

The Same-Sex Marriage Debate

(A report from the Standing Committee.)

Key Points

- In response to Synod resolution 26/16, the Standing Committee authorised the production and distribution of the booklet *What Has God Joined Together?* 75,000 copies have been printed and distributed to parishes.
- Over the past year, the Archbishop and Bishops have been actively advocating for the "No" case, both within our churches and more broadly in the wider community, and encouraging clergy and laity to do likewise.
- The Diocese of Sydney has been working closely with Sydney Catholics, Australian Christian Lobby and Marriage Alliance to bring together a coalition of groups who support the current definition of marriage (i.e., a life-long exclusive union between one man and one woman).
- Coalition for Marriage Limited was registered in July 2017. The purpose of this entity is to co-ordinate and execute the "no" campaign. The company has 4 members (including Archbishop Davies) and 4 directors (including Bishop Michael Stead as Chair). There has been a diocesan contribution to funding the Coalition for Marriage.

Purpose

1. The purpose of this report is to update the Synod on the steps that have been taken over the past 12 months in relation to the ongoing debate about same-sex marriage in Australia.

Recommendation

2. That Synod receive this report.

Sydney Anglican participation in the Same-Sex Marriage Debate in Australia

3. In October 2016, Synod passed resolution 26/16 in the following terms –

Debate concerning same-sex marriage

Synod, in light of the on-going debate as to whether the legal definition of marriage should be changed to include same-sex relationships, and consistent with its long-standing and previously expressed position in relation to marriage and human sexuality –

- (a) continues to affirm that marriage, as a gift from God who made us male and female, is the union of a man and a woman to the exclusion of all others, voluntarily entered into for life,
- (b) notes that the inclusion of same-sex relationships within the legal definition of marriage would lead to a deeply regrettable divergence between the inherent meaning of marriage and its legal definition,
- (c) expresses deep concern, based on experience both overseas and more recently in Australia, about the impact that a change in the legal definition of marriage would have on the freedom of individuals and organisations to uphold the view that marriage is inherently a union between a man and a woman,
- (d) commends for consideration the booklet prepared by the Archbishop's Plebiscite Task Force *What Has God Joined Together?* as a resource to assist Sydney Anglicans and others prepare for and engage in public debate on this issue,
- (e) calls on Rectors in the Diocese to incorporate teaching on marriage, human sexuality and religious freedom in the teaching program of their parish,
- (f) encourages all Christians to participate fully in the democratic processes open to us in this country to seek to persuade our nation of the goodness and wisdom of ensuring the legal definition of marriage in the Marriage Act 1961 remains aligned with its inherent meaning,
- (g) urges all Christians to engage lovingly and respectfully in the debate about marriage, and condemns any vilification, bigotry or other expressions of hatred or fear directed against anyone, not exclusively but especially members and supporters of the gay, lesbian, bisexual, trans or intersex (LGBTI) community,

- (h) believes respectful advocacy for the legal definition of marriage to remain unchanged does not constitute hate speech or bigotry,
- (i) calls on our political leaders to model respectful debate which is courteous and persuasive and does not assume a lack of goodwill from those with whom they disagree, and
- (j) recognises marriage as a bedrock institution of society and therefore considers that, despite its cost, a plebiscite is both a justifiable and the preferred means of establishing whether a majority of the Australian community genuinely wish to change the legal definition of such an institution.

Marriage Booklet - What Has God Joined Together?"

4. The draft version of the booklet *What Has God Joined Together?* was circulated at Synod in 2016. The booklet was redrafted in light of feedback from Synod members. Pursuant to paragraph (d) of the above resolution, the Standing Committee authorised the expenditure of up to \$50,000 from the publishing reserve for the printing and distribution of 75,000 copies of the booklet *What Has God Joined Together?*. These booklets were distributed in early February 2017 to all parishes that requested copies. At that time, 223 out of 272 parishes requested approximately 50,000 copies in total. Since then, several other parishes that missed the first mail-out have also requested copies. At the time of writing this report (September 2017), there are about 5,000 copies of the booklet still on hand and available for distribution to churches on request.

The full text of the marriage booklet is available online at <http://sydneyanglicans.net/marriage>. It is also available in Chinese (Traditional and Simplified script) at <http://sydneyanglicans.net/marriage/translations>.

