MARK DRISCOLL
MINISTRIES

Dear Christian Leader,

In our age when there is great conflict both in the church and culture regarding marriage, and sexual ethics, I wanted to help you think through these issues with this free research brief. I hope and pray it is of help to you and your ministry.

You are receiving this research brief because you have signed up for free ministry resources at markdriscoll.org. I want to personally thank you for loving Jesus and serving his people. I also want to thank you for allowing me the honor of helping you lead and feed God's people.

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It's a great joy helping people learn about Jesus from the Bible, so thank you for allowing me to serve you. If you would be willing to support our ministry with an ongoing or one-time gift of any amount, we would be grateful for your partnership.

A Nobody Trying to Tell Everybody About Somebody,

Pastor Mark Driscoll

I. Basic Sexual Ethics

Never before has sex been at the same time both so important and so trivial as it is in 21st century America. Trivial, because casual sexual encounters have become the norm rather than the exception. Yet important, because Americans take any sort of encroachment upon their "private sexual rights" as the most severe injustice possible. Because of this odd mix of an over-sexualized culture that views humanity's most intimate relationship as nothing more than akin to an afternoon snack, Christians, now more than ever, need to be equipped with a robust set of ethical categories that will allow them to engage their culture in a way that calls into question the sexual norms of the day and at the same time presents an alternative vision of reality seen through the lens of God's redemptive plan in Jesus Christ.

A. Men and Women

It is important to understand the way in which God created man and women for one another. Aside from discussions of gender complementarity and equality, gender is still important for other aspects of sexuality.

According to Stanley Grenz, "The basic purpose of our existence as sexual creatures is related to the dynamic of bonding. There is a close relationship between human sexuality and the bonding process, so much so that sexuality forms the fundamental drive that leads to this human phenomenon."[1] This fact says something about the purpose for which sexuality exists, namely, to achieve the end for which man and woman were created for one another in terms of pleasure, procreation, and general flourishing.

At the same time, this ideal is distorted by the fall: "Sex roles, which were given by God in view of the procreative and nurturing functions, are now incomplete expressions of God's design and lie under bondage. Like all dimensions of human existence, therefore, sexuality lies under the dynamic of creation and Fall."[2]

The gospel, however, shines light into darkness and grace into brokenness. "Although humankind is expelled from the paradise garden, God nevertheless offers guidance for the proper channeling of our sexuality."[3] In fact, God even chooses human sexuality and the procreative relationship to be the means by which he intervenes in human history in order to break sins curse in the person of Jesus Christ—the seed of the woman who crushed the head of the serpent in the victorious work of the cross and resurrection.

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[1] Stanley J. Grenz, *Sexual Ethics: An Evangelical Perspective* (Louisville, KY: Westminster John Knox, 1997), 32.

[2] Grenz, *Sexual Ethics*, 53.

[3] Grenz, *Sexual Ethics*, 53.

B. Marriage

God uses human marriage as a metaphor for his own love of the church, and it is within the covenantal context of marriage where God's purposes for human sexuality can be realized. Scripture uses the concept of a "union"—of two previously separate things becoming one new thing—to describe how men and women come together in a marital relationship. What is interesting is that the sexual union is, at least in part, constitutive of the union; that is, sex creates the covenant. It is a necessary (but not sufficient) condition of a covenant between a man and a woman. According to Grenz, "Inward commitment forms the basis of marriage. But by its own nature such commitment calls forth outward acts in some form."[4]

"The inward commitment of male and female that leads to the sealing of the most intimate human bond, marriage, finds outward expression in many ways. Yet, two actions are so foundational so as to lie at the heart of the others. The first, the declaration of covenant in the presence of witnesses, is the outward act that constitutes the actual beginning point of the marital bond, for it comprises the public formalization of the bond. The second act…is the physical expression of personal commitment in the sex act. This act forms the repeated reenactment of the covenant felt between the two partners and formalized in the wedding ceremony."[5]

C. The Sex Act

The actual physical act of sexual intercourse is an expression of mutual submission and openness in the context of a marriage relationship. While a full positive picture of the act of sex is important, an examination of the Scriptures provides both principles that shape moral sex and prohibitions that guard moral sex. The idea of "moral sex" assumes that there is a proper context in which sexual expression is good and appropriate, as described above, and it also assumes that sin has resulted in inappropriate uses and expressions of human sexuality.

