

Submission to the Senate Inquiry into the Marriage Equality Amendment Bill 2009

In contrast to many of my evangelical Christian colleagues, I write to urge the Federal Government to adopt the legislative amendment to allow same-sex couples the right to formalise their commitments in the legally-recognised covenant of marriage.

I believe that the arguments coming from many in the churches calling for the government to reject same-sex marriage are wrong for the following reasons:

- It is not the role of government to legislate in favour of the beliefs and practices of any particular religion or group of religions. Australia has no established religion, and therefore it is the role of government to provide for and protect the diversity of lifestyles embraced by its citizens so long as those lifestyles do not threaten the freedoms and welfare of others in the community. Christians who understand the doctrine of the Separation of Church and State ought to argue that it is the responsibility of the State to decide the legal status of same-sex marriages solely on grounds of justice, compassion and welfare, and to exclude religious preferences from consideration.
- Marriage is *not* a Christian institution. Marriage existed before Christianity and has existed in most of the world's cultures and religions. For three quarters of Christian history, the Church did not even conduct the marriage rites of most of its members. Marriage was regarded as a civil matter, legally transacted outside of the church according to the norms of the society, and the Church simply blessed, prayed for, and supported the marriages of its members. It is therefore fundamentally wrong to assert that marriage is a Christian institution and that Christian interpretations of marriage should therefore be privileged in civil law over other interpretations.
- The legal recognition of same-sex marriage would *not* undermine Christian marriage practices. The Christian Church is a distinct subculture within our society with its own distinct beliefs and practices, and churches would retain the right and the responsibility to practice and preach their own distinct understandings of marriage. It is of the essence of Christian faith that we neither mirror the practice of non-Christian society, nor expect non-Christian society to mirror our practices. Some churches are concluding that Christian marriage ought to be offered to Christian same-sex couples. Others will remain free to continue to prohibit such marriages among their own membership. But neither group would be obligated or expected to provide for all the options which were provided for in civil law.

I believe that the Federal Government should give full legal recognition to same-sex marriage for a number of reasons, including the following:

- The practice of marriage has been, and continues to be, the main way in which our society reinforces and passes on its belief that sexual love and intimacy are best honoured and nurtured within relationships characterised by mutuality, faithfulness, and life-long commitment, to the exclusion of all others. It is to the benefit of society as a whole that this belief be promoted to all sexually active couples, regardless of their gender combinations.
- Promoting the availability and desirability of socially honoured, legally recognised, life-long exclusive commitments is the best way of diminishing the attractions of sexual promiscuity and infidelity. The practice of monogamy does not come naturally to most human beings, and so requires strong social support and encouragement. The denial of such support to one section of the community will almost inevitably lead to a disproportionate level of sexual promiscuity within

that group. Thus there is a strong case that recognising and honouring same-sex marriage would better enable the fostering of a culture of sexual fidelity among homosexual people.

- The current situation, where people who have formed life-long, loving, faithful, committed relationships then have those relationships questioned or denied when faced with the illness or death of a partner, is a legal and moral obscenity. All adults should be free to choose their marriage partner and to have that choice recognised and protected in law, regardless of gender combination.

Therefore I urge the Federal Government to support the amendment to allow same-sex couples the right to formalise their commitments in the legally-recognised covenant of marriage and to have those marriages given equal recognition in Australian law.

Yours faithfully,

The Revd Nathan Nettleton