

THEY HAVE RIGHTS WHO DARE MAINTAIN THEM

Sermon of 15 February 2004

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First, I realize that a few of you in the meeting house this morning may profoundly disagree with everything I am about to say. That's just fine. That's your right, and I'll love you and serve you anyway. I won't prevent you from receiving communion. I won't consign your soul to a short season in purgatory or a long season in hell. I don't have that power, and I wouldn't use it if I did. Like you, all I have is a voice and the freedom to use it. In the covenant you made with me nine years ago, you guarantee me that right. I am so grateful. Thank you.

When intern minister Jean Goulden and I were visiting Phyllis Stephenson recently, she told us something I had not known. When the Stephensons sold some land to Bolton's Roman Catholics so they could build a church of their own, many of Bolton's residents did not approve. I understand. The Jones' have been religious liberals for three centuries. But that liberality did not extend to Roman Catholics, particularly Irish Catholics. My grandfather --- a saintly Quaker man --- did not care for them. My father --- another saintly man --- spoke of them dismissively and, occasionally, disparagingly. It is the only prejudice my father's family held of which I am aware. I will not discuss the prejudices held by members of my mother's family!

The Jones', of course, had plenty of company. In the nineteenth century, a political party --- the "Know Nothings" --- was formed for the sole purpose of preventing Roman Catholics from gaining a foothold in American life. In 1854, the Know-Nothings took over the government of Massachusetts. The

governor, the congressional delegation, the state senate, and all but three members of the house of representatives were Know-Nothings. The Know-Nothings immediately dismissed any state employee who was Irish, disbanded certain Irish-Catholic organizations, proposed constitutional amendments that would have deprived Catholics of the right to elective office, and passed one constitutional amendment that prohibited the use of any state or municipal funds for schools operated by “religious sects” like Roman Catholicism.

The Catholics of Worcester wanted to build their first church facing the Worcester Common. Their request was denied. Thirty years later, Catholics were allowed to build another church closer to Main Street, but not on Main Street, as they had wished. In the 1920s, a cross burned on Wattaquadock Hill in Bolton as the Ku Klux Klan organized in central Massachusetts. One of Bolton’s police chiefs was a Klan member. This incarnation of the Klan did not focus its hatred on Blacks, but rather on Roman Catholics, and the minister of Bolton’s Baptist Church --- a woman --- let the Klan meet in her barn. Those of you over fifty will remember that John F. Kennedy’s Roman Catholic faith was a huge issue in the presidential election of 1960. Protestants were worried that the Pope would call the shots if Kennedy were elected.

While pockets of prejudice still exist, Roman Catholics are no longer the victims of cultural prejudice on this scale or legally sanctioned oppression, and this is a good thing. It means we’re making progress. But considering that Catholics have been victims of prejudice and oppression for much of American history, I am dismayed that the hierarchy of “the Church with a capital C” continues to act in a manner which tolerates and in some instances encourages the victimization and oppression of others. I refer not only to the distressing scandals of recent

years, but also to the current effort to deny those of a different sexual orientation the right to marry and the rights and benefits that accrue to those who are married.

Courtesy of our state's Supreme Judicial Court, Massachusetts has reluctantly become the Armageddon for this issue. The Catholic bishops of Massachusetts have mailed a million letters criticizing the SJC decision to their Church's members. The bishops instructed their priests to denounce the SJC ruling from the pulpit. Archbishop O'Malley suggested that Roman Catholic lawyers and lawmakers are bound by their baptism to support the position the Church has taken on this issue. In 1992, the Vatican enjoined its bishops and priests to oppose any laws that may promote public acceptance of homosexual conduct, declaring that discrimination based on sexual orientation was not necessarily unjust.

You have received no mailings from the denominations with which this church is affiliated or from me, have you? There's a reason for that. *"Tyranny is always better organized than freedom."*

The SJC decision has given the bishops a chance to divert attention from the continuing revelations of sexual abuse by priests, and to attempt to reclaim the Church's role as an arbiter of morality. The bishops --- and those of other faiths who agree with them --- encourage us to believe that they *"stand at Armageddon and battle for the Lord."* I see it differently.

