

## Same-sex marriage?

*A sermon preached by Nick Moir at St Andrew's, Chesterton, on Sunday 24 June*

The Church of England gave a trenchant response to the Government's consultation on its proposal to legalise civil gay marriage. Listen to two responses to that from the Press. First – Giles Fraser in *The Guardian*:

*The Church of England has spoken. And apparently, we are against gay marriage. We are not "anti-gay", we hope you understand. After all, as the statement says: "We have supported various legal changes in recent years to remove unjustified discrimination and create greater rights for same sex couples." Oh, no. We are not homophobic. It's just that we (the straight religious people) think that if gay people are allowed to get hitched in church then that will ruin things for the rest of us. The presence of homosexuals at the altar, vowing lifelong love and fidelity, will devalue the institution of marriage. It would be like letting women join the Garrick.*

*Apologies for the sarcasm. But I am spitting blood about the latest ridiculous statement from the Church of England....*

*The church is no more a cartel of moral wisdom. And those of us who still stick with it – though there are days like today when this is increasingly hard – do so in the hope that it can be called back to a deeper moral seriousness that is not in hoc to bourgeois notions of respectability and prejudice. This is not a great day to be a member of the Church of England. I am simply ashamed.*

Oh dear. But then, on the other hand, listen to Andrew Pierce writing in the *Daily Mail*:

*I am a Conservative and a homosexual, and I oppose gay marriage.*

*Now, a submission by the Church of England into the Government's consultation on gay marriage has warned of an historic division between the Church's canon law – that marriage is between a man and a woman – and Parliament.*

*It suggests the schism could even lead to 'disestablishment', a split between the Church and the State, and the removal of the Queen as Supreme Governor of the Church.*

*So Tory rebels will be emboldened by this astonishing warning by the Church of England, which for once is showing clear and principled leadership, that it could be forced to abandon its traditional role of conducting weddings on behalf of the State.*

A few years ago, before I came to Chesterton I preached a sermon on death and a good friend came up to me afterwards and said, 'Oh, Nick, that was very brave', and I thought 'was it?' and wondered what on earth I had said that I would later regret. Knowing that I was to talk this morning about same-sex marriage several people have said to me, 'Oh, Nick, that's very brave' and that's before I've said anything. Well, let me be clear: I don't intend to be very brave. I have to be honest – I have lots of strong, even visceral, responses about all this going on in here (brain and heart) and they don't all lead to the same conclusion. I am an Anglican and I am therefore confused, and apart from anything else I would like to know what you think before I crystallise my thinking on this. That's why I am preaching this sermon – provoked actually not just by what's topical but by what our lectionary has thrown up as the Old Testament reading for today.

The Cambridge News rang me up and asked me to give my views on all this in 200 words. I was glad that I was out and too late to reply. I can't do that. I can't do it in 1700 either which is what I've got this morning but I'd like to give you a few things to think about and to reflect upon.

Three questions:

1. What is marriage?

In a civil marriage the only words that have to be said are the statutory declaration that there is no lawful impediment to your marriage and the contracting words:

*I call upon these persons here present to witness that I, \_\_do take thee, \_\_, to be my lawful wedded husband/wife.*

Very often in a civil ceremony the registrar will quote what has been deemed to be the accepted legal understanding of marriage:

*Marriage according to the law of this country is the union of one man with one woman, voluntarily entered into for life to the exclusion of all others.*

In some ways it would quite easy just to change the gender-specific language and then – hey presto – same-sex marriage becomes possible. Easy. The Government in its consultation said that what it wanted to do was remove the bar on a person marrying someone of their own sex, but no-one has ever barred it. Until recent years it never crossed anyone's mind that it were possible. The understanding of marriage adopted by the state in our culture has been borrowed from the church – until the 19<sup>th</sup> century all marriages were church marriages and governed by church law. The brevity of the civil law's statement of what marriage is hides the fact that there was always an assumption that what happened in a registry office was the same thing as what happened in church without the prayers. That is where, I think, the Church of England is clearly right in its response. In our tradition and culture you can't just change what you mean by marriage in the civil realm as though it's something different from marriage as recognised in the church. And if the church needs to rethink how it understands marriage is it really reasonable to expect it to do so in a 12 week consultation period?

