

## The Morality of Marriage Equality

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Over the past thirty-five years, the Unitarian Universalist Association of Congregations has been in the forefront of the fight for equal rights, without discrimination, for gay, lesbian, bisexual, and transgender people. For instance, in 1970 the UU General Assembly passed a resolution calling for an end to discrimination against homosexuals and bisexuals. The 1977 General Assembly passed another resolution calling for an end to persecution and intolerance. The 1984 General Assembly affirmed the practice of UU ministers conducting services of union for gay and lesbian couples. And over the past few years, the UUA has played an active leadership role in the “Freedom to Marry” campaign, leading to some notable successes, particularly in the state of Massachusetts.

Most of this work on the part of Unitarian Universalists has been framed in terms of living up to our first principle: affirming and promoting the inherent worth and dignity of every person. Not every heterosexual person, but *every* person. And every person ought to have equal rights to life, liberty, and the pursuit of happiness, regardless of sexual orientation.

And I must say that I have observed a major shift in societal and institutional attitudes on these matters over the past couple of decades. Certainly there are still many who would advocate curtailing the rights of sexual minorities. But those voices have become a minority themselves.

Consider the current case of the Penn State coach accused of anti-lesbian bias. The notable aspect of this case, for me, is not the possible existence of such bias, but rather the focus of the surrounding discussion and debate. Have you noticed that the debate has been primarily about whether discrimination occurred, rather than about whether discrimination *should* occur? Institutionally, the university has a non-discrimination policy. The rules, for once, are on the side of fairness and non-discrimination. This is a welcome change from the fairly recent past.

But things are a bit different when it comes to the issue of marriage. Yes, there have been major shifts here as well. Consider recent events in Massachusetts, New York, California, to name a few. But the tide has not turned to the extent that it has for other basic rights and privileges. The American population is fairly evenly split over the issue of same-sex marriage, and only Massachusetts has fully legitimized it.

Why the strong resistance? Many opponents of marriage equality appeal to arguments of morality. They insist that this is a serious moral issue, and that allowing persons of the same gender the right to marry will destroy the moral fabric of our society.

Well, I agree that this is a serious moral issue. But I come to different conclusions. In fact I would argue that the real damage to our society’s moral fabric is done by withholding access to the opportunity for two individuals to make a public avowal of love and commitment, complete with societal and legal sanction, simply because they are of the same gender.

I think it’s clear that simply agreeing that marriage equality is a moral issue does not settle the matter. So what do we do? I have suggested on a number of occasions that the key to moral discernment lies in identifying and evaluating the particular moral values underlying the issue in question. That’s not always easy, particularly when values come into conflict with each other. That’s why different people come down on different sides of the issue. Different values are given different weights, leading to different conclusions.

One of the moral arguments against same-sex marriage is that the sexual behavior implicit in the concept is fundamentally unnatural and immoral. God said it, I believe it, and that settles it. That argument has lost a lot of its power with scientific evidence about what is

“natural”, and with theological and biblical analyses that take into account contextual factors in the oft-quoted Bible passages. The weakening of this argument is reflected in legal decisions decriminalizing behavior formerly considered immoral and illegal.

Perhaps the value that has had the most traction for opponents of marriage equality is tradition. The idea that tampering with the time-honored, sacred tradition of marriage will damage the very foundation of our society. This argument has seemingly proved quite persuasive, and may well account for the continuing preponderance of public opinion in favor of restricting marriage to one man and one woman. The major problem with this argument is that it is based on a false premise: that “traditional” marriage was established sometime back at the beginning of time and has continued on unchanged up to the present age.

We often use the phrase “living tradition” to reflect the healthy balance of paying homage to our past and our heritage, while at the same time being willing to evolve with the times, incorporating new knowledge and new insights. Marriage, in our culture, has truly been such a living tradition. An excellent book, *What is Marriage For?*, by E. J. Graff traces the social history of marriage, and highlights major changes over time in the practices, the understanding, and the very purposes of the institution of marriage.

Judging by the weddings I have attended or officiated, love and commitment seem today to be at the heart of the matter. That wasn’t always so. During earlier periods of history, more so than now, marriage was often a means by which to enhance or consolidate wealth or social status. Pairings were based on property, power, and status rather than love.

Another traditional purpose of marriage was to provide the opportunity and environment for bearing and rearing children. As such, the family was, and is, seen as the fundamental unit of civilization. But it’s interesting to note that childbearing is not, at least in our times, a requirement for married couples. It is obviously not *the* reason for marriage.

Another aspect of traditional marriage was the maintenance of boundaries of kinship and ethnicity. Important changes in this area have occurred within the memory of many of us in this room. It hasn’t been many decades since marriage across racial lines was both a legal and a social taboo. But there was a case where the values of love, justice, and equal rights eventually triumphed over the appeal to sacred tradition.

A few weeks ago I spoke about two different models of the ideal family, which lead to two different sets of guiding values. There was the Strict Father Family, in which the male head of a family is the moral authority and master of the household. Guiding values are hierarchical authority and individual discipline. Then there was the Nurturant Parent Family, which features two equal parents, whose job is to nurture their children and teach their children to nurture others. Among its guiding values are empathy, responsibility, fairness, freedom, openness, and cooperation.