1. Biblical Principles Shape Moral Sex

Daniel Heimbach suggests that God's revelation illustrates that there is a God-ordained structure to human sexuality. Specifically, he says that "At least seven principles can be discerned within God's revelation defining the positive value of biblical sexual morality…In particular, scripture reveals that sex has to be personal, exclusive, intimate, fruitful, selfless, complex, and complementary."[6]

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[4] Grenz, *Sexual Ethics*, 74.

[5] Grenz, *Sexual Ethics*, 74.

[6] Daniel R. Heimbach, *True Sexual Morality: Recovering Biblical Standards for a Culture in Crisis* (Wheaton, IL: Crossway, 2004), 155.

a. Personal (Relational)

Among other things, this means that "if sex occurs in ways that deny personal value, if it makes sex mechanical or treats people like 'sex objects,' then something is terribly wrong not just psychologically or emotionally but morally as well."[7] Furthermore, "because sex was designed to be a relationship uniting persons made in the image of God, it cannot be treated as a *commodity* in which people are treated as if they were personal objects."[8]

b. Exclusive (Unique)

Because in sex two separate individuals become one new flesh, to invite another party into the relationship in any way violates the very nature of the covenant. Indeed, as Heimbach says, "Once a couple becomes one sexual unit, having sex with anyone else is rather like cutting off your head and handing it off to another body. It mutilates something irreplaceable. It severs something designed for one relationship, and it joins it up with something else."[9] Paul described a wife as "bound" to her husband, and Jesus taught that marriage was a lifelong covenant (Matt. 19:6).

c. Intimate (Profound)

According to Heimbach, "Sex without intimacy is like sugar without sweetness or fire without heat. The absence not only leaves what is left incomplete, it also changes what is left. Sex without intimacy is not true sex, in the same way that a car with no engine is not a true car. The lack makes it impossible to accomplish the reason it was designed. It leaves a sham of what was intended."[10] Humans were designed by God for relationships, and the sexual relationship between a husband and wife is the most profound and intimate of all human relationships.

d. Fruitful (Productive)

Genesis states that sex was created, among other things, so that human beings could fulfill their mission on earth by "multiplying' and filling the earth with offspring. This is a function of humanity's task as stewards of the earth, and such multiplication is bound up with God's mission for his people. Some theologians in church history have suggested that the only type of moral sex is procreative sex, but such a position is not demanded by Scripture. However, at the same time, it is important to understand that sex

[7] Heimbach, *True Sexual Morality*, 155.
[8] Heimbach, *True Sexual Morality*, 157.
[9] Heimbach, *True Sexual Morality*, 159.
[10] Heimbach, *True Sexual Morality*, 161.

was designed by God to produce offspring, such that to avoid that God-given aspect of the relationship is to miss the beneficial blessing of God.

e. Selfless (Sacrificial)

The sexual act is an act of self-giving. "God made sex enjoyable, but not for enjoying in self-centered ways. Sex is meant to satisfy, but was not made for self-satisfaction. Sex is a gift, but how we use the gift must focus on pleasing the giver and serving the partner with whom he unites us. True sex is God-centered, which makes selfish, self-centered sex immoral."[11]

f. Complex (Multidimensional)

Sex is also complex; it involves the whole human person—mind, body, and soul. "God made sex to unite human beings at all levels, and pretending something less is both mistaken and immoral."[12]

g. Complementary (Unite Corresponding Difference)

Finally, to say that sex is complementary "means that sex is designed to unite corresponding differences needed to make something greater than what you get just by adding sexual partners. Sex is not for joining identical things, or just anything at all, or nothing at all. Unless sex brings corresponding differences together, it produces nothing of value, the parts never make up something whole, and sex never advances beyond individual isolation."[13] Put simply, God made men and women as equals who often function in different ways in the created order, and sex is a relationship in which these differences are brought together in a complementary manner.

