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Government should butt out of marriage and churches [1]

Written by **Dr Eamonn Butler** [2] | Monday 5 March 2012

UK Equalities Minister Lynne Featherstone want to legalise gay marriage. Fine by me: I don't see why gay couples should not be able to sign up for the same obligations, rights and benefits that heterosexual couples observe and enjoy.

She also wants gay couples to be allowed to marry in church, like heterosexual ones. Again, I have no problem with that, if the church is willing to do it.

The Church of England, typically, is divided on the issue. As the Established Church, they do pretty well out of their cosy relationship with the state, not the least of which is that two dozen of their senior executives, the bishops, sit by right in the House of Lords. So when ministers tell them to do cartwheels the Church of England normally swallow their principles, hitch up their cassocks and cartwheel.

The trouble is that some time ago, the state muscled in on marriage. Churches had been doing their own thing for millennia, but when the state started taxing rich folks and paying benefits to poor ones, it had to find some way of defining families so that it could establish the tax base and the appropriate unit to which benefits should be paid (two can live as cheaply as one, and all that). So they nationalised the whole business, and shoehorned everyone into a single set of regulations, as governments do.

But should we be so shoehorned? Maybe one of the reasons why the one-size-fits-all state-produced marriage contract has declined so much is that people today are more individual, and want to fashion their own ways of living, rather than have a standard, off-the-peg package of obligations forced on them. And so they should. People should be able to draw up their own lifetime contracts, accepting some bits of the present marriage contract, rejecting others and adding different ones of their own if they choose. Certainly, the state might insist on some minimum elements if people want to be taxed, and draw benefits, as a family. But apart from that, it should keep its nose out.

Likewise, Ms Featherstone should keep her nose out of what the churches choose to do. They too may have their own minimum standards for marriage, which couples have to sign up to before they can expect to be married on the premises. Fine. Churches are private clubs, let them get on with it. Personally, I would be campaigning for them to accept gay couples, but I wouldn't force church officials to betray their consciences. These are deeply held ethical positions. Churches have been thinking about the morality of lifetime partnerships a good deal longer than Ms Featherstone has.

I do wish politicians would buzz off and leave us all to our private sphere, allowing us to wallow in our own eccentric diversity rather than forcing us into tidy moulds. At this, rate, they will be demanding that the churches should not discriminate on the grounds of religion, and should accept other faiths into membership. I don't know what Cardinal O'Brien is going to make of it when he has to hand out wine and wafers to his first Satanist.

Correction: An earlier version of this post claimed that the government planned to force churches to perform gay wedding ceremonies. This is untrue. The post has been corrected.

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[3] http://disqus.com/?ref_noscript
[4] http://disqus.com