

POSITION PAPER on SAME-SEX MARRIAGE

On July 28, 1996, the members of the Unitarian Universalist Congregation of Erie approved the following statement and its distribution to our elected officials, to other religious bodies, and to the local media:

Unitarian Universalists affirm the inherent worth and dignity of every person, and we advocate justice, equity, and compassion in human relations. Part of the stated mission of the UU Congregation of Erie is to create a loving, joyful, welcoming community to which adults and children can come for spiritual, intellectual, and social fulfillment.

As people of faith, our UU Congregation has a tradition of speaking out on public policy issues involving moral and ethical matters, or where intolerant views of one religion might be imposed by government fiat on people of different religious persuasions.

We are deeply concerned by the recent campaign to hurriedly pass legislation that would ban marriage between two people of the same gender. We are now urging our legislators in Harrisburg and in Washington, DC, to not vote on such legislation without a thoughtful debate about its purpose and justification. **There are valid arguments for same-sex marriages, and potential detriment to the state if such marriages are banned.**

Marriage is one of society's most fundamental institutions. It starts with either a civil or a religious ceremony; the formalities (age, blood test, etc.) and legal consequences (social security benefits and various laws affecting property rights, taxes, estates, and divorce) of the union are determined by the state. To bar any class of adults from marrying as they choose is a major deprivation, not a trivial disenfranchisement.

We believe no discernible state interest would be served by banning same-sex marriages. Such legislation would be self-righteous and uncharitable at best, hateful and vicious at worst. Excluding homosexuals from the privileged status of marriage is an exercise in homophobia, infringes on civil rights, and is without any societal justification.

What are the legitimate interests of the state in the institution of marriage? We believe they are: (1) children; (2) stability; and (3) caregiving.

(1) Traditionally, most married couples conceived and nurtured children, and the state had a self-interest in encouraging population growth. In modern times many couples have no children, either by choice or because one of the partners is sterile. There are more than 6,000,000 childless heterosexual marriages in the U.S., far more than the potential number of same-sex marriages. Neither a promise to procreate nor the ability to do so has ever been a prerequisite to obtaining a license to marry in any of the 50 states. There is growing awareness that unabated population growth has adverse environmental impact and leads to problems of hunger, poor health and child poverty, and these matters should also be concerns of the state. The prospect of being childless is no reason to withhold the benefits of marriage to a committed couple.

(2) Marriage can have a stabilizing or settling effect on the partners. Married men are more likely than unmarried men to stay at home and out of trouble—a goal desired by the state. One of the main benefits of publicly recognized marriage is that it binds couples together not only in their own eyes but also in the eyes of society at large. Around the partners is woven a web of expectations that they will spend their lives

together—off the streets and at home. The domesticating effect that marriage brings to both parties in a loving, committed relationship, whether straight or gay, should be encouraged by the state. It is certainly better than the closet-gay culture and courting a series of different partners.

(3) If marriage has any meaning at all, it is that, when you are beset with a physical, emotional or mental problem, there will be someone to care for and comfort you. The caregiving rationale for marriage applies equally to homosexuals. One of the first things many people worry about when coming to terms with their homosexuality is: Who will take care of me when I'm ailing or old? Society needs to care about this, too, as the AIDS crisis has made horribly clear. If that crisis has shown anything, it is that no institution can begin to match the care of a devoted partner. Legally speaking, marriage creates kin. Surely society's interest in kin-creation is strongest of all for people who are unlikely to be supported by children in old age and who may well be rejected by their own parents in youth. Caregiving is much better served by marriage—that is, by one-to-one lifelong commitment—than by any other institution.

The power of marriage is not just legal but social. It seals its promise with the smiles and tears of family and friends. The marriage ceremony and investment tend to deter casual commitment and to make bailing out embarrassing. Marriage is a compact between a couple and society, not just between two people: society recognizes the sanctity and autonomy of the pair-bond, and in exchange each spouse commits to being the other's nurse, social worker, and policeman of first resort.

The so-called "Defense of Marriage Act" (S.1740) introduced by Senator Nickles is a reactive piece of legislation that utterly fails its stated purpose "to protect the institution of marriage." How can same-sex marriages be a threat to traditional two-sex marriages? The real purposes of this bill are to protect prejudice and to gain political ground by playing on fear and ignorance. It would be shameful for our government to sanction such an intolerant, partisan agenda by enacting this ill-conceived legislation. [See below for PA]

If two adults of the same gender are committed to one another and prepared to abide by the marriage compact, and if a ceremony of marriage were duly conducted by an authorized clergy or state official, it is wrong for the state to either forbid or refuse recognition of such a marriage. **The Unitarian Universalist Congregation of Erie supports legal recognition for marriage between two consenting, committed people of the same gender.** For the reasons expressed above, the government would be wise to do so also.

Lynne Brown
President, Board of Trustees

Rev. Terry Kime
Minister

[In PA version, substitute the following paragraph for the "Defense of Marriage Act" para.]

The bills that would ban same-sex marriages in Pennsylvania (S.1558 and HB.2604) are reactive pieces of legislation. How can such marriages be a threat to traditional two-sex marriages? The real purposes of these bills are to engender prejudice and to gain political ground by playing on fear and ignorance. It would be shameful for our state government to sanction such an intolerant, partisan agenda by enacting this ill-conceived legislation.