

Same-Gender Marriage and Religious Freedom
Spirit of Peace UCC

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Scripture - Luke 10: 25-37

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We are about to engage an ancient parable that has timeless lessons embedded within it...the Parable of the Good Samaritan. This may be the best known of all the parables...many of us have heard it or read it many times...and we see it played out over and over again in history...and today...someone is beaten and kicked to the side of the road...those you think should be compassionate aren't...the one who you don't expect to be compassionate is.

Jesus was at his best in the telling of this parable...it is loaded with literal, social, political and religious meaning. It is a story about laws, who makes the laws and who keeps the laws...and why are they kept. Everyone listening would have been drawn in. Everyone would have been challenged to think about who the laws serve and whether or not the laws serve the kingdom of God.

With the Spirit as our guide, let us hear the ancient story-teller from our contemporary context. Let us use this story as a backdrop for an exploration of same-gender marriage, government law-making and religious freedom.

Luke 10: 25-37 *Just then a lawyer stood up to test Jesus. 'Teacher,' he said, 'what must I do to inherit eternal life?' He said to him, 'What is written in the law? What do you read there?' He answered, 'You shall love the Lord your God with all your heart, and with all your soul, and with all your strength, and with all your mind; and your neighbor as yourself.' And he said to him, 'You have given the right answer; do this, and you will live.'*

But wanting to justify himself, he asked Jesus, 'And who is my neighbor?' Jesus replied, 'A man was going down from Jerusalem to Jericho, and fell into the hands of robbers, who stripped him, beat him, and went away, leaving him half dead. Now by chance a priest was going down that road; and when he saw him, he passed by on the other side. So likewise a Levite, when he came to the place and saw him, passed by on the other side. But a Samaritan while travelling came near him; and when he saw him, he was moved with pity. He went to him and bandaged his wounds, having poured oil and wine on them. Then he put him on his own animal, brought him to an inn, and took care of him. The next day he took out two denarii, gave them to the innkeeper, and said, "Take care of him; and when I come back, I will repay you whatever more you spend." Which of these three, do you

think, was a neighbor to the man who fell into the hands of the robbers?’ He said, ‘The one who showed him mercy.’ Jesus said to him, ‘Go and do likewise.’

Will you pray with me...may the words of my mouth and the meditations of our hearts be acceptable to you, Gracious God...help us to see and respond to our neighbors in need. Soften our hearts...give us the courage to respond with compassion and compassionate justice. Amen.

The timing is almost right for today’s sermon. It would have made a great July 4th sermon, but I just couldn’t get it together. So the Sunday after the 4th will have to do.

In the greater scheme of things, the timing seems very right to me. Currently, there is no heated campaign or anticipated election in South Dakota involving same-gender marriage, although there continues to be great interest and political will around the issue. My goal is to offer you something that will help you engage in quiet conversations and gentle, productive discussions before things get fired up and tense again...and things will heat up again around this issue because commitment and committing to each other lies at the heart of who we are, created in God’s image. We are relational. We are companionable. That is how we were created...whether heterosexual or homosexual or transsexual or bisexual or bi-curious...we are relational creatures.

Chances are that if we took a poll this morning, you all would be generally in favor of same-gender marriage. But, if we conducted that same poll at Wal-Mart or Target, we would get a much different response...everything from full support of gay marriage to limited support for civil unions to a deep discomfort with or rejection of any legitimization of same-gender relationships...to total confusion on how to approach the issue.

One of the reasons it is so confusing is that there are so many ways to enter into the conversation. Unfortunately, too often a discussion about same-gender marriage begins with the Bible.

We could begin our discussion with Bible verses. Certainly, the Bible is a tremendously complex gift. While our Protestant heritage compels us to view scripture as a central source of revelation of God through Jesus the Christ, we are not required to read scripture literally or to set aside what we might know of the historical or cultural context in which the scriptures were written. However the scriptures were inspired, they were written by men living in a particular time and

place, expressing at times quite contradictory understandings of their relationship with God and of God's desire for how we might live our lives. This should not leave us with a sense that we can simply pick and choose what we like, but with a sense of excitement and humility at the opportunity to grapple with the scriptures in light of our own context and experience.

This morning, I am not going to offer you a Bible study on the handful of verses that suggest homosexuality is an abomination. I'm not even going to explore the biblical meaning of abomination, which is different from what you might suppose. I will offer to lead a Bible study with any of you that want one on these texts. Just let me know and we will find time to wrestle, first with the historical and cultural context the texts arose out of...and then with the meaning we might take from them in our time, place and context.

