

**The  
15th  
Assembly  
Decision  
about  
Marriage**



# A letter from the UCA President, Dr Deidre Palmer

To all congregations and faith communities: Marriage and same-gender relationships My dear Sisters and Brothers in Christ,

The Assembly, the national council of the Uniting Church, has been considering the issue of marriage and same-gender relationships. This long conversation over almost 30 years in our Church has been a difficult one, as it has been for many people of faith.

The 15th Assembly meeting in Melbourne have voiced a wide range of strongly and faithfully held views, from different theological and cultural perspectives. Assembly members have taken the opportunity to speak for and against a range of different proposals. In doing so, I am proud to say they have modelled a loving Christian community, holding together and caring for each other.

God's grace has been abundant... and together we have reached a decision on a way forward for our Church.

To honour the diversity of Christian belief among our members, we will hold two equal and distinct statements of belief on marriage. This decision will allow ministers and celebrants in the Uniting Church the freedom to conduct or to refuse to conduct same-gender marriages.

The existing statement of belief that "marriage for Christians is the freely given consent and commitment in public and before God of a man and a woman to live together for life" has been retained.

A new additional statement of belief has also been adopted. That statement reads "marriage for Christians is the freely given consent and commitment in public and before God of two people to live together for life."

What this means is that ministers who, in good conscience, are willing to conduct same-gender marriages are able to do so. This does not compromise the rights of those ministers who, in good conscience, cannot conduct same-gender marriages.

They will continue to be able to teach their belief that marriage may only be between a man and a woman, and can continue to use a marriage liturgy that reflects that conviction.

I want to acknowledge the ministry and struggle of LGBTIQ people in the Uniting Church over many years. I know that this conversation is painful and difficult for you.

At the same time I also acknowledge those who are not able to support this change – and your pain and difficulty in this space.

I offer my prayers that God grants you comfort and healing as we move ahead.

I want to reassure all members of the Uniting Church - your rights to follow your beliefs on marriage will be respected and protected.

Church councils will have the right to determine whether marriage services take place on their premises.

Grace and peace to you all. as we continue to witness to God's abundant grace, the liberating hope of Christ, and the wondrous movement of the Holy Spirit in our beloved Church.

Dr Deidre Palmer President

Uniting Church in Australia Assembly 14 July 2018

# Letter to Marriage Celebrants

Dear Ministers of the Uniting Church

The Fifteenth Assembly when it met in July this year resolved to honour the diversity of Christian belief among our members by holding two equal and distinct statements of belief on marriage.

The Uniting Church Constitution, Part D, Section 39(b) sets out the process where a decision made by the Assembly can be suspended if “*at least half the Presbyteries within the bounds of each of at least half the Synods, or at least half the Synods, notify the President that they have determined that in their opinion a decision includes a matter vital to the life of the Church; and there was inadequate consultation prior to the decision..*”

If the threshold set out in Section 39(b) is reached, the President notifies the Church that the decision of the Assembly is suspended until further consultation is undertaken; and following this consultation the Assembly determines whether to affirm, vary or revoke the original decision and report its decision and reasons to the Church.

I write to inform you that there is a possibility that this section of the Uniting Church Constitution will be invoked within the timeframe allowed, with respect to the decision on marriage made at the Fifteenth Assembly. This possibility could occur as early as November 2018.

If this does happen, from the time the President notifies the Church that the decision is suspended, no same-gender marriages will be able to be performed by Uniting Church celebrants, nor can the newly approved marriage rite or statement on marriage be used, until further consultation occurs and the Assembly meets again to determine whether to affirm, vary or revoke the original decision.

All same-gender marriages that have taken place prior to the President notifying the Church that the decision has been suspended would be valid.

As this is a time of uncertainty for our Church, please be assured that any information with respect to this issue will be communicated to you and the Church with clarity and expediency.

Grace and Peace



Colleen Geyer  
Assembly General Secretary

## Marriage and the Matter of Being “Vital to the Life of the Church”

Marriage of same gender people is NOT a matter that is “vital to the life of the church”.

Since the 15th Assembly concluded almost a month ago, there has been discussion in various places claiming that marriage is a matter “vital to the life of the Church”. The consequence of such a view is that the Assembly should be sending its decision to other councils of the church, seeking their “concurrence” on the decision made.

This is all in accord with what Clause 39 of the Constitution of the Uniting Church specifies. That clause itself depends on a sentence in paragraph 15(e) of the Basis of Union, which refers to “matters of vital importance to the church”.