Advocacy and Public Engagement by the Archbishop and Bishops

5. The Archbishop and Bishops have been actively advocate for the “no” case, both within our churches and more broadly in the wider community, and encouraging clergy and laity to do likewise. For example, the Archbishop published an opinion piece in *The Australian* on 31 March 2017, entitled “Beware the barge of bullies trumpeting diversity”. The article began with this paragraph –

There is only one upside from the recent attacks and unprecedented abuse directed at an academic and the directors of Christian organisations: people are beginning to wake up and take notice. They are starting to understand that the campaign for same-sex marriage is not sailing on a raft of rainbows but on a barge of bullies.

It concluded:

In what kind of “diversity” do we as Australians really believe? I want to live in a land that respects the individual, that allows freedom of expression and freedom of faith. I want to be able to be free to convince my fellow Australians that Jesus Christ is Lord of all creation and that true freedom is only to be found in him. I also want to live in a land where others can contradict my views and espouse their own beliefs without fear of persecution or intimidation. That is true diversity. That is true freedom of speech and freedom of religion of which we ought to be justly proud and that I would happily defend with my life.

6. On 16 August 2017, the Archbishop wrote a letter for distribution to Sydney Anglicans (see Appendix 1), in response to the Federal Government’s decision to hold a voluntary postal poll on same-sex marriage. The letter explained why the Diocese of Sydney had committed to being a lead partner in the Coalition for Marriage, working together with over 80 organisations to defend Australia’s man-woman definition of marriage. The letter encouraged Sydney Anglicans to consider supporting this Coalition by signing up as a volunteer and/or or providing a financial contribution.

Same-sex Marriage Postal Poll

7. In August 2017, the Federal Government announced a voluntary postal poll on same-sex marriage, to be conducted by the Australian Bureau of Statistics. After a legal challenge to the poll was dismissed by the High Court on 6 September, the first postal ballots were sent out on 12 September 2017. Voters have been encouraged to return their forms by Friday 27 October, with Tuesday 7 November being the final deadline to return forms. The results of the postal poll are due to be announced on Wednesday 15 November 2017.

8. If the majority of respondents vote ‘Yes’ in the Government’s postal survey on same-sex marriage, the Marriage Act will be changed to legislate for same-sex marriage, probably by the end of this year. A majority “No” vote will not necessarily guarantee the alternative, but it will “hold the ground” for the time being, and reframe the debate going forward to ensure that protecting freedom of religion for individuals and institutions is given more consideration that has hitherto been countenanced.

9. The Government has indicated that it has not yet determined the form of the Bill to amend the Marriage Act, and that this will not be a part of the postal poll process. This means that the Australian public has no guarantees as to whether and how freedom of speech and religion will be protected should same-sex marriage be legislated, nor any guarantee that any such “protections” would remain in place for any length of time, given the fact that the key leaders of the Labor party have committed to winding back any protections that they consider unnecessary.

Diocesan participation in the Coalition for Marriage Limited

10. Over the past 12 months, the Diocese of Sydney has been working closely with Sydney Catholics, Australian Christian Lobby and Marriage Alliance to bring together a coalition of groups who support the current definition of marriage (i.e., a life-long exclusive union between one man and one woman). There are currently more than 80 partner organisations, which includes faith-based groups and other pro-marriage groups.

11. Anticipating the possibility of a postal plebiscite or similar, Coalition for Marriage Limited was registered in July 2017. The purpose of this entity is to co-ordinate and execute a public “no” campaign.

12. At its meeting on 31 July 2017, the Standing Committee approved expenditure of \$20,000 from Synod Contingencies for the diocesan contribution to form this company. The company has 4 members and 4 directors –

Members

Archbishop Glenn Davies
Archbishop Anthony Fisher
Lyle Shelton (ACL)
Damian Wyld (Marriage Alliance)

Directors

Bishop Michael Stead (Chair)
Kieran Walton
Lyle Shelton
Damian Wyld

13. The Coalition for Marriage has been developing the strategy for the “No” campaign over the past 18 months. Focus-group and comprehensive telephone surveys have indicated that the “No” case can be won. Although at present about 60% of Australians indicate that they are in favour of same-sex marriage, in many cases this view is based on uninformed assumptions. Extensive testing has demonstrated that, when people come to realise that same-sex marriage has negative consequences – for what kids are taught in schools, for the children who are conceived for the sake of same-sex partners as well as negative consequences for freedom of religion and freedom of speech – support for same-sex marriage drops away.