No, we aren't going to do a Bible study this morning...and I don't want to talk about science or clinical studies of hetero and homosexuality. I find myself rather unscientifically, and to some extent, non-biblically, simply believing my gay and lesbian friends. While they tell me that they do not want to be solely identified by their sexuality, they do say that their orientation is not a choice. Living out their identity as a gay or lesbian person is their authentic response to the way God has created them. This, in turn, leads me to consider that there is more than I completely understand going on in the Bible...either the biblical judgment is wrong, misunderstood or misinterpreted. I also draw upon the basic principle of UCC faith that God continues to bring forth further light and truth in our lives. In a divine sense, there is more happening than simply the words written in the pages of any given Bible. God is still speaking, still inspiring us to lives of loving kindness. I suspect God is relieved that we are willing to finally broaden our horizons about the diversity inherent in God's creation.

I am not advocating that anything goes. As a Christian, I hold my faith up to the light of love I know best through Jesus the Christ. I know that love through the text, through my own experience and also through the experiences of real people who are guided by his presence in their lives. Jesus never addressed the issue of homosexuality. What he did challenge was all relationships between individuals and within society that were based in any way, shape or form on wrongful exclusion, abuse of power, spiritual oppression or economic oppression. What Jesus modeled was inclusion, integrity, love, respect, mutual responsibility, faithfulness, commitment and radical trust in the love and presence of God who loves us even before we can attempt to do anything to justify ourselves. More central than the question of who sleeps with whom is the question of whether a

relationship is loving, empowering, has integrity of spirit, exhibits mutual respect, full equality and faithfulness.

That, my friends, may be the longest introduction I have ever written for a sermon. So, now on to what I really want to talk about. I want to give you another way to proceed in conversation around same-gender marriage. I want to talk about how same-gender marriage, governmental law-making and religious freedom relate...and how we might find a way through this firestorm that we have created.

One of my pastoral pet peeves is related to marriage. For a marriage to be legal in the eyes of the State, I am required to get the proper signatures on the proper forms that the couple picked up at the courthouse...and then I am required to make sure those forms get back to the courthouse in the time allotted by state guidelines. If I am invited to marry a couple in another state, I am required to find out what is required in that state for me to perform the marriage. I am ordained. I can perform marriages anywhere, anytime...according to my denomination's understanding of ordination and presiding at weddings...but that is not the case with state governments. Each state has different rules for what I am required to do to prove that I am ordained before they let me be an extension of state government.

Oh, that is the rub. That is nucleus of my pet peeve. I am not an extension of state government. I do not work for the state...yet, with marriages, I do. And my services to the state are free...and I even supply the stamp.

Admittedly, it isn't a huge imposition of time. But it sincerely bugs me because I am a strong advocate and watchdog for religious freedom.

Recently I heard an argument stated by Rev. Dr. C. Welton Gaddy, President of the Interfaith Alliance in Washington D.C. and found a religious-freedom-loving kindred spirit. Gaddy shaped my petty pet peeve into a very good foundational argument that affirms providing basic civil rights benefits to same-gender couples without violating a religious organization's right to marry only people whom it judges worthy of its blessing. Gaddy doesn't believe we can ever reach common ground if we start the discussion using Holy Scriptures or religious traditions. Since marriage is really a civil issue, not a religious one in the United States, he believes the discussion must start from the perspective of religious liberty...religious freedom...with a focus on rights that all citizens should enjoy.

Let's tease this out...

The religious liberty provision in the First Amendment of our Constitution reads, “Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof...”

This is my starting point in reflecting on the Constitution...the writers wanted to remember that the Pilgrims and Puritans set out for a New World because they wanted religious freedom from the government. They had come from a monarchy that established the laws of the land and the religion of the land...and the standards of right practice of religion. Those who did not abide were persecuted. Therefore, the early founding fathers intentionally designed our government to be secular in nature. I believe the framers of the Constitution appreciated the importance of and contribution of religion to its past and present...and they knew that religion and politics would always interact in people individually...yet, based on their recent history, they knew a government should not...should never...insert itself into the confessions, beliefs, ceremonies and rituals of houses of worship.

On the other hand, the founders of this nation did not require religious affiliation. Far from it. In their experiment in democracy and constitution writing, they protected the free exercise of religion, made it illegal for the government to establish religion and guaranteed that all citizens would enjoy the full benefits of American citizenship.

Our challenge as American citizens is to live out that vision. That may be especially true for those of us who belong to a denomination whose roots are in the free church tradition. Our faith ancestors made great sacrifices so that we could read and interpret our Bibles...and grow our faith and faith practices independent of government involvement. Our challenge is to assure that every citizen can realize the rights guaranteed them. This requires that everyone respect the conscience and convictions stemming from the many religious traditions and denominations in this country we call home. This requires that everyone respect the conscience and convictions of those who are non-religious and call this place home.

So, what does this have to do with marriage?

Let me be clear...government controls marriage in the United States...specifically State governments. We in the religious community are very, very interested in marriage because we believe the love that is shared between two people making a lifetime commitment is a manifestation of God’s love made visible...and we want to celebrate that...but what we do does not make the marriage legal...unless we

have the proper pieces of paper, and signatures and make the filing deadline. But that is not the work of the church.

