

DEFINING MARRIAGE OUT OF EXISTENCE

The meta -narrative (big picture) of marriage. This series is an attempt to unpack the seemingly complicated issue of defining marriage in our State, the State of Arizona, and beyond. The Church of Jesus Christ must readily admit her negligence with regard to the sacred institution of marriage – God’s oldest human institution. We must repent of our carelessness, admit our guilt, confess our sin, and rely on the benevolence and grace of God for His forgiveness. Additionally, we cannot take it upon ourselves to compromise the clear teaching of Scripture regardless of our pathetic attempts to live what we say we believe. I am grateful to Attorney Jordan Lorence of the ADF for his research and passionate defense of marriage in our Country. Likewise, I gratefully acknowledge the hard work and direction of Dr. Kenyon Cureton in pioneering the values voter movement. Finally, I acknowledge that there is “nothing new under the sun” and wish to thank the many unnamed sources who have fought the fight and kept the faith whether it was popular or not.

Part I – The Biblical View of Marriage and Sexuality

➤ Marriage – God’s Plan; Sex – God’s Idea Mt.19.4-5

Jesus said, “Have you not read that he who created them from the beginning made them male and female, and said, ‘Therefore a man shall leave his father and mother and hold fast to his wife, and they shall become one flesh?’”

Marriage is an institution created by God. This is clear from Genesis 2.18-24:

Then the LORD God said, “It is not good that the man should be alone; I will make a helper fit for him. (19) So out of the ground the LORD God formed every beast of the field and every bird of the heavens and brought them to the man to see what he would call them. And whatever the man called every living creature, that was its name. (20) The man gave names to all livestock and to the birds of the heavens and to the beast of the field. But for Adam there was not found a helper fit for him. (21) So the LORD God caused a deep sleep to fall upon the man, and while he slept took one of his ribs and closed up its place with flesh. (22) And the rib that the LORD God had taken from the man he made into a woman and brought her to the man. (23) Then the man said, ‘This at last is bones of my bones and flesh of my flesh; she shall be called Woman, because she was taken out of Man.’ (24) Therefore a man shall leave his father and his mother and hold fast to his wife, and they shall become one flesh.

In the Old Testament, the covenant of marriage serves as a metaphor for the relationship between God and the people of Israel. The worship of other gods (idolatry) is viewed as adultery, with Israel behaving as the unfaithful spouse (e.g. Je.3.6 & 8). In the New Testament, marriage is seen as a metaphor of the relationship between Christ and the Church (e.g. Ep.5.21-33; Re.19.7-9).

In the Old Testament, God’s desire to live in community with humankind (those who bear His image, yet are different from Him) is manifest in His relationship with the nation of Israel. Yet the nation is the outgrowth of the 12 tribes - which are the outgrowth of extended patriarchal families - which are the fruit of marriage and procreation. Thus, marriage is the seed for the community of God’s people on earth.

In the New Testament, loyalty to the biological family of nation and tribe is largely supplanted by loyalty to the family of Christ – that is the church - local and universal. However, marriage, family, and home retain important roles in the spread of God’s kingdom through evangelism. This role is fulfilled in the witness of a believing spouse (I Pe.3.1-6), in the teaching of children (Ep.6.4), and in the service to the church offered by couples such as Priscilla and Aquila (I Co.16.19)

One of the great future events will be the Marriage Supper of the Lamb - when the Church (i.e. the Bride) will be presented to Christ (i.e. the Groom) as a bride without spot, wrinkle or blemish. *“Hallelujah! For the Lord our God the Almighty reigns. Let us rejoice and exult and give Him the glory, for the marriage of the Lamb [Jesus] has come, and His Bride [church] has made herself ready” (Re.19.6b-8a).*

While marriage has certain specific meanings, both symbolic and functional within the order of salvation, it also has some broader purposes rooted in the order of creation itself. Therefore, these purposes apply to all marriages, even those of unbelievers or of other faiths. These purposes must therefore lie at the heart of our civil laws defining and regulating marriage.