2. Biblical Prohibitions Guard Moral Sex

Unfortunately, this is the feature of Christian sexuality that draws the most attention from and criticism by outsiders. Christians are often accused of having little positive to say about sex and instead focusing only on restrictions. It is important to note, however, that everyone has certain personal prohibitions. Not every person would be happy to participate in an orgy, nor would most husbands be content with sharing their partner with another man (or vice versa). What this says is that everyone already has certain sexual restrictions in place, which means that Christians are no different than everyone one else in this regard. Nonetheless, Christians do see specific sexual prohibitions in Scripture that guard the moral nature of the sexual relationship.

[11] Heimbach, *True Sexual Morality*, 165.
[12] Heimbach, *True Sexual Morality*, 167.
[13] Heimbach, *True Sexual Morality*, 170.

Heimbach, for example, sees as least sixteen sexual prohibitions clearly stated in Scripture:

1. No sex outside of marriage.
2. No sexual worship (spiritualized prostitution)
3. No sexual commerce (economic prostitution)
4. No homosexual sex
5. No sex with animals (bestiality)
6. No sex or marriage with close relatives (incest)
7. No pedophilia
8. No sexual violence
9. No lustful sexual desires (inner adultery)
10. No intentional gender confusion
11. No sex during a women's period
12. Strong opposition to divorce
13. Strong opposition to spiritually mixed marriage
14. Strong opposition to sexual immodesty
15. Opposition to polygamy
16. Opposition to fellowship with sexually immoral Christians[14]

One could perhaps disagree with the particulars of Heimbach's list—such as numbers 11 and 16, for example—but his point nevertheless remains: negative prohibitions protect the value of moral sexuality.

According to Heimbach, God blesses moral sexual relationships with four things:

- Abiding Joy
- Genuine Satisfaction
- Exemplary Honor
- Pure Allure.[15]

*3. **Counterfeit Views of Sexual Morality***

Heimback helpfully identifies prevalent cultural attitudes that reduce the ultimate purpose of sex to something other than its God-intended design. He describes four main positions:

- "Romantic"—Sex as affection
- "Playboy"—Sex as pleasure
- "Therapeutic"—Sex as wholeness
- "Pagan"—Sex as spiritual life[16]

[14] Heimbach, *True Sexual Morality*, 177.
[15] Heimbach, *True Sexual Morality*, 225–50.
[16] Heimbach, *True Sexual Morality*, 253–329.

Each of these positions takes one important aspect of God's sexual design plan and elevates and expands that one element until it becomes the ultimate, driving force behind and motivating factor for sex. According to Heimbach, each starts with something true, perverts something God made good, shifts justification from God to ourselves, reduces sex to feelings, is anthropocentric and mundane, is self-centered, puts sexual experience over God's word, is permissive, is subjective, trusts some form of sexual desire, varies with time, and varies from person to person.[17]

II. Homosexuality

The best case against so-called gay marriage is from Sherif Girgis,[18] Robert P. George,[19] and Ryan T. Anderson.[20] Their initial work was published as an article in *Harvard Journal of Law and Public Policy*.[21] The article was later expanded into a book.[22] What follows here is a summary of the article.

A. Summary

The authors open the article by describing two "competing views" of what marriage is: the "conjugal view" and the "revisionist view" (246). Because of the importance of these two views for the rest of the article, the authors' descriptions of these views are quoted in full here.

On the conjugal view, "Marriage is the union of a man and a woman who make a permanent and exclusive commitment to each other of the type that is naturally (inherently) fulfilled by bearing and rearing children together. The spouses seal (consummate) and renew their union by conjugal acts—acts that constitute the behavioral part of the process of reproduction, thus uniting them as a reproductive unit. Marriage is valuable in itself, but its inherent orientation to the bearing and rearing of children contributes to its distinctive structure, including norms of monogamy and fidelity. This link to the welfare of children also helps explain why marriage is important to the common good and why the state should recognize and regulate it" (246).

