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## **Marriage and Religion in the Modern Age<sup>1</sup>**

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Marriage rites and relations exist in all human societies. Socially, marriage is centrally responsible for organising and codifying kinship, gender, and sexual relations. It also accrues symbolic cultural and religious significance. This chapter explores the complicated shifting relationships between social and religious practices of marriage across the twentieth century, taking the Anglican Communion as its main focus. The Anglican Church is a significant site of conflict and change in the modern history of marriage due to its global and imperial presence and its unusually broad theological spectrum. Using this branch of British Christianity as an exemplary site, the chapter charts three major shifts in the relationship between religion and marriage since the turn of the twentieth century. It argues that in modernity, the relationship between religion and marriage was structured by developments in imperialism, feminism, sexual liberation, and secularisation. The conditions of colonial, consumer capitalist, and late modern societies shifted the practices of marriage, and, in contrapuntal directions, religious understandings and practices of marriage also shifted.

This chapter complicates the view that “secular” sciences such as psychology and sexology have usurped the role of religion in shaping contemporary attitudes to sex and sexuality . Sociologist Anthony Giddens, for example, has argued that contemporary

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<sup>1</sup> The author would like to acknowledge that portions of this chapter have been reproduced from the following publications: Timothy Jones, "The Missionaries' Position: Polygamy and Divorce in the Anglican Communion, 1888–1988," *Journal of Religious History* 35 (3)(2011): 393–408, and "Moral Welfare and Social Well-Being: The Church of England and the Emergence of Modern Homosexuality," in *Men, Masculinities and Religious Change in Twentieth-Century Britain: Genders and Sexualities in History*, edited by Lucy Delap and Sue Morgan (London: Palgrave Macmillan, 2013), 197–217.

practices reveal a modern, "plastic" secular model of the "pure relationship" that defines modern love and anticipates the end of marriage. He sees the "pure relationship" as an equal one that rejects the patriarchal foundations of marriage, while "plastic sexuality" liberates sex from reproduction and instead expresses the self.<sup>2</sup> He implies that these twin concepts of plastic sexuality and the pure relationship represent a broad-scale historical break from an inflexible "religious" model of marriage. The changes Giddens observes may indeed accord with the post-Enlightenment values of secular liberalism, and late twentieth-century conservative Christianity has certainly associated opposition to these changes with religion. However, it is inaccurate to assume that marriage has always been *intrinsically* religious.

From the fourth century, the Christian Church generally took control over the administration of marriage, divorce, and the family in Europe,<sup>3</sup> but Church control has historically been uneven and politically contingent. The Church of England, for example, has rarely maintained a monopoly on marriage law nor been able to enforce consensus among its members, clergy or laity. The Church gained near exclusive control over marriages in England, Ireland, and Wales (though never Scotland) after Hardwick's *Marriage Act* (1753) outlawed clandestine weddings, but lost it when civil marriage was introduced in 1837.<sup>4</sup> Although the Church has certainly played a significant role in legitimizing marriage and defining its meanings within a Christian ethos, its authority over marriage has historically

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<sup>2</sup> Anthony Giddens, *The Transformation of Intimacy: Sexuality, Love, and Eroticism in Modern Societies* (Stanford: Stanford University Press, 1992), 2.

<sup>3</sup> Stephanie Coontz, *Marriage, A History: How Love Conquered Marriage* (New York: Penguin, 2005), 87.

<sup>4</sup> See Katie Barclay, *Love, Intimacy and Power: Marriage and Patriarchy in Scotland, 1650–1850* (Manchester: Manchester University Press), 42–3.

been, and still is, largely administrative.<sup>5</sup> As this chapter will show, religious arguments about the meaning of marriage have been far more diverse than late twentieth-century religious conservatives (Christian and other) claim. Religious arguments over marriage are fragmentary and contested and continually defined and redefined in response to both the changing demands of the state and lived sexual relations.

In this chapter, I explore three key economic, legal and political developments that have profoundly influenced religious regulation of, and moral approaches to, marriage. The first moves back to fraught late nineteenth-century cross-cultural encounters between differing systems of kinship relations in the British Empire. I look at how missionary engagement with non-Christian people in polygamous marriages in Africa forced Christian missionaries to reconsider the centrality of monogamous Christian marriage to the faith and raised the problem of divorce.

Long debates about divorce stemmed also from the second development --growing expectations of happiness and companionship in marriage that became hegemonic in the West by the 1950s. These shifting ideals of love and romance in marriage came on the back of rising prosperity and stimulated both movements promoting marital happiness and also arguments for divorce for the unhappily married. Divorce, however, conflicted with the Church's position that marriage was a lifelong commitment. As reformed civil divorce laws equalized grounds for divorce for women and men, church women participated vocally in defining what constituted a happy marriage, and they promoted marriage counselling, as well as new theologies of love and romance.

The third development, the sexual revolution, was interwoven with the growing demand for companionate and equal marriage among women in the Church. The

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<sup>5</sup> John R. Gillis, *For Better, For Worse: British Marriages, 1600 to the Present* (Oxford: Oxford University Press, 1985), 17.

companionate ideal called for a pleasurable sexual bond and anticipated the split between marital sex and procreation facilitated by contraception. I turn to influential eugenicist and birth-control advocate Marie Stopes to show how feminist activism around "companionate marriage" and "family planning" influenced the Anglican Church's view of sex in marriage, including its landmark resolution at the 1930 Lambeth Conference allowing the use of contraception. Birth control debates initiated the modern Church's broader reconsideration of the traditional procreative definition of marriage. Making marriage more about a loving sexual relationship of spouses than about childbearing opened the ultimate possibility of same-sex marriage. Later, the Church campaigned for the repeal of laws criminalizing sodomy; it thus recognized and began to naturalize, if not yet to normalize, homosexuality and laid the groundwork for religious acceptance of same-sex marriage.

## **I. Colonial Encounters with Polygamy**

In Britain Church and state had an interlocking relationship that was evident throughout the nineteenth-century expansion of the British Empire. After the American Revolution Church of England missionary activity shifted from providing for the spiritual needs of settler societies to evangelizing indigenous people in foreign lands. There, however, missionaries confronted the limits of their ability to impose the Church's marital rules, especially in the many polygamous societies of the Empire.

Almost all cultures outside of European Christendom have practiced some form of polygamy or concubinage--permitted under Sharia law and in most traditional African cultures, in India, China, Southeast Asia, Australia, and the Pacific Islands. For a variety of reasons, however, it was in Africa that polygamy – or, more appropriately, *polygyny* – proved most problematic for the churches. Polygamy was a common but minority activity in most

societies of pre-colonial Africa,<sup>6</sup> a sign of elite wealth and power, since men needed significant resources to pay the bridewealth for multiple women.<sup>7</sup> Ironically, new wealth gained from trade with European settlements enabled more African men to afford the bridewealth required for additional wives. Between the 1850s and 1880s, polygamy rates had risen to around forty per cent in central Africa.

