traditional Christian thought and practice. It informs the sacraments and liturgical practices of many Christian denominations and is woven into a significant number of classical explications of Christian concepts and doctrines. This is not to say that there are not exceptions. Julian of Norwich's *Showings*, published in the late 14th century, is an often cited instance where sex and gender binaries are blurred in explicating Trinitarian and Christological doctrines, and one can cite other examples as well. Yet, these notable exceptions simply reinforce the rule that a strict adherence to sex and gender binary schemas mark much of historic Christian discourse. Therefore, it is safe to say that the prevailing definition of Methodist marriage and its correlative commitment to rigidly drawn sex and gender categories functions as a deeply embedded, core concept within classical formulation of western Christianity.

What evidence is there that the traditional understanding of Methodist or Christian marriage is plagued by anomalies that it can no longer reasonably assimilate? We all know what this looks like in the case of a scientific tradition—the epicycles added to Ptolemy's geocentric model become embarrassingly large and numerous; the simplicity and empirical applicability of non-Euclidean geometric models can no longer be ignored—but what about in the case of religious traditions?

I admit it sounds strange to talk about a liturgical notion like marriage as if it were a concept that can be assessed relative to its purported explanatory power or predictive success. Moreover, Hauerwas would surely bristle at the thought of ecclesial liturgical notions being evaluated using this criteria.¹⁵ One of his primary complaints, however, is that because the church has lost sight of the purpose of Christian marriage, we are in no position to exercise the communal discernment necessary for seeing whether people are “capable of

¹⁴ *Book of Discipline*, 2012, §161B

¹⁵ Among the reasons Hauerwas cites for resigning from the UMC committee is that the “only authority that was acknowledged was something called ‘science’” (“Resisting Capitalism,” 313-4).

making the promises we still ask people to make when the church witnesses their marriage.”¹⁶ So, even Hauerwas expects that the concept of Christian marriage and our understanding of its content will be sufficiently broad and well-defined that the concept can function in judgments applicable to whatever couples may seek pastoral advice concerning their ability to assert and likely fulfill a marital vow.

Now consider the case and testimony of attorney Sherrie G. Morris, variants of which could be repeated many times over:

We are the new couple on the block, our living room skirted by dozens of unpacked cartons. Our neighbors take pity on us, bringing over tuna noodle casserole, cleaning supplies, and paper towels. We have a marriage certificate, a mortgage, one too many small appliances, and a stack of unmailed thank-you notes. I am Sherrie, he is Richard. In short we are typical newlyweds. Typical, that is, except for one tiny detail: in our marriage, there are two Y chromosomes.

Other couples with two Y chromosomes generally started out life as Richard and Richard, not Richard and Sherrie. But in my case, I have been Sherrie since birth. Indeed, my birth in 1958 was undistinguished, as I appeared to be an ordinary, healthy baby girl.¹⁷

Sherrie is among the 1 of 20,400 XY children who are androgen insensitive.¹⁸ Because androgen is a testes-deriving hormone that is crucial in the development of internal and external male genitalia, these children are born intersexed. They are genetically, chromosomally male, but with phenotypes ranging from a typically appearing female body to bodies of increasing degrees of ambiguity.¹⁹ In Sherrie’s case, the androgen insensitivity is complete, resulting in an ordinary appearing healthy girl with internal, undescended testes. Complete and partial androgen insensitivity is just one of several conditions that the biomedical community now classify as ‘Disorders of Sexual

¹⁶ Hauerwas, “Resisting Capitalism,” 315.

¹⁷ Sherrie G. Morris, “Twisted Lies: My Journey in an Imperfect Body,” *Surgically Shaping Children: Technology, Ethics and the Pursuit of Normality* ed. Erik Parens (Baltimore: Johns Hopkins University Press, 2006), 3.

¹⁸ For these current estimated incidence rates, see V. Arboleda and E. Vilain “Disorders of Sex Development,” *Yen & Jaffe’s Reproductive Endocrinology: Physiology, Pathophysiology and Clinical Management* eds. J. F. Strauss and R. Barbieri (Philadelphia: Saunders, 2014), 366.