On the revisionist view, "Marriage is the union of two people (whether of the same sex or of opposite sexes) who commit to romantically loving and caring for each other and to sharing the burdens and benefits of domestic life. It is essentially a union of hearts and minds, enhanced by whatever forms of sexual intimacy both partners find agreeable. The state should recognize and regulate marriage because it has an interest in

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[17] Heimbach, *True Sexual Morality*, 326.

[18] Ph.D. Candidate in Philosophy, Princeton University.

[19] McCormick Professor of Jurisprudence, Princeton University.

[20] Ph.D. Candidate in Political Science, University of Notre Dame.

[21] Sherif Girgis, Robert P. George, and Ryan T. Anderson, "What Is Marriage?" *Harvard Journal of Law and Public Policy* 34 (2011), 245–87.

[22] Sherif Girgis, Ryan T. Anderson, and Robert P. George, *What Is Marriage? Man and Woman: A Defense* (New York: Encounter Books, 2012).

stable romantic partnerships and in the concrete needs of spouses and any children they may choose to rear" (246-247).

The authors argue that, contrary to popular opinion, the conjugal view of marriage is not based solely on religious beliefs, but is more fundamentally built into the nature of reality. "…[T]he demands of our common human nature have shaped (however imperfectly) all of our religious traditions to recognize this natural institution. As such, marriage is the type of social practice whose basic contours can be discerned by our common human reason, whatever our religious background" (247). The goal of this article is to make the case that the conjugal view of marriage should be enshrined in law, and to argue this "using arguments that require no appeal to religious authority" (247).[23]

B. Part 1: Making the Case for the Conjugal View

"Part I argues that legally enshrining the conjugal view of marriage is both philosophically defensible and good for society, and that enshrining the revisionist view is neither" (248).

1. Equality, Justice, and the Heart of the Debate

The authors argue that the commonly drawn analogy between so-called gay marriage and interracial marriage fails. The faulty case against interracial marriage "was about whom to allow to marry, not what marriage was essentially about; and sex, unlike race, is rationally relevant to the latter question. Because every law makes distinctions, there is nothing unjustly discriminatory in marriage law's reliance on genuinely relevant distinctions" (249). Opponents of interracial marriage in the United States were not denying that interracial marriages were real marriages, but were instead only arguing that persons of different races ought not to marry. "By contrast, the current debate is precisely over whether it is possible for the kind of union that has marriage's essential features to exist between two people of the same sex" (249).

"Revisionists do not propose leaving intact the historic definition of marriage and simply expanding the pool of people eligible to marry. Their goal is to abolish the conjugal conception of marriage in our law and replace it with the revisionist conception" (249).

"More decisively, though, the analogy to [laws against interracial marriage] fails because it relies on the false assumption that any distinction is unjust discrimination" (250). The authors argue that, on revisionist logic, even if so-called gay marriage were legalized, the laws would still be discriminatory against persons seeking other kinds of sexual unions (incestuous, more than two persons, etc.). To be consistent, revisionists would either have to argue that these unions should also be legally recognized as marriages, or admit that marriage is an institution from which certain kinds of unions are

[23] All three authors are devout Catholics.

rightly excluded. Proponents of so-called gay marriage who hold to this latter position are unwittingly accepting three principles: (1) "marriage is not a legal construct with totally malleable contours—not 'just a contract.' Otherwise, how could the law get marriage wrong?" (250); (2) "the state is justified in recognizing only real marriages as marriages" (251); (3) "there is no general right to marry the person you love, if this means a right to have any type of relationship that you desire recognized as marriage" (251).

"…[T]he judgment that same-sex and opposite-sex unions are alike with respect to marriage, and should therefore be treated alike by marriage law, presupposes one of two things: Either neither relationship is a real marriage in the above sense, perhaps because there is no such thing, marriage being just a legal fiction […], or both relationships are real marriages, whatever the law says about them. The latter presupposition entails the belief, which most revisionists seem to share with advocates of the conjugal view, that marriage has a nature independent of legal conventions. In this way, the crucial question—the only one that can settle this debate—remains for both sides: What is marriage?" (252).

