



Good Friday 2009

A Pastoral Response to the Iowa State Supreme Court Ruling on Equal Marriage
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The recent Iowa Supreme Court ruling has opened civil marriage for same-sex couples in the state of Iowa on the constitutional principle of equal protection under the law. This ruling clarifies for me what the issue is that is facing the Church. Like so many who support the rights of gay and lesbian people, I thought civil unions would provide adequate protection for their relationships. I began to see things differently as I heard the arguments presented in court several months ago. Last week the Iowa Supreme Court concluded, "*We have a constitutional duty to ensure equal protection of the law. Faithfulness to that duty requires us to hold Iowa's marriage statute, Iowa Code section 595.2, [restricting marriage to a man and a woman] violates the Iowa Constitution. To decide otherwise would be an abdication of our constitutional duty.*"

The State Supreme Court ruling did several things beyond the immediate rights it affirmed. It removed in this instance, the final place where church and state have not been separated. Clergy act as dual agents in marriage ceremonies, and at times wonder whether participating couples actually desire to make their promises before God, or whether the Church is being used as a lovely setting for a civil commitment. The new ruling of the Court for same-sex couples brings the dilemma of dual agencies into a different light for the Church.

The Supreme Court's ruling broadens the legal definition of marriage beyond that which is currently stated in the Canons of the Church or the Prayer Book which contains our authorized services. Further, the Prayer Book requires compliance with both the laws of the State and the canons of the Church. But the Church's definition of the sacrament of marriage and the state's definition of the legal form of marriage now differ. In spite of the good intentions many may have, I am unable to permit Episcopal clergy to sign marriage licenses for same-sex couples. Couples wishing prayers and a blessing therefore must go first to the state to be married or a priest may ask a state official to provide for the vows and the signing of the license.

Prayers and the seeking of blessing with the receiving and witnessing of the couple in the company of the people of God are a pastoral decision at the parochial level in the Episcopal Diocese of Iowa. That was the situation before the possibility of marriage, and remains in practice now. What is now clear is that the Church is discussing the nature of the sacrament, not civil rights. The Court has provided us with a definitive debate. While that debate continues, some will enjoy a new freedom for which I am grateful and rejoice.

As an Episcopal bishop I honor the fact that the title of the ruling names an Episcopal couple. I know many Episcopal clergy and baptized who have worked and prayed to see this day. I also know that I am the bishop of the whole Diocese in a global Communion as well as a Catholic Church, and we are not of one mind on this issue. It ought to be no surprise that I desire the Church to find the will and way to move forward beyond our focus on this disagreement to the more fundamental mission of God which we share. What we can hope for is to witness God's power to reconcile, even in our differences. Let us see what this new freedom will bring before we speak poorly of each other. Hope is about having the will to see the loving best in each other, as reflecting God's own love for all. Eventually all of us will witness to the fact that "all shall be well."

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