¹⁹ Arboleda and Vilain, “Disorders of Sex Development,” 366.

Development’ (‘DSD’). For reasons that I have argued for elsewhere, I prefer the previously used ‘Intersex.’²⁰ ‘DSD’ and ‘Intersex’ are general terms referring to variations in the biological markers of sexual identity—chromosomes, gonads, hormones or anatomical structure—such that they do not line up under a strict male or female classification.²¹ The reported incidence figures of intersex births vary depending on the conditions classified as intersex. In 2011, the *Journal of Advanced Nursing* reported that the global incidence rate ranges “between 1.7% and 4%.”²² The World Health Organization currently estimates that five children are born in the United States each day who are visibly intersex.²³ Given the incidence rate of intersex births, it is reasonable to some of our church membership rolls include intersex people. Christian marriage, as classically understood, is simply inapplicable to these members and, in their case, provides no guidance for the process of discernment and self-evaluation that Hauerwas envisions.

Besides, divorce rates being what they are, the mere fact that a couple consists of one unambiguously-sexed male and one unambiguously-sexed female is a poor predictor as to the likelihood of them fulfilling their marital vows.²⁴ In the Exchange of Vows of a traditional Methodist service, partners promise “to hold” and “to cherish” one another other through sickness, poverty, and the worst of times.²⁵ Evidence that same-sex partners are just as likely to fulfill these promises as their cisgendered, opposite-sex counterparts can be gleaned from the stories of the petitioners’ recounted in Supreme Court’s decision, the numerous testimonies of LGBTI people and the observations of those who know them. Therefore, the UMC’s historic

²⁰ See Merrick (2016) “From ‘Intersex’ to ‘DSD’: A Case of Epistemic Injustice” unpublished manuscript.

²¹ V. Arboleda and E. Vilain (2014), 351. See too UK Intersex Association “UKIA Guide to Intersex” Retrieved from <http://www.ukia.co.uk/ukia/ukia-guide/index.html> on February 17, 2014.

²² C. Sanders, B. Carter and L. Goodacre (2011) “Searching for harmony: parents’ narratives about their child’s genital ambiguity and reconstructive surgeries in childhood,” *Journal of Advanced Nursing* 67 (10), 2221.

²³ World Health Organization “Gender and Genetics,” Retrieved from <http://www.who.int/genomics/gender/en/index1.html> on November 7, 2015.

²⁴ Here I am assuming that fulfilling one’s vows implies striving to meet spousal obligations so long as both partners are alive and that divorced couples no longer strive to satisfy these obligations. To complete the project of redefining Methodist marriage, I would owe my reader a full account of spousal obligations. Although I begin this account in the latter part of paper, a full account is beyond its scope.

²⁵ *The United Methodist Hymnal: Book of United Methodist Worship* (Nashville, TN: The United Methodist Publishing House, 1989), 867.

definition of marriage--a union between two cisgender people of the opposite sex--lacks the explanatory scope and predictive success necessary for serving as a guiding light through an ecclesial practice of pre-marital discernment.

It is important to note that I am not saying the taxonomy for Christian anthropology should simply be read off of our most recent biological findings on sex and gender development or the testimonies of LGBTI people. What I am saying is that our definitions and liturgies of marriage should be open to revision in light of these findings and testimonies. Moreover, the attempt to synthesize what scripture and Church tradition teaches about sex and gender with what the sciences are saying on the matter has precedence within the tradition itself.