2. Real Marriage Is—And Is Only—The Union of Husband and Wife

"As many people acknowledge, marriage involves: first, a comprehensive union of spouses; second, a special link to children; and third, norms of permanence, monogamy, and exclusivity. All three elements point to the conjugal understanding of marriage" (252).

a. Comprehensive Union

Marriage is a comprehensive union of two persons, including their minds, wills, lives, resources, and bodies (sexually), among other things. Bodily union—in the strong sense of working together for a common purpose or good—can only be achieved between a man and a woman. "…[O]rganic bodily unity is achieved when a man and woman coordinate to perform an act of the kind that causes conception" (254). "…[T]wo men or two women cannot achieve organic bodily union since there is no bodily good or function toward which their bodies can coordinate, reproduction being the only candidate. This is a clear sense in which their union cannot be marital, if marital means comprehensive and comprehensive means, among other things, bodily" (255). The authors note that sexual pleasure cannot be the basis of bodily union.

b. Special Link to Children

"Most people accept that marriage is also deeply—indeed, in an important sense, uniquely—oriented to having and rearing children. That is, it is the kind of relationship that by its nature is oriented to, and enriched by, the bearing and rearing of children" (255). Of course, this does not mean that having a child is necessary for marriage, nor

that adults who together raise a child are therefore married. The important thing is that marriage is naturally oriented toward the bearing and rearing of children, even if a married couple never actually has a child.

"…[S]ame-sex partnerships, whatever their moral status, cannot be marriages because they lack any essential orientation to children: They cannot be sealed by the generative act. Indeed, in the common law tradition, only coitus (not anal or oral sex even between legally wed spouses) has been recognized as consummating a marriage" (257).

The authors then briefly review evidence from the social sciences (note that this is even before Regnerus published his now infamous article[24]) that, unsurprisingly, "children fare best on virtually every indicator of wellbeing when reared by their wedded biological parents" (257).

c. Marital Norms

Marriages are permanent (i.e., until death) and exclusive. For any social relationship (including same-sex romantic relationships) that is not by its nature oriented toward the bearing and rearing of children, there is no good reason to expect or value permanence or exclusivity.

3. How Would Gay Civil Marriage Affect You or Your Marriage?

Proponents of so-called gay marriage sometimes argue that legally recognized same-sex unions would not affect or pose any threat to "you or your marriage," and therefore such unions should be accepted. In this section, the authors explain why this "no harm" claim is incorrect.

a. Weakening Marriage

Legally recognizing same-sex relationships as marriages would weaken marriage as a social and civic institution. "…[T]he state's favored conception of marriage matters because it affects society's understanding of that institution. In redefining marriage, the law would teach that marriage is fundamentally about adults' emotional unions, not bodily union or children, with which marital norms are tightly intertwined" (260-261). Since emotions are usually inconsistent and fleeting, basing marriage on emotions would tend to decrease marital stability. "Moreover, and more importantly, because there is no reason that primarily emotional unions any more than ordinary friendships in general should be permanent, exclusive, or limited to two, these norms of marriage would make less and less sense. Less able to understand the rationale for these marital norms, people

[24] Mark Regnerus, "How Different Are the Adult Children of Parents who have Same-Sex Relationships? Findings from the New Family Structures Study," *Social Science Research* 41 (2012), 752–70.

would feel less bound to live by them. And less able to understand the value of marriage itself as a certain kind of union, even apart from the value of its emotional satisfactions, people would increasingly fail to see the intrinsic reasons they have for marrying or staying with a spouse absent consistently strong feeling" (261). The authors recognize that it is not only so-called gay marriage that, as policy, could weaken or has already weakened marriage (a footnote mentions no-fault divorce), but they think redefining marriage to include same-sex unions would "tear out" any remaining basis for marriage's connection to bodily union, children, or fidelity.

