

To

Committee Secretary,
Select Committee on the Exposure Draft of the Marriage Amendment (Same-Sex Marriage) Bill
Department of the Senate
PO Box 6100
Canberra ACT 2600

Submission to Select Committee on the Exposure Draft of the Marriage Amendment (Same-Sex Marriage) Bill

Submission Author

Church Council
Paddington Uniting Church of Australia
PO Box 395
Paddington NSW 2021

Telephone: 02 9331 2646
Return correspondence to be addressed to Chairperson

Permission is granted for publication

Dear Committee Members,

The Church Council of Paddington Uniting Church is respectfully submitting its views and experience as the governing body of a local Australian church that has had extensive engagement with the wider church and the LGBTI community. We are in favour of the Exposure Draft of the Marriage Amendment (Same-Sex Marriage) Bill, although we have reservations in extending rights of refusal from ministers of religion (who are subject to current and future changes in church regulations) to individual marriage celebrants.

Introductory Background to the Paddington Uniting Church Council

In the Uniting Church, the responsibility of pastoral care, financial stewardship and property maintenance of a local congregation is by elected church council representatives. Additionally, the regulatory oversight at regional, state and national levels is conducted by representative bodies. As such, we contend that governance in the Uniting Church is more representative of the views of church members than other religious organisations (where governance is predominantly the domain of the ministers of religion and church hierarchy).

It is on this basis that we regard the Uniting Church as having unique and important insights into the interests and the future of the Australian churches.

In the past, Paddington Uniting Church has had a minister who was openly in a same-sex relationship and the current minister is also openly in a same-sex relationship. In 2013 it sponsored the national visit of Bishop Gene Robinson of New Hampshire to advocate the case of same-sex marriage.

The Uniting Church over the last three decades has contended with the issue of having ministers who are openly in same-sex relationships. This came about due to movements in the 1980s and 1990s to remove Uniting Church ministers who had bravely 'come out' to their congregations and were open about having a partner. Debate and difficult contentious decision making occurred over multiple National Assemblies and the outcome from this has been the freedom of any governance body in the Uniting Church to either appoint or prohibit a minister of religion who is in a same-sex partnership.

Although this position was not the favoured outcome for proponents on either side of the debate, the consequence has been to the greater pastoral wellbeing of the Uniting Church. The status quo of permitting both appointments and prohibitions within the Uniting Church has allowed individual churches on both sides of the debate to continue their activities without becoming distracted by concerns of either being forced to have a minister who is in a same-sex relationship or of being prevented from having the minister of their choice because of the minister's sexual orientation.

Currently, there is a handful of churches across Australia that do have ministers who are in same-sex relationships. Observations indicate that congregations ranging from the inner-city, suburban and regional areas have increasingly become more receptive to having ministers who are in open same-sex relationships.

We anticipate that in the future, a significant proportion or even a majority of congregations in the Uniting Church will be comfortable with having a minister who is in a same-sex relationship.

Position of The Paddington Uniting Church Council on the Draft Exposure Bill

We are of the opinion that same-sex marriages should be conducted by ministers of religion, however we take the position that this would occur by long-term cultural change within the church and that forcing religious organisations into conducting same-sex marriages by legislation is counter-productive and antithetical to the principles of a secular state. As such, we are not opposed to the exemptions of ministers and religious organisations to refuse marriage and goods and services related to same-sex marriages.

We are concerned that the polarising nature of the debate has distracted the Australian churches from their essential mission of pastoral engagement with the Australian community. We do believe that a tenet of the Christian faith is to support and nurture families, especially for the goal of

maintaining safe and nurturing homes for children. However the process of attempting to define a family by stipulating mandatory genders is neither conclusively theologically supported, nor pastorally productive. We do not regard the so-called 'defence of marriage' as being a union only between a man and woman as inherent to Christian practice and believe it is pastorally damaging to many families.

Additionally, we are concerned by the vast and irreparable damage the same-sex marriage debate is having on the reputation of the Australian churches. It is clear that the majority of the Australian community finds it unfathomable that same-sex marriage is an issue of morality and increasingly regard it as an issue of discrimination. The Australian churches, by their opposition to same-sex marriage have painted themselves in the mind of many in the Australian community as being proponents for discrimination. This contributes to the increasing distrust that the Australian public has for churches, an issue which is critical to the future of the Australian churches.

In recent years, bishops and other church leaders have sent out letters to their congregations requesting them to publicly oppose same-sex marriage. Although this has been an effective lobbying tool by the church hierarchy, it has nonetheless been a pastorally harmful event with families feeling excluded by the very religious organisations that should be supporting them. If these very same bishops had instead processed into their own cathedrals, baptised the back two empty wooden pews with kerosene and dropped a lit ceremonial taper on them, arguably less damage would have resulted to the Australian churches.

The Church Council of Paddington Uniting pleads with the Parliament of Australia to pass the Same-Sex Marriage Bill so that this counter-productive debate can be ended. We do not believe that opponents to same-sex marriage will likely alter their opposition. However, we do believe that once the Same-Sex Marriage Bill (with its exclusionary provisions) are passed, the religious opponents to same-sex marriage will not be adversely effected. Just as proponents for and against ministers in same-sex relationships have been able to co-exist in the Uniting Church over the last two decades, we believe that Australian churches will be able to co-exist in an Australian society where same-sex marriages are permitted by legislation.