Polygamy was problematic because it was seen to be in absolute conflict with both Christianity and the civilizing mission that it represented. In his elucidation of the *Book of Common Prayer* published in 1817, the Minister for Patiswick John Shepherd wrote, "... Polygamy is condemned both by the law of the New Testament, and the policy of all prudent states."<sup>8</sup> Church policy did not allow the conversion of polygamists.

Missionary responses to this difficult situation varied. Some refused baptism to any person living in a polygamous marriage or accepted them only as catechumens – in a state of tutelage in preparation for baptism –until such time as they were single or monogamous by

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<sup>6</sup> Peter Delius and Clive Glaser, 'The Myths of Polygamy: A History of Extra-Marital and Multi-Partnership Sex in South Africa', *South African Historical Journal* 50 (2004): 85. See also Natasha Erlank, 'Gendering Commonality: African Men and the 1883 Commission on Native Law and Custom', *Journal of Southern African Studies* 29, no. 4 (2003): 937–53; Nancy Rose Hunt, 'Noise over Camouflaged Polygamy, Colonial Morality Taxation, and a Woman Naming Crisis in Belgian Africa', *Journal of African History* 32, no. 3 (1991): 471–94; C. J. Zvobgo, 'Aspects of Interaction between Christianity and African Culture in Colonial Zimbabwe, 1893–1934', *Zambezia* 13, no. 1 (1986): 43–57.

<sup>7</sup> For a full and nuanced account of the various 'traditional' marriage practices in Africa see Adrian Hastings, *Christian Marriage in Africa* (London: SPCK, 1973), 27–44; and Caroline Bledsoe and Gilles Pison, eds. *Nuptiality in Sub-Saharan Africa* (Oxford: Clarendon Press, 1994).

<sup>8</sup> John Shepherd, *A Critical and Practical Elucidation of the Book of Common Prayer, and Administration of the Sacraments, and Other Rites and Ceremonies of the Church, according to the Use of the United Church of England and Ireland*, vol. 2 (London: R. and R. Gilbert, 1817), 332.

the death or desertion of their "surplus" spouses. However, this stance concerned Anglo-Catholics, who believed denying baptism and holy communion meant denying converts the means of salvation.<sup>9</sup> A more radical response came from the Bishop of Natal, John William Colenso (appointed in 1853), who controversially argued that to require a man to put away all his wives but one in order to convert was "unwarranted by Scripture, opposed to the practice of the Apostles, condemned by common reason and altogether unjustifiable." He argued for the toleration of polygamy until it could be extirpated, for acceptance of polygamists as full members of the Church, and for seeing polygamous marriages as genuine marriages.<sup>10</sup> He published his views in an open letter to the Archbishop of Canterbury, which provoked a fierce response.<sup>11</sup> Ultimately, Colenso was excommunicated (though complex lines of ecclesiastical authority prevented his actual removal from office).<sup>12</sup> **[Image 2.1 (Colenso)].**

Conflict over polygamy, however, forced attention to divorce. Shortly after the Colenso affair, the Church initiated the Lambeth Conference, a decennial consultation of Anglican bishops from the various national churches, to address such problems. The 1888 Conference recommended baptism be refused to people in polygamous relationships "until such time as they shall be in a position to accept the law of Christ."<sup>13</sup> Unless widowed,

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<sup>9</sup> John Henry Newman, "Testimony of Writers in the Later English Church to the Doctrine of Baptismal Regeneration," *Tracts for the Times* 76 (London: J. G. & F. Rivington, 1835/6).

<sup>10</sup> J.W. Colenso, *A Letter to His Grace, the Archbishop of Canterbury upon the Question of the Proper Treatment of Cases of Polygamy as Found Already Existing in Converts from Heathenism* (Ekukanyeni, Natal: P. Davis, Pietermaritzburg, 1861). Lambeth Palace Library, London, H51570 17: 11, 2.

<sup>11</sup> H. Cotterill, *On Polygamy amongst Candidates for Baptism* (Grahamstown: Office of the Anglo-African, 1861) LPL, London, H5133 273: 3.

<sup>12</sup> Paul Frecker, 'John William Colenso, Bishop of Natal', *The Library of Nineteenth-Century Photography*, 2017, <http://www.19thcenturyphotos.com/Bishop-of-Natal-123450.htm>.

<sup>13</sup> Lambeth Conference 1888, resolution 5.

however, someone could achieve a monogamous "position" only by divorce. The Church thus faced a terrible paradox: in order to receive polygamous converts, it would have either to accept polygamy or promote divorce.

Two dilemmas confronted Church policy-makers and missionaries: First, in the few situations where it allowed divorce, the Church had traditionally opposed remarriage, labelling it adultery. Second, missionaries needed to assist divorced wives, as singleness for women was not viable in those societies.<sup>14</sup> The 1888 Lambeth Conference had permitted baptism for the wives but banned baptizing polygamous men; the 1920 Conference sustained these policies.<sup>15</sup> An opening for divorce emerged, however, when the Conference in 1920 defined traditional African marriages as invalid, because they did not have the eternal, metaphysical character of Christian marriage. Under this view, pre-conversion polygamous marriages were merely civil contracts that could be broken.

Between 1931 and 1984, starting with South Africa and ending with Brunei, all British colonies in which polygamy was practised were decolonized. Over that period, the tone of proclamations regarding polygamy softened, but the Church reached no resolution. The 1968 Conference acknowledged that "polygamy poses one of the sharpest conflicts between the faith and particular cultures."<sup>16</sup>

Then, in the 1970s Africans raised postcolonial criticisms of missionary policies on polygamy. In 1972 the Anglican Archbishops in Africa commissioned Roman Catholic priest Father Adrian Hastings to write a report on Christian Marriage in Africa.<sup>17</sup> An outspoken

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<sup>14</sup> Elizabeth Schmidt, 'Negotiated Spaces and Contested Terrain: Men, Women, and the Law in Colonial Zimbabwe, 1890-1939', *Journal of Southern African Studies* 16, no. 4 (1990), 640-42.

<sup>16</sup> Lambeth Conference 1968, resolution 23. See also Lambeth Conference 1958, resolution 120.

<sup>17</sup> Adrian Hastings, *Christian Marriage in Africa* (London: SPCK, 1973).

critic of colonialism, Hastings was the first white priest to serve under an African bishop. Like Colenso in the nineteenth century, he recommended that "while Christians should not feel free to take on a second wife, people within a polygamous marriage should, if otherwise suitably disposed, be received to baptism and communion."<sup>18</sup> Hastings's report blended feminist and anticolonial sensitivities with sound, considered theological and historical reflection and pleased African theologians.<sup>19</sup> African voices also questioned the Church's insistence on monogamy as part of a postcolonial quest for distinctive modern African Christian theologies.<sup>20</sup> Some demanded not merely toleration but full acceptance of polygamy. In 1976, Felix Ekechi wrote that

the espousal of monogamy as the only ideal Christian family life is now being interpreted as merely reflecting European values, which, invariably, conform with the Western nuclear family structure as opposed to the African extended family system ... Africans, to be sure, wish to be Christians; but they are anxious to be Africans first and foremost.<sup>21</sup>

This, he argued, should legitimately include polygamy.