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Part II The Biblical View of Marriage and Sexuality

➤ Christ and the Church Ep.5.32

In the fifth chapter of Ephesians the Apostle Paul addresses the institution of marriage. We are given the fundamentals of marriage, unconditional love for the wife by the husband (vv.25,28,33), unconditional respect for the husband by the wife (v.33), and thirdly, marriage refers to Christ and the Church. In verses 22-24 we are given the responsibilities of the wife. In verses 25-31 we see the responsibilities of the husband. Verse 32 is a commentary about the institution of marriage, and Paul closes in verse 33 with a final comment to both the husband and the wife.

In v.32 Paul here adds to our understanding of marriage by saying, *“This [marriage] mystery is profound, and I am saying it refers to Christ and the church.”* In this passage the Apostle is explaining that husbands and wives demonstrate the relationship of Christ’s loving relationship with the Church. Paul quotes Genesis 2.24 in verse 31 reminding us that the “two [husband & wife] become one flesh’.

All Biblical norms regarding sexuality can be generated from the theological truths explained in this Ephesians passage. If sexual relations in marriage indicate the heavenly truth of Christ’s intimate love for the Church, then any sexual immorality would contradict the truth. For example:

Adultery. Adultery is expressly forbidden in the Bible (Ex.20.14; Le.20.10; Mt.19.18). Adultery would then miscommunicate that Christ will cheat on the Church and be intimate with another.

Fornication (i.e. sex outside of marriage). Fornication is expressly forbidden in the Bible (Ep.5.3; I Th.4.3). Sex outside of marriage miscommunicates that Christ and the Church experience intimacy without commitment.

Polygamy. Polygamy is expressly forbidden in the Bible (Ge.2.24; Mt.19.4-5). Polygamy miscommunicates that Christ has many churches, rather than one Church.

Prostitution. Prostitution is expressly forbidden in the Bible (Le.19.29; Pr.23.27). Prostitution miscommunicates that Christ and the Church are strangers who experience a brief form of physical union based on a financial transaction.

Rape. Rape is expressly forbidden in the Bible (Dt.22.25-27). Rape miscommunicates that Christ would force Himself on an unwilling Church.

Divorce. Divorce is expressly forbidden in the Bible Mt.19.4-6. (There was an “allowance” for divorce because of the hardness of man’s heart). Divorce miscommunicates that Christ and the Church would be split apart after time.

Sodomy & Lesbianism. Sodomy and lesbianism (i.e. homosexuality) is expressly forbidden in the Bible. Sodomy and lesbianism miscommunicates that the proper coupling that God intended was not Christ and the Church (a man and a woman) but two “Christs” or two “Churches”.

The world’s view of marriage and sexuality : Maleness and femaleness have no transcendent purpose or importance. “Androgyny” rules (maleness and femaleness are interchangeable because they are unimportant). Homosexuality is the logical outgrowth of androgyny – if a person’s being male or female is unimportant, then one is free to have sex with whomever he or she wants.

The Biblical view: Maleness and femaleness have inherent meaning. Therefore, to confuse or deny maleness and femaleness is to contradict the created order.

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Part III Irresponsible Men, Exploited Women, & Neglected Children

➤ The Societal Norm of “Anything Goes”

Fifty years of the sexual revolution has led to an explosion of pornography, promiscuity, cohabitation, and divorce, and all have weakened marriage. Right now, powerful forces in our society want to change the very definition of marriage itself – in effect, defining marriage out of existence.

History teaches us that societies which have allowed everyone to do whatever they want in terms of family and sexual behavior result in at least three things; irresponsible men, women who are exploited and children who are neglected and undisciplined. Listen to what Jordan Lorence writes,

Those with permissive views of sexuality ignore the harms produced by the activities of “consenting” adults. Adultery has two consenting adults, but it has obvious harmful consequences to third parties (the spouses and children of the adultery partners, especially if the adultery causes the spouses to divorce). Prostitution has victims – women trapped in it and the general degrading effect on all individuals involved in sex for money, even if all are consenting to the transaction. Pornography stores bring crime, drugs and deterioration to a neighborhood, as well as trapping the men who view it and the women used to make it. Fornication (sex by two unmarried people) frequently exploits one of the partners, spreads sexually transmitted diseases and results in unwanted pregnancies. If all activities by consenting adults should be legalized, what about dueling and gladiator fights? This means that when an activity produces a generally degrading effect on the society, a society can ban that activity, even if it is engaged in only by consenting adults. Restraints on sexuality, such as cultural norms restricting sex to marriage, are like safeguards imposed on those making nuclear energy, using radiation for cancer treatments, etc.”