There was a proposal to that effect presented to the 15th Assembly, immediately after the decision on marriage. The debate enabled members of Assembly to put their points of view about this idea. In the end, the Assembly decided that marriage was NOT a matter “vital to the life of the Church”, and so the Assembly did NOT need to seek the “concurrence” of other councils of the church.

But there has been continued discussion of this idea, and some Presbyteries either have already considered, or will soon be considering, such a proposal.

It's the business of each Presbytery to come to some decision about this, but I think that an airing of the issues involved is helpful. Indeed, a past President, the Rev. Professor Andrew Dutney, has provided a summary of the arguments for and against that were offered to the Assembly in July. You can read that here <https://andrewfdutney.wordpress.com/2018/08/07/matters-vital-to-the-life-of-the-church/>

I don't believe that marriage is a matter that is "vital to the life of the church". Here are twelve reasons why:

**Our Scripture:** Marriage is not prominent in scripture. There are descriptive passages which refer to the wife (or wives) of various men, and there are passages in the Law which relate to marriage customs and practices. But there is no prescriptive definition of marriage, nor is there extensive debate about the conditions required for marriage, the ceremony or ceremonies to be conducted to implement marriage. When Jesus refers to marriage, it is something that is narrated in passing (in a discussion of divorce); it is not put forward as a definitive, prescriptive, in-principle statement.

**Our Creeds:** Marriage is not mentioned in the historic Creeds: the Apostles Creed, the Nicene Creed, or others which flow from these. There is no indication at all in the early centuries of the church, that this was a matter that was seen as significant, central, or vital to the church.

**Our Confessions:** Marriage is barely given any consideration in any of the confessional documents of the previous denominations. It is mentioned in passing the Heidelberg Catechism (1563) question 108 (but only in passing—the discussion relates to unchastity). There is one chapter in the Westminster Confession (1647), ch. XXIV Of Marriage and Divorce, and one chapter in the Savoy Declaration (1658), ch. XXV Of Marriage. The first four paragraphs are the same statements about marriage in both documents, then the Westminster Confession adds some further paragraphs about divorce. These statements set out an understanding of marriage and declare "marriage was ordained for the mutual help of husband and wife", but nothing is said that in any way indicates it is central, essential, or vital, to the life of Christian faith. (I am grateful to the index of Michael Owen's Witness of Faith, 1984, for these references.)

**Our History:** Marriage has not been a “vital matter” for the Uniting Church over the past decades. When we look in *Theology for Pilgrims* (2008, ed. Rob Bos and Geoff Thompson), we find a collection of documents under the heading “Core Practices of the Church” which relate Ministry, Ordination, the Sacraments, and the use of the Bible, and further documents relating to Communion, Baptism, and the Ordination of Women, under the heading “Theology in Controversy”. There is nothing in any of these documents, or elsewhere in the book, that suggests that Marriage ought to be considered a “core practice” of the church. The same observation holds for *Andrew Dutney’s Backyard Theology* (2011), where discussion ranges over a number of matters, but not marriage. And this also applies to *Building on the Basis: papers from the Uniting Church in Australia 2000-2011* (2012, ed. Chris Walker) and *Being and Doing Church: a Uniting Church Perspective* (2015, ed. Chris Walker). (All of these works are indicative, not prescriptive; but their contents are telling.)

**Recent Debate:** Only in very recent times has it been specifically proposed that marriage should be regarded as a “vital matter” for the Uniting Church. This was done only when it became clear that the shifts in society relating to same gender marriage were leading to a shift in understanding of same gender marriage across the Uniting Church. In fact, when the discussion about ordaining people of the same gender was resolved (with such people now regularly being ordained and operating within ministry placements), more conservative elements in the church shifted their attention to the discussion about marrying people of the same gender. This is what Andrew Dutney has described as the continuation of the “culture wars” within the church. Since the earlier “benchmark” about faith had shifted, attention was now focussed on a new issue. But prior to this, there was never any claim that this was a matter that was “vital to the life of the church”.

**Our Theology:** Nobody within the Uniting Church argues that our Salvation depends on our marital status, or, indeed, on the spiritual health of our marriage. I can’t recall ever seeing that claimed at any point in the history of the church! The notion that salvation is impeded, or challenged, by being divorced, which might have held in some eras of church history and might still be the case in some denominations today, is certainly not something that would be held by the Uniting Church. So I can’t see how marriage, per se, would be in any way vital to our faith or theology or discipleship.