In his infamous Question 92, St. Aquinas tries to reconcile Aristotelian embryology with the Book of Genesis. Aquinas ends up affirming Aristotle's claim that female babies are "defective and misbegotten,"²⁶ but only in each individual case and only in the sense that it assumes the procreative process described in Aristotle's *Generation of Animals*. Accordingly, the male seed contains the active force driving embryonic development and, hence, the production of a male sexed embryo is nature's most direct and expected result. The production of female embryos thus demands an explanation. The candidates are a "defect in the active force," a defect in the matter supplied by the woman or some "external influence" causing a deviation in path of embryonic development.²⁷ Aquinas maintains that this description of sex differentiation is compatible with the Genesis account of the creation of woman as a good, pre-lapsarian event. Since, when viewed not at the individual but at the species level, one should recognize God as directing all of nature and God intends that woman is created as helper for man in, and only in, "the work of generation"²⁸

Now I am certainly not endorsing Aquinas' assumption that maleness and femaleness are dichotomous natural kinds nor his restrictive view on the God-mandated role of women. Neither am I interested in lambasting his position on sex and gender. Instead, I simply want to point out that some of what the tradition has said about sex and gender development is derived from biological premises that we now know are false. As I argued above, if our churches are to remain viable, they must allow their hermeneutical praxis to maintain a genuine dialogical engagement with the findings of conscientious scientific inquiry. In other words, Aquinas' method of clarifying and justifying

²⁶ Aquinas, *Summa Theologica*, translated by Fathers of the English Dominican Province (Maryland: Christian Classics, 1981) Ia QQ 92.1.

²⁷ Aquinas, *Summa Theologica*, Ia QQ 92.1.

²⁸ Aquinas, *Summa Theologica*, Ia QQ 92.1.

Christian doctrine is commendable, even though we must now reject some of his premises and conclusions as biologically unsound. The turn of the 21st century has seen rapid advances in biological research. Just as population genetics is requiring that Christians reconsider their assumption of a historical Adam and Eve, so too biomedical research is asking us to reconsider our assumption that humanity is or should be made to fit into two, discreet biological sexes.

A Faithful Way Forward?

Having argued that ‘epistemic crisis’ aptly describes the situation we Methodists and many other Protestants find ourselves in, I turn to the second aim of my paper and van Fraassen’s advice on how to wisely navigate such a crisis. We begin by acknowledging an apparent dilemma:

On the one hand, then, we are forced to acknowledge a chasm between the old and the new, and on the other, we must be able to see our present as a rationally endorsable continuation of the past.²⁹

For those living through such transitions, this dilemma is especially acute, since we do not have the luxury of resolving it retrospectively. Rather, we must have the foresight to see if a proposed semantic change might be a reasonable step forward *within* the tradition, instead of the radical departure from historic thought and practice it appears to be. This then is the challenge before us: modifying the classical definition of Christian marriage to include same-sex, intersex and transgender people and being able to see this modification as a rationally endorsable continuation of the Methodist or Christian tradition.

While my focus here is on Christian traditions tracing themselves back to the teachings and practice of John Wesley, much of what is said applies to Protestant churches generally. Notoriously, Wesley never fully articulated a theology of marriage.³⁰ Even so, there is evidence that he looked to Augustine for having gone a long way in completing this task. In a work where Wesley sets out to show that certain doctrines are indeed part of Catholic orthodoxy and to explain why Methodists rightly reject them, he poses the question

²⁹ van Fraassen, *The Empirical Stance*, 112.

³⁰ Having examined Wesley’s life and writings, particularly his changes to the Book of Common Prayer, for what they can tell us about his views on marriage, Bufford W. Coe concludes: “If we look to Wesley for guidance that can be directly applied to contemporary matrimonial rites, we will be disappointed. Only a few general principles gleaned from Wesley’s practice can be transferred to the current context” (Coe, *John Wesley and Marriage* London: Associated University Presses (1996) 126).

whether the Catholic Church holds that marriage is “truly and properly a sacrament?” He cites the answer given by the Council of Trent: “Yes; and whosoever denies it so to be, is accursed (*Council. Trid., Sess. 24, Can. 1.*)”³¹ Having established that post-Reformation Catholicism teaches marriage to be a sacrament in the proper sense, Wesley responds as follows:

St. Austin saith, that signs, when applied to religious things, are called sacraments. (*Epist. 5.*) And in this large sense he calls the sign of the cross a sacrament; (*in Psalm. cxli.*) and others give the same name to washing the feet, (*Cypr. De Lotione Pedum*) and many other mysteries. But then matrimony doth no more confer grace, than washing the feet, or using the sign of the cross; which Bellarmine, after all the virtue he ascribes to it, will not allow to be properly and truly called a sacrament. (*De Imag., 1. 2, c. 30, sec. Dices ergo.*)³²

Wesley’s reply indicates that while Methodism opposes the idea of marriage as a sacrament in the narrow sense, it may view marriage as a sacrament in the broader sense. Thus, Methodist marriage cannot be considered a true and proper sacrament on the grounds that it does not *confer* grace, but it can be seen as a sacrament in the sense of *signifying* grace. What are some implications of treating marriage as an Augustinian sacramental signifier? For the answer, we need to examine Augustine’s *The Good of Marriage*.

Written in 401, Augustine’s relatively short treatise is described as “the most complete patristic consideration of the duties of married persons.”³³ It is thus a formational text for the theology of western Christian marriage. The treatise begins by stating that God initially instituted marriage to serve the “great and natural good” of friendship.³⁴ Augustine is explicit on this point; “marriage” and “sexual intercourse” are distinct instrumental goods, both of which are “for the sake of friendship.”³⁵ Procreative marital intercourse serves the intrinsic good of human friendships by multiplying the pool of persons

³¹ J. Wesley, “A Roman Catechism, faithfully drawn out of the allowed writings of the Church of Rome. With a Reply Thereto,” *The Works of John Wesley* 3rd Edition, Volume X (Grand Rapids, MI.: Baker Book House), 127.

³² Ibid.

³³ C. Wilcox, ‘Introduction’ *The Fathers of the Church, Vol. 27: St. Augustine Treatises on Marriage and Other Subjects*, ed. R.J. Deferrari and trans. C. Wilcox, M.M. et al. (Washington, D.C.: The Catholic University of American Press), 3.

³⁴ St Augustine, “The Good of Marriage,” *The Fathers of the Church, Vol. 27: St. Augustine Treatises on Marriage and Other Subjects*, ed. R.J. Deferrari and trans. C. Wilcox, M.M. et al. (Washington, D.C.: The Catholic University of American Press, 2010), 9.

³⁵ St. Augustine, “The Good of Marriage,” 22.

within which spiritual friendships may occur.³⁶ He goes on to argue that this pool is now adequately populated and so the status of procreation as a divinely ordained good of 5th century Christian marriage is dubitable:

[I]n the earliest times of the human race, especially to propagate the people of God, through whom the Prince and Savior of all peoples might be both prophesied and be born, the saints were obliged to make use of this good of marriage, to be sought not for its own sake but as necessary for something else. But now, since the opportunity for spiritual relationship abounds on all sides and for all peoples entering into a holy and pure association, even they who wish to contract marriage only to have children are to be admonished that they practice the greater good of continence.³⁷

Augustine concludes that bearing children was an instrumental good of marriage as originally instituted and remains the sole purpose of marriages outside of the Church. Procreation still has a place in Christian marriage not as a means for fostering spiritual friendships, but as the means of justifying marital intercourse. Marital intercourse for the sake of children “has no fault attached to it,” whereas marital intercourse “for purpose of satisfying concupiscence” is a venial sin.³⁸

Augustine’s analysis of procreation as a marital good is fascinating, since so often the bearing and rearing of children is treated as if it were the sole or highest good of Christian marriage. Hauerwas makes this assumption when explaining how focusing on the procreative end of Christian marriage might enable us to see same-sex unions as legitimate exceptions to the rule:

[I]f the church has some understanding of when exceptions can be made for marriages that will not or cannot be biologically procreative, we may have the basis for an analogous understanding of some gay relations.

Hauerwas recognizes that procreation is just one of the historically recognized goods or purposes of Christian marriage. He also maintains that all Christian parenting should be conceived along the lines of adoptive parenting, a vocation even “childless marriages” can pursue. In other words, for Hauerwas, to say that Christian marriage has a procreative end is certainly not to say that this

³⁶ St. Augustine, “The Good of Marriage,” 22.