The consensus of the world cultures from their collective experience is that the best way to sustain and operate societies is to funnel the sexual behavior of their people into marriages consisting of one man and one woman because it provides the most secure social environment, one where the entire spectrum of humanity, man and woman, live together in harmony to nurture the next generation in the norms and principles of the society. Those children grow into adulthood and fulfill the same process.

According to the Institute for American Values, “Research has consistently shown that both divorce and unmarried childbearing increase the economic vulnerability of both children and mothers...When parents fail to marry and stay married, children are more likely to experience deep and persistent poverty, even after controlling for race and family background...Divorce as well as unmarried childbearing play a role: Between one fifth and one third of divorcing women end up in poverty following a divorce.”

It is necessary that we expect men to behave responsibly for more than religious morality. It is equally important that we restore the dignity to women as individuals who are created in the image of God – this means far more than feminism promises to deliver. Finally, it is critical that we protect children and raise them to be healthy adults which means adherence to standards of behavior. Anthropologist Frank Beach wrote, “There is not, and can never have been, a true society without sexual rules.”

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Part IV Who’s Fault?

➤ Marriage and Sexuality in the Church

Marriage is in trouble in America. The traditional idea that marriage is a lifelong commitment has been undermined by the sexual revolution. Today nearly half of all marriages end in divorce. According to some statistics, the rate of divorce is higher in the Church than out. The traditional idea that marriage is the only appropriate context for sexual relations has been undermined by the sexual revolution. Premarital sex, cohabitation, promiscuity, and infidelity all stretch the traditional boundaries to the breaking point.

So who is to blame? Or should we concern ourselves with placing blame? After all, isn’t everyone entitled to “happiness” – an inalienable right? Social science research has uncovered a large and growing body of evidence that marriage has significant benefits for husbands and wives and for their children. Simply put, families headed by married husbands and wives are happier, healthier, and more prosperous than people in other types of households. The legitimate question rather is this, “If everyone has a right to happiness, why are there so many unhappy people?” Sexual promiscuity has neither increased individual happiness nor helped to build a healthier society.

Therefore it is imperative that we properly identify the responsible parties. If marriage is God’s plan and sex is God’s idea we would reasonably expect the Church to be a shining example of God’s design. However, when we look within the walls of our local churches what do we see? Do we see healthy marriages and happy families? Do we find a biblical response to sexuality and marriage? We have already stated that the divorce rate is as high, if not higher, within the church as outside the church.

Do we find an increased faithfulness to one’s spouse within the walls of the church? Do we find the unmarried within the church practicing abstinence? Unfortunately we must admit our culpability. It is not that Christians are or should be perfect. It is that they should be sanctified, set apart, pursuing holiness for the glory of God. It is that within the confines of the Christian community we should see a difference, a distinction from the rest of the world. Instead of

tolerating divorce, adultery, and sex outside of marriage we should firmly teach the Creator's design for His creation. We should also lovingly confront when necessary any behavior that is contradicting that design.

One of the scourges of the internet is pornography. The first billion dollar industry on the internet was pornography. Instead of ignoring the problem or acting as if it does not exist within our Christian homes we should teach and train and hold one another accountable to Godly behavior. It means to stop acting as if it is an isolated or insignificant problem.

Instead of identifying and vilifying homosexuality as the GREAT sexual sin, let the Church address all the perversions of sexuality that are an affront to the character and design of God in marriage and sexuality. In the meantime we are to treat with respect and dignity those who may disagree remembering that they too are created in God's image.

The Church must practice the Biblical principles for a healthy marriage as a positive witness. If the Church is to have a hearing in the culture she must be credible. I am afraid the credibility of the Church may be in a deficit. When the divorce rate among professing Christians is essentially the same as that of the world, we have little credibility with which to call the world to repentance, even if they are trying to redefine the family. Christian marriages ought to be the model for a watching world. Christians must practice biblical principles for a healthy marriage.

Rebuilding credibility means being honest. Confessing where the Church has gone wrong without making excuses. How do we reverse the deficit? By ceasing to do what created the deficit in the first place. Replacing disobedience with obedience. By making "deposits" instead of debits. Suffice it to say, we must follow the Creator's blueprint.

