

Salt and Light Papers provide important information and analysis to help Christians and Churches to engage with 21st century social issues

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MARRIAGE AT THE CROSSROADS

The definition of marriage in England and Wales awaits its fate. The government consultation closed on 14 June, and the outcome is expected in the Autumn. In considering whether to propose any new legislation in the light of it, no Westminster government in recent years has had a more momentous decision to make.

For all its inadequacies, which have been itemised elsewhere in this edition of *The Bulletin*, tens of thousands of people – some reports say more than 100,000 – responded to the consultation, either via the Home Office web site, or from the Coalition for Marriage web site, or by emailing or posting individual submissions to the Government Equalities Office (GEO). The GEO will have its work cut out to present the findings in a meaningful way, and the government to formulate proposals which can be justified by the opinions expressed in the public response.

The present hiatus between the consultation and the government's response does not imply any let-up in the campaign against the redefinition of marriage. Fresh efforts are being made to promote the Coalition for Marriage petition, which currently has nearly 600,000 signatures, in the hope that there might be a million signatures by the time the government responds to the consultation.

In the meantime, all supporters of the present definition of marriage are encouraged to contact their MPs to make them increasingly aware of the degree of concern over this issue which exists in their constituencies. The more that MPs realise the strength of the opposition to any proposed change, the better it will be for the campaign. Everyone will, at a later stage, need to contact their MPs again after the government has responded to the consultation with any specific proposals, as from then on the battle over the future of marriage will need to be fought in both houses of Parliament. However, earlier contact with MPs will prepare the ground, and there is nothing inappropriate about contacting MPs twice.

Now that the consultation has closed and there is a slight pause for breath, this is a good moment to reflect on the true significance of the present debate about the future of marriage, the effect which any change of definition will have on the social fabric of the nation, and how any such

change needs to be viewed from an evangelical perspective. In any objective, rational and fair consideration of the issues, the following factors warrant careful attention:

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.

The above is the legal wording from the 1866 judgement, defining marriage, displayed in register offices throughout England and Wales

The longevity of the present definition

At every civil marriage ceremony in England and Wales, the presiding registrar makes a public statement concerning the legal definition 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.' These famous words, which are publicly displayed at register offices throughout England and Wales, are derived from a section of the legal judgement made by Lord Penzance in the case of *Hyde v Hyde & Woodmansee*, in 1866. They form part of a fuller statement within the judgement which reads: 'What, then, is the nature of this institution¹ as understood in Christendom? Its incidents vary in different countries, but what are its essential elements and invariable features? If it be of common acceptance and existence, it must needs (however varied in different countries in its minor incidents) have some pervading identity and universal basis. I conceive that marriage, as understood in Christendom, may for this purpose be defined as the voluntary union for life of one man and one woman, to the exclusion of all others.'

These words were adopted for use in civil ceremonies because they were accepted as representing the legal definition of marriage which over many years before 1866 had become established by case law, given that under English law there is no statutory definition of marriage. However, even if one goes back no further than 1866, we are talking about a period of 146 years of immense social change, but in which there has not been a hint of a challenge to the definition of marriage, until now. The traditional definition and practice of marriage has survived Victorian ill-health and destitution, the impact on class and social structures brought about by the Great War, and the changes in work patterns and the rise in material expectation which followed the Second World War.

The importance of marriage to the structure and well-being of society

Those who currently advocate change, including all three main political parties, have failed to view the significance of marriage in its proper historical and social context. They have been beguiled by the equality issue, which seems so box-tickingly simple to them. Rather than asking themselves why the past generations, for all their diversity of social experience, so uniformly held to the

traditional definition of marriage, today's politicians have imagined themselves to be the first intelligent generation, and this arrogance has clouded their judgement.

God intends people to dwell in families. It is within the family that the complementary needs of each family member are met. The wider family is also important, but the New Testament clearly tells us that the nuclear family consists of a man and a woman who are married to each other, and of their children. This is a unique unit which has no parallel with a relationship of any other nature.

