

“THE EVOLUTION OF MARRIAGE”
A Sermon by the Rev. Dottie Mathews
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Call to Gather:

The more you love, the more love you are given to love with. ~Lucien Price

Reading: *A Wedding Reading from an Anonymous Source:*

‘[Humans] for all [their] ingenuity, have not yet designed a vow impossible to break. [They have] developed law and conscience, even pride, as keepers of [their] sacred pledges, and in [their] cunning, [they have] found devices to mitigate each one. So it is not to human institutions that we look this day of uniting. It is not this church, nor this state, which truly sanctifies, but the deepest well of human need, this need to live united and complete before the broken and imperfect world.’¹

Sermon:

On July 30, 2008, my life partner, Rosann Geiser, became my legal spouse – in a simple and beautiful civil and religious ceremony in the presence of a Unitarian Universalist Minister and my children as witnesses. We stood up in Santa Barbara, California, and declared our continued and unending commitment to one another. That 15 or so minutes of ritual represented just a snippet of time --- but the magnitude of that brief time was far disproportionate to its duration. From a legal perspective, not much really changed for us; we are Wisconsinites after all. But in that endless march toward justice, this was quite a big deal. When the Rev. Melitta Haslund pronounced us legally married, we all – including the Minister – were crying!

If you know us at all, you know that Rosie and I have loved one another as ardently and devotedly as any couple in history; and we’ve done that honestly and consistently for several years now. We have supported each other through significant life questions and transitions. We have cared for each other’s family members in times of illness and need. We have planned our future together. We have made sound financial arrangements together. We have, in short, been quite busy doing the business of “marriage.”

And, yet, as you well know, we are never allowed to forget that the love that Rosie and I share is considered evil and an abomination by many. Some view it as evidence of the destruction of society. These messages are so pervasive and constant, I admit that it is

¹ Carl Seaburg, ed. *Great Occasions* (Boston: Skinner House Books, 1998), p. 152.

occasionally hard for even us to avoid the shower of shame that is heaped upon people like us.

And for some reason that is beyond my understanding, couples like us spark grave fear in folks. In a few days, California will vote on their Proposition 8. It is designed to rescind once and for all the right for same-sex couples to marry in that state. Chuck Colson of Watergate infamy and now a famous prison evangelist has said “This vote on whether we stop the gay-marriage juggernaut in California is Armageddon ... We lose this, we are going to lose in a lot of other ways, including freedom of religion².”

Before I go on with this message, I want to state clearly that this sermon is not about bible-bashing, nor is it intended to slander **any** religious texts or denominations. The Christian Scriptures are certainly not the only sacred writings that have been used to support discrimination. But I will cite biblical texts here because they are at the core of the arguments that have so often been used by those who would oppose the sort of love that Rosie and I and countless other couples feel for one another.

Those who oppose marriage equality argue most frequently that our form of love is less legitimate than the love of a heterosexual couple because it is a violation of the natural order of things. People argue that our “god given” anatomy militates against such a union.

How many of us have heard (repeatedly) that the Garden of Eden was made for Adam and Eve – not Adam and Steve? It is repeatedly asserted that marriage is an institution ordained of God from the beginning of time and that it was designed as a sacred bond between a man and a woman. So let’s take a deeper look at that oft quoted remark.....

Even a cursory glance reveals that what we call marriage today has gone through NUMEROUS iterations and redefinitions – both in the civil sense and in the religious sense. Marriage has been anything but a stagnant institution from the beginning of time.

But, since that purported first couple, Adam and Eve, are so frequently raised, let me say that in my opinion, the impact of that particular story reaches far beyond what such a folktale ought. In many ways, our social structure is still trying to escape the misogyny and inequality that has been perpetuated through people selecting off certain segments of that allegorical story. An entire sermon could be preached on the long term impact of the belief that Eve was made from Adam’s rib to cure his loneliness; and that it was her weakness that allowed the serpent to convince her to commit the first sin; and then, with her inescapable *allure*, she caused Adam to sin after her. It is abundantly easy to see how the ramifications of that and similar tales continue to shape our society.

A few quotes germane to this point: Tertullian, a Church Father, wrote a treatise in which he commanded Christian women to remember that, ”The sentence of God on this sex of yours lives in this age; the guilt must of necessity live too....*you* are the unsealer of the tree: *you* are the first deserter of the divine law: *you* persuaded him whom the devil

² “A Line in the Sand for Same-Sex Marriage Foes” New York Times October 26, 2008. Available online at <http://www.nytimes.com/2008/10/27/us/27right.html?pagewanted=1&r=1&em>. Last accessed October 28, 2008.

was not valiant enough to attack. *You* are the devil's gateway.³ Quite a legacy for women to bear springing from this story that is purportedly about the sanctity of marriage!