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Part V Historical: Societal Research

A society that encourages men and women to marry and to have children only within marriage significantly reduces poverty, helps eliminate crime and produces a myriad of good outcomes for children raised by their parents in intact families (less juvenile delinquency, drug use; better educational achievements, etc.). In one sense, regulations to limit sexual behavior outside of marriage – whether by religious teachings, social taboos, or civil laws – can be seen as attempts to protect the institution of marriage. The uniqueness and permanence of marriage, and the exclusiveness and trust necessary for its success, are all threatened by extra-marital sexual activity. However, in another sense, marriage itself can be seen as an institution that serves the purpose of regulating sexual activity by channeling and containing it within specific boundaries. To do so is essential, because even the most private sexual acts can have destructive public consequences.

To cite only the most obvious examples, sex outside of marriage results in the birth of children who are deprived of the benefits of growing up with both mother and father, while sex with multiple partners results in the spread of sexually transmitted diseases. Ironically, both of these problems have increased, not decreased, since the invention of the birth control pill and penicillin – the technologies that were supposed to insulate us from these consequences.

According to the Institute for American Values:

- Parental divorce (or failure to marry) appears to increase children's risk of school failure.
- Parental divorce reduces the likelihood that children will graduate from college...
- Children who live with their own two married parents enjoy better physical health than do children in other family forms
- Children who live with their own two married parents experience lower rates of infant mortality.
- Marriage is associated with reduced rates of alcohol and substance abuse for both adults and teens.

- Married mothers have lower rates of depression than do single or cohabitating mothers.
- Married women appear to have a lower risk of experiencing domestic violence than do cohabitating or dating women.
- A child who is not living with his or her own two married parents is at greater risk of child abuse.
- Boys raised in single parent homes are about twice as likely (and boys raised in stepfamilies are three times as likely) to have committed a crime that leads to incarceration by the time they reach their early thirties.

Same sex activists are not the only groups disparaging marriage and promoting self-fulfillment as the model for societies to follow. Modern thinking exalts the individuals' decisions on marriage and sexuality as prevailing over all other concerns. This individualistic view asserts that one should be able to do whatever he or she feels like when it comes to sex and marriage and society must accept those decisions nonjudgmentally as a legitimate "choice." This view regards personal "satisfaction" as paramount and disregards or minimizes any consequences an individual's decisions on sexual activity, divorce, adultery, etc. have on others and the community.

In contrast, a communitarian view (as opposed to a purely individualistic approach) of marriage says that marriage has both an individual and a community dimension to it. Marriage does bring great satisfaction to individuals, but society as a whole has a stake in encouraging and maintaining marriages a certain way because stable marriages benefit the society as a whole. Sexual activity outside of marriage does not benefit or sustain society the same way, and in fact, undermines it. Therefore, when the individual's desires conflict with society's standards for marriage, the communitarian view says that in general, the individual's desires must yield to the societal good.

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Part VI Historical: Legal Precedent

What is government's interest in marriage? Why does the government license marriages and not friendships? According to Lorence, friendships are "loving relationships," yet the government does not regulate them. Therefore something else happens in marriage that causes society as a whole and government to regulate the institution via customs, traditions, and laws. **Is marriage merely a government welfare program for loving couples?**

"Marriage is not a benefits package...Laws about marriage do not function primarily as an administrative distributor of benefits that help provide incentives to get and stay married, or even help people lead the kind of life they choose. Marriage requires consent, but marriage is not about helping people live any way they choose. The purpose of marriage law is inherently normative, to create and force others to recognize a certain kind of union: permanent, faithful, co-residential, and sexual couplings." (Maggie Gallagher, *(How) Will Gay Marriage Weaken Marriage as a Social Institution: A Reply to Andrew Koppelman*, University of St. Thomas Law Review 2004.)

In *Murphy v. Ramsey*, (1885) the U.S. Supreme Court rejected a constitutional challenge that would have changed the traditional definition of marriage. The Court stated:

Certainly no legislation can be supposed more wholesome and necessary in the founding of a free, self-governing commonwealth, fit to take rank as one of the coordinate States of the Union, than that which seeks to establish it on the basis of the idea of the family, as consisting in and springing from the union for life of one man and one woman in the holy estate of matrimony; the sure foundation of all that is stable and noble in our

civilization; the best guaranty of that reverent morality which is the source of all beneficent progress in social and political improvement.