If these two worldviews are a reasonable reflection of a real split in our culture, it’s not surprising that same-sex marriage is such a volatile issue. Same-sex marriage, of course, is a direct slap at the strict father model. If your whole view of social structure is based on that model, then same-sex marriage represents a direct attack on your whole value system. Indeed your very identity is under attack.

As for me, I subscribe to those values I mentioned as being associated with the nurturant parent model. Empathy, responsibility, fairness, freedom, openness, and cooperation. And it seems to me that with those values in mind, there are no obvious impediments to expanding the institution of marriage to include couples of the same gender.

There was an interesting piece in the *Wall Street Journal* by Andrew Sullivan two years ago that suggested that those values associated with the strict father model are not inextricably linked even with core conservative values. Sullivan writes:

Let me be practical here. If two lesbian women want to share financial responsibility for each other for life, why is it a conservative notion to prevent this? If two men who have lived together for decades want the ability to protect their joint possessions in case one of them dies, why is it a conservative notion that such property be denied the spouse in favor of others? If one member of a young gay couple is badly hurt in a car accident, why is it a conservative notion that his spouse not be allowed to visit him in the intensive care unit? In all these cases, you have legal citizens trying to take responsibility for one another. By doing so, by setting up relationships that do the “husbanding” work of family, such couples relieve the state of the job of caring for single people without family support. Such couplings help bring emotional calm to the people involved; they educate people into the mundane tasks of social responsibility and mutual caring. When did it become a socially conservative idea that these constructive, humane instincts remain a threat to society as a whole? And how do these small acts of caring actually undermine the heterosexual marriage of the people who live next door? . . .

Isn't it a strange conservative impulse to make taking responsibility something that the government should make harder rather than easier?

I consider marriage to be primarily a thing that happens between two people, as they acknowledge their love for one another and make a commitment to live together in a healthy and responsible relationship. It is only secondarily that marriage is something blessed by the church and recognized by the state. It is clear to me, from my experience working with same-sex couples on their services of commitment or of holy union, that they are as married in reality as any heterosexual couple I have married. I am gratified that I, as a representative of the church, can bless that reality. And I find it morally repugnant that that reality is not duly recognized by the state.

That being the case, I would like to be able to do more than just preach an occasional sermon, or write an occasional letter to the editor or my legislators advocating marriage equality. Some of my clergy colleagues have determined to use their positions as a vehicle for making a stronger statement. Some have declared that they will not sign marriage licenses for heterosexual couples until *all* loving and committed couples have the right to marry. I've thought long and hard about that, but I'm not comfortable advocating for the rights of some by depriving others of their rights.

Well, they say that when the student is ready, the teacher will come. In this case, the teacher is the founder of an organization called “Just Matrimony”. Let me read from the letter I received from him:

You are receiving this letter because we believe you might be interested in joining us in advancing human dignity. Had you worked as a bus driver in Selma or Montgomery, Alabama, in the 1960s, you would have been faced with a serious ethical choice: do you maintain the laws of

discrimination against Black people or do you speak up? It's easy now to say what you would have done. Would you have been so brave back then?

I'm not a bus driver, I'm a minister, and on a routine basis I am faced with a different moral dilemma. Each month I get calls from couples who request that I perform their marriage ceremony. I am happy, and honored, to be included in such a momentous occasion in the life of these people. However, I also realize that millions of other Americans, by virtue of their sexual orientation, are denied this same right. What do I do? Do I collude with a system that is itself unethical? Do I provide separate-but-"equal" commitment ceremonies, knowing that these too are as dishonest as Jim Crow laws.

Like you, I support changing state laws to make it legal for gay and lesbian couples to marry. I have donated time and money to organizations that champion this cause in the courts and halls of our government. What else can I do?

I believe it is equally important that I help to raise the conscience of a nation. Every month, couples come before me asking that I perform their marriage ceremony. It is a unique opportunity – a teachable moment as they say – to alert these couples, who are fully aware of the benefits and life-affirming importance of marriage, to this discrimination. If I take just one moment to mention the inequality that poisons this country and affronts the dignity of the institution of marriage, I can play a part in advancing this important ethical cause.

I'm asking that you join me in using this unique teachable moment to advance human equality.

And so I have decided to take up the challenge and do this one small thing I can do with the dozen or so couples I marry each year. And I'm considering adding a request to the couples I marry that they either contribute to an organization advocating for marriage equality or that they write a letter to an elected official advocating the same. I would welcome your feedback about this idea, as well as further suggestions about how I might advocate for my moral position on this issue.

And if you feel as strongly as I do that couples who have made a personal commitment to each other, who are doing the hard work of marriage in their lives, deserve to have that commitment recognized legally by the state, then you might think about what you can do to take a stand on the side of love as well.

I want to leave you with a note of hope and optimism by quoting from E. J. Graff's "Conclusion" to *What is Marriage For?* She writes:

We can get a better perspective on today's marriage debates by remembering that although each apparently revolutionary proposal to change the marriage rules has shocked the conservatives of any given era, when such proposals surface in public debate the underlying economic and social changes have already happened.

So may it be.