

Sexuality and Same Gender Marriage

The UCA's journey
(in brