

INQUIRY INTO SAME SEX MARRIAGE LAW IN NSW

Organisation: NSW Council of Churches

Date received: 1/03/2013

Inquiry into Same Sex Marriage Law in NSW
Standing Committee on Social Issues, NSW Parliament

Submission from the NSW Council of Churches

1 March 2013

Introduction

The NSW Council of Churches (hereafter “the Council”) is an association of seven Christian denominations in NSW. The Council maintains a strong commitment to evangelical Christian doctrine, namely the supreme authority of the Bible in all matters of faith and conduct; the life, death and resurrection of Jesus Christ as the centre of our faith; the priority of evangelism and mission; the necessity of personal conversion (the experience of the “new birth”); and the expectation of personal and social transformation as the natural outcome of these commitments.

Member churches include the Anglican Church (Diocese of Sydney), the Baptist Churches of NSW & ACT, the Christian Reformed Churches of Australia, the Churches of Christ in NSW, the Fellowship of Congregational Churches (NSW), the Presbyterian Church of Australia (NSW), and The Salvation Army (Eastern Territory). The Council, founded in 1924, is not the state branch of the National Council of Churches in Australia but an independent council.

The NSW Council of Churches has a long history of defending Christian principles and promoting the common good through church mobilization, public education, lobbying and advocacy. Council seeks to advance a Christian perspective on public issues in keeping with its evangelical ethos, and welcomes the opportunity to make a submission to the current Inquiry into Same Sex Marriage Law in NSW.

The nature and purpose of marriage

A recent book written by Sherif Girgis, Ryan T. Anderson and Robert P. George, titled *What is Marriage? Man and Woman: A Defense*, makes the important observation that:

What we have come to call the gay marriage debate is not directly about homosexuality, but about marriage. It’s not about whom to let marry, but about what marriage is ...

The conjugal view of marriage has long informed the law – along with the literature, art, philosophy, religion, and social practice – of our civilization. It is a vision of marriage as a bodily as well as an emotional and spiritual bond, distinguished thus by its comprehensiveness, which is, like all love, effusive: flowing out into the wide sharing of family life and ahead to lifelong fidelity.

[In contrast, the revisionist view is] a vision of marriage as, in essence, a loving emotional bond, one distinguished by its intensity – a bond that needn’t point beyond the partners, in which fidelity is ultimately subject to one’s own desires. In marriage, so understood, partners seek emotional fulfillment, and remain as long as they can find it.¹

The three authors point out that both homosexual and heterosexual couples risk falling into the trap of devaluing marriage by reducing it to a conduit for emotional fulfillment. They argue that the health and order of society is at stake in this debate and the fundamental changes that

¹ New York: Encounter Books, 2012.

would be introduced by extending the definition of marriage to include same sex couples, for the longterm strength and stability of a society depends not merely on the emotional fulfillment of couples but on the rearing of healthy, happy and well integrated children.

The current debate in Australian society is therefore not merely a question of the recognition of “equal love” regardless of sex or gender, or of demands for “marriage equality” as though same sex marriage were a civil rights issue similar to demands for racial equality. Marriage is a social institution ordained by God as an intimate and permanent partnership between one man and one woman in which the two persons become “one flesh” in the whole of their lives. The ideal is an active lifelong monogamous heterosexual relationship shared by the couple.

The Commonwealth *Marriage Act 1961* (as amended in 2004) upholds such a view of marriage and is, in the opinion of the Council, worthy of the strong support of all Christians and churches in Australia, as well as that of members of other faith communities and persons of no specific religious commitment who share this view of the significance of marriage as a foundation for a good and flourishing society.

Ten reasons why the NSW Council of Churches opposes same sex marriage

Australia is formally constituted as a secular liberal democracy, but Christian ideas and practices should not be excluded from policy debates, political party platforms or legislation. There is no doubt that the Christian faith has profoundly shaped Australian society, has a central and legitimate place in Australian life today, and will continue to shape the nation in positive and lasting ways for generations to come.

The following ten reasons outline the main arguments in opposition to same sex marriage as indicated by Council members, and therefore why we believe the NSW Parliament should not proceed to enact laws permitting same sex couples to marry. The first five arguments are based on reason and experience, while the last five are based on reasonable faith.