14. The first television ad, which aired in the week commencing 29 August 2017, focused on the impact that changing the definition of marriage will have on the way gender and sexuality are taught in schools. The premise of the ad is that same-sex marriage and the safe schools program are both based on the same radical sexual ideology – that gender is fluid, heteronormativity is harmful, and that procreation is irrelevant to parenting. Because of this shared ideology, same-sex marriage and the safe schools program are mutually reinforcing. If Australia endorses same-sex marriage, it endorses the ideology underlying Safe-schools.

15. The effect of the first ad was what had been hoped. It shifted the debate to focus on the consequences of changing marriage. It also provoked an anticipated over-reaching histrionics from those on the other side of the debate, with *ad hominem* (or more precisely *ad feminam*) attacks on the women in the ad, cries of “red herring”, and allegations of lies. However, the claims of the ad have held up, and the three brave mothers stood firm under the weight of a torrent of abuse of social media.

16. It has been reported that the “Yes” campaign already has \$10,000,000 of television advertising alone planned for the postal survey period (8 weeks). There is no public funding for the Coalition for Marriage, and it is unlikely to attract corporate sponsorship. The overwhelming majority of funds will have to come through donations. Notwithstanding the fact the City of Sydney is spending \$110,000 of public money on “Yes” banners and the ACT government is funding a “Yes” campaign on its buses, there is likely to be a public outcry if (for example) Anglicare or an Anglican School used their funds to support the “no” case, because these bodies receive government funding.

Diocesan risk mitigation

17. The primary reasons why Christians should vote no to changing the definition of marriage is that it will enshrine a view of marriage which is contrary to God's good plans for society. As people who are called to love their neighbour, this is ample justification for opposing the change on theological grounds alone.

18. There are also significant secondary reasons to oppose this change, because of the direct and serious consequences it will have:

- for all Anglican entities which seek to employ staff who support a Christian ethos

The example of Ireland demonstrates what is likely to happen if same-sex marriage becomes law. Prior to Irish referendum on same-sex marriage, the **Employment Equality Act** granted specific exemptions for “religious, educational or medical institutions” to anti-discrimination provisions, to allow schools etc. to hire staff “to maintain the religious ethos of the institution”.

Within months of the referendum affirming same-sex marriage, the parliament made sweeping amendments to section 37, to curtail its scope almost completely.¹ It now only applies to employment positions where religious belief is a “genuine, legitimate and justified occupational requirement”. The change was celebrated as a necessary step in ensuring full legal equality for LGBTI people – “The passage of this Bill by the Oireachtas marks the final step in a remarkable year for equality for LGBT people”.²

The impact on Anglican schools and other Anglican entities would be profound. Current practice in many schools in requiring that the Principal/Head must be a Christian would be illegal, as would be any preferencing for Christian staff. The change would be slow, but within a generation, we could have nominally Christian schools, with only a handful of Christians on staff.

- for Anglicans schools, Anglicare and other bodies in receipt of government funding

Overseas experience indicates that there is a real risk for Anglican bodies that government registration and/or funding will increasingly be tied to “equality compliance”. Faith-based schools in the UK that do not teach young children about sexual orientation and gender identity issues are facing possible deregistration. In the UK, Vishnitz Girls School, an orthodox Jewish school has failed two education authority inspections and could be closed for refusing to “explicitly” teach girls between the ages of 3 and 11 years about sexual orientation and gender re-assignment.

A legal recognition of same-sex marriage will put Anglican bodies who operate in the “secular” society, who wish to maintain and promote a Christian understanding of marriage, in opposition to the law of the land and vulnerable to funding and/or regulatory pressure to conform their teaching to the legal definition of marriage.

- for freedom of religion/freedom of speech for all

Freedom of religion is more than a freedom to worship in private, behind closed doors. It entails a right to manifest those beliefs in the public sphere, to teach those beliefs to one’s children, to promote those beliefs in the public sphere, and for religious organisations such as schools and hospitals to be shaped by those beliefs, without those beliefs being curtailed by the threat of economic boycott, vilification, prosecution, or the withdrawal of public funding. Proponents of the “yes” case openly acknowledge that it will lead to the suppression of religious voices and the supremacy of the secular state. For example, Aubrey Perry argued in the SMH³

This survey offers us a conscious opportunity to make a firm stand in support of a secular government and to reject discrimination or favouritism based on religion. It’s our opportunity to say that religion has no part in the shaping of our laws... This little ballot box could deliver the kind of good that changes the course of a nation and moves us toward a government free from religious influence...

If the legal definition of marriage is changed to include same-sex couples, there will remain a very significant proportion of the Australian population who continue to believe that marriage is only between a man and woman, but who will have no legal protection against any detriment they may suffer as a result of continuing to hold, teach and promote that belief about marriage. The more the church is forced to retreat from the world, and speak what we believe in secret in the safety of our churches, the more we inhibit our ability to effectively reach this generation with the saving message of the gospel of Jesus Christ.