Several centuries later, John Calvin picked up Tertullian's thread, which had continued to run through all those intervening years. He said that "women must needs stoop and understand that the ruin and confusion of all mankind came in on their side.... [And they must therefore] keep themselves lowly and mild."⁴

Who believes **THAT** represents the divinely ordained institution of marriage today?

I will try not to belabor a point I think we all take for granted here: that "sacred" stories are frequently used to provide traction and power, to place a veneer of divine authority, over a base human desire to control one's environment and society. But please indulge me while I briefly cite a few of the many, many examples that go directly to the point of the definition of marriage.

I wonder what folks make of the fact Solomon and many other celebrated biblical figures are reported to have gleefully enjoyed multiple wives! (I believe King Solomon holds the record with 700 wives and 300 concubines).⁵

When Abraham's wife, Sarah, could not bear children he and she agreed to do what was an accepted custom then – Sarah gave him her slave girl, Hagar,⁶ to provide him with a child. Is THAT part of an unchanging divine institution?

In the book of Exodus, when Moses comes down from the mountain with the tablets, we hear some of the laws applying to marriage in that day. You are probably familiar with the commandment: "you shall not covet your neighbor's house." He goes on to say, "you shall not covet your neighbor's wife, or his male or female slave, or his ox or his ass or anything that is your neighbors."⁷ So, according to that text and many, many others – as far as what was ordained from the beginning of time, a man's relationship with this wife *was* considered sacred and to be protected -- just like his ownership of his house and ox and all the other possessions another man should not try to take from him.

It seems that **that** form of marriage has changed a great deal!

Throughout the ages, there have been lots of reasons men were granted the right to divorce their wives. Of course, she was to blame for the failure to produce children and that was a reason a husband could send his wife away with a bill of divorcement in ancient Israel. But their laws also stated he was free to divorce her if he found "something obnoxious"⁸ – that was an adequate reason.

³ Squire, Susan, *I Don't: A Contrarian History of Marriage* (NY: Bloomsbury. 2008), p. 28

⁴ Ibid

⁵ 1 Kings 11:3

⁶ Genesis 16:1-3

⁷ Exodus 20:17

⁸ Squire, p. 38

There is a great deal in the Older Testament that confirms for us that ancient Israel was a society centered on its men. Historians will tell us that many of these texts were written to support the perpetuation of the tribes. Therefore, it was a great sin to “spill one’s seed upon the ground”⁹ or any other place that it would not have a chance of rendering a new human. Many of the rules were written to prevent the “waste” of the precious material that was needed to grow the population. What biblical historians know is that most of the rules of the Older Testament regarding how families should function were designed primarily to keep this fragile group of people growing their numbers.

Marriage has changed a great deal since then!

Another example: In ancient and in some modern times in many cultures, marriages have been arranged by parents or guardians. Very frequently these arrangements were essentially power and wealth collaborations, having very little resemblance to the bond of love we think of marriage today.

We know that in ancient Greece, wives were customary and useful in many ways; but the **most** honored form of intimacy – physical and emotional – was reserved for relationships between men.

Or in ancient Roman law, here’s an excerpt from Cato’s interpretation of marital law: “If you should take your wife in adultery, you may with impunity put her to death without trial. If you commit adultery, or indecency yourself, she dare not lay a finger on you ... she has no legal right to do so.”¹⁰

When Augustus came to power in Rome, he was very concerned that the population build so he decreed that bachelors were not eligible to receive any inheritance and were ineligible for any high governmental office until they married and had children. A Childless woman who was widowed or divorced were legally required to remarry within one year. He also gave financial rewards for women who had at least three children.¹¹

Marriage – unchanged from the beginning of time???

But let’s move a little closer to our time. We talked about how wives were historically seen as mere possessions..... Let’s see, when did that change? Well, in the 1700’s, Judge Francis Buller - in a move toward gentility - ruled that of course a man was free to punish his wife by beating her with a stick; but his gracious addition was that the stick should have a circumference no greater than his thumb. Hence, many say, we have the the origin of the term “rule of thumb.”¹²

⁹ Genesis 38:9-10

¹⁰ Squire, p. 77

¹¹ Ibid, p. 79

¹² See Sir Francis Buller at National Portrait Gallery available online at <http://www.npg.org.uk/live/search/person.asp?LinkID=mp00631> .