³⁷ St. Augustine, “The Good of Marriage,” 22.

³⁸ St. Augustine, “The Good of Marriage,” 17.

entails biological procreation. That said, he does hold that providing a “space for children” is a necessary good of marriage, so much so that he recommends the church ask a couple if they intend for their marriage to be “open to children” and refuse to marry them if the answer is no.³⁹ He further argues that decoupling the procreative end from the good of Christian marriage leaves us with no choice but embracing the prevailing conception of marriage and sex as means of satisfying romantic and erotic desires, desires which are fodder for capitalistic manipulation and exploitation.

Hauerwas’ stance on reinstating the procreative telos of Methodist marriage echoes current Catholic orthodoxy. Lisa Fullam, a professor of Catholic moral theology, writes that Vatican II, Pope Paul VI’s *Humanae vitae* and John Paul II’s theology of the body all recognize two, non-hierarchically ordered goods of marriage: 1) the bearing and educating of children; and 2) the on-going perfected unity of the spouses.⁴⁰ We will see that the second one comes closest to recovering Augustine’s understanding of the sacramental aspect of Christian marriage. For now, I want to underscore Fullam’s objection that although Catholic teaching officially recognizes two equal and, in principle, separable marital goods, the emphasis on the procreative aspect results in it eclipsing and subsuming the other:

Openness to procreation has become a marker for the total self-gift that characterizes marital love. John Paul II’s theology of the body...implicitly prioritizes the procreative end of marriage over the unitive end: a sexual relationship cannot be truly unitive unless it is open to procreation. Again, sex, specifically procreation, becomes the standard by which union is measured.⁴¹

For Fullam, by treating the “procreative end of marriage as that which defines and delimits union,” Catholic theologians miss the opportunity to develop the Augustinian notion of marriage as a means whereby spouses cultivate and exemplify the virtues of a holy friendship.⁴² Marital ethics thus becomes a mere “matter of sexual ethics.”⁴³

Hauerwas’ emphasis on the procreative aspect of marriage is subject to this same complaint. This is evident in the false dichotomy that he sets up

³⁹ Hauerwas, “Resisting Capitalism,” 316.

⁴⁰ L. Fullam, “Toward a Virtue Ethics of Marriage: Augustine and Aquinas on Friendship in Marriage,” *Theological Studies* 73 (2012), pp. 684-688.

⁴¹ Fullam, “Toward a Virtue Ethics of Marriage,” 686.

⁴² Fullam, “Toward a Virtue Ethics of Marriage,” 688.

⁴³ Fullam, “Toward a Virtue Ethics of Marriage,” 688.

between either reaffirming the “essential reproductive nature of male and female bodies” or consigning them to capitalistic exploitation.⁴⁴ Hauerwas argues that unless there is some institutional, presumably ecclesial and political, expression for the reproductive nature of human bodies, they can only be viewed as sites of “consumption, not of production.”⁴⁵ This is purportedly especially true of the reproductively producing female body:

[P]roducers, particularly women, are deprived of the political means of protest against exploitation. (It becomes more difficult to maintain, for example, that certain working conditions are destructive of the family, for “having” a family is treated as the ‘choice’ of a particular mode of consumption.⁴⁶

Now I am all for ensuring that the church marshals the theological and ethical resources necessary for decrying inhumane working conditions. And I too am concerned about the increasing trend of seeing our bodies and our progeny as commodities that can be designed and purchased from the hands of biotech firms. However, Hauerwas’s suggestion that the productive work of bodies, particularly women’s bodies, insofar as this work contributes to strengthening marital bonds, is equivalent to their procreative reproductive capacities simply comes too close to retaining the worst of our Christian past. Fullam is right; there are more (and less) things in the Augustinian heavenly goods of marriage than are dreamt of in our current theologies. Marital and sexual ethics may overlap, but they are and should remain distinct.

