

The redefinition of marriage

Church briefing

July 2013

What's happened?

In England and Wales the definition of marriage has been changed by a law passed through parliament. The swift passage of the Marriage (Same-Sex Couples) Act 2013 follows David Cameron's personal commitment to fast-track the bill.

In Scotland, the government published a draft bill in December 2012, along with a consultation on the protections needed for those who oppose same-sex marriage. A Bill was introduced to the Scottish Parliament in June 2013.

In Northern Ireland, the issue of same-sex marriage has been debated in the Assembly on two occasions. Both times, moves to support the redefinition of marriage were defeated. However, the issue remains live and there will likely be legal challenges and further moves to redefine marriage.

The Evangelical Alliance is a core member of the Coalition for Marriage (C4M) www.c4m.org.uk, which was established to campaign against the proposals (England, Wales and Northern Ireland). In Scotland the Alliance is part of the Scotland for Marriage (SFM) coalition www.scotlandformarriage.org

What's not happened?

- Marriage has not being extended or slightly altered. The new law represents a complete redefinition of the institution of marriage. In the words of the Archbishop of Canterbury: "Marriage is abolished, redefined and recreated, being different and unequal for different categories."
- A debate has not happened about what marriage actually is. Factors such as social function, procreation, family life and children have not been considered. Adultery and consummation have been confused and diluted.
- Democracy has not happened. The proposals were not in any of the UK party manifestos or in the coalition agreement. The government's consultation only considered how to redefine marriage and ignored whether this change was actually wanted. It also discounted over half a million people voicing their opposition to the plans. In parliament the government refused to accept any amendments even though this would be expected for such a contentious and unpopular piece of legislation. Also, to ensure the bill got through parliament the party machines ignored the fact that it was supposed to be a free vote and whipped MPs and Peers behind the scenes. The Evangelical Alliance response to the consultation can be found here: www.eauk.org/marriage

In autumn 2011, the Scottish government held a consultation. It attracted the largest ever number of responses to any Scottish consultation – 75,000 – with two thirds of respondents against redefining marriage. However, the Scottish government spun the analysis to exclude postcard petitions and claimed that two thirds of people supported the changes.

Why has this happened?

Primarily this has happened because David Cameron wanted it to. We believe he saw it as an opportunity to 'modernise' his party's image and to align himself with certain sections of the political world and the media.

The two main reasons given by the government for redefining marriage are:

- *relationships* – that the country needs more committed, stable, loving partnerships;
- *equality* – that gay people should have the right to get married.

The legislation reflects the secular view of society dominant among many of our elected representatives in which individual rights claims (what I want) take precedence over social institutions (what we all need). Marriage is effectively being privatised to become 'whatever you want it to be'.

Despite David Cameron's views, the Conservative Party is deeply divided on the issue. The Liberal Democrats, the Labour Party, Sinn Fein and Plaid Cymru are enthusiastic supporters. The Scottish National Party have also been supportive, albeit more cautiously. UKIP oppose the redefinition of marriage.

How will the redefinition affect society?

The state's view of marriage is that it is now no longer the lifelong union of a man and a woman for the procreation of children. Instead, it has been made into an adult choice, and because it is now a fluid institution, defined by consumer demands and political expediency, pressure for further changes may well follow.

Most importantly a new social orthodoxy is now being established that removes gender from marriage. Absurdities are likely to follow, such as trying to redefine the meaning of obvious terms like 'husband' and 'wife', and 'mother' and 'father'. In politics, the media, education, health, welfare and employment, this new legal fiction will be presented as the norm and the legal and coercive power of the state will be used to enforce it.

However, the government insists that the free expression of the view that marriage is exclusively between a man and a woman is perfectly valid and worthy of respect in society.

How will the redefinition affect religion in the UK?

Legally there is no distinction between civil and religious marriage. They are two different entry points to the same institution. So this change affects the meaning of all marriages. While ceremonies may differ across the world and throughout history, until this point marriage has always been between a man and a woman.

The world will not end because the state has redefined marriage. Men and women will still be able to get married, and churches and religious organisations will be able to choose who they marry. However, the change does mean that society is proceeding in a new direction of travel with profound and incalculable consequences. A new framework for human relationships and identity will now be used that is contrary to the moral and ethical character of Christianity; and indeed contrary to the vast majority of the faiths (as well as many non-religious people) in the UK.

Some very small religious groups wanted to hold same-sex marriage ceremonies, so as well as applying to all civil registrars, the government have provided religious groups with the option to provide same-sex marriage ceremonies.

Will churches and Christians be protected?

Opting in

The law includes a series of measures that the government claim provide protection for faith groups who do not wish to hold marriage ceremonies for same-sex couples, while allowing those who wish to do so. This applies to individual ministers and to the use of religious buildings. Only those denominations, ministers and buildings that explicitly opt in are able to conduct the ceremonies. It is clear that individual ministers will not presently be compelled to carry out same-sex ceremonies against their wishes. However, it is likely that a few churches or individual ministers within abstaining denominations will rebel and hold such ceremonies. This will present a serious challenge to the denominational authority within many churches, and bring pressure to dilute or fragment orthodox theological positions.

