

## SAME-SEX MARRIAGE

In the light of Parliament's vote last week to proceed with legislation to enable same-sex marriage, I offer you a few thoughts on the subject. I do so aware that among us there will be a wide variety of views. Some will say that this is a wrong and foolish enterprise: marriage, not just as understood by most Christians and people of other faiths, but in society at large, is a commitment between a man and a woman - full stop. (As one letter in my paper said, *if we are going to re-define marriage, we will need to have a new word for what marriage used to be.*) Those who are opposed in principle may go on to say that civil partnerships/unions for same-sex couples are one thing, giving proper legal status and protection, but marriage is a step too far. (This is broadly my own view, but with the important proviso that I believe that if the church had been more positive in offering appropriate services of thanksgiving and dedication after partnership ceremonies - for, after all, it is always good and right to pray with people in their joys and sorrows - we might not be in this current mess. But it's too late for that now.)

Does it matter that it will get confusing: if gay couples can marry, what then happens to civil partnerships? What kind of ceremony is needed to turn a partnership into a marriage? (It's a bit like the problem we had of turning deaconesses into deacons - the forms of service were almost identical, but one was an ordained ministry, the other was not.) Some partnered couples are adamant that they do not want marriage, with all its baggage; it's not appropriate to ape the heterosexual institution, they say; but others get very cross when that is said, and say it is blatant discrimination. Equally, some opposite-sex couples, who want to make a public commitment and gain legal protection but do not want to be married, will say that if gays can marry it is discriminatory to deny civil partnerships to us. This assumes that the difference is more than a matter of words - but how, precisely? Are their legal effects the same, or not? (One issue is that some other countries do not recognise our civil partnerships - but then, they may not recognise gay marriages either.)

Others of you will say, it's a lot of fuss about nothing; I see no reason why there should not be same-sex marriage, in church or elsewhere. Marriage as an institution has changed and adapted in many ways down the centuries, and this is just the next step.

When our General Synod debates major doctrinal issues, we groan at the nature of some of the speeches that are made - impassioned and emotive pleas that wander far from the point and fail to address the real issues in any detail. Well, that was certainly true of the Parliamentary debate last week, and all the rhetoric that has surrounded it. To say *I'm a great believer in marriage* doesn't really answer the point one way or the other. (I leave aside the fact that the majority of support for this Bill, which has been bounced on us rather suddenly, came from the opposition; what are the long-term possible ramifications of this?) I offer you five points.

1. **Getting married and being married:** Far too much of the debate has focused on getting married - where, and by whom - rather than on being married and what this means. This, of course, is partly the effect of the whole wedding industry - it's all about the great magic moment, the romantic ceremony, with little thought about what follows. So we get tied up with opt-out clauses for faith groups. But this doesn't solve the problem, because it ignores the fundamental issue, which is...

2. **Marriage is marriage** wherever and however it is contracted. Despite much of what the government says, there are not two kinds of marriage, civil and religious: that is to confuse getting married with being married. Indeed, as I shall explain later, marriage in church is something of an accident of history. The CofE recognises civil marriage as 'the real thing', whether or not it receives God's blessing. The point is that wherever people marry, they are entering into a publicly-defined institution (though, as the feminists used to say, who would want to live in an institution?) Marriage is not a private arrangement which can mean whatever you want it to mean. It is part of the fabric, or glue, of society, a matter of social policy. As the (contemporary) wedding service says, *marriage is a sign of unity and loyalty which all should uphold and honour. It enriches society and strengthens community.* And that means that when couples make a public commitment to this institution, their marital status, and all that flows from it, must be recognised and honoured by everyone - and that's what we should be bothered about, not the side issue of where the ceremony takes place.

**3. Marriage as a state of life:** It is true that RCs speak of marriage as one of the seven sacraments (though it is not a universal sacrament like baptism and the eucharist, for not all believers are required to marry, any more than they are required to be ordained!) The CofE deliberately doesn't term marriage a sacrament - though we may speak of it as sacramental in the sense that it can be a sign of God's blessing and presence. We call marriage a God-given state of life - *an honourable estate, instituted of God himself in the time of man's innocence*, says the old prayer book. It is not a specifically Christian institution: it is a human institution, for all people. Of course, for Christians it has added dimensions: it is not only *a gift of God in creation* but also *a means of his grace, signifying unto us the mystical union betwixt Christ and his church*. For believers, the natural state is transformed into the supernatural - like water into wine at Cana. But notice that the BCP says that Christ *adorned and beautified this holy estate* first of all with his presence, on the human level, as a guest with his mother and friends (he didn't of course conduct the ceremony) before ever he performed his first miracle. This suggests to me that our task as Christians is not to seek to impose our specific beliefs about the nature of marriage on everyone else (which is what we're accused of doing), but of challenging society as a whole to consider the causes and purposes and goals of this way of life and how they should be understood in contemporary society - for, yes, they have undoubtedly changed over the years.

**4. Church and state:** Until now the ecclesiastical and civil doctrines of marriage (who may marry, and so on) have been broadly the same, as enshrined in marriage and indeed divorce legislation (though there have been spats along the way, such as whether you can marry your deceased wife's sister - an issue which excited the Victorians). Our monopoly of marriage ceremonies (which for a time we shared with Quakers and Jews) has long gone, with the introduction of civil marriage, and divorce jurisdiction was transferred from church to civil courts - oddly, for a time, being part of the Probate, Divorce and Admiralty division - 'wills, wives and wrecks'). Will same-sex marriage drive a wedge between church and state understandings? In fact the current tension is a return to the way things were in biblical times and for many centuries afterwards, when the church's role was very limited. Marriage was essentially a domestic celebration: it happened in the home, with the couple's parents drawing up the documents and supervising the proceedings. The church then made a takeover bid, first by requiring clergy to be present and pronounce a blessing, and then by transferring the ceremony to church (though for a long time they actually made their vows in the porch - a public place, for all to see.)

**5. So what about scripture?** Frankly, all that we can say is that the Hebrew and Christian scriptures assume that marriage is between a man and a woman (but then there is also polygamy in the bible....) Beyond that, the way in which this bond is understood and lived out has changed in so many respects that we cannot simply read off rules from scripture. For example, procreation - having children - was long understood as the primary purpose of marriage (*first, it was ordained for the increase of mankind according to the will of God*), with the couple's love for each other coming in third place, after the right use of sex. Indeed, if your partner was chosen for you loving one another might be something of a bonus. But nearly everyone today says that the couple's love for each other is the baseline, the starting point, and the order of the reasons in the new wedding service has been reversed to reflect this. In the past, a deliberate intention not to have children (as opposed to being too old, or infertile) was seen as a bar to marriage, but that is no longer so. So we cannot use this as an argument against gay marriage (quite apart from the various ways in which many gay couples do have and bring up children, and are very committed to family life). Divorce law too has changed - the irretrievable breakdown of the relationship is now the primary basis for divorce, though one of the traditional ways in which this is evidenced, adultery, is proving impossible to define for homosexual couples. So what are we to conclude? Marriage has shown itself to be a flexible institution - but is it sufficiently flexible to encompass same-sex partnerships?

To conclude: my hope (though it's a faint one) is that in the coming weeks there will be proper attention given to these issues - going beyond bland assertions about equality, going beyond pointing a finger at the church for blocking progress, and asking whether as a society we are ready for such a change. For if we are not, discrimination will continue.

Michael Ainsworth  
February 2013