¹ Amending Act: <http://www.irishstatutebook.ie/eli/2015/act/43/section/11/enacted/en/html#sec11>

² <http://www.thejournal.ie/dail-teachers-section-37-bill-2480209-Dec2015/>

³ <http://www.smh.com.au/comment/this-survey-is-about-much-more-than-samesex-marriage-20170831-gy83b6.html>

19. The Standing Committee has taken the view that it is prudent – indeed, wise stewardship – for the Diocese to use some of its resources to mitigate these risks. It is for this reason that the Standing Committee resolved on 18 September 2017 to authorise a one-off draw-down of \$1,000,000 from the Diocesan Endowment as its contribution as a partner in the Coalition for Marriage.

For and behalf of the Standing.

BISHOP MICHAEL STEAD
Chair of the Diocesan Religious Freedom Reference Group

21 September 2017



Archbishop of Sydney

16 August 2017

Dear brothers and sisters

In a matter of weeks, Australians will be asked to decide whether to change the definition of marriage, via a voluntary postal vote.

This is a monumental decision for the Australian public. Since the beginning of creation marriage been defined as the exclusive and life-long union of a man and a woman. As Christians we know it is God's plan; but it is God's plan for humanity, not just the people of God. It is the best structure for society and for the procreation of children in the secure nurture of a family with a mother and a father. Furthermore, this understanding of marriage is reinforced by the Lord Jesus in Matthew 19, where he tells his disciples that marriage is God's idea, and is uniquely expressed in the union of a man and a woman.

Our opposition to including same-sex couples in the marriage bond is not a homophobic reaction. Rather it is our contention that retaining the definition of marriage is best for our society, and especially for the socialisation of children. At the moment, same-sex couples have access to all the benefits that a married couple enjoys, except for the descriptor of 'being married'. There is good reason for this distinction, as same-sex couples cannot by virtue of their biological sameness conceive children. The bearing of children is intricately connected to the sexual union of a man and a woman.

While the proponents of change use the mantra of 'marriage equality', the use of this phrase is deceptive. We recognise that all people are equal in God's sight, regardless of their sexual identity. No one denies that loving relationships can exist between two persons of the same sex. However, men and women are not the same. It is the very differences between the sexes that enhance the marriage union and create the opportunity of the bearing of children.

However, there are also distinct and serious consequences in changing the definition of marriage. We know from recent experiences in the United Kingdom and North America that the ramifications of such a change are profound. Their experience shows us that if the law is changed, it will have direct impact on people of faith and faith-based institutions.

Despite the claims of some, that religious freedom will be protected, all proposed legislation to date has been totally inadequate to safeguard people who work for church-run institutions such as schools, hospitals and universities. It is also unclear

whether church-based organisations will be free to employ staff who share their church's teachings and ethos. In some countries where marriage has been redefined, schools are prevented from teaching that marriage is between a man and a woman, even in faith-based schools.

For these reasons, the Diocese of Sydney has committed to being a lead partner in the Coalition for Marriage. This is a newly-founded partnership of over 80 organisations which has been formed to support the campaign to defend Australia's man-woman definition of marriage.

I invite you to consider helping this Coalition by signing up as a volunteer or providing financial support, both of which can be done at the Coalition's website: <http://www.coalitionformarriage.com.au/anglican>

Our most urgent task is to ensure that everyone who supports marriage between a man and a woman is enrolled to vote by Thursday, 24 August.

If you haven't already done so, please enrol to vote now. If you have recently moved, ensure your details have been updated with the Australian Electoral Commission. Please ensure that all of your adult family members have done the same. More information and the relevant links are also available at the Coalition For Marriage website.

I also encourage you to be informed about these issues. In February this year, we produced a booklet entitled *What has God Joined Together?* It explains God's pattern for marriage, why it is best for society as a whole, and the negative consequences of same-sex marriage. Please make use of this resource, which is available from your rector, and also online at <http://www.sydneyanglicans.net/marriage>.

The voluntary postal vote has been called a referendum on religious freedom and freedom of speech, and it's very important we all make our voices heard. As Australians, we are not imposing our views on others, rather we are expressing our views as citizens of the country, which we believe is for the good of all Australians.

Please prayerfully consider how you will support this campaign.

Grace and peace



Glenn N Davies
Archbishop of Sydney