In response, the 1988 Lambeth Conference reversed its century-old position and resolved to tolerate polygamy among converts. Although it still privileged monogamy as "the ideal relationship of love between husband and wife" and declined to normalize polygamy, the conference recommended that "a polygamist who responds to the Gospel and wishes to

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<sup>18</sup> Adrian Hastings, "A Report on Marriage," *New Blackfriars* 54, no. 637 (1973): 254–5.

<sup>19</sup> See, for example, E. W. Fashole-Luke, 'The Quest for an African Christian Theology', *Ecumenical Review* 27, no. 3 (1975): 269. See also the report of the Second Anglican Consultative Council, 1973, resolution 25.

<sup>20</sup> Fashole-Luke, 'The Quest for an African Christian Theology', 1975.

<sup>21</sup> Felix K. Ekechi, 'African Polygamy and Western Christian Ethnocentrism', *Journal of African Studies* 3, no. 3 (1976): 348-49.



join the Anglican Church may be baptized and confirmed with his believing wives and children."<sup>22</sup>

This policy change showed the Church's growing capacity to tolerate difference based on a new sensitivity to postcolonial imperatives. Through its encounters with polygamous societies, the Church came to understand itself as a social institution immanent to the world in which we all live that was obliged, therefore, to undertake interpretive theological work in response to encounters in the colonial world. Polygamy both challenged and extended the boundaries of what could be considered a "Christian" marriage.

## **II. Divorce Law and the Problem of Happiness**

As with polygamy, the Anglican Church was slow to alter its inherited position on divorce. Over the twentieth century it did modify its positions, although with serious internal disagreements. The Church confronted emerging modern realities such as the rise of love marriage from the eighteenth century on and growing demands for women's equality. These forces helped lead to Britain's 1857 Matrimonial Causes Act, which permitted civil divorce, removing it from the control of Church courts. The Church then had to decide how much to compromise its stance. By the end of the twentieth century, the Church had significantly reframed its approach to the Scriptures in a way that reflected the human experience of marriage as it is, rather than how it ought to be. As theologian Timothy J. Woods argues, "If doctrine and human experience do not connect, it becomes necessary to reconsider the formulation of the doctrine."<sup>23</sup>

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<sup>22</sup> Lambeth Conference 1988, resolution 26.

<sup>23</sup> Timothy Woods, 'Marriage after Divorce: The Challenge for the Church of England', *Islam and Christian-Muslim Relations* 17, no. 3 (2006): 350.

The Anglican Church had historically opposed divorce almost absolutely, based on prevailing interpretations of Scripture. In this it resembled the Roman Catholic Church and differed from the Puritan rebels of the Reformed tradition who in the seventeenth century had redefined marriage from a sacrament to a civil contract, permitting divorce more easily. It also differed from other religions like Islam and Judaism that had always allowed divorce, albeit as a unilateral right of men to repudiate wives.<sup>24</sup> But public demand for divorce in England grew in the nineteenth century.

Love-based marriage from the beginning produced demands for divorce because it was logically incompatible with dutiful loyalty to loveless marriages.<sup>25</sup> Love marriage became an increasingly salient presence through the nineteenth century, and by 1857, demand for divorce reform had gained traction from libertarian philosophers like John Stuart Mill, feminists, and parliamentarians. The 1857 law allowed people to escape the restrictions of the Church law and get divorced (though with many barriers and complications).<sup>26</sup>

Once civil divorce was available, remarriage became the major battleground for the Church. According to the Gospels, Jesus taught that anyone who divorced and married again committed adultery against his or her first spouse, with one exception: if one partner committed adultery, the marriage could be dissolved. Remarriage – if it occurred while both spouses were still alive – was only acceptable for the "innocent" party, not the adulterer. For some factions of the Church, remarriage was never acceptable for either party. The 1888 Lambeth Conference resolved that divorce should only be granted on the grounds of fornication or adultery; that remarriage in a church should not be available to divorcees; and

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<sup>24</sup> Marilyn Yalom, *A History of the Wife* (New York: HarperCollins, 2001), 6; Malise Ruthven, *Islam: A Very Short Introduction*, 2d ed. (Oxford: Oxford University Press, 2012), 108-09.

<sup>25</sup> Coontz 2005: 150-51 .

<sup>26</sup> Kha and Swain, 'The Enactment of the Matrimonial Causes Act 1857', 304–05; Bennett, 'The Church of England and the Law of Divorce', 625-26.

that the guilty party was not to remarry while the innocent spouse was still alive. The resolution explicitly recognised "the fact that there always has been a difference of opinion in the Church" on remarriage and held that innocent parties could remarry under civil law, even if the guilty party was still alive, without fear of excommunication.<sup>27</sup> Church marriage services for divorced persons, however, were not permitted, and the Church strongly discouraged them into the 1950s.<sup>28</sup>

Imperial experiences with polygamy affected these debates. As the Church's grip on controlling divorce was slipping in England, missionary activity became important in justifying arguments against civil divorce in the metropole. As Bishop Furse argued in 1908, a fractured Church position on remarriage made it difficult for missionaries to enforce monogamy in the colonies because permitting Holy Communion to remarried divorcees might undermine the Church's refusal to baptize polygamists:

How were the Bishops and clergy in Africa going to be strengthened in their fight in the name of Christ for Christian marriage and . . . in relation to natives coming out of polygamy, namely resolutely, for the sake of the body as a whole, to refuse to baptise, let alone confirm and admit to Communion, any native who was a polygamist?<sup>29</sup>

Conservatives appealed to the needs of empire and civilization as paramount in their arguments against divorce law reform at home.

Another underlying issue animating these debates was the relationship of divorce to greater freedom for women. In Southern Rhodesia, for instance, the Natives Adultery Punishment Ordinance of 1916 was put in place to appease men whose wives had absconded

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<sup>27</sup> Lambeth Conference 1888, resolution 4.

<sup>28</sup> Lambeth Conference 1930, resolution 11a; Ann Sumner Holmes, *The Church of England and Divorce in the Twentieth Century: Legalism and Grace* (New York and London: Routledge, 2017), 86.

