

I write this submission to inform the Senate Inquiry of the potential impact that the proposed redefinition of marriage will have upon religious celebrants.

Marriages solemnized by religious celebrants do so under a Commonwealth law which requires them to conduct the marriage according to the particular rites of that organization. The current definition of marriage as the union of a man and a woman is perfectly consistent with most religious groups and certainly that of the Anglican Church. The rite used by Anglican celebrants states:

“we have come together here in the sight of God, and in the presence of this congregation, to join together this man and this woman in holy matrimony; which is an honourable state of life, instituted from the beginning by God himself, signifying to us the spiritual union that is between Christ and his Church.” An Australian Prayer Book, ‘A Service of Marriage’ First Form.

That religious bodies give authority, and individuals accept licenses, to perform such marriages is evidence of those organisations’ affirmation of the current definition of marriage as between a man and a woman. This definition is perfectly consistent with a Christian, Jewish and Muslim understanding of marriage.

If the Federal Government unilaterally redefines marriage in a way which is no longer consistent with the religious bodies’ understanding of marriage as expressed in their liturgies, rites or doctrines, to participate in any marriage mandated by Commonwealth law is an affirmation of that new definition.

Exemptions from solemnizing marriages of gay couples may appear to solve a conscientious objection but overlooks a related issue. The problem is not whether a religious celebrant will refuse to marry a gay couple, but whether under a weakened redefinition of marriage that in conscience a celebrant will refuse to endorse that redefinition by marrying any couple.

On a practical front, that may result in a number of religious bodies withdrawing their clergy from conducting any marriages for the Commonwealth and only providing a religious ceremony. A situation not dissimilar from other jurisdictions. Because of Australia’s Family Law Act that could result in a tripartite situation of de jure, de facto and de religio marriages as a result of an inability for organizations or individuals to affirm a government redefinition of marriage in conflict with their conscientiously held religious views.

Thank you for considering my submission.

Rt Rev Ross Nicholson