In fact, viewing one's wife as property was so common that up until 1887, an Englishman who wished to divorce his wife could put a halter around her neck, and take her to the **cattle** market to sell her to the highest bidder. That doesn't much resemble what we know as marriage today!

Let's keep moving closer to our time to see what an "unchanged institution" marriage is. We don't have to go back many years at all to unearth the laws about marriage between the races. These laws were those that prohibited interracial sexual relations, cohabitation or marriage. It was 1967 when the Supreme Court finally struck down the various states' constitutions that forbade racial intermarriage. Just **forty** years ago! At that time, there were still fifteen states that prohibited interracial marriage in their constitutions. Interestingly, the state of Alabama finally removed that language from their state constitution only eight years ago.

The bottom line, of course, is that I do strongly disagree with those who claim that this institution has remained unchanged from the beginning of time. Marriage has changed **profoundly** as we have grown in our understandings of equality and justice. To claim anything other than that is to willfully deny historical facts.

But here's my (perhaps surprising) underlying thesis: I don't really believe that it is in the church's appropriate purview to be agents of the state. By that I mean, to me, there are civil rights there are religious codes and restrictions.

The right for two people to marry one another, to me, seems patently clear to be a civil right. When two consenting adults want to take a legal stand and claim their devotion to - and responsibility for - one another, this is a societal **good**. That commitment lends stability and it increases the safety net for both of those people.

I admit to being thoroughly baffled by people who claim that the very concept of same-sex marriage somehow diminishes the institution of marriage as a whole. Over the last many years, I have met with numerous people about their life problems. Not infrequently, those situations included some level of marital difficulty. Not once has the "presenting problem" been the gay couple down the block or the lesbian cousin who just had a commitment ceremony!

I once exchanged a few pieces of correspondence with one of our elected officials. This was during the Wisconsin Marriage Amendment debate. I wrote to tell him how vehemently I opposed this piece of legislation as being discriminatory and unjust. He responded with a few paragraphs indicating that as a "happily married family man" he felt it was his duty to do all he could to protect the sanctity of marriage.

I wrote back to say that I appreciated his devotion to his family and I wondered, then, if he planned to introduce more amendments that would outlaw adultery, substance abuse, gambling, pornography, and a whole slew of things that we know DO diminish the quality of family life, far more than the loving same-sex couple residing in the neighborhood.I am still waiting for his response....

In many countries, marriage is seen in two very distinct parts. There is the legal, civic portion that is performed at city hall or administrative building. And, if the couple chooses, there is a second ritual in front of the clergy person of their choosing.

To me, one of our biggest problems in this debate is that what some churches feel is important is dictating what the state is doing. That's just wrong. This is a justice issue. This is an issue just like the fights that ultimately gained the rights of women and persons of color to vote; just like the fight for a loving interracial couple to have the freedom to marry one another.

Like always, some who deny the right of marriage equality try to raise the flag of fear. They say that a church that does not want to marry a same-sex couple would be forced to under the law. That's ridiculous! Right now, there are several synagogues and Christian churches that refuse to marry interfaith couples, or divorced persons, or a variety of other reasons that these religious institutions have judged wrong within their religious constructs. No one sues those institutions and requires them to perform the ceremony. These tactics are fear mongering.

Another point that is far-too frequently raised is the absolute dread of children learning that homosexuality is a valid option for a person. It's such an odd conversation to me. Can you imagine people debating whether it was a valid option to have curly hair or flat feet? But, then I must remind myself that they once burned left-handed people at the stake...

Do these people imagine that heterosexuality is such a tenuous state of being that if people knew they had another option, they'd just flock away from the straight world?

Heterosexuality is so ingrained in all of society – it is clearly lifted up as the norm. How can an institution that is so thoroughly and widely held up as the typical, “normal” way to be, in any way be threatened by loving couples like Rosie & me, Paul & Aaron, Becky & MJ, Pete & Tim, and so many others in this community we know and love?

I agree that our society needs help. Our marriages are, in many cases, in deep trouble. Our children, in many cases, are suffering. But I see this focus on same-sex couples as a scape-goating that does nothing to truly sanctify the commitment that a married couple might make to one another.