<sup>29</sup> Lambeth Conference Papers, Lambeth Palace Library, London (1908) 106: 206.

following the Marriage Act of 1901, which had outlawed child pledging and forced marriage (though it allowed the continuance of polygamy and bridewealth). Divorced and single women were not only running away to missions; they were also populating farms, towns and mining compounds, raising anxiety among missionaries over sexual immorality and prostitution.<sup>30</sup> Colonial officials, however, feared an uprising if men's complaints about female mobility were not addressed; they also worried that men whose wives went missing would not turn up for work. In order to mollify the husbands, the state criminalized adultery for African men who seduced married African women; but the law did not apply to white men.<sup>31</sup> Methodist missionaries objected to the racial double standard that condoned immoral behaviour among white men. In the opinion of the Executive Committee of the Southern Rhodesian Missionary Conference, as relayed by Rev. John White to the Resident Commissioner, Herbert James Stanley on 2 June 1916:

The Committee greatly deprecates legislation which is so conspicuously racial and thinks that it can only have a bad effect on the mind of the native . . . . We welcome any measures that may be devised which will strengthen the marriage vow, whether taken according to Christian rite or by native custom.<sup>32</sup>

According to Lynette A. Jackson, "at around the same time, 1,600 white women signed a petition to include white men in the 1916 Natives Adultery Law. They wanted those white

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<sup>30</sup> Teresa A. Barnes, 'The Fight for Control of African Women's Mobility in Colonial Zimbabwe, 1900–1939, *Signs* 17, no. 3 (1992), 593.

<sup>31</sup> Schmidt, 'Negotiated Spaces and Contested Terrain', 632–4.

<sup>32</sup> Rev. John White to Herbert James Stanley, Resident Commissioner, 2 June 1916, National Archives of Zimbabwe, A3.21/50.1..

men who were having sexual relations with the wives of black men to be punished."<sup>33</sup>

However, opponents did not succeed in removing the racial double standard in the law.

In 1916, this call for moral equality in Southern Rhodesia echoed the growing demands in England for reform of the sexual double standard in divorce. The 1857 Matrimonial Causes Act had retained the sexual double standard for adultery present in ecclesiastical law: a husband could divorce a wife for adultery, but a wife could only divorce a husband if his adultery was accompanied by another offence, such as incest, bigamy, sodomy, bestiality, cruelty or desertion.<sup>34</sup> The double standard "was a wider reflection of the doctrine of coverture that denied married women legal personality under English law," in which a woman's legal and property rights were subsumed by the husband.<sup>35</sup>

However, as feminists chipped away at the monumental patriarchy of English law, as in the Married Women's Property Act of 1882<sup>36</sup> and more intensely with the early twentieth-century suffrage movement, the more liberal members of the Church and laity saw the need for equalized divorce laws. The 1909 Royal Commission on Divorce and Matrimonial Causes heard witnesses who protested that the old law set "a lower moral standard for men."<sup>37</sup> The

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<sup>33</sup> Lynette A. Jackson, "'When in the White Man's Town': Zimbabwean Women Remember *Chibaura*", in *Women in African Colonial Histories*, ed. Jean Allman, Susan Geiger and Nakanyike Musisi (Bloomington and Indianapolis: Indiana University Press, 2002), 195.

<sup>34</sup> Ann Sumner Holmes, 'The Double Standard in the English Divorce Laws, 1857–1923', *Law & Social Inquiry* 20, no. 2 (1995), 601–2; Renata Grossi, *Looking for Love in the Legal Discourse of Marriage* (Canberra: ANU Press, 2014), 22.

<sup>35</sup> Kha and Swain, 'The Enactment of the Matrimonial Causes Act 1857', 305.

<sup>36</sup> Holmes, 'The Double Standard in the English Divorce Laws', 608.

<sup>37</sup> Holmes, 'The Double Standard in the English Divorce Laws', 613.

Commission paved the way for the Matrimonial Causes Act of 1923, which granted women the same rights as men to divorce on grounds of adultery alone.<sup>38</sup>

Conservative Anglo-Catholic organizations like the Mothers' Union had opposed equalizing the grounds for divorce, reasserting the overriding imperative of women's first duty to husbands.<sup>39</sup> Yet at the same time other churchwomen were staking out more radical feminist positions than equal divorce by redefining happiness and its place in marriage. Socialist Margaret Lewellyn Davies, of the Co-operative Women's Guild, told the Royal Commission about Guild member who had left the Mothers' Union due to its opposition to divorce; the Guild member had written, "It is said that marriages are made in heaven, but in my opinion the only real marriage is when men and women are *real comrades*. When they are not, then in the sight of God it is not a marriage."<sup>40</sup> Her reaction revealed the class differences over divorce within the Church that outweighed any divide between religious and secular positions. Middle-class Christians like those in the Mothers' Union feared allowing claims for happiness in marriage to either the subordinate classes or the subordinate sex.<sup>41</sup> For supporters of divorce reform, however, women's happiness became an indelible part of

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<sup>38</sup> Holmes, 'The Double Standard in the English Divorce Laws', 601–2.

<sup>40</sup> Margaret Llewellyn Davies, 9 November 1910, *Minutes of Evidence Taken before the Royal Commission on Divorce and Matrimonial Causes* (London: HMSO, 1912), 151.

<sup>41</sup> Miss Blanche Leppington, 15 June 1910, *Minutes of Evidence Taken before the Royal Commission on Divorce and Matrimonial Causes* (London: HMSO, 1912), p. 303. Kha and Swain, 'The Enactment of the Matrimonial Causes Act 1857'. Mrs E. Hubbard, 7 June 1910, *Minutes of Evidence Taken before the Royal Commission on Divorce and Matrimonial Causes* (London: HMSO, 1912), 192, 194; Mrs E. Steinthal, 7 June 1910, *Minutes of Evidence Taken before the Royal Commission on Divorce and Matrimonial Causes* (London: HMSO, 1912), 205.

the moral architecture of marriage, and feminist theologians became instrumental in reshaping and revising the meaning of marriage to accommodate sexual equality.

Influential, popular and radical activist Anglican preacher Maude Royden was the pre-eminent feminist theologian addressing this issue. She defined the basis of marriage as the deep spiritual connection between two people. In her book *Sex and Common-Sense*, published in 1922, she wrote that the marriage "made in heaven" joined two people "who loved each other with a love so pure, so true, so fine as to be regarded rightly as a gift from God" and "who accepted their union as a great trust as well as a great joy."<sup>42</sup> This view led her to the radical argument that divorce should be allowed for loveless or exploitative marriages. She also wanted to abolish the prerequisite of adultery altogether. She questioned whether God "would have cared for the shell out of which the kernel had gone, for the mere legal bond out of which all spirit had fled."<sup>43</sup> Royden, along with fellow suffragist Louise Creighton, showed how essential equality for women was to this spiritual connection in marriage when they campaigned in 1923 for the removal of the wife's promise of obedience to the husband in the marriage vow in the revised version of the 1662 *Book of Common Prayer*.<sup>44</sup> Although the revised prayer book was never canonically adopted, it was approved for use in churches and gradually became the commonly used liturgy. Royden was also an advocate for the right of remarriage in the church, and she defended King Edward VIII's renunciation of his royal duty for love when he chose to marry divorcée Wallis Simpson against the Church's wishes.<sup>45</sup> **[Image 2.2 (Royden)].**

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<sup>42</sup> Maude Royden, *Sex and Common-Sense* (New York and London: G. P. Putnam's Sons, [1921] 1922), 107.

<sup>43</sup> Royden, cited in Morgan, 'Sex and Common-Sense', 160. Maude Royden, *Sex and Common-Sense* (New York and London: G. P. Putnam's Sons, [1921] 1922), 107, 108, 111.