Let me now return to the question I previously posed: what are some implications of viewing Methodist marriage as an Augustinian sacramental signifier? First, the decision as to whether a marriage can serve as a sacred symbol has little to do with whether it is open to the possibility of biological or adopted progeny. Augustine lists three goods of marriage—offspring, fidelity and sacrament—but sacrament clearly takes precedence over the other two. According to Augustine, both the polygamous unions of the Jewish patriarchs and the monogamous unions enjoined by the early Church are sacramental signs:

[J]ust as the multiple marriages of that time symbolically signified the future multitude subject to God in all peoples of the earth, so the single

⁴⁴ Hauerwas, “Resisting Capitalism,” 317.

⁴⁵ Hauerwas, “Resisting Capitalism,” 317.

⁴⁶ Hauerwas, “Resisting Capitalism,” 317

marriages of our time symbolically signify the unity of all of us subject to God which is to be in one heavenly City.⁴⁷

The sacramental aspect of ancient Jewish marriage resided in the number of wives, not the number of children: “[T]he many wives of the ancient fathers signified our future churches of all races subject to one man-Christ.”⁴⁸

Augustine thus reasons that a polygamously married Jewish patriarch is more comparable to an unmarried, celibate Christian cleric than someone entering marriage for the sake of offspring. Both the vows of the 5th century Christian nun or monk and the polygamous unions of ancient Israel can serve as sacred icons of profound theological significance, and this is a higher good than the procreative end.

Augustine thus distinguishes the procreative end of marriage and the use of marriage to properly direct and moderate sexual desire from the sacramental goods of Jewish and Christian marriage. Drawing on the Christian scriptures, Augustine maintains that polygamous unions are “not of sin,” but no longer function sacramentally:

[H]e who has had more than one wife did not commit any sin, but lost a certain standard, as it were, to the sacrament, necessary not for the reward of a good life, but for the seal of ecclesiastical ordination.⁴⁹

The insistence on monogamy does not derive from a concern about the flourishing of children nor from a concern to restrict the expression of sexual desire within the circle of life-long marital commitment. One might argue, in fact, that such concerns are better addressed by actually sanctioning committed polyandrous relationships. Instead, the insistence on monogamy derives strictly from the sacramental good characteristic of Christian marriage:

[J]ust as the many wives of the ancient fathers signified our future churches of all races subject to one man-Christ, so our bishop, a man of one wife, signifies the unity of all nations subject to one man-Christ.⁵⁰

Here again, Augustine reminds his reader that this sacramental good takes precedence: “Indeed, in the marriage of our women the sanctity of the sacrament is more important than the fecundity of the womb.”⁵¹

⁴⁷ Augustine, “The Good of Marriage,” 36.

⁴⁸ Augustine, “The Good of Marriage,” 36.

⁴⁹ Augustine, “The Good of Marriage,” 35-36.

⁵⁰ Augustine, “The Good of Marriage,” 36.

So, the first implication of pursuing Wesley's suggestion that Methodist marriage be viewed as a sacramental signifier of grace would be to ask those seeking pre-marital discernment not whether they are open to be children, but whether they are open to a monogamous union bearing all the virtues and wounds signifying a oneness with the Body of Christ and God's governance over creation. Moreover, if the answer is no, the church must then decide whether it is willing to bless the unions of those committed to the lesser marital goods of procreation and curbing extra-marital sexual promiscuity. And if the church does decide to bless unions aimed at these lesser goods, we should take seriously Augustine's reminder that scripture does not obviously denounce consensual polygamy.