The established church

A part of the reassurance of protection in the bill is an amendment to the 2010 Equality Act to make it clear that it is not unlawful discrimination for a religious organisation or minister to refuse to marry a same-sex couple. Specific provisions have been made for the Church of England and Church in Wales due to their legal duty to marry parishioners. They will not be able to conduct same-sex ceremonies without their explicit permission as well as parliamentary approval.

European law

The 'guarantees' of protection offered by the government do not protect churches from legal challenges. It is likely that all religious groups will come under swift and sustained legal and social challenges to permit and endorse same-sex marriage. The courts, including the European Court of Human Rights, may protect religious groups from having to support same-sex marriage, but this cannot be guaranteed. Based on experience elsewhere, churches that resist performing or endorsing same-sex marriages are likely to be subject to intimidation, targeted political and media campaigning and possible legal action.

More importantly, despite the government insisting that the existing law is sufficient for protection, no cast-iron guarantees are being provided for freedom of expression in relation to the *manifestation* of belief. The government claims that the new legislation will not prevent Christians and others speaking out publicly against the validity of redefined marriage. However, dissenters could still find themselves accused of a hate speech crime and as recent experience has shown, the police may act precipitously in such circumstances. While the bill contains some criminal law protection for public order situations, it does not have explicit protection for civil law situations such as when an employee is victimised for their expressed views. In such cases when an individual is subject to a legal challenge their only defence will be reliance on the Equality Act which may be insufficient. This means that in practice there is a likelihood that the state will increasingly interfere with the conscientious beliefs of believers of all religions. The government has asked the Equality and Human Rights Commission to produce guidance in this area.

How can the Church respond?

- **Responding, not reacting**

Our response must at all times be gracious, truthful, intelligent and consistent. We must also uphold and teach the truth we believe about marriage even when this is unpopular and may provoke hostility. Christians across the world are facing difficulties because of their faith, and we are no different. In our response, it is important that we differentiate between the issues of marriage and homosexuality, and avoid making unhelpful value judgments. We should also be confident that we are not alone. Many people of other faiths and none, as well as homosexual men and women, also disagree with the redefinition of marriage.

Churches may well be challenged from within as well as externally and therefore some have decided to amend their constitutional or governing documents to enshrine their beliefs about marriage. Many churches may well decide to include clarification in wedding services that, notwithstanding what the law may permit, marriage can only be between a man and a woman. In this regard the theological thinking outlined in the Evangelical Alliance publication [*Biblical and pastoral responses to homosexuality*](#) may be a useful resource. Individual, church and organisational membership of the Evangelical Alliance will also be helpful.

- **Prayer**

We need to be faithful in seeking God's mercy for our nations:

England and Wales – pray that the legislation will be strong enough to protect churches and Christians, and all who believe that marriage can only be between a man and a woman. Please pray that individuals and groups opposed to the introduction of same-sex marriage will continue to press for sustained protections with grace and wisdom.

Scotland – pray for the Equal Opportunities Committee, who are examining the bill. The make-up of this committee is very balanced and they have promised to genuinely scrutinise the proposed legislation. Pray this would happen; that the consequences would become clear in the discussions, and that proper protections will be added to the bill.

Northern Ireland – continue to pray for the Alliance and its role locally in C4M. Pray for sustained opposition in the Assembly to the plans. Pray that the voices of the people of Northern Ireland would be heard in the media on this issue, and please contact your local MP and MLA individually and as a Church.

- **Campaigning**

Despite the change in the law we should not remain silent or inactive. Joining the Coalition for Marriage or Scotland for Marriage is essential to remain informed and equipped on how to debate this issue. Apart from the immediate legislative processes, in the interests of future generations, campaigning will need to continue into and beyond the 2015 general election. C4M and SFM both provide regular campaign updates and practical help such as when and how to contact your elected representatives. Resources will be produced shortly to help Christians stand up for the true meaning of marriage. These will include advice with regard to the various legal aspects and also guidance relating to the conducting of marriage services.

- **Advocacy**

It is critical that religious liberty and freedom of conscience are defended. The Evangelical Alliance provides for a unity of voice, and has an established public policy team working in all the UK parliaments and assemblies. We are committed to: advocating for religious freedom; keeping the Church informed on this issue; and to the development of a culture of evangelical public leadership. The Alliance will be working hard to ensure protections are secured and maintained for those such as teachers, pastors and doctors as well as all people in the public sphere who express belief in marriage as only being possible between a man and a woman. We will also be looking to form European and international alliances that will promote the traditional meaning of marriage and family.

- **Teaching and discipleship**

Our young people are facing increasing cultural pressures to assent to a range of new social values. If we really want to support a Christian view of marriage as a model for society, we have a responsibility to teach our children that marriage is a covenant before God, and we need to support them to enjoy it, defend it and promote it. This means teaching what the Bible says about marriage and relationships, for example by running marriage preparation or enrichment courses, should be seen as an integral part of Christian discipleship, as well as instilling the confidence to speak up on this issue boldly, graciously and persuasively. This should be viewed as an opportunity for the Church to teach and model what marriage really is, and in doing so to witness to the gospel.