<sup>44</sup> Morgan, 'Sex and Common-Sense', 165; Falby, 'Maude Royden's Sacramental Theology', 139.

<sup>45</sup> Morgan, 'Sex and Common-Sense', 169.

Through its negotiation of civil divorce law and subsequent reforms, the Church found itself developing and amending its ethical positions – which were often contradictory – on monogamous marriage, polygamy, divorce, and remarriage. With the introduction of a bill to extend the grounds for divorce in 1936, the Archbishop of Canterbury Cosmo Lang declared the bill to be in the interests of the state but reasserted that the Church was necessarily opposed to divorce on principle.<sup>46</sup> The Church hardened its line against remarriage in church in 1957 to ban outright the use of the marriage service for any divorcee with a partner still living. But the 1957 policy was not universally observed by clergy,<sup>47</sup> who, in their day-to-day work, faced difficult ethical decisions about divorce and remarriage in successive decades of increasingly liberalized civil divorce law, which had gradually made it easier for women to extricate themselves from unhappy relationships – and dependence on men – by providing financial securities. The 1957 ban on remarriage was eventually rescinded in 2002 with the recognition that it had to respond to a changing world in which marital breakdown and civil remarriage were becoming legally and socially normal. Although the UK has not yet adopted no-fault divorce law, revolutionary early-twentieth-century figure Maude Royden was far ahead of her time in voicing criticisms of the requirement to prove fault when the marriage had died, in saying, “Let us have done with the infamous system now in force, by which a man and woman must commit adultery or perjury before they can get us to admit the patent fact that their marriage no longer exists as a reality.”<sup>48</sup> What the divorce law equalization debate and subsequent reforms highlighted was the capacity for the Church to examine its scripture in relation to the lived experience of the laity.<sup>49</sup> Women like

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<sup>46</sup> Bennett, ‘The Church of England and the Law of Divorce’, 632.

<sup>47</sup> Woods, ‘Marriage after Divorce’, 347.

<sup>48</sup> Royden, *Sex and Common-Sense*, 111–12.

<sup>49</sup> Adrian Thatcher, cited in Woods, ‘Marriage after Divorce’, 350.



Royden were reframing marriage as "creative love," produced by the people in it, rather than by a transcendental state of grace.<sup>50</sup> Importantly, civil processes of marriage law reform played a significant part in ushering in a new theological reframing of marriage as both companionate *and* equal: that is, a relation that no longer required women to submit to men.

### III. Refiguring Sex

It is often assumed that the transition to modern sexuality entailed a sloughing off of religious values in favour of scientific ones, with a distinctly modern selfhood marked by the emergence of "new, psychologized readings of subjectivity in which meaning and authority resided not in some transcendental, divine adjudicator but in the secular, autonomous self."<sup>51</sup> However, many scholars of religious history have refuted the theory that modernity is a strictly secular phenomenon. As I will show in this final section, modern sexology did not belong solely to the psychological sciences because the Church was undergoing its own sexual modernization, in which tension between patriarchal and egalitarian strains of Christianity flared, sparked by the activism of liberal feminists like Maude Royden and Percy Dearmer (the latter had drafted an equalized marriage service vow for the prayer book in 1913).<sup>52</sup>

Royden's metaphysical view of love exemplified the "modern" shift from transcendentalism to immanence in her insistence that, as Alison Falby puts it, "love was

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<sup>50</sup> Royden, *Sex and Common-Sense*, 109.

<sup>51</sup> Morgan, 'Sex and Common-Sense', 155.

<sup>52</sup> See Timothy Willem Jones, 'Love, Honour and Obey? Romance, Subordination and Marital Subjectivity in Interwar Britain', in *Love and Romance in Britain, 1918–1970*, ed. Anita Harris and Timothy Jones (London: Palgrave, 2014), 124–43.

more sacramental than marriage."<sup>53</sup> Royden's position laid "the foundation for radical relationships: she effectively made marriage secondary, carved out a special place for celibate women, and legitimated same-sex relationships even as she considered them 'abnormal.'"<sup>54</sup> Royden challenged the emphasis on sexual intimacy as the basis for marriage – and, indeed, for divorce – because this view of marriage endorsed the sexual ownership of women by men, which for some women, she argued, was not so very different to prostitution.<sup>55</sup> Her sexual politics were evident in her own life, as she had lived, on and off, in a "devoted three-way friendship"<sup>56</sup> with Anglican clergyman Hudson Shaw and his wife, Effie, for forty-two years. Historians have noted her close "platonic yet passionate" relationship with Shaw and his wife, but stop short of suggesting that this highly unusual arrangement might be considered as a chaste polyamorous relationship.<sup>57</sup> Royden herself supported monogamous marriage, and she married Shaw upon his wife's death. Yet her own passions and living arrangements with the Shaws tell a subtly different story, especially given her views on the positive spiritual value of chastity both inside and outside of marriage.<sup>58</sup>

Royden's feminism responded to the overwhelming sexualization of women so evident in divorce law that assumed and sustained male sexual dominance over women. For instance, from the late nineteenth century, the medical discourse of dyspareunia could be

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<sup>53</sup> Falby, 'Maude Royden's Sacramental Theology', 132.

<sup>54</sup> Falby, 'Maude Royden's Sacramental Theology', 132.

<sup>55</sup> Falby, 'Maude Royden's Sacramental Theology', 133.

<sup>56</sup> Morgan, '*Sex and Common-Sense*', 159.

<sup>57</sup> Falby, 'Maude Royden's Sacramental Theology', 128.

<sup>58</sup> As noted by Morgan, Royden wrote in her memoir *A Threefold Cord* that "Hudson and I knew that we must always think of life as including all three." This made "possible everything that was impossible," which suggests that the only way Royden and Shaw's love could be ennobled was in an open and loving tripartite relationship that included his wife. Royden, cited in Morgan, "*Sex and Common-Sense*," 166.

called upon to nullify marriages on the grounds of female frigidity (though it was, at that time, more usual for a wife to petition for a divorce on the grounds of a husband's impotence).<sup>59</sup> By 1952, the General Council of the Bar of England and Wales had asserted in a memorandum to the Royal Commission on Marriage and Divorce that sexual failure was the "primary and basic cause" of marital breakdown and attributed the bulk of this failure to women. Drawing on a specifically psychiatric language of pathology, the Council stated: "The great majority of cases of failure to consummate are due to some psychological incapacity and in the majority of cases the incapable spouse is the wife."<sup>60</sup> It is not difficult to see that the uneven adultery laws, as well as female non-consummation, justified a husband's sexual right to his wife's body. By contrast, Royden had claimed in 1922 that marriage ought not be viewed by the Church as an institution designed for the containment of unruly (male) sexual desire and that sex ought not be a condition of marriage, for in a patriarchal society, such a condition supported and enabled marital rape. She also advocated celibacy as legitimate and holy an expression of love as procreative sex.<sup>61</sup> But her approbation of celibacy was not unmeasured. As Morgan notes, she was critical of the Augustinian philosophy that sex was intrinsically sinful, and nor did she believe that women were – as in the view typified by physician William Acton – completely devoid of sexual desire.<sup>62</sup> In the

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<sup>59</sup> Henry Gervis, 'Sterility', in *A System of Gynaecology*, ed. Thomas Clifford Allbutt and W. S. Playfair (London: MacMillan and Co., 1896), 244.