**Our Polity:** The practice within the Uniting Church is pastoral concerns

about specific matters within the church do not receive blanket and overarching attention; rather, we work contextually and relationally, and decisions about such matters need to be dealt with on case by case basis. This is most certainly what has been happening, in all the discussions over the years about sexuality: about homosexuality (in the 1980s), about homosexuality and leadership (in the 1990s to 2003), and in the discussion about marriage of same gender couples (2012—2018). Indeed, what the 15th Assembly decided with the most recent decision about marrying people of the same gender, is that it is a matter for each Minister or Celebrant to decide whether they will conduct such marriages, and it is a matter for each Church Council to decide whether such marriages will take place on their property. This continues the pattern of sharing responsibility for such matters with the appropriate body within the church.

Our Constitution: Clause 39 of the Constitution of the Uniting Church has never before been invoked, so there is no precedent for this being applied in this instance. That doesn't mean that it can't be invoked, but it does mean that we have no specific guidance from a precedent within our own UCA history.

**Our Processes (1):** We need to think about marriage in the context of other very contentious issues which might have been considered to be matters “vital to the faith” according to Clause 39. The Uniting Church has discussed and made decisions about a number of controversial and significant issues over the years (as already noted). We debated long and hard about Baptism—and, even though it is one of the two Sacraments within the UCA, central to our communal expression of faith, and indeed central to the life of the worldwide church in all its denominational manifestations—it was not deemed to be “vital to the faith” in those discussions. We debated long and hard about Ordination—and, even though it defines a central and important way by which we order the life of the church and set apart people for specific ministries in church and in society, it was not deemed to be “vital to the faith” in those discussions. We introduced the ministry of Deacon, defining it in ways quite different from the way that ministry is understood in other denominations, but we never declared this to be “vital to the faith” in the discussions leading up to this decision.

**Our Processes (2):** Discussion about marrying people of the same gender has been underway for some years now. It has been discussed in numerous western countries over the past decade, and some countries have determined to introduce it. It has been a focus within Australian

society for the past few years, and we have now legislated to enable this to take place. It has been the subject of extensive, open, and honest discussions across the Uniting Church. It has been discussed by the 13th Assembly (2012, Adelaide) and the 14th Assembly (2015, Perth), and now once again at the 15th Assembly (2018, Melbourne). All Synods were invited to make this a feature discussion in their 2017 meetings. Members of multiple Presbyteries and countless Congregations have considered and discussed this matter. It is not something that has been sprung on them without any warning!

**Our Ecumenical Relationships:** The fear has been invoked, that our ecumenical partners will cease to recognise us as a part of the One, Holy, Catholic and Apostolic Church, and refrain from speaking with us or working with us. I see this as plainly scaremongering. There has been no indication that this would be the case; indeed, I have recently been part of a conversation with the leader of one of the overseas partner churches who attended the Assembly, and when I put this proposition to him, he dismissed it, and said that his church would not act in this way. In fact, he observed, his church remains in partner relationships with denominations which have made similar decisions about same gender marriage, in the UK, the USA, Canada, and Aotearoa New Zealand.

**Our Pastoral Responsibility:** We have a pastoral responsibility to deal with this matter in a manner that is sensitive to members of the church and in a manner that ensures that we are providing a safe space for ongoing discussion. There is a long commitment to this, at least in principle:

In 1987, the Assembly Standing Committee alarmed that all baptised Christians belong in the church, regardless of their sexual orientation.

In 1997, the 8th Assembly rejected judgemental attitudes in sexual ethics.

In 2003, the 10th Assembly noted that the placement of ministers was to be undertaken on a case by case basis, and that the matter of a person's sexual preference or identity was not to be considered.

In 2006, the 11th Assembly underlined the need to ensure that we provide safe communities where people may hold diverse beliefs about sexuality. Yet the continued debate about, and incessant scrutiny of, same gender attracted people is placing immense pressure on them. Pastoral sensitivity would suggest to us, that this is no longer an issue to be debated "in the abstract", but that any such discussion we have involves real people in real situations, who have been through the emotional wringer in recent

years, and whom we should be treating with much greater respect and compassion. Re-opening the matter for further consultation and discussion right across the church will not be helpful in this context.

Christian compassion should surely lead us to the point of saying, this was a difficult decision made in good conscience by faithful people through prayer and discernment. A significantly large proportion of the membership of the 15th Assembly, including people from a wide range of theological perspectives, supported the decision. The leadership provided by this designated council has set the direction, and we are enjoined to respect that decision. The 15th Assembly recognised that there was a diversity of theological and ethical views on the marriage of same gender people. Now, as a Church, we are called to work together to support one another across our diversity and to implement practices that honour and respect each other as members and participants in the one body, the Church.

