Should Churches Consider Only Offering Non-legal Marriages? [1]

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In this article I want to raise a legitimate, but controversial, question which I think the church might soon need to begin to consider. The question regards marriage and whether it is wise to continue to adhere to civil marriages as opposed to purely "religious" marriages. I genuinely hope this to be a dialogue in good faith. The question is: should churches begin to consider marrying people, but not legally?

A Brief History Lesson

During the middle ages, a tension began to exist between the church and state. This tension grew as the phenomenon of nationalism developed. The question was: who rules the lives (civil and otherwise) of the people? Initially the answer was obviously "the church", as it was responsible for the mortal and immortal well-being of the people. Also, at that time the political situation in the Europe was terribly fragile and uncertain. People throughout Europe would rather primarily identify themselves as "Christians" than as, say, "German" or "French". But as political systems in Europe started stabilising after a turbulent time which saw the fall of the western Roman empire, states started asserting more and more authority over its citizens. One of the many aspects of civil life which was affected by this tug-of-war between church and state was marriage, which is the focus of this article.

The development of this history is long and complex, but for our purposes it suffices to say that after a period where only religious marriages were considered valid, the French Revolution brought back the notion of a civil marriage in a big way, with religious marriages being invalid unless a civil marriage had first taken place. Napoleon would shortly thereafter spread this system throughout the rest of continental Europe.

The assertion that marriages should be "handled" by the state was probably a valid one, as there are legal implications of marriages (e.g. financial, population statistics). It is necessary for the government to keep records of marriages and legislating marriage probably is the most effective way of ensuring this. Moreover marriage is not something to which the Christian church can lay an exclusive claim. Although Judeo-Christian tradition explains where the institution of marriage comes from, marriage preceded both Christianity and (established) Judaism[1][2]. The Graeco-Roman world into which Christianity came already had laws regarding (pagan) marriage, and marriage was also practiced by the surrounding barbarian nations. In fact, marriage is a near universal human institution. It might be far removed from its origins, but that does not make it any less recognisable. To accommodate religious freedom (which is not a bad thing, if only to allow Christians to practice their religion freely), Christians need to relinquish their exclusive claim to the institution of marriage, as would any other religion. Doing this would make the state the logical choice to administrate

marriages.

The Problem of Modern Civil Marriages

Recent developments in civil marriage legislation in several countries have, however, given rise to concern. The concern is not the oft-touted "sanctity of marriage". In a pluralistic3 society, what defines a "sanctified" marriage? Rather the problem is when states want to start dictating who should sanction what types of marriages to the detriment of religious freedom.

Building on the claim which I just mentioned that no one body can define a "sanctified" marriage, governments with liberal agendas have recently begun advocating innovative ideas regarding marriage which has, until recently, been unheard of in the western (if not the entire) world. Same sex marriage is a prime example. Marriage has traditionally been (almost universally) a heterosexual institution. But with the gay rights movement came the idea of same sex marriage to radically push the agenda of equality. Liberals were quite taken by the idea (even though it is a minority issue [2]). And in some countries governments are resorting to increasingly innovative [3] tactics4 to try and push through their laws. But even in the USA, which has traditionally been conservative on the issue of same-sex marriage, is moving towards a much more liberal stance [4] on the topic. But even more innovative is proposed legislation in Mexico City for temporary [5] marriages [6], which can optionally (and with mutual consent) expire after a fixed amount of time. These proposals upset the church because they pervert what the church believes to be the purpose of marriage (a view shared by other religions, as well as certain people of secular persuasions). But while the church cannot dictate to the government, it should at the very least have the freedom to refuse to conduct such marriages.

A Controversial Suggestion

In light of these recent developments, I want the church to consider the following suggestion: should churches (at some points in the future, if pressure from governments necessitate it) renounce their rights to conduct civil marriages (which is granted to them by the government anyway)? Then, if the members of the church wants to marry, the church marries them only "religiously". The church would then keep record of which couples are married (but no legally) and thereby sanction them matrimonially and conjugally. The church would then bear wholly the responsibility of looking after the married couple and all aspects of their marriage (a responsibility which it should already largely be bearing): to make sure everything is still well, that the rearing of children is wholesome, providing council in difficult times and, if absolutely necessary, enforcing a divorce. Because the church would not conduct legal marriages, governments cannot interfere with its views on marriage; at least not without trying to dictate the internal structuring of the church. If they try to do this, they would also have to dictate which church members serve on the local church council, who should be sides men, and who gets to appointed to be the greeters at the door.

The biggest negative implication of this proposal is that Christians would be exempt from all the legal benefits which married people enjoy. But as marriage rates drop over the western world and the number of people who cohabit increase, one has to wonder that if secular society does not deem the legal benefits of marriage to be worthwhile, why should Christians?

Conclusion

My aim with this article was to start a dialogue. I do not know whether the church should adopt a policy such as the one which I have outlined here, but I want people to think about it. The purpose of this proposal is not to increase strife, but allow Christians who are fighting the battle for marriage to give it up. They could then expend their energy on evangelism and fighting the root cause of sin, rather than the symptoms.

- 1. Abram, whom God promised would become a great nation and eventually became the

father of the Israelites, was married to Sarai; also Lot, Noah, as well as presumably many of their contemporaries were married.

- 2. The institution of marriage has clearly been given by God to all peoples as part of His *common grace* towards humanity.
- 3. "*Descriptively, a situation characterized by a number of alternative religions and diverse perspectives on religion, with the resulting problem for adherents of each view of what attitude to take toward the other views.*" — Evans, Stephen C. Pocket Dictionary of Apologetics & Philosophy of Religion *[7]*. Downers Grove, Illinois: Intervarsity Press, 2002.
- 4. For more information on why the proposed legislation bans the Church of England and Wales from conducting same sex marriages, see this link [8].

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