The second implication is that we must rethink our position on if and when a marriage can be dissolved. For Augustine, given that marriage is intended as a sign of the unity of God and the people of God, there are virtually no legitimate grounds for dissolving it. Once again, the indissoluble character of marriage does not derive from the good of children nor the good of sexual fidelity, but rather from the "sanctity of the sacrament."⁵² Respect for this sanctity implies that "the marriage bond is not loosed except by the death of a spouse."⁵³ Adultery may be grounds for separation, but not for dissolution.⁵⁴ And even a divorced spouse is not free to marry another while their previous spouse lives, even for "the sake of having children."⁵⁵

The third and final implication that I will mention is the fact that for Augustine as for much of Methodism's early history, it is the life of the unmarried person whose whole heart and mind is wedded to Christ and God's work in the world that most fully symbolizes the sanctified unity of the saints. In his wonderful essay 'The Body's Grace,' Rowan Williams reminds us that as "paradoxical as it sounds, the celibate calling has, as one aspect of its role in the Christian community, the nourishing and enlarging of Christian sexuality."⁵⁶ I would add that another aspect of its role is to nourish and enlarge our understanding Christian marriage as a sacramental signifier of a holy friendship between God and the people of God.

Let me conclude by suggesting where else we should turn for help in revisioning marriage as the means whereby spouses cultivate and exemplify the

⁵¹ Augustine, "The Good of Marriage," 36.

⁵² Augustine, "The Good of Marriage," 48.

⁵³ Augustine, "The Good of Marriage," 36.

⁵⁴ Augustine, "The Good of Marriage," 18.

⁵⁵ Augustine, "The Good of Marriage," 48.

⁵⁶ Rowan Williams, "The Body's Grace," in *Theology and Sexuality: Classic and Contemporary Readings* ed. Eugene F. Rodgers Jr., (Oxford: Blackwell Publishers, 2002), 319.

virtues of a covenantal spiritual friendship. Hermann Cohen's philosophy of science was crafted in response to the epistemic crisis initiated by the development of non-Euclidean geometry. His philosophy of religion is an elegant synthesis of traditional Judaism, Kantian ethics and epistemology, and turn of the twentieth century scientific developments. Therefore, Cohen's work provides a perfect model for incorporating new scientific and ethical insights concerning sex, gender and sexuality into our Christian sacraments and liturgical practices.

In his *Ethics of Maimonides*, Cohen argues that Judaism bears a strong resemblance to the Platonic philosophical tradition in that both are concerned with acquiring knowledge of the Good. According to Cohen, for a religious tradition to function properly, it must see itself as pursuing a knowledge and understanding of divine attributes that is equivalent to loving and drawing near to God. This knowledge and understanding then manifests itself in the ongoing effort of practitioners to reflect these divine attributes within their relationships to fellow creatures:

[T]he love of human beings is generated by the love of God: love of one's fellow, the stranger, hence of mankind. The love of mankind reflects the love of God, since God is the paragon for man. To love God means to cultivate ethics which, in turn constitute the essence of God.⁵⁷

Both love of God and knowledge of God, however, are equivalent to love and knowledge of ethics; for ethics is the recognizable attribute of God. There is no love of God that is not by definition knowledge of God, or knowledge of ethics.⁵⁸

Direct cognitive access to God's essence is ruled out on both philosophical and religious grounds. Full-fledged knowledge of divine attributes is indirect and must be related to experience. We accumulate robust knowledge and understanding of divine attributes only to the extent that we experience these attributes as actual, necessary features in our ongoing relationships with other finite creatures. This is what Cohen means when he says that knowledge and the cultivation of ethics proper just is the recognizable attribute of God.

Cohen's account of the ethico-religious, cognitive meaning of the divine attributes in conjunction with Augustine's account of marital goods is a rich

⁵⁷ Hermann Cohen, *Ethics of Maimonides* translated with commentary by Almut Sh. Bruckstein (Madison Wisconsin: The University of Wisconsin Press, 2004), 111-112.