How can that NOT be what we are now called to do?

John T Squires

## An Explainer, in Nine Easy Steps

*From "An Informed Faith" by John T Squires ([johntsquires.wordpress.com](http://johntsquires.wordpress.com))*

Here's my explainer of the current situation in the Uniting Church in Australia regarding marriage, set out in nine easy steps.

I'm posting because I seem to be writing the same kind of thing to various people asking "what's going on?", and it might be helpful for us all to have a common understanding of the situation. As the Uniting Church is governed by a series of *inter-related councils*, it can be a little difficult to understand the complexities at times.

This is just how I understand things, but I thought it might be helpful.

## An Explainer

1. On 13 July 2018, **the 15th Assembly** decided that *Uniting Church ministers are able to conduct the weddings of people of the same gender*. Assembly did have a proposal before it at that time, declaring that changing our understanding of marriage was a matter that was “vital to the life of the church”. This drew on a provision in the **Constitution** in **Clause 39 (a)**, which provides that *On matters which, by a two thirds majority vote, the Assembly deems to be vital to the life of the Church, the Assembly shall seek the concurrence of Synods and/or Presbyteries and/or Congregations as the Assembly may determine. **Assembly decided that the matter was not “vital to the life of the church”.***

2. Since July, **Presbyteries** have been considering the matter. **Some Presbyteries have considered that the decision of the Assembly did include “a matter vital to the life of the church”**, which requires the Assembly to suspend the decision and undertake further consultation.

This in accordance with **Clause 39(b)** of the **Constitution**, which states:

(i) If within six months of a decision of the Assembly, or its Standing Committee, at least half the Presbyteries within the bounds of each of at least half the Synods, or at least half the Synods, notify the President that they have determined that in their opinion

- a decision includes a matter vital to the life of the Church; and
- there was inadequate consultation prior to the decision

the President shall notify the Church that the decision is suspended until the Assembly has undertaken further consultation.

3. So this is where we are at: once **half the Synods, or half the presbyteries in half the Synods**, write to the President stating that they believe there has been inadequate consultation, the decision is to be suspended. There are **six months** for this to be activated, so this runs until 13 January 2019.

4. There are six **Synods**. No Synod has asked that the clause 39 process of seeking concurrence be invoked.

5. The number of **Presbyteries** varies in each Synod. In one Synod, the threshold has been met: one of two Presbyteries in the **Northern Synod** has invoked clause 39.

6. Three Presbyteries in **Queensland** have invoked clause 39. One is still to meet. There are 8 Presbyteries in Queensland, so if one more invokes

Clause 39, that will reach the threshold of half of the Presbyteries in that Synod.

7. The Presbytery in **WA** and many of the Presbyteries in **Victoria-Tasmania** and **New South Wales and the ACT** have not considered that this is a matter which needs to be reconsidered. So there will not be one half of the Presbyteries in any of these Synods asking for a process of consultation.

8. **South Australia** just has one Presbytery. It meets in the middle of November and will likely consider this matter.

9. At this stage, *if one more Queensland Presbytery and the SA Presbytery invoke clause 39 before the middle of January 2019*, then the President of Assembly will issue a notice that same gender marriages must be suspended, while Assembly undertakes further consultation.

That is the basis for the letter from the General Secretary of Assembly which was sent on 18 October 2018 to all Uniting Church Ministers and Celebrants.

# Uniting Church Approves Same-Sex Marriage

*A reflection by Rev. Prof Andrew Dutney,  
Professor of Theology, Flinders University  
Past President, Uniting Church in Australia*

The headline conceals what actually happened in Melbourne this week. Without setting out to do so, the Uniting Church recovered its stated vocation of making visible unity in diversity.

Of course, the 15th Assembly of the Uniting Church in Australia did indeed make decisions that will allow ministers to conduct same-sex marriages. But it also reinforced the rights of ministers and congregations who remain committed to the traditional understanding of marriage as exclusively between a man and a woman.

No minister will have to conduct same-sex marriages if it conflicts with their beliefs. No congregation will have to make its property available for same-sex weddings if they don't believe gay marriage is valid for Christians. In fact it is very unlikely that many ministers and congregations will see any difference in the teaching and practices that they are used to.