This clinging to these “Defense of Marriage” acts seem to me like quivering, aged hands trying desperately to retain a grip on power. Do they imagine that all the Lesbian, Gay, Transgendered, and Bisexual folks just will quietly fade away? Do they think we'll permit the reversal of the progress we've gained through lives and tears and so much hard work? We knew it would be hard - and we know that we are fighting for justice. When the California Court ruled in May of 2008 the judges said, "the right to marry is not properly viewed simply as a benefit or privilege that a government may establish or

abolish as it sees fit, but rather that the right constitutes *a basic civil or human right of all people.*"¹³

Marriage bestows rights that cannot be duplicated, no matter how many contracts one pays to have written. Some experts say it would take the equivalent of 1,100 legal agreements to approximate these benefits. And, still, there is currently no way we I can give one another access to spousal benefits under Social Security or file joint taxes or a large number of other benefits that would otherwise be automatic.

Rosie and I are a fortunate couple – our families love, accept and respect us. But if something happened to either one of us, our families could legally cause the surviving spouse a great deal of heartache and expense in a fight over the estate, despite our contracts. And it would not be unusual if the blood relatives' protests were given greater credence by the courts than any legal documents that gay or lesbian couple wrote up. This happens every day.

Here's a tragic and true story. Unfortunately, it's quite representative. Kate Fleming and Charlene Strong¹⁴ had shared a home and a life together for nine years. One night, a flash flood came through their city and Kate was trapped downstairs in her basement office as the flood waters poured in. Rescue teams came and rushed Kate to the hospital with her partner, Charlene, following in a vehicle behind. Once at the hospital, Charlene who understood quite well how grave the situation was, was denied access to Kate's room until a blood relative was contacted to give permission.

This tragic scenario plays out over and over again all over our country. In this case, that permission was obtained and Charlene was able to be with Kate, holding her hand and telling her of her love as Kate's life drifted away.

Can you imagine what that felt like for Charlene while she was waiting, pacing, demanding to see her dying partner as the minutes were ticking by while she waited for "permission?" Yes, this does happen! This is wrong. This is discrimination. This has no place in our society today. We should have evolved beyond this! It is nothing more than bigotry and intolerance. And we need to work to change it.

On a more hopeful note, you may be unaware of the progress this march toward marriage equality has made worldwide. There are currently three states where same-sex couples may marry: Massachusetts, California and Connecticut. New York and Rhode Island have said that although they don't perform weddings for same-sex couples, they will honor those performed in other states. Some form of civil union or domestic partner recognition is recognized in Vermont, New Jersey, New Hampshire, and Oregon. Smaller packages of protections for same-sex couples are available in Maine, Hawaii, Washington, Maryland, and the District of Columbia. All of these states have active groups that continue to work toward full marriage rights.

¹³ The full text of the California Supreme Court decision "In Re Marriage Cases #S147999" is available online at <http://www.courtinfo.ca.gov/opinions/archive/S147999.PDF>

¹⁴ See <http://www.formywife.info/index.php>

Outside of the U.S., we have Canada, Belgium, the Netherlands, Norway, South Africa, and Spain all affirming same-sex marriage. Countries that offer a some form of legally recognized civil partnership for same sex couples are: Croatia, Denmark, Finland, France, Germany, Hungary, Iceland, Luxembourg, Mexico, New Zealand, Norway, Portugal, Sweden, Switzerland and the United Kingdom.

So progress toward justice is definitely on the march ---- but so are the counter-fights, as evidenced by the battles in California, Florida and Arizona on the upcoming ballot. I have no doubt that this fight will eventually be won. But there are many steps between here and there.

In every social justice movement, Unitarians and Universalists have been out in front. Whether it was winning women's right to vote, or in the Civil Rights Movement or this Marriage Equality Movement. We Unitarian Universalists know that we must keep fighting for justice for all - in this arena, and everywhere that people are oppressed.

So, if anyone tells you that the institution of marriage needs to be defended because it was ordained at the beginning of time in its current form, please know deeply that that person may be making a good-faith error, but they are indeed making a significant error. What we call marriage today has very little resemblance to what it was like 200, 500, 1000, 4000 years ago. And thank goodness! The hope is that we are growing in our understandings of how to be truly civilized with one another; that we are growing in our understandings of how to better nurture LIFE.

Change, we know, is the essence of life. Love is at the core of human hope.

Let us each do our part to ensure that the changes that come are those that increase the possibilities of love on this earth , not those that seek to limit, hoard or diminish it!

The great novelist Willa Cather wrote: *Where there is great love there are always miracles.* May we continue to love so fervently – and so actively - that we bring the miracle of “justice for all” into our reality.

May it be so. Amen.

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FURTHER READING ON THIS SUBJECT:

Coontz, Stephanie, *Marriage, A History* (London: Viking, 2005)

Woolfson, Evan, *Why Marriage Matters* (New York: Simon & Schuster, 2004)