b. Obscuring the Value of Opposite-Sex Parenting As an Ideal

"If same-sex partnerships were recognized as marriages, [*the ideal of opposite-sex parenting*] would be abolished from our law: no civil institution would any longer reinforce the notion that children need both a mother and father; that men and women on average bring different gifts to the parenting enterprise; and that boys and girls need and tend to benefit from fathers and mothers in different ways" (263).

c. Threatening Moral and Religious Freedom

If same-sex unions were legalized as marriages, then the government would "be forced to view conjugal-marriage supporters as bigots who make groundless and invidious distinctions" (263-264). In light of pressure from public institutions, parents would loose the freedom to teach their children that the conjugal view of marriage is the correct view. Some Christian adoption services have already been forced to close, since they cannot and will not in good conscience place children with same-sex couples. Students will not be allowed to voice their support for the conjugal view of marriage in public schools, thus limiting rights to freedom of speech. "…[I]n Massachusetts, a Court of Appeals ruled that a public school may teach children that homosexual relations are morally good despite the objections of parents who disagree" (264). Supporters of conjugal marriage will be increasingly demonized in public discourse as hateful and thoughtless bigots, as we have already begun to see. Finally, revisionists will continue to use "rights-talk" when in fact no such rights exist. "…[T]hese are important warnings about the consequences of enshrining a seriously unsound conception of marriage" (265). "…[M]arriage should command our attention and energy more than many other moral causes because so many dimensions of the common good are damaged if the moral truth about marriage is obscured" (265).

4. If Not Same-Sex Couples, Why Infertile Ones?

"Revisionists often challenge proponents of the conjugal view of marriage to offer a principled argument for recognizing the unions of presumptively infertile couples that does not equally justify the recognition of same-sex partnerships. But this challenge is easily met" (265-266).

a. Still Real Marriages

A person's digestive system does not stop being a digestive system (oriented by nature toward nourishing the body) just because for some reason the intestines fail to absorb nutrients correctly. Similarly, the bodily union of a man and a woman (which is oriented by nature toward the bearing of children) does not stop being a marriage just because for some reason conception does not or cannot happen. In short, infertile married couples are still in a real marriage.

b. Still in the Public Interest

Recognizing infertile heterosexual married couples as marriages is in the public interest for a number of reasons. "Practically speaking, many couples believed to be infertile end up having children, who would be served by their parents' healthy marriage" (268). Also, "the effort to determine fertility would require unjust invasions of privacy" (268). More generally, "even an obviously infertile couple" can "contribute to a healthy marriage culture" by following marital norms and "set a good example for others and help to teach the next generation what marriage is and is not" (268). "To recognize only fertile marriages [would be] to suggest that marriage is merely a means to procreation and childrearing—and not what it truly is, namely, a good in itself" (268). Lastly, enshrining the conjugal view of marriage in law, which includes infertile couples, would create a healthier marriage culture that structurally would benefit all children.

5. Challenges for Revisionists

In this section the authors argue that, if the revisionist view of marriage is correct, then the revisionists themselves cannot explain or justify why the government would have an interest in regulating or recognizing some relationships, but only if they are romantic and monogamous.

a. The State Has an Interest in Regulating Some Relationships?

Some people argue that the United States government should "get out of the marriage business" altogether. The authors argue that this solution is wrong. The government has much interest in recognizing and regulating marriages because healthy marriages—and a healthy marriage culture—are crucial for the common social and political good. "…[A]ny marriage law at all communicates some message about what marriage is as a moral reality. The state has an obligation to get that message right, for the sake of people who might enter the institution, for their children, and for the community as a whole" (268). It is especially important for children.

b. Only if They Are Romantic?

The revisionist view of marriage cannot justify why the government would care whether or not a so-called marriage is romantic/sexual. Two persons (even siblings) of the same-sex who are not sexually involved could enter this kind of marriage contract and receive its legal benefits.

c. Only if They Are Monogamous?

On the revisionist view of marriage, there is no reason that marriages need to be between only two persons, rather than three or more persons. So if we want the law to say that marriages are only romantic and only between two persons, then we need the conjugal view of marriage.

