

Why not legalise same-sex marriage?



Britain is coming under increasing pressure to legalise same-sex marriage and Prime Minister David Cameron is determined to drive it through. A consultation on same-sex marriage closed in Scotland in December 2011 and a new consultation has been launched in Westminster to consider how legalisation should proceed in England and Wales.

Marriage is a divine invention. It was God who first said that it was 'not good for man to be alone' and who created the unique complementarity of the marriage relationship for companionship, pleasure, procreation and the raising of children; one man, one woman, united for life (Genesis 2:24).

Marriage is also in this way illustrative of Christ's own self-giving abandonment to his bride the Church (Ephesians 5:31, 32) and points to a greater richness of human relationships beyond the grave of which the very best on earth are but a pale shadow (1 Corinthians 2:9,10).

But Christians should also have confidence that there are many strong arguments for not redefining marriage that make sense to those who do not share our faith.¹ Here are seven:

1. Marriage is the union of one man and one woman. Marriage has existed in virtually all cultures for thousands of years and has been recognised in our own laws as the 'voluntary union of one man and one woman to the exclusion of all others for life' (Hyde v Hyde 1866). It is not up to governments to redefine marriage – but simply to recognise it for what it is, and to promote and protect it as a unique institution. Same-sex marriage is an oxymoron, like a four wheeled bicycle or a two storey bungalow.

2. Same sex couples already have civil partnerships. All the legal rights of marriage are already available to same-sex couples through civil partnerships so there is no need to redefine marriage to include them. The President of the Family Division of the High Court in England and Wales has described civil partnerships as conferring 'the benefits of marriage in all but name'. Marriage and civil partnerships have been designed for two very different types of relationship and should be kept distinct.

3. Redefining marriage without consultation is undemocratic. None of the political leaders who are supporting the legalisation of same-sex marriage announced it as a priority in their election manifestos. There is already a huge amount of opposition to the move and pressing ahead with

legalisation will lead to considerable dissension and division. Legalising same-sex marriage to appease a small minority is wrong and it should not be foisted on the British people without proper consultation about *whether* rather than *how* it should be done.

4. Protecting traditional marriage is good for children and society. Stable marriages and families headed by a mother and a father are the bedrock of society and the state has a duty to protect the uniqueness of these key institutions. There is considerable evidence² to show that marriage leads to better family relationships, less economic dependence, better physical health and longevity, improved mental health and emotional well-being, and reduced crime and domestic violence. Same-sex marriage, in comparison with marriage, is an unproven and experimental social model.

5. Marriage is a unique biologically complementary relationship. Marriage is the only legal union which can naturally lead to children. The fact that there is a natural link between sexual intimacy and procreation is what makes marriage distinctive and different. Redefining marriage will undermine this distinctness and difference and risks normalising technological intervention in reproduction.

6. Redefining marriage will be complex and expensive. Redefining marriage could cost billions and involve amending hundreds of pieces of government legislation. The word 'marriage' appears 3,258 times in UK legislation, which underlines the central role the institution plays in national law. Introducing same-sex marriage is a legal can of worms³ which cannot be achieved without changing the common and legal definition of the word marriage and other words which define it (eg. 'husband and wife', 'consummation' and 'adultery'). These changes will inevitably change the definition and nature of marriage for opposite sex couples by trying to accommodate these two very different kinds of relationship under one legal umbrella.

7. Redefining marriage will lead to faith-based discrimination. We have already seen a rising tide of discrimination against people who support traditional marriage as a result of the legalisation of civil partnerships coupled with new equality legislation. If same-sex marriage is legalised it would inevitably impact on other areas of law, such as health, education, adoption and employment, and place people from faith groups at risk of marginalisation, exclusion and litigation.

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references

1. Ten reasons not to legalise same-sex marriage in Britain *CMF Blog* 18 February 2012 cmf.li/zEwa3A
2. Saunders P. *The blessings of marriage.* bit.ly/sErwSI
3. Saunders P. *Same sex marriage is a legal can of worms.* bit.ly/ADUu4W