The Declaration of Independence begins with the words *"All men are created equal, and are endowed by their Creator with certain inalienable rights, among them life, liberty, and the pursuit of happiness."* (I am rather attached to that document, since one of the members of my family helped write it!) Those who wrote the Declaration of Independence and the Massachusetts constitution --- the oldest constitution in the Americas --- may

have understood human rights as the gift of God, but they also knew that maintaining them is the responsibility of the state, and they were aware that those who are in the majority have an extraordinary obligation to protect the rights and the welfare of those in the minority, whether they agree with them or not.

Roman Catholics, and evangelical Christians, for that matter, are no longer minorities in Massachusetts. Heterosexuals never have been. But members of the GLBT community always have been and always will be a minority. As is the case with any other minority group, the state must insure that the rights that pertain to the majority are extended to the minority. When anyone's rights are diminished, everyone's rights are diminished. If you have ever been marginalized, if you have ever been treated differently because of your gender, your income, your beliefs, your life circumstances, or your disability, you know this is true. The marginalization faced by members of the GLBT community is, in the words of the SJC ruling "*a proposition all too familiar to other disadvantaged groups.*" It is, of course, to these people, to the marginalized, to the disadvantaged, to the oppressed that Jesus came, and to whom, Jesus said, belongs the kingdom of God.

I, for one, have found it hard to watch the news this week. I was worried about what I might hear. Peter Gomes, Harvard professor, American Baptist, and minister at Harvard's memorial Church has called prejudice against homosexuals "*the last respectable prejudice of the century,*" and listening to some of the legislators these last seven days, and listening to some of those who oppose same-sex marriage, and seeing the hurtful slogans on signs a church gave to young children to hold, I am inclined to agree. What I heard and what I saw was bigotry, prejudice, and hatred in the guise of religious or moral

conviction. As cultural critic Bruce Bawer writes *“There is no other prejudice whose adherents routinely deny that it is a prejudice.”*

So let's break this open a bit, shall we? There is prejudice against those of different sexual orientation and the law has been interpreted in ways which deprive them of rights that every single other member of the community take for granted --- just as women, and African-Americans, Jews, and, yes, Catholics were once deprived of rights enjoyed by everyone else. (Maybe the memory of what prejudice means is fresher for the Jews --- not one Jewish legislator voted against the SJC decision.) And the church --- I am speaking generally rather than particularly --- in several of its many incarnations supported those sanctions, claiming that they were based on scripture and ordained by God. Today, such attitudes have been relegated to the narrowest, dirtiest alleyways of the culture. Few would dare admit them. Fewer still would dare proclaim them.

What has happened? Number one, human knowledge and understanding --- thank God! --- have grown, and not only of those who are of different genders, races, or religious beliefs. For thirty years, homosexuality has not been classified as a pathology but as an orientation --- not as something men and women choose but something that they simply are. And not only this, but as Louis Crompton points out in his extraordinary book *“Homosexuality and Civilization,”* it may no longer be possible to decry homosexuality as “unnatural.” He writes that *“zoologists publishing in scientific journals have documented same-sex activity among more than 450 species in ‘every major geographical region and in every major animal group’ and that “more than one third [of those that engage in same-sex behavior] bond as devoted pairs and, on occasion, feed, protect, and rear young.”* Number two, courageous men and women took a stand and named discrimination based on gender, race, national origin, economic

status, physical or mental disability, and religious belief as evil. They forced us into the future, ready or not.

It may seem to you that the members of the State's Supreme Judicial Court have forced us into a future for which we are not yet ready. That's what presidential candidate John Edwards says. But we cannot escape what we are called to do and to be simply because we would have preferred for this light to dawn gradually rather than burst upon us all at once. A bright light of justice has shone upon our laws, and those who are trying to find a compromise or a way to escape into the more comfortable shadows of the past are not fighting for "*truth, justice, or the American way;*" they are fighting against these things. They are not supermen or superwomen. They restrain truth and retreat from the demands of justice. They have determined that it may be "expedient" to deny basic human rights as defined by our constitution because their church tells them to, or because their innate and unacknowledged prejudices tell them to, or because speaker Finneran tells them to, or because they pay more attention to polls than to principles.

When the courts decreed that Blacks could not be denied the rights guaranteed to Whites, where would we have been if men like George Wallace and Strom Thurmond had been successful in overturning the rulings of the courts and making the civil rights of Southern Blacks subject to popular vote? Those rights would have evaporated. This is why we need the courts. They protect our rights. This is why human rights should never be put on a ballot. They should never depend on the mood of the electorate.