"Any principle that would justify the legal recognition of same-sex relationships would also justify the legal recognition of polyamorous and non-sexual ones. So if, as most people—including many revisionists—believe, true marriage is essentially a sexual union of exactly two persons, the revisionist conception of marriage must be unsound" (273).

6. Isn't Marriage Just Whatever We Say It Is?

No. Marriage has an independent reality that is built into the nature of things. Marriage is not a socially constructed convention. The authors then argue that even people who (wrongly) hold that marriage is merely socially constructed "could and should oppose legally recognizing same-sex partnerships" (275) based just on consideration of social utility and the common good.

C. Part 2: Addressing Possible Objections

1. Why Not Spread Traditional Norms to the Gay Community?

Some people argue that legalizing so-called gay marriage would help to instill traditional norms to the gay community, such as monogamy and stability in their sexual relationships and a caring connection to children. But this is false. Instead, redefining marriage to include same-sex relationships would undermine the rational basis for "the norms of permanence, monogamy, and fidelity" (276). "Rather than imposing traditional norms on homosexual relationships, abolishing the conjugal conception of marriage would tend to erode the basis for those norms in any relationship" (276). The authors then show that, "in both practice and theory" (276), the norms of permanence, monogamy, and fidelity are widely not valued in the gay community. "Indeed, some revisionists have positively embraced the goal of weakening the institution of marriage" (277).

2. What About Partners' Concrete Needs?

When it comes to the question of legal benefits (like hospital visitation rights, inheritance laws, and tax status), the authors have no objection in principle to creating benefit contracts that people can enter into. But they point out that these would not be marriages; "…[T]hese benefits would need to be available to all types of cohabitation if they were made available to any" (280), such as two brothers who share domestic responsibilities, or even three celibate monks who live together. Even though the authors are not against "such sexually-neutral benefits packages" (280) in principle, they raise a number of practical concerns about implementing such contracts.

3. Doesn't the Conjugal Conception of Marriage Sacrifice Some People's Fulfillment for Others'?

No. The conjugal view of marriage serves the good of all individuals and communities. The objection that the conjugal view of marriage sacrifices some people's fulfillment is based on a handful of assumptions that are "either dubious or irrelevant to this debate" (282). Four such assumptions are: (1) "Fulfillment is impossible without regular outlets for sexual release;" (2) "Meaningful intimacy is impossible without sex;" (3) "Fulfilling relationships are impossible without legal recognition;" and (4) "Homosexual orientation is a basic human identity, such that any state that doesn't actively accommodate it necessarily harms or disregards a class of human beings" (281-282). "What we wish for people unable to marry because of a lack of any attraction to a member of the opposite sex is the same as what we wish for people who cannot marry for any other reason: rich and fulfilling lives" (282-283). They extol the value of deep friendships.

4. Isn't It Only Natural?

"We do not pretend to know the genesis of same-sex attraction, but we consider it ultimately irrelevant to this debate" (284). "The point is simply that whether same-sex unions can be marriages has nothing to do with what causes homosexual desire" (285). "There is simply no logical connection between the origin of same-sex desire and the possibility of same-sex marriage" (285).

5. Doesn't Traditional Marriage Law Impose Controversial Moral and Religious Views on Everyone?

The authors make four points here. First, "…[T]he human good of marriage, and its implications for the common good of human communities, can be understood, analyzed, and discussed without engaging specifically theological issues and debates"

(285). Second, many religions do teach the conjugal view of marriage, and many people support the conjugal view due to their religious beliefs. And some faith communities today teach the revisionist view of marriage. "But none of these facts settles the debate about which view of marriage should be embodied in public policy" (286). Third, the conjugal view is no more a controversial moral position than is the revisionist view. "…[T]here is no truly neutral marriage policy" (286). And fourth, marriage is not the only public policy issue that involves controversial religious and moral beliefs on all sides of the issue (e.g., immigration, poverty relief, capital punishment). "That does not mean that the state cannot, or should not, take a position on these issues" (286).