When I conduct a wedding I have to do so using the rites and ceremonies of the Church of England. It is these which define how we understand marriage. This includes the preface of the service which, albeit with different emphases in the Book of Common Prayer and Common Worship, says that marriage was ordained for three things: for mutual society, help and comfort; as the proper place for full sexual union, and for the procreation and upbringing of children.

It is true, and interesting, that in the Book of Common Prayer it is the children who come first, whilst in modern liturgies it is the relationship between man and wife that comes first. Emphases do change and they could change again, but not perhaps in twelve weeks.

## 2. Who decides what marriage is?

I have already said that in our tradition the state has borrowed its understanding of marriage from the church, but that doesn't mean that the church invented marriage or owns it. In fact it has never claimed to. The church recognises, and it's there in the marriage service, that 'marriage is a gift of God in creation'. I sometimes joke that I've married hundreds of women – and I suppose I could add, in this context, hundreds of men – but I have in fact married only one woman. A man and wife are not married by someone else; they marry one another by making their vows to each other. They make a covenant – a legal agreement, which like any other, requires two witnesses and, for the state's purpose, a state official (which could be a registrar or a vicar).

In our Old Testament reading Jonathan makes a covenant with David because, it says, 'he loved him as his own soul'. You won't be surprised to know that this text has been much pored over by those looking for examples of same-sex relationships in antiquity and in the Bible in particular. There is a good deal of dispute about how much this is to do with their mutual love and how much it is about Jonathan ceding his succession to the kingship to his friend. In this case it was not witnessed, for understandable reasons, but if it had been it would have had in those days as well as today a legal status. If two people freely want to enter into a solemn agreement – which may have significant implications for their future property and status – then nearly all of us would respect their right to do so.

In recent years a growing number of same-sex couples have wanted to make such covenants both as an expression of love and to ensure rights of next of kin, property and succession. The state has decided that is both just to accept the validity of these covenants and good for society as a whole to encourage and validate stable and loving relationships. And so one person says to another:

*I promise you that I will cherish our love and I will be faithful as your partner and your friend until my life ends.*

Out of deference to the church perhaps, the state has until now regarded these promises as forming a covenanted partnership but not a marriage. But many people have been applying the duck test to civil partnership: 'if it looks like a duck, swims like a duck, and quacks like a duck, then it probably is a duck' – and if legally-speaking it isn't then it probably ought to be. But who decides? The church, the state or popular opinion? I don't think it should be either the church or the state or just current fashion. I think we should be looking for a more universal acceptance based on proper enquiry that involves science, sociology, theology and the fullest possible public and international debate – because surely we should be looking for an understanding of marriage that has the broadest possible acceptance.

## 3. How should the church respond?

I want to say two things:

First, I am worried when people think they are doing the right thing, choosing faithfulness, love and commitment above promiscuity or loneliness and misery, and what they hear from the church is 'no, we do not accept you' or 'we can tolerate this but in a registry office not in

church'. I have increasing difficulty with that. It seems so unChristlike. You may not be a Guardian reader but I think we should be worried when a significant proportion of thoughtful people think the church is speaking out of the dark ages. For good or ill, we are losing a good deal of credibility over this.

But secondly, I really don't think the church can start redefining marriage in 12 weeks. Maybe it is the calling of the church to protect and treasure marriage when in society at large it has broken down so much, to the detriment of our social fabric and not least to the detriment of children – and historically it was children who were put first in our understanding of marriage, a reminder that godly love is not exclusive and inward-looking but, like God himself, gives life to others and actually finds a great deal of its fulfilment in so doing. I certainly am not convinced yet that we should be sacrificing that dimension of what marriage is. Whilst the church did not invent and does not own marriage, it has been the custodian in our culture of its meaning and importance and so we have a special responsibility to ensure that we do not too quickly sever those roots for the sake of seeming to be just and compassionate.

So I leave you with my double-mindedness. I recognise that to some of you that will appear unprincipled, to others it will seem cowardly. But apart from anything else I suspect that this issue in the end is more likely to see the break up of the Church of England than that of women bishops. I believe that for both the sake of the church and the nation this is an issue with which we have to engage with great sensitivity and with a greater willingness than ever to hear the views and experiences of those with whom we may disagree. How ironic that it's about the limits of love – may at least our love and forbearance as we debate this be as full and limitless as they can be.