The intention of the initial proposal was that ministers who, in good conscience, are willing to conduct same-gender marriages should be allowed to do so. But it was also intended that this should not compromise the rights of those ministers who, in good conscience, cannot conduct same-gender marriages. They will continue to be able to teach their belief that marriage may only be between a man and a woman, and can continue to use a marriage liturgy that reflects that conviction.

In other words, without disputing the biblical and theological validity of the traditional understanding of marriage – in fact the resolution reaffirms the Church's policy statement originally adopted in 1997 – the Assembly has approved an additional statement on marriage for the Uniting Church, also biblically and theologically valid.

The rationale to the proposal explained: "Within the diversity of our fellowship there are Ministers and Congregations who believe that the change in our social context that allows same-gender marriage is

consistent with the Gospel, and want to be able to celebrate same-gender marriages as well as opposite-gender marriages. They are seeking the consent of the rest of the church to have this ability. They are not asking the rest of the church to agree with them, but allow them to follow their conscience in this way. The Working Group on Doctrine Report on Marriage and Same-Gender Relationships confirms the biblical and theological legitimacy of this request.”

Two doctrines of Christian marriage? Two expressions of that in “the rites of the Uniting Church in Australia”? How does that work?

Well, that’s the kind of thing that the Uniting Church was always supposed to be able to manage: unity in diversity.

The union of the Congregational, Methodist and Presbyterian churches in 1977 wasn’t an amalgamation or a take-over. It wasn’t for the sake of efficiency. It was three historic, proud denominations choosing to set aside the things that divided them for the sake of something bigger: the visible unity of divided people as a foretaste, sign and instrument of the reconciliation of the world to God in Christ.

In fact in its Basis of Union, the Uniting Church names the mission of God as “reconciliation and renewal for the whole creation”. And it says that “The Church’s call is to serve that end: to be a fellowship of reconciliation, a body within which the diverse gifts of its members are used for the building up of the whole, an instrument through which Christ may work and bear witness to himself”.

Making unity in diversity visible, is what the UCA was built for.

So, e.g., in addition to bringing together three contrasting, divided forms of historic church polity, the UCA’s Basis of Union specifically acknowledged Calvinist Confessions of Faith alongside the Arminian sermons of John Wesley as witnesses the Uniting Church must listen to and which ministers must study, even though Calvinist and Arminian doctrines of salvation are famously in conflict with each other. In the same way, from the beginning the Uniting Church has accepted a wide variety of views of the presence of Christ in Holy Communion, ranging from Zwinglian to Calvinist and Wesleyan, and assumes that some members and ministers lean more towards Lutheran or Catholic views. Much of the dividedness of Western Christianity involves conflict between these contrasting doctrines of the sacraments.

Holding together two doctrines and practices of marriage within the one

diverse Church is the kind of thing that the UCA was built for.

Of course, by introducing an additional approach to marriage into the Uniting Church's theology and practice the UCA is out of step with most other Christian churches in Australia. That's something that would have given the Assembly pause for thought.

From the beginning, the Uniting Church was intended to be an expression of what God was doing with the whole church. Anything that would make the UCA appear to be sectarian and anything which would unnecessarily "denominationalise" the UCA was to be avoided. What it seeks is to be Christian – in the broadest sense; an expression of the One Holy Catholic and Apostolic church.

That doesn't mean it can't have policies and commitments that are different from other churches. For example the Uniting Church welcomes and celebrates the leadership of women in all parts of the church's life, even though this is out of step with many – even most – Christian churches. The Uniting Church marries divorced people and accepts the leadership of divorced people even though many Christian churches would condemn this. And other churches know what the UCA's policies and commitments are in such matters without questioning the seriousness and authenticity of its desire to be Christian – as truly and deeply as it can in contemporary Australian society.

Nonetheless, it is always something for the UCA to reflect on honestly. How will this decision affect our relationships with other churches?

In my report to the 14th Assembly as the retiring President I said:

"God is calling us to be a church which receives its diversity as the precious gift of the Holy Spirit that it is; a foretaste, sign and instrument of "that reconciliation and renewal which is the end in view for the whole creation." Reconciliation doesn't mean everyone being the same. It doesn't mean one version of being human or being Christian replacing all the others. It means people and groups that are different and divided from each other being brought together in Christ to respect, value, trust and serve one another – in all our annoying, embarrassing, frustrating, frightening diversity. That's profoundly challenging. It's sharply counter-cultural. But it is the kind of church God is calling us to be"

That's the kind of church the 15th Assembly had in mind when it decided to approve same-sex marriage.