<sup>60</sup> *Minutes of Evidence Taken before the Royal Commission on Marriage and Divorce* (London: HMSO, 1952), 28. Non-consummation still exists in English divorce law today as a ground for nullity.

1947 edition of *Sex and Common-Sense*, she voiced the opinion that sex was ‘a lovely thing, lovely, in itself and even if no children are created by it’.<sup>63</sup>

Royden’s ideas about companionate marriage formed part of a trend in the rise of marital literature and sex manuals following the First World War. Perhaps the most influential of these was feminist eugenicist Marie Stopes’s controversial book, *Married Love*, published in 1918 (three years prior to *Sex and Common-Sense*), which advocated family planning as a fundamental component of companionate marriage.<sup>64</sup> Although Royden preferred chastity to the use of contraceptives, she agreed with Stopes that birth control was needed to "battle ... the tragedy of the unwilling mother and the unwanted child," and she was a patron of Stopes’s first Mothers’ Clinic in Holloway, established in 1921.<sup>65</sup>

At this time, the philosophy of companionate marriage dovetailed with national anxieties over sexual and racial health in white populations. Concerned about the dangers of venereal disease, the medical profession called for sex education, as feminists, doctors, and sexologists urged frank discussion about sex in marriage. But importantly, family planning was justified as important to the happiness of the companionate marriage and thus to the health and happiness of the white race.<sup>66</sup> Speakers at a 1921 birth control meeting argued that, "The production of children in too rapid sequence was one of the evils of the day, for

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<sup>64</sup> Marie Carmichael Stopes, *Married Love* (London: A. C. Fifield, [1918] 1919).

<sup>65</sup> Maude Royden, cited in *The Eugenics Review* 13, no. 2 (July 1921): 435. See also Brian Harrison, ‘Women’s Health and the Women’s Movement in Britain: 1840–1940’, in *Biology, Medicine and Society 1840–1940*, ed. Charles Webster (Cambridge: Cambridge University Press, 1981), 65.

<sup>66</sup> Jane Carey, ‘The Racial Imperatives of Sex: Birth Control and Eugenics in Britain, the United States and Australia in the Interwar Years’, *Women’s History Review* 21, no. 5 (2012): 733–52.

they were producing a race ill-fitted for the government of the Empire."<sup>67</sup> Unsurprisingly, it was the poor who were considered to be the main culprits in racial decline.

In 1920 Stopes delivered her ideas to the bishops at Lambeth Palace, in a message which was provocatively titled *A New Gospel to All Peoples, A Revelation of God Uniting Physiology and the Religion of Man*. In her message, Stopes suggested to the Church that times had changed and that the Scriptures needed to be interpreted in the context of the contemporary age and the developments of modern science in revealing the truth of God's natural laws (that is, the workings of reproduction). She wrote: "The requirements of human life have changed with the fulfilment of the years. Devout hearts may receive today truths which human experience was not ripe to perceive when Christ gave His messages to His disciples."<sup>68</sup> Her arguments were considered but ultimately rejected by the bishops, who stated that birth control ran counter to "the continuation of the race" and that married couples should exercise self-restraint, rather than use contraception.<sup>69</sup>

Nevertheless, religion and the eugenic sciences often found common ground. The Eugenics Education Society, for example, actively solicited support from Church representatives and achieved some success.<sup>70</sup> One such supporter was Anglican Priest and Professor of Divinity at Cambridge, Reverend William Inge. In 1909 Inge argued that childbirth among the poor wanted curbing, while the well-to-do classes, who were "among

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<sup>67</sup> *The Eugenics Review* 13, no. 2 (July 1921): 435.

<sup>68</sup> Marie Stopes, cited in Stephanie Green, *The Public Lives of Charlotte and Marie Stopes* (London: Taylor and Francis, 2015), 190.

<sup>69</sup> Lambeth Conference 1920, resolution 68. See Stephanie Green, *The Public Lives of Charlotte and Marie Stopes*, 191.

<sup>70</sup> Graham J. Baker, 'Christianity and Eugenics: The Place of Religion in the British Eugenics Education Society and the American Eugenics Society, c.1907–1940', *Social History of Medicine* 27, no. 2 (2014): 238.

the finest specimens of humanity," needed to be encouraged to have more children in order to avert the "great calamity" of their own genetic disappearance.<sup>71</sup> He appealed to medical men to advise the Church "of certain steps which might be taken for the improvement of the public health, which are at present obstructed mainly by moralists."<sup>72</sup>

Amid international enthusiasm for eugenic sexual and racial "hygiene," the Anglican Church was revising its silence on matters of sex in order to reinforce the value of monogamous reproductive marriages, aligning Christian values with secular efforts to promote public health and curb venereal disease. The Church supported the publication of sex education manuals to improve sexual health.<sup>73</sup> Australian Anglican Bishop George Long said in 1916 that "it is the emphatic opinion of [the Anglican Church] that the policy of silence has failed disastrously and must be abandoned. The facts on which such an opinion is based are too notorious to need any setting forth. The opinion will not be disputed by any intelligent observer."<sup>74</sup>

Against the backdrop of medical and epidemiological concerns about venereal disease, eugenic concerns about population control, and feminist concerns about sexual equality in marriage, the Anglican Church modernized its attitude to marital sex: in 1930, the Lambeth Conference cautiously allowed the limited use of contraception in certain circumstances. While in 1920, the Church had upheld procreation as a priority, the 1930

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<sup>71</sup> Rev. W. R. Inge, 'Some Moral Aspects of Eugenics', *Eugenics Review* 1, no. 1 (1909): 31.

<sup>72</sup> Inge, 'Some Moral Aspects of Eugenics', 32.

<sup>73</sup> See for example Morgan, 'Sex and Common-Sense'; Ellen Warne, "'Tell Them!'" Anglican Mothers and Sex Education 1890–1930', in *People of the Past?: The Culture of Melbourne Anglicanism and Anglicanism in Melbourne's Culture*, ed. Colin Holden (Parkville: University of Melbourne, Department of History, 2000), 12–27.

<sup>74</sup> George Long, cited in Warne, "'Tell Them!'", no page number.

Lambeth Conference proposed that "intercourse between husband and wife as the consummation of marriage has a value of its own within the sacrament, and that thereby married love is enhanced and its character strengthened."<sup>75</sup> The 1930 Lambeth Conference and the strengthening of the Church's conviction, in 1958, that sex had its own positive value as "the most intimate and the most revealing" expression of love<sup>76</sup> were key turning points: the separation of sex from procreation meant that the "natural" connection between the two could be refigured. The acceptance of sexual pleasure as a good in itself, divorced from reproduction, paved the way for the possibility of future arguments in favour of same-sex marriage.