Quite apart from the potential for happiness marriage creates for an individual family, a society made up of such families has a greater potential for achieving all the benefits which shape and characterise a happy and prospering society – crime reduction, the safety, security and happiness of children, good health, good education. Statistics continually show that children thrive within the context of marriages.²

One of the reasons why the breakdown of marriages causes such pain and anguish to the children involved is because children understand, accept and assume the normality and benefit of their parents' marriages, and their nuclear family, without it ever occurring to them to articulate it. This 'class' assumption of security and stability is not negated by the fact that so many children have experienced the breakdown of their parents' marriages, and the long-term stress and unhappiness this has involved for many of them. One calls to mind Tennyson's assertion: *'Tis better to have loved and lost than never to have loved at all.*³

However, far from being any kind of social adhesive and pillar of security, a redefinition of marriage would bring two new uncertainties to all children. The first of these will be at the level of learning about sexuality. The recent revelations in the *Daily Mail* do come as a shock, but they should not come as a surprise. The logic of the equality agenda is that children will be taught that all human relationships are normal, all lifestyle choices are normal and all sexualities are normal. The natural processes of puberty and adolescence will be confused by the egalitarian agenda which will be imposed within State education. The fashionable dictum is that heterosexuality and homosexuality are equal sexualities, different in practice but equal in status, derivation and validity. Evangelical Christians do not accept the doctrine of two equal alternative sexualities. They see the two sexualities as being fundamentally different, not only for theological reasons but for a cogent social reason as well – namely, that the vast majority of professing homosexuals have had heterosexual sexual experience, whereas the vast majority of professing heterosexuals have not had homosexual sexual experience. The mismatch between their own natural development and the presuppositions of the doctrinaire teaching model with which they are being confronted will put unnecessary pressure on young children in addressing issues connected with their own sexuality.

Secondly, the new marriage, devoid of a definition of its nature, will contain nothing to inform a child's ideals and aspirations. The unspoken assumptions which children have felt in the past about the security of traditional marriage and the nuclear family will no longer be present in

society. In the new circumstances, the only security available to children will be that which wise, loving, skilful and caring parents are able to provide within their own family context.

The redefinition of marriage lowers the status of marriage, which will reduce the take-up

At present, at every civil marriage ceremony in England and Wales, the following public statement is made by the presiding registrar concerning the definition 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.' This wording defines marriage in terms of a unique relationship. It is not merely affirming that, by virtue of the ceremony, society is publicly recognising the admission of the couple to an official status called marriage. It is describing the nature of one particular relationship, in terms which will not fit the description of any other type of relationship.

This being so, it is clear that to recognise a same-sex relationship as coming within what is officially regarded by law as marriage will mean that the definition of marriage will no longer be the description of a unique relationship. Marriage will have to be re-classified. Instead of being a uniquely-defined relationship, and a profound one at that, it will become merely an administrative status – an umbrella group or 'rag-bag' of relationships. Marriage will be a recognised certificated status, but will describe nothing. What a downgrade this is.

This removal of the distinctiveness of marriage will significantly reduce the respect and esteem in which marriage is held within society – even by a society experiencing a high level of cohabitation and marriage break-down. Inevitably, with fewer and fewer other incentives to marry, this will lead to a serious decline in the number of marriages taking place. In turn, following the logic of the statistics previously quoted, this will put many more children at risk, and greatly weaken the part marriage plays as a stabilising influence in the structure of society.

Any redefinition will involve a conscience issue for all evangelical Christians

Leaving aside the circumstances in which divorce is permitted, marriage in England and Wales, as currently defined, is deeply biblical, conforming with everything we understand marriage to be in the Old and New Testaments. Evangelicals who wholeheartedly believe in the principles, commands and exhortations of the Bible will therefore have no hesitation in promoting, supporting and endorsing the nature and State recognition of traditional marriage as currently defined – whether that marriage was contracted by way of a religious or a civil ceremony.

How different it will be if marriage is redefined to include same-sex relationships. Quite apart from the deep hurt any redefinition of marriage would cause evangelical Christians in respect of their own marriages, it would also call into question the extent to which evangelicals could support official marriage. Could they support it at all if it includes a relationship which the Old Testament describes as detestable and the New Testament as perverse? What would the withholding of support mean in practice? How would evangelicals relate to the new official system of marriage, with its new definition and consequent procedures? Would they themselves marry? What

alternatives, if any, would be open to them? Would they encourage anyone else to marry? How would they preach about marriage? These are huge questions, and need further careful reflection.

All of the above should convince us of the need to be unstinting in our opposition to any new definition of marriage.

Rod Badams

¹ By 'institution,' Lord Penzance means marriage

² *In Memoriam* (section 27), Alfred, Lord Tennyson (1850)

³ e.g. ONS, Analysis of six years of government data on family life [October 2007]

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The Old Bank House, 17 Malpas Road, Newport, South Wales. NP20 5PA
Telephone: 01633 893925
Email: office@affinity.org.uk
Website: www.affinity.org.uk

affinity
gospel churches in partnership