



Church & Nation Committee

Presbyterian Church of Australia

PO Box 184
Seacliff Park
South Australia 5049
☎ 08 8296 0801
sslucki@tpg.com.au

Convener: Rev SA Slucki

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The Secretary
Senate Legal and Constitutional Affairs Committee
Parliament House Canberra A.C.T. 2600.

Dear Sir/Madam.

The following submission to this enquiry into the “Marriage Equality Amendment Bill 2009” is presented by the Church and Nation Committee of the Federal Assembly of the Presbyterian Church of Australia. It reflects a unanimous consensus of opinion within the denomination that the current definition of marriage as being between “one man and one woman, to the exclusion of all others for life” should remain unchanged. Therefore, that this proposed legislation not be passed.

This Bill’s fundamental purpose is to seek to equate any chosen domestic-partnership arrangement with that of marriage.

In the wedding services, which our marriage celebrants conduct, we affirm three main purposes for and benefits of the arrangement of life known as marriage which should continue to be embraced as our nation’s normative standard:

- ❖ lifelong companionship which spouses provide one to the other;
- ❖ the most secure of environments in which to procreate and nurture children,
- ❖ the most efficient and effective contributor to a stable society.

We fully recognize that there are other, significant, domestic-partnership, relationship arrangements -- some including a sexual dimension, others not -- which provide their participants, companionship. To the extent that they are law-abiding and lasting, they also help to provide a stabilizing influence in society. Nevertheless, we do not believe that they should be equated with marriage nor that most people participating in them wish them to be so equated.

We note the increasing recognition of the value and equity of the registration of such relationships by some State jurisdictions and the proposal to extend such ‘relationship registration’ capability, nationwide. We believe this to be an honourable way to resolve such peoples’ genuine expressions of desire to have their particular relationship publicly

recognized. We note, that not many such registrations have occurred, however. The door is open for those who seek public recognition of their relationship, for whatever reason, to avail themselves of that 'relationship register' avenue.

The committee would be well aware of the main beneficiaries of this proposed legislation – were it to be adopted; namely, same-sex domestic partners. It is also aware of the amendment to Federal Laws extending various superannuation and other benefits to citizens involved in same-sex domestic-partnerships in particular.

Our denomination does not wish to see any further extension of the 'normalisation' of same-sex relationships, either in so-called "civil unions" or in this more extreme legislation.

We support the retention of the current definition of marriage for various reasons – and thus oppose the heart of this Bill. There are theological, biological, relational, sociological, historical and legal reasons we briefly outline in promotion of our view.

The theological reason – mankind Created male and female.

Your committee would expect a Christian denominational body to begin its submission on marriage with a statement of its understanding – not of human rights (entitlements/demands) but the statement of its understanding of the teaching of God's Word about the nature of marriage – God's Purpose for His creatures.

We are honoured to restate our commitment to the truth that God Created mankind "male and female" "in His image according to His likeness" [Genesis 1 verse 26-27]. Mankind's main tasks were summarized as being to "exercise dominion over ..." (rule) and "multiply" (replenishment of) the earth [Genesis 1 v28]. God, Himself, Purposed that "a man should leave his father and mother and be joined to his wife, and the two shall become one flesh" [Genesis 2 v24]. This is the foundation teaching upon which a Bible-centred view of marriage rests.

Male and female ["man" as Created] have equality of status before God; complementarity of role/responsibility towards each other, and; a unique, natural ability both to reproduce, biologically, and nurture children in a way for which they were Designed.

Of course, procreation is not the only purpose of marriage or male-female relationship; however it is central to any society's normative understanding and definition of marriage.

Of course, not every heterosexual marriage remains fully functional; however, we assert that law should mandate what is observably true and desirable.

The biological reason – heterosexual marriage promotes life.

Obviously, this reason flows, naturally, from what has just been stated. The ability to physically complete each other and procreate has always been at the heart of any healthy human society's desire for self-preservation.

This biological fact ought to signal to a society that a wholesome, harmonious, balanced, arrangement of life in which committed caring male-female procreation is practiced should be highly honoured as the society's aspiration and standard. Other relationships must be respected but this ought not lead to an equating of such relationships with marriage.

History – as well as theology – has shown that procreation and nurture is done best within a

married-home situation where male and female own their responsibilities to each other and their offspring.

The emergence of artificial means of producing children ought not, we believe, obscure the truth that there is a qualitative difference between such committed, life-long, nurturing heterosexual relationships into which children may be born and other relationship-arrangements.

The tragedy that is child-abuse – practiced in various ways – usually occurs when someone other than a biological parent of the child is involved.

The relational reason – longevity of committed, marriage relationships.

Whilst procreation is often seen as the leading and only serious purpose for marriage, we believe that lifelong companionship/friendship and nurture of one's spouse is an equally important reason for marriage. Whilst it is true that two people, be they sexually-intimately involved with each other or not, can provide such lifelong companionship, we take another of God's Affirmations seriously:

"it is not good for the man to be alone. I will Make a helper *suitable*/appropriate for him" [Genesis 2 v18]. Of course, the one "suitable/appropriate for" him was "woman".

Whilst heterosexual divorce has increased, alarmingly, in recent decades, there is no denying that heterosexual marriages are still far more long-lasting and stable than same-sex domestic partnerships.

The sociological reason – socially stable people.

The consensus of sociological research is that children are most advantaged and least likely to become delinquent if they come from two-parent, heterosexual homes where the adults are committed to each other. This is not a matter of economic prosperity in such homes but results, we believe, from role-model stability provided by those parents.

The historical reason – recognition of heterosexual marriage as the norm.

There have always been those who have lived in de facto heterosexual 'marriage' relationships. Whilst not enjoying the protection of the law and the general recognition by and approval of the public, they have functioned similarly to lawfully engaged in married relationships in terms of their social impact.

It is the long-term impact of the devaluing of marriage as our society's normative standard and ideal that our committee believes should be paramount in your committee's deliberations.

Some have never married in societies for various reasons. Those not marrying have either lived alone or in non-sexual relationships in households.

Same-sex attraction and practice is not a new phenomenon. However, it has not been equated with marriage in societies which have, subsequently, stayed stable for long.

The legal reason – upholding society's desirable standards.

It is our belief that laws should reflect the desired ideals/norms of society as much as its current practices.

In connection with this, we note that a generous interpretation of statistical data shows that those involved in a homosexual lifestyle constitute certainly no more than 5% of the population. To radically undermine our society's accepted relationship-ideal standard of marriage in such circumstances seems unwarranted.

We reiterate, to the committee, that many of us have not opposed the establishment of 'relationship registers' allowing same-sex and other domestic partnerships to be registered for recognition purposes.

We specifically note with alarm, the proposed substitute wording for the definition of marriage by Senator Hanson-Young:

“(definition of *marriage*) Repeal the (current) definition, substitute:

***marriage* means the union of two people, regardless of their sex, sexuality or gender identity, voluntarily entered into for life.”**

The fact that this “definition” excludes the statement “excluding all others” could be interpreted as sanctioning a 'marriage' and some polyandry/polygyny as part of a dynamic menageá trios/quatre favoured by some in the homosexual community?

We strongly urge the committee to report back to the senate, rejecting the basic concept behind this Bill.

Yours Faithfully,

Stefan Slucki;

Convener