But this revolutionary potential first required a revision of Church attitudes toward homosexuality as a violation of natural law and an impediment to Christian belonging. This revision began with the growing power of psychological sciences and the privatization of sexuality and their effects on pastoral care.<sup>77</sup> It was the psychological sciences, as Foucault has famously argued, that invented "the homosexual," or "the invert," as a new kind of personage, constructed through a model of developmental pathology, defined more by identity than by behaviour, and seen by the early twentieth century more as sick than criminal. In 1948, sexologist Alfred Kinsey published his watershed study, *Sexual Behaviour in the Human Male*, in which he argued that homosexuality was both natural and normal. He

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<sup>75</sup> Lambeth Conference 1930, resolution 13; see also Adrian Thatcher, 'Marriage and the Family', in *The Cambridge History of Christianity: World Christianities c.1914–c.2000*, ed. Hugh McLeod (Cambridge: Cambridge University Press, 2008), 535.

<sup>76</sup> See Reverend D. Sherwin Bailey, 'The Lambeth Conference and the Family', *Eugenics Review* 50, no. 4 (1959): 241.

<sup>77</sup> David Hilliard, 'Homosexuality', in *The Cambridge History of Christianity: World Christianities c.1914–c.2000*, ed. Hugh McLeod (Cambridge: Cambridge University Press, 2008), 548.

used his research to support decriminalizing homosexuality. Kinsey's research was absolutely crucial to the "mid-century privatization of morality," in that it "argued against government interference in private life."<sup>78</sup> Perhaps ironically, this "privatization" of sexuality served to reinvigorate the Church's understanding of its own social role in providing pastoral care. As the state took over management of populations, the Church lost its legislative authority over matters of sex and the family but reasserted its purpose as ministering to the needs of individuals. While the Church was often sympathetic to eugenic concerns about the health and vigour of the white race, it also saw its role as providing a moral perspective that pragmatic approaches to population lacked. In 1958, this view was put forward by the Reverend Derrick Sherwin Bailey in a paper presented to the Eugenics Society. Bailey asserted that clergy

see men and women all the time, not as demographic units, but as human persons and children of God whose perplexities and distresses call forth an imaginative compassion as well as the skills of scientific research and the energies of government administration; thus they bring back the "population problem" to its source in "the personal life of husbands and wives in their own homes."<sup>79</sup>

A crucial activity for the Church, he suggested, was to appraise the theological and moral dimensions of marriage, parenthood and family for the betterment of humankind. But this kind of work could not be conducted without reference to state authority, as was the case when Bailey lobbied the government for the decriminalization of homosexuality in the 1950s.

In the early 1950s, Bailey played a leading role in breaking Church silence on homosexuality and calling for an inquiry into the anti-sodomy laws. At this time, Bailey established a study group within the Anglican Church's Moral Welfare Council to investigate

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<sup>78</sup> David Allyn, 'Private Acts/Public Policy: Alfred Kinsey, the American Law Institute and the Privatization of American Sexual Morality', *Journal of American Studies* 30, no. 3 (1996): 406.

<sup>79</sup> Bailey, 'The Lambeth Conference and the Family', 243–4.



and assess the current theological and legal status of homosexuality. The group, whose membership included doctors, lawyers, and clergy, produced an interim report titled *The Problem of Homosexuality*, which was widely circulated.<sup>80</sup> It recommended that homosexual sex, though still sinful, should not be criminal, and lobbied for a government inquiry.

The Moral Welfare Council pressured the Home Secretary to establish a Committee, writing to the Home Office and publishing its support in *The Times*.<sup>81</sup> The interim report was printed and made available on request: the entire run of 6,000 copies was sold, and over 1,500 readers wrote back to the Moral Welfare Council with comments.<sup>82</sup> The Moral Welfare Council worked hard to ensure that the report was approved by the Church Assembly, the Church's parliamentary body, thus adding the weight of the institutional Church to its findings.

The Home Office committee (commonly known after its chairman as the Wolfenden Committee) was established in 1954. When the departmental committee of enquiry was announced, the interim report was distributed to every member of the House of Commons and every active member of the House of Lords before the debate. The Council also made special efforts to persuade bishops of the merits of its position and to arrange for bishops to

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<sup>80</sup> Church of England Moral Welfare Council, *The Problem of Homosexuality: An Interim Report* (Oxford: Church Information Board, 1954).

<sup>81</sup> Moral Welfare Council to Sir David Maxwell Fyfe, Home Secretary, 30/10/53; Letter to *The Sunday Times*, dated 4 November 1953, printed 8 November 1953. Board for Social Responsibility Papers, Church of England Record Centre, London, MWC/HOM/1/5, 'Correspondence 1953'.

<sup>82</sup> Moral Welfare Council, *Annual Report* (1954): 4.

speak in debates in the Lords. Many speeches in the debates lifted whole passages from the Moral Welfare Council document.<sup>83</sup>

Correspondence in council archives is particularly enthusiastic about the response to thereport received from homosexual men and women. The committee reported:

A large number of inverts have either written or visited the office to express their thanks for the realistic way the Report has tried to understand their problems. Two have written to say that the Report brought so much encouragement to them in their distress that they have begun going to their parish churches again.<sup>84</sup>

Alfred Kinsey even wrote to the council commending the report and requested twenty copies of it for his Institute.

The Wolfenden report was published in 1957, and its findings largely mirrored the Church's recommendations, though decriminalization was not immediate. When the Wolfenden Report's recommendations came into law in the 1967 Sexual Offences Act, the legal offence of sodomy disappeared, and in its place the private homosexual citizen emerged.

The Moral Welfare Council, and in particular Sherwin Bailey, performed much of the cultural and intellectual work of this transition. The Council's interim report, its submission to the Wolfenden Committee, and Bailey's private evidence to the Committee directly rebutted understandings of homosexual desires as unnatural and abhorrent.<sup>85</sup> Moral Welfare Council publications on homosexuality in the 1950s firmly stated that for the genuine homosexual, homoerotic desires were in their nature; and the interim report stressed that

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<sup>83</sup> See, for example, speeches by Desmond Donnelly, the Earl of Winterton, Lord Brabazon of Tara, Lord Jowitt, the Lord Chancellor and the Bishop of Southwell, in Peter Coleman, *Christian Attitudes to Homosexuality* (London: SPCK, 1980), 163–7.

<sup>84</sup> Board for Social Responsibility Papers, Church of England Record Centre, London, MWC/HOM/8.

<sup>85</sup> D. Sherwin Bailey, *Homosexuality and the Western Christian Tradition*, (London: Longmans, 1955).

