AUSTRALIAN MARRIAGE EQUALITY

INFORMATION SHEET

# Marriage equality and religion

## Respect for religion and for equality

Respecting religious values and allowing same-sex couples to marry are not mutually exclusive. Australian law clearly distinguishes between civil and religious marriages.

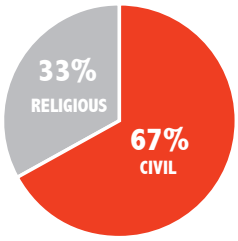
This means it is possible for same-sex couples to publicly affirm their love and commitment through a legal marriage, and for faith communities to continue to define religious marriage in whatever way they wish.

## Marriage, the law and religion

Australian law allows both religious and civil marriages. When it comes to civil marriages, the law allows for marriage between people of different faiths or no faith. Divorce and de facto relationships are allowed even though some religions condemn them.

It is a double-standard to refuse to allow same-sex couples to legally marry just because some religions oppose same-sex relationships.

In 2009, 67% of marriages in Australia were conducted by civil celebrants. The figure is steadily increasing.




**Civil and religious ceremonies**

Marriages conducted in Australia in 2009

## Is marriage God-ordained?

Religious opponents of marriage equality often argue the definition of marriage was ordained by God, and/or has remained unchanged throughout human history. However, the legal definition of marriage has changed significantly. Marriages were once arranged, child betrothal was common, women lost their rights when they married and interracial marriages were banned.

The Bible was often cited to justify opposition to interracial marriages and gender equality within marriage.

But, despite this, marriage laws were reformed so that marriage became what it is today, a loving, committed union freely chosen by two legally-equal individuals.

### Gay youth in faith-based communities

Australian research has shown marriage equality to be particularly important to young gay people who are members of faith-based communities. According to a La Trobe University study in 2010, the hope of one day marrying 'provides religious same-sex-attracted young people with a future of connectivity with the once out-of-reach religious institutions of family and marriage'.

## What about Australia's 'Christian heritage'?

Some opponents of marriage equality argue that despite the existence of civil marriage, the institution has a 'Christian heritage' which justifies excluding same-sex couples.

However, Australia also has a proud heritage of distinguishing between civil and religious marriage, and of reforming civil marriage laws so they remain relevant to our changing society.

Furthermore, the religious definition of marriage has changed significantly over the centuries.

Marriage pre-existed all modern religions. Early Christians married under Roman law and did not observe marriage as a religious rite. Up until the late middle ages, Catholic and Orthodox churches solemnised same-sex unions.

Today, there are Christian denominations and congregations that believe same-sex unions are of equal value as heterosexual unions and celebrate both as marriages (see box below).

## What about God's commandment to procreate?

Some religious opponents of marriage equality say their main concern is about procreation and children.

Some argue that marriage should be between two partners who can procreate, and it should therefore exclude same-sex partners.

However, the law allows marriages between heterosexual partners who cannot or do not wish to have children.

### What religions condone or perform same-sex marriages?

**In Australia:** the Society of Friends (Quakers), some Jewish synagogues and rabbis, the Metropolitan Community Church, and some individual congregations and celebrants within the Uniting Church and Baptist churches.

**In other countries:** the United Church (Canada), some diocese of the Anglican Church (Canada) and the Episcopal Church (US), some congregations of the United Church of Christ (US), the Methodist Church (UK), the Evangelical Lutheran Church (some US and German states), the Protestant Church (Netherlands), the Mennonite Church (Netherlands), the Lutheran Churches of Sweden, Norway and Denmark, the Unitarian Church, and progressive Jewish synagogues in the US, Canada and Western Europe.

A different standard should not be applied to same-sex partners.

Other religious opponents of equality argue that marriage is primarily about raising children and that children do best when raised by a father and a mother.

However, after reviewing all available research, the Australian and American psychological societies have agreed that children raised by same-sex couples fair as well as their peers.