Couples do not have to be religious to marry. Religious leaders do not have to preside over marriage ceremonies. I can refuse to marry people...and I do...I don't marry non-members because I would dedicate all my weekends to weddings if I did! Marriage partners do not have to make any kind of pledge to support or be involved in a religious institution. State government determines how many people are allowed in a marriage and the minimum age of the partners. The State issues the license. The State puts their stamp of approval on the license. The State makes it legal.

But, the government, state or nation, does not define for us...the church...our definition of marriage. They can't. The government is constitutionally limited from imposing the meaning of marriage on a house of worship.

Unfortunately, about 6-7 years ago, some politicians began talking about the sanctity of marriage...the holiness...the blessedness...and some believed, loudly and repeatedly, that same-gender marriage would threaten the "sanctity" of marriage. But the sacredness or sanctity of marriage is not the work of government. The government's job is to protect the Constitution and the constitutional rights of the citizenry, with equity and justice.

Establishing what is "sacred" or "sanctified" or "holy" is not the Government's domain. Establishing what is "sacred" or "sanctified" or "holy" is the work of the church.

What is interesting is that the government does not weigh in on the "holiness" or "sacredness" of marriage at the time of divorce. Perhaps marriage could be handled in the same way as divorce. The government does not look to a majority religious opinion when granting divorces. In fact, the government's action on divorce often conflicts with the values of some religious traditions...yet the government grants divorces anyway.

Just what is going on here? A house of worship does not have to recognize divorce, but the government does. And, a divorced person can secure a marriage license to marry again; the government makes that provision regardless of several different religious tradition's opposition to divorce and remarriage. And, the government respects a house of worship's right to refuse to participate in the remarriage of a divorced person.

It seems to me that the laws that govern marriage could be modeled along the same laws that govern divorce. The anti same-gender-marriage could have their fears of being forced into performing gay marriages alleviated. It's kind of like the ordination of women. Denominations and traditions aren't required to ordain women...doesn't matter what kind of affirmative action guidelines are imposed by government. Religious freedom protects every house of worship from government intrusion to impose a particular view of marriage or to demand a religious blessing for a special kind of marriage.

The US Constitution provides a way for the government to keep its promise of guaranteeing equal rights for all people while, at the same time, protecting the freedom of religious institutions to practice their respective doctrines and values. I believe it is important that people's constitutional rights are not violated. I am told the list of affected rights, benefits and privileges is quite lengthy for legally married couples...over 500...let me offer just a few: housing, employment practices, public accommodation, medical and pharmaceutical services, licensing, government funding, freedom of speech, death benefits, the way debts are managed, divorce, family leave, health, immigration, inheritance, insurance, parenting, portability, property, retirement, taxes and more...these are all legal provisions rightly expected by all married persons, regardless of their respective sexual orientations.

Last year, the Iowa Supreme Court made a historic ruling. Acknowledging that most of the opposition to same-gender marriage in their state was rooted in religion, the Iowa justices addressed the implications of their ruling for the religious community. They explained that they approached the issue of same-gender marriage as "civil judges, far removed from the theological debate of religious clerics." "State government," they said, "can have no religious views, either directly or indirectly, expressed through its legislation. Civil marriage must be judged under our constitutional standards of equal protection and not under religious doctrines or the religious views of individuals." They went on to say that the ruling was a result of their interest in protecting constitutional rights for all people without intruding into the beliefs and practices of any of the religions in their state.

You know, civil marriages and religious marriages have existed side by side for ...I don't know how long...for many, many years. Both civil marriages and religious marriages have been recognized, respected and treated equally in our society. I, personally, see no reason for that to change...I, personally, see no reason for that not to expand.

Let me speak directly to my heterosexual brothers and sisters. Our gay and lesbian brothers and sisters get beaten up and left by the side of the road all the time...by so-called friends, by family members, by schools, by the government, by churches. As a member of the United Church of Christ, as a part of the body of Christ, isn't it time to stop what we are doing, bend down and pick up our brothers and sisters, comfort and care for them, and make provisions for their protection into the future? Isn't it time? Isn't it time to protect the union of two people...any two people...who are willing to make a lifetime commitment to each other to always be there, to support, to provide, to protect, to comfort, to love? Is there any greater call than to witness to and support love in all its many dimensions?

My friends, I've given you lots to chew on. It is my hope that it will stir up and encourage conversation...the issue of same-gender marriage is not going away...because the longing for partnership will not go away. It is part of our hardwiring...part of how we were created in the image of a relational, companionable God.

It is my sincere hope that you will be led by the Spirit to engage in quiet conversations about marriage that allow you to be religiously faithful, politically responsible and socially compassionate. For Jesus said, "Go and do likewise." May it be so for me and for you. Amen.