May I take some of you back to the day when you were married? You remember, I'm sure, the hopes and the dreams you had, and the love that surrounded you on that day. Even

now, you can see the faces of your family and friends and hear the voice of the officiant invoking God's blessing on your new life. For a few of you, that voice was my voice. It is not my intent to deprive you of cherished memories, or devalue the unique relationship enjoyed by men and women and honored by the state --- and by me. I wish, rather, to suggest that this is one place where straight and gay can transcend our differences, because we all want the same things. We want our love to grow. We want our relationships to work. We want our families to be stable and secure. And we want the commitments we make to be recognized, supported, and protected.

So it is important that we understand that marriage is a word. Human beings invented the word, and we can choose to define it however we wish, as indeed we have in various ways during the course of our history. The church may celebrate, bless, and witness a marriage. But marriage is not primarily or in law a religious institution. It is the gift of the state, not of God. For the first five hundred years of Christianity, the church had nothing to do with marriage. Luther said marriage was "a temporal business with which the church should not interfere." The Plymouth Pilgrims forbade their ministers to perform marriage ceremonies, believing such rites to be unscriptural. Marriage is the business and the gift of the state. As Bruce Bawer writes: "*Marriage is recognized by the state not because some religions consider it a sacrament but because it reinforces civilized values.*" Marriage is the gift of the state. *Love* is the gift of God.

Those who point to the Biblical record to justify marriage as pertaining only to a man and a woman, cite, typically, only those passages that support their argument. If we really adhered to Biblical injunctions, men could have multiple wives, and marry their half-sisters, as Abraham did, slavery would still be allowed (and a master could keep a slave's wife and children for

himself), and divorce would be a simple matter of writing the reasons for divorce on a piece of paper and throwing your wife out of the house. If a man died before having a son, his wife would then have to marry her brother-in-law, to insure that the line continued. And perhaps, if we were being scrupulous about adhering to Biblical injunctions, we wouldn't marry at all. As far as we know, Jesus never did, and St. Paul said it was better NOT to marry. Those who take the Bible literally usually never take it seriously.

The cultural understanding of marriage is just as confused. For most of human history, marriages were purely economic arrangements and brokered like cattle sales. In some cultures, this is true even today. Fathers choose their daughter's husbands or their son's wives on the basis of wealth and social position. I had a gay Indian friend who was desperate to try to find a way around his parents' expectation that he would marry the woman they selected for him. Today, people who marry teenagers are either on the Jerry Springer Show or in jail. But less than seventy years ago, the age of consent in New Hampshire was thirteen for a girl and fourteen for a boy.

Clearly, no one definition of marriage, no one understanding of marriage has descended from heaven --- or the state house --- in a cloud of glory.

Today we understand marriage as being about the love and commitment of one person for another person. This is a new thing, and it is a good thing. And honoring and protecting the serious, responsible, loving commitments of those of a different orientation does not threaten or cheapen the institution of marriage or de-stabilize the family. It *affirms* these institutions. It says that they are good and to be valued. It is, as Peter Gomes says, illogical to suggest otherwise. How, he asks, can you blame

those who have never been allowed to be married for the problems with marriage and families?

It has been safe to blame the homosexual for “*whatever new disaster vexed society,*” as Louis Crompton memorably writes. Indeed, homosexuals have been blamed for just about every disaster since the Great Flood. Even in our post-modern era, preachers proclaim that Rome fell because of homosexual behavior, conveniently forgetting that Rome fell when Christians were running Rome! I’m sorry; you can’t try to lay the problems with marriage and families on our doorstep, too. Heterosexuals have done quite enough harm without the aid of the Gay community, thank you very much. If the president was really intent on defending marriage, why isn’t he considering amending the constitution to prohibit divorce as well as gay marriage? After all, Jesus issued a prohibition against divorce and Jesus is Mr. Bush’s “favorite philosopher.”