"homosexuality is not in any sense a kind of conduct. It is a term used to denote a condition."<sup>86</sup> Because "inverts" had no choice in determining the orientation of their erotic desires, the report repeatedly insisted that homosexuality "is itself morally neutral."<sup>87</sup> However, the Council argued that actions were not: if homosexual desires found "expression in various homosexual acts ... a moral judgement must be passed."<sup>88</sup> The "homosexual" that emerges in the Moral Welfare Council reports is a tragic figure endowed with desires on which he must not act, but as a result the Council believed that a pastoral rather than a criminal approach was needed.<sup>89</sup>

When the Church Assembly debated the Wolfenden report in 1957, the consensus was that the law was ineffective in regulating moral sexual behaviour: hence sexual responsibility was primarily a personal, and not a legal, issue. In his closing address to the assembly, Archbishop Fisher argued that the law could not enforce morality and that to single out homosexual sins for criminal punishment (by contrast to adultery, for example) was manifestly unjust.<sup>90</sup> The Assembly concluded by passing a motion approving the recommendations of the Wolfenden report on the law related to homosexual offences. Although gay sex was still regarded by the Church as morally wrong and neither normal nor desirable, gay desire came to be recognised as an aspect of the private self that, as Kinsey had argued, was natural to humanity. This was, nevertheless a significant moment in the Church's revision of its views on homosexuality. Anglican political involvement in the

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<sup>86</sup> Moral Welfare Council, *The Problem of Homosexuality*.

<sup>87</sup> Moral Welfare Council, *The Problem of Homosexuality*.

<sup>88</sup> Moral Welfare Council, *The Problem of Homosexuality*.

<sup>89</sup> See, similarly, Maude Royden's pastoral attitude to homosexuality, which developed along the same lines between 1921 and 1947, as discussed in Morgan 'Sex and Common-Sense'.

<sup>90</sup> 14 November 1957. Church Assembly Report of Proceedings 38, 477.

decriminalization of homosexuality prompted debates within the Church that questioned religious assumptions about what was "natural" about sex and what was an individual's sexual "nature."

To reach this point, the traditional assumption that sex was "naturally" about procreation had had to be questioned, which had been done in the early twentieth century with the separation of love and reproduction in the reframing of marriage as companionate. The religious reframing of homosexuality as a natural sexual instinct in this historical moment also could not have emerged without its privatization, both morally and legally, reforming its moral status and removing it from the arena of public policing.<sup>91</sup> I would suggest that this work has not taken place in opposition to nor in complete isolation from the Church. The Church revised its moral stance on sexuality in its campaign to change what it came to view as the morally unjust underpinnings of anti-sodomy law. Together these historic changes produced the rational conditions for future deliberation on the moral legitimacy of monogamous homosexual coupledness. This has, in fact, been borne out in Anglican debates about same-sex marriage following the landmark legalization of same-sex marriage in the UK in 2014, the USA in 2015 and in Australia in 2017. [Image 2.4 (Anglican Homophobia Protest)].

In June 2017, the Scottish Episcopal Church voted to allow same-sex marriage ceremonies in its churches, and the first same-sex church wedding, between Alistair Dinnie and Peter Matthews, was held at St John's Church in Edinburgh in September 2017. At the time of writing the general synod of the English Church is planning to debate the introduction of an "order of prayer and dedication" following a marriage or civil partnership, proposed by

the diocesan synod of Hereford, while a Church working group has been given three years to revise Church policy on sexuality.<sup>92</sup> [Image 2.5 (Dinnie-Matthews wedding)].

The Scottish Church's action revealed a division that had already begun to widen when the Anglican Communion suspended the U.S. Episcopal Church from participation in decision-making and meetings after it had supported same-sex marriage.<sup>93</sup> Demands for similar action in the English Church were rebuffed when its bishops supported the status quo in a 2017 report (though the Church assembly of lower-level clergy then voted against the bishops, revealing the internal disagreements). In addition, anticolonial critiques from the African churches, which had produced the 1988 reversal of policy on polygamy, have since 2000 been trained on British and North American liberalization on gay clergy and gay marriage. Along with western Church conservatives, African bishops have opposed homosexuality as unnatural and unscriptural. The Anglican Communion remains paralyzed by these conflicts, which may lead to permanent ruptures among the churches.<sup>94</sup>

## Conclusion

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<sup>92</sup> Callum May, 'Church of England to Discuss Same-Sex Blessing', *BBC News*, 20 October 2017, <http://www.bbc.com/news/uk-41701458>.

<sup>93</sup> Harry Cockburn, 'Anglican Church Faces Punishment after Making History with UK's First Same-Sex Church Wedding', *Independent*, 29 September 2017, <http://www.independent.co.uk/news/uk/home-news/anglican-church-same-sex-wedding-gay-marriage-alistair-dinnie-peter-matthews-st-johns-edinburgh-a7974151.html>.

<sup>94</sup> "Church of England stance on gay marriage in disarray after vote," Reuters 16 February 2017, <https://www.reuters.com/article/uk-religion-britain-anglicans/church-of-England-stance-on-gay-marriage-in-disarray-after-vote/>; Catherine Pepinster, "Anglican bishops prep for tough talks on same-sex marriage," Religion News Service, 29 September 2017, <https://religionnews.com/2017/09/29/anglican-bishops-prep-for-tough-talks-on-same-sex-marriage/>.

This chapter has outlined a few key developments in imperial economics, legal regulation, and rights campaigning that have broadly contributed to the modernization of Christian marriage. This process of modernization can be defined as a transition from dogmatic to pragmatic theology: that is, as a reflexive process by which the Church comes to acknowledge itself as ethically entangled in a changing social world. Traditional marital precepts such as lifelong monogamy, patriarchal authority, the imperative of procreation and the assumption of heterosexuality have been challenged by anti-imperialist and feminist activism, as well as by state responses to various problems of marriage and sexuality, such as the sexual double standard and women's subordination, divorce, prostitution and venereal disease, infant and maternal mortality, birth control, social exclusion, and unhappiness in marriage. Importantly, the religious boundaries of intimacy have been recalibrated alongside the changing needs of the modern state in complex relationships that can be mutually reinforcing or oppositional. How these alignments and disjunctions play out is an effect of the tensions and slippages between the pastoral care of individuals and the governance of populations.

The Church's relationship to marriage is protean, historically dependent, and always relative to social processes. While the Church is, in many ways, the embodiment of institutional conservatism and orthodoxy, we must also acknowledge the ethical conflicts arising from social life with which it has been confronted, and through which it has reshaped its core values. While it is often assumed that the making of modern marriage is the result of secularization, the historical reality of social change is a far messier affair than is suggested by the crude substitution of the secular for the religious.

The sexual politics of marriage has played a central role in the restructuring of the Anglican Church since the Reformation. Broadly progressive principles of sexual inclusion and equality, historically structuring the most important partisan conflicts within the Church,

have now become key criteria of denominational and intra-denominational identity. In examining religious interactions with the state from the turn of the twentieth century to today, we can see how the current debates within the Church on same-sex marriage are necessarily constructed through the Church's own history of political revision combined with its continuing confrontations with socio-sexual realities.

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