⁵⁸ Cohen, *Ethics of Maimonides*, 114.

resource for developing an account of theological spousal virtues. According to a traditional Jewish reading of Exodus 34:6-7, God honors Moses' request to know God's ways by having all of God's goodness pass before him. The goodness that Moses witnesses is referred to as the Thirteen Attributes. Cohen follows Maimonides in interpreting these attributes not as essential attributes of the divine nature, which would violate the doctrine of divine simplicity, but rather as "actional" attributes, attributes that are to be actualized in our lives in obedience to Leviticus 19:2 and Deuteronomy 11:22, wherein we are called to be holy as God is holy and to walk in all his ways.⁵⁹ On Cohen's account, traditional Judaism teaches that the divine attributes express "concepts of virtue" for humankind.⁶⁰ And the actional attribute or virtue specifically correlated with marriage is divine faithfulness. Thus, we see that, for Cohen, the blessing of God that rests on marriage and the ethico-religious meaning of the concept of marriage is one and the same, namely, to know God's faithfulness as we seek to imitate it in and through a steadfast adherence to our marital covenant.⁶¹ For Cohen, as for Augustine, marriage is a symbolic reminder of divine faithfulness and the sanctified good of friendship, a friendship best exemplified in David's love for Jonathan and God's covenantal relationship with the Jewish people. The theological spousal virtue of faithfulness is thus threefold: first, it is the unity of a profound friendship; second, it is a unity marked by an intentional remembering of their mutual covenant—throughout the Hebrew scriptures, the prophets call both on the Lord and God's people to remember their covenant; third, it is an act of remembrance that gives rise to gratitude for the gracious acts resulting in an Exodus-like liberation and spiritual flourishing: "[F]or the consorts themselves marriage has its validity in their mutual spiritual well-being...this mutual relationship is based exclusively on the ideal of faithfulness, which is the task of marriage."⁶² I contend that Augustine and Cohen provide us with ample resources for reconceiving marriage so as to include intersex and transgender people, retaining all that is good in our traditions and having an adequate basis in the Hebrew and Christian scriptures.

⁵⁹ Cohen, *Ethics of Maimonides*, 71-2.

⁶⁰ Hermann Cohen, *Religion of Reason: Out of the Sources of Judaism* trans. Simon Kaplan (American Academy of Religion, 1995), 403.

⁶¹ Cohen, *Religion of Reason: Out of the Sources of Judaism*, 441.

⁶² Cohen, *Religion of Reason: Out of the Sources of Judaism*, 442.

Conclusion

I want to clarify what I am and am not arguing for and what I have and have not tried to accomplish in this paper. I am not arguing that progeny should be viewed as anything other than a tremendous gift of marriage and of life generally. I am the mother of four sons, the nana of a seven year old granddaughter and a six week old grandson. I am firm believer in the role that parenting and grandparenting play in Christian discipleship, both for the progeny and the biological or adopted ones who care for them. However, I have also been married for thirty-five years and consider it a mistake to assume that the Christian good of marriage is exhausted by its procreative aspect. The marriages that I consider icons of Christian unity and faithful holy friendship are not ones that have stayed together simply for the sake of the children nor ones where the spouses always exhibited sexual fidelity. Rather, it is where spouses just stayed put and tried to practice the fruits of the spirit, regardless of whether love waxes and wanes, fidelity falters, children finally fly the coop, and, as Augustine describes, their decrepit “corpse-like” bodies make practicing sexual continence a breeze.⁶³ And although I am not intimately acquainted with unions involving same-sex, intersex and transgender people satisfying these conditions, I certainly know of them and am convinced that we Methodists must stop pretending not to see the sacrament of grace signified by such unions.

Finally, I have not attempted to provide a fully articulated theology of Methodist marriage that would extend the sacramental aspect of marriage to include the unions of same-sex, intersex and transgender people. I have tried, however, to show how to begin this project by recovering the much richer understanding of marriage that is part of our Augustinian-Wesleyan past than appears in most contemporary discussions on the subject. This is not to say that I would endorse Augustine’s theology of marriage wholesale. For one thing, we would need to correct for the androcentric lens through which Augustine reads scripture, as well as the traditions of Judaism and Christianity. For another, we might want to jettison the hermeneutic of suspicion that Augustine applies whenever he considers sex. Despite these caveats, I hope to have gone some way in responsibly confronting what I take to be the actual current crisis over the traditional Christian understanding of marriage.

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⁶³ Augustine, “The Good of Marriage,” 13.