Boston Globe columnist Brian McGrory writes: “*Will gay marriage cheapen heterosexual marriage? Not a chance. In a society with a 50% divorce rate, gay marriage is the least of the threats. Will it adversely reflect my quality of life? Just the opposite. If anything, marriage contributes to stability. In a stable relationship, couples buy property together. They pay more taxes. They invest themselves in their neighborhoods, In a transient society, these are good things.*”

If gay marriages are recognized, Peter Gomes states: “*Divorce will not be halted, abuse will not be eliminated, frivolous heterosexual liaisons such as the recent publicity stunt of Britney Spears will still be lawful, and annulments [which Joe Kennedy, upon receiving one, described as “Roman Catholic gobbledygook”] will still be sought and obtained in the church courts.*” And he concludes “*Nothing will be done to save marriage, and yet in the name of doing so, incalculable retrogressive and even punitive damage will be done to those of our fellow citizens who under civil law crave the legitimization of their*

loving relationships.” As an aside, those of you who are married but have no children may be interested in what Archbishop O’Malley has said about non-procreative relationships. He has compared them to “carpooling,” and stated that *“the begetting of children needs to be reattached to marriage.”* The implication is that a marriage without children is less of a marriage than one that produces children. I expect that you may not feel the same way.

Honoring the serious, responsible, loving commitments of those of a different orientation is not the beginning of the end of American democracy. It is evidence of its flowering, its steady and sure unfolding. And I believe it is part of the steady and sure unfolding of the purpose of God, who brought David and Jonathan and Naomi and Ruth together as well as Abraham and Sarah.

Each of the denominations with which our church is affiliated sanction same-sex ceremonies, but I have performed only one. Two friends of mine had planned to have their union blessed by another clergy-person to whom they were very close. Her Episcopal bishop told her she would no longer have a job if she did. I filled in for her, and was honored to officiate. At the end of the ceremony, one heterosexual woman, long married, said *“I have never seen so much love at any wedding! It filled the church to overflowing!”* I think she may have been right. And I boldly proclaim that this love deserves the sanction and protection of the state as much as any other love. It already has the blessing of God.

As I prepared for that ceremony, I thought of these words, spoken in a favorite motion picture: *“As for you two, the problems you’ll have seem almost insurmountable. You do know what you’re up against, don’t you? They’ll be a hundred million people right here in this country who will be shocked, offended and appalled. And you’ll*

have to ride it out, every day maybe for the rest of your lives. You can try to ignore these people or feel sorry for them and for their prejudice, bigotry, blind hatred, and stupid fears. But when necessary you'll have to cling tight to each other and say '[to hell] with all you people.' Anybody could make a case, and a hell of a good case, against your getting married. The arguments are so obvious that nobody has to make it...I think now that no matter what kind of a case some [jerk] could make against your getting married, there would be only one thing worse --- and that would be if, knowing what you two are, knowing what you two have, and knowing what you two feel, you didn't get married."

Those words were spoken by Spencer Tracy in the last scene of the movie, "Guess Who's Coming to Dinner." The man who came to dinner was black and he wanted to marry Tracy's daughter, who, of course, was white. The movie was released in 1967. It couldn't be made today. It would seem quaint and out of date. Laws forbidding inter-racial marriage have been repealed and prejudice against such marriages has either disappeared or is too embarrassed to show its face. But a movie like this could still be made about gay people.

Perhaps, some day --- and some day soon --- *that* prejudice will seem hopelessly out-of-date, too.

How soon? It's up to us.

In the midst of this crisis, we would do well to remember words written during another crisis, words written by James Russell Lowell during the Mexican-American War:

"Count me o'er earth's chosen heroes --- they were souls that stood alone...stood serene, and down the future saw the golden beam incline to the side of perfect justice...By the light of

burning heretics Christ's bleeding feet I track, toiling up new Calvaries ever with the cross that turns not back, and these mounts of anguish number how each generation learned one new word of that grand *Credo* which in prophetic hearts hath burned since the first man stood God-conquered with his face to heaven upturned. For humanity sweeps onward...Was the Mayflower launched by cowards, steered by men behind their time?...They were men of present valor...unconvinced...that all virtue was the Past's; but we make their truth our falsehood thinking that hath made us free, hoarding it in mouldy parchments, while our tender spirits flee the rude grasp of that great Impulse which drove them across the sea. They have rights who dare maintain them; we are traitors to our sires; smothering in their holy ashes Freedom's new-lit altar fires; Shall we make their creed our jailor?...New occasions teach new duties; Time makes ancient good uncouth; They must upward still, and onward, who would keep abreast of Truth. Lo! Before us gleam her camp-fires! We ourselves must pilgrims be, launch our Mayflower, and steer boldly through the desperate winter sea, nor attempt the Future's portal with the Past's blood-rusted key."

"Once to every man and nation," Lowell writes, "comes the moment to decide in the strife of Truth with falsehood for the good or evil side."

Our moment is now.

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