1. Marriage is intended as the lifelong union of one man and one woman, the natural basis of the family, securing the relationship between biological parents and their children, and providing role models of a father and a mother. Two people of the same sex cannot do this, regardless of how admirable their mutual love or parenting skills. While not every sexual union produces biological offspring, it is certainly the ideal and ought to be respected and reflected in law and custom.
2. The conventions of marriage are deeply embedded in human history and culture. Those who oppose same sex marriage do so because they respect the wisdom of hundreds of generations of human tradition, and care about the common good of future generations. As Sydney University Law Professor Patrick Parkinson said recently, “The question really is whether we value marriage enough to preserve its cultural meaning and distinctiveness.”
3. Supporters of same sex marriage assure us they will be satisfied if we grant them what they call “marriage equality.” But once the law is changed there will be calls for group marriage and other variations devaluing the meaning of marriage. There will be pressure for mandatory teaching about homosexual behaviour in schools, for

ministers of religion to marry same-sex couples, and for the whole society to “normalise” homosexuality. We are certain of this because similar rhetoric was used during debate to eliminate discrimination against same sex couples prior to 2008, and in debate on proposals to introduce civil unions in several Australian jurisdictions. Once achieved, the goal posts always move on to embrace the next so-called progressive vision.

4. In the absence of children conceived and born through natural means, same-sex couples may resort to IVF or surrogacy to procure children. This can be expensive and emotionally traumatic, and not all same-sex couples will have access to such services. Opening IVF and surrogacy to same-sex couples raises ethical questions about the psychological and emotional health of the resulting children, the allocation of scarce medical resources, potential human rights abuses in countries offering affordable surrogacy, and the spectre of the commodification of babies. We do not want the normalization of same sex marriage to open the door to such abuse.
5. It is disingenuous and offensive to claim that the push for “marriage equality” is a civil rights issue on a par with the battle for racial equality in the 1960s. In Australia, 84 pieces of legislation were amended in 2008 to eliminate discrimination against same sex couples. To hold that marriage is the exclusive union of a man and a woman is neither discriminatory nor unjust, but common sense.
6. The Bible never condones sexual intercourse between persons of the same sex, and allows no place for same-sex marriage. Christians should live according to God’s pattern revealed in Scripture and evident in nature, and commend this pattern to others as natural and normal. Christians should therefore defend the ideal as currently reflected in Australia’s Commonwealth marriage law. To support and encourage the introduction of same sex marriage laws is a direct challenge to both natural law and biblical teaching, which are given by God for the purpose of personal wellbeing and human flourishing.
7. Jesus Christ, the wisest person who ever lived, advocated man-woman marriage as the only appropriate context for the expression of sexual intimacy and fulfilment. If marriage as Jesus understood it is God’s design and intention for humankind, then it cannot be good for Australian society to promote same sex marriage.
8. The concept of marriage is used in the Christian Scriptures, in both the Old and New Testaments, to symbolise the relationship that exists between God and God’s people. Undermining the nature of marriage makes it more difficult to accurately present theological truths, especially with the young. As Baptist theologian Stanley J. Grenz observes that “As a man and a woman enter into and then maintain the marital union, they offer a picture of the great mystery of salvation – the union of Christ and the believing community. In so far as the marriage partners relate to each other properly ... they portray the mystery of Christ’s self-sacrifice for the church and the church’s submission to Christ.”²

² Stanley J Grenz, *Sexual Ethics: An Evangelical Perspective* (Louisville, KY: Westminster John Knox Press, 1997), p 63.

9. The best interests of children are served by ensuring where possible that they have stable male and female parenting role models. This is strongly supported in the Christian Scriptures. Same sex parenting intentionally denies this, and is not merely a “healthy alternative” to traditional models.
10. If same sex marriage becomes law, it is inevitable that churches and faith-based schools will quickly face challenges to their religious freedom to teach and practice what they believe the Bible teaches about sexuality and marriage. This is already happening in Canada and Denmark. According to nature and Scripture, marriage is a relationship exclusive to persons of opposite sex. People may introduce laws masking this reality, and pursue practices that deny its meaning and significance, but those who do will always be regarded as pretenders seeking a semblance of reality and normality by creating a counterfeit.

Conclusion

The current debate on same sex marriage is not faith-based but is a debate on how Australian society should construct itself. Christians and others make contributions to the debate based on their commitments and aspirations for individuals, couples and the society. However, legislation or other instruments which seek to mimic marriage or otherwise undermine the institution by extending marriage status to same-sex couples will attract strong opposition from evangelical Christians. Name-calling, and unjust accusations of bigotry and homophobia, merely serve to confirm our convictions about truth, justice and politics; and to strengthen our resolve to present respectful, thoughtful and consistent arguments in defence of true marriage and in opposition to same sex marriage, as we have sought to do in this submission.

The NSW Council of Churches wishes to commend the members of the NSW Parliamentary Standing Committee on Social Issues for providing an opportunity to lodge a submission to the current Inquiry into Same Sex Marriage Law in NSW, and will be happy to give evidence at hearings convened by the Committee as it undertakes its valuable work.