About 20% of same-sex couples are raising children. These children deserve the same opportunities as other children, including the opportunity to have married parents.

> My husband David and I married in a Quaker ceremony in Canberra in 2007. The irony of being able to have a religious ceremony but being prevented from achieving legal recognition due to arguments about the 'sanctity' of marriage has always struck me as absurd.'
>
> **Evan Gallagher**

## Whose freedom of religion?

Some religious leaders oppose marriage equality because they fear their churches will be forced to marry same-sex partners and therefore have their religious freedom violated.

However, religious celebrants will be free to refuse to conduct same-sex marriages in the same way they are currently free to refuse to marry divorced partners or partners of different faiths.

Where freedom of religion is a very real issue is for those churches and religious celebrants who believe they have a religious duty to treat same-sex and opposite-sex unions equally.

The religious freedom of these faiths and celebrants is being violated because the same-sex marriages they solemnise do not have the same legal standing as the heterosexual marriages solemnised by other religions.

## Will faith-based schools and charities face discrimination cases?

Some religious opponents of marriage equality believe that religious schools and welfare agencies will have to recognise same-sex marriages against their conscience or face charges of discrimination.

However, the situation will be the same as it is now for same-sex de facto and civil union partners. Wherever religious schools and welfare agencies have exemptions under anti-discrimination laws allowing them to discriminate against these couples, these exemptions will also extend to same-sex married couples.

## Values shared by all people of faith

There are some core values which almost all people of faith share. These values include upholding the family and sustaining personal relationships.

Marriage equality is also about these values. Many same-sex partners find that when they marry their relationship to each other and to their families is strengthened. They are also able to share the benefits attributed to marriage including a stronger sense of security and better health.

Landmark research led by Lee Badgett, Professor of Economics at the University of Massachusetts, describes and quantifies some of the benefits of marriage for same-sex couples and their children.

Badgett found that same-sex partners overwhelmingly,

- felt marriage had increased their commitment and their sense of responsibility, and had generally strengthened their relationships
- believed their children were better off after their marriage, chiefly through legal protection for those children and enhanced feelings of security, stability and acceptance in the children, and
- felt participation and acceptance in their extended families and communities had increased because of their marriage.

Her conclusion was that, 'Overall, the experiences of same-sex couples ... suggests that these couples and their families are strengthened by a policy of marriage equality for same-sex couples.'

Some Christian ministers, like Melbourne Baptist pastor Rev Nathan Nettleton, also believe allowing same-sex marriages has benefits. Nettleton's emphasis is on the benefits for marriage as an institution:

'Heterosexual marriage is under threat, but the threat is from within and not from without. The real threats to marriage come from the commodification of sex and relationships and a consumerist mindset that sees everything as ephemera that can be discarded and replaced as soon as a new model comes along that offers a greater level of satisfaction.

'Unfortunately, when things that we hold dear are under threat from things we feel powerless to tackle, we have a tendency to deflect the blame onto a scapegoat. I think that is what the churches have often tended to do with the homosexual community.

'But now what we have here is a group who are recognising the value of marriage – of faithful, lifelong vowed relationships – and asking for the right to participate in the benefits of that.

'Surely if a group who have been stereotyped as the champions of hedonistic promiscuity begin extolling the virtues of marriage, that can only increase the regard in which marriage is held by the community as a whole.'

## Our commitment

Australian Marriage Equality is committed to respecting the deeply and sincerely held beliefs of those who oppose marriage equality. We will always debate the issues at stake in a mature way that does not denigrate the views of others. We ask opponents of marriage equality, including those from faith backgrounds, to reciprocate by refraining from attacks on others that inflame prejudice, stigma or hatred. Just as we acknowledge that it is possible to oppose marriage equality without hating homosexuals, so we ask those who differ with us on this important issue to acknowledge that it is possible to support marriage equality without seeking to undermine marriage, family or religion.