Gallagher says, “Sex makes babies, Society needs babies. Babies deserve mothers and fathers. Together these three ideas explain the public purposes of marriage, its shape, and its form. Marriage intrinsically aims at an enduring, exclusive sexual union between a man and a woman, because managing the procreative consequences of human sexual attraction is at the core of its reason for existence.” There are recent court decisions that made these same points.

The relationship between procreation and marriage was recently recognized by the New Jersey Court of Appeals in *Lewis v. Harris* (2005). “Marriage’s vital purpose is not to mandate procreation but to control or ameliorate its consequences – the so called ‘private welfare’ purpose. To maintain otherwise is to ignore procreation’s centrality to marriage.”

The Indiana Court of Appeals likewise recently recognized the unique purpose of legally recognizing a union between opposite-sex couples that is inapplicable to same-sex couples (*Morrison v. Sadler*, 2005).

Here at home the Arizona Court of Appeals rejected a demand to redefine marriage in *Standhardt v. Superior Court* (2003). The New York intermediate appellate courts reached the same conclusions in favor of the traditional definition of marriage in *Hernandez v. Robles* and *Samuels v. NY Department of Health* (2006).

In the *Journal of Law and Politics*, George Dent wrote a review of the defense of traditional marriage. Dent says, “If states legalize same-sex marriage, no homosexual chastity advocates will arise and visit the sex hangouts of San Francisco to urge them to “wait until marriage.” Dent also states, “same-sex marriage seeks not to expand traditional marriage but to revolutionize the institution.”

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Part VII Historical: Evidence from the Natural World

Because God created the world His design will be evident in the way the natural order operates, even in a sin-infested world. Joseph Daniel Unwin gave an address in 1935 to the medical section of the British Psychological Society titled “Sexual Regulations and Cultural Behavior.” In his address, Unwin concluded that “societies limiting sex to marriage experience progress; societies permitting sexual laxity experience decline and collapse.” Here are some of Unwin’s observations:

“I had studied a few historical peoples – Sumerians, Babylonians, Assyrians, etc. Impressed by the nature of the evidence, I proceeded to study uncivilized peoples, and I discovered that among them too, there was close relationship between sexual opportunity and cultural condition. The evidence was such as to demand a complete revision of my personal philosophy; for the relationship between the factors seemed to be so close, that if we know what sexual regulations society has adopted, we can prophesy accurately the pattern of cultural behavior.”

According to Unwin the key to societal progress were cultural norms that confine sex to marriage

“Now it is an extraordinary fact that in the past sexual opportunity has only been reduced to a minimum by the fortuitous adoption of an institution I call absolute monogamy. This type of marriage has been adopted by different societies, in different places, and at different times. Thousands of years and thousands of miles separate the events; and there is no apparent connection between them. In

human records, there is no case of an absolutely monogamous society failing to display great energy. I do not know of a case on which great energy has been displayed by a society that has not been absolutely monogamous.”

No doubt there are nay-sayers that would declare Unwin’s findings out-of-date and archaic. However, a modern-day example of what Unwin describes can be found in the northwest area of India. One of the most influential groups in India are the Sikhs. The Sikhs have a tremendous presence and influence on the government and economy of India. The Sikhs are a non-Western, non-Judeo and non-Christian culture that exhibits exactly what Prof. Unwin predicts would happen when a society “limits opportunity” [sex] to marriage. They live primarily in the Punjab area and represent only about 2% of India’s population.

The reason for this influence is attributed, as predicted by Prof. Unwin, to the practice of absolute monogamy. The Sikhs practice arranged marriages with the women free to decline to marry a man selected by her parents. Sex outside of marriage is strictly forbidden.

Professor Unwin states the benefit to a society that enforces rules (keeping sex inside marriage) is what he calls “expansive energy”- the energy to create and be productive. “When the evidence is complete we see that an expansive society has always reduced sexual opportunity to a minimum. There is no recorded case of a society reducing opportunity to a minimum without displaying expansive energy.”

Unwin states that the impact of sexual standards on society lags two generations. That means that today’s generation is experiencing the result of the sexual mores of two generations ago. That being the case, what will our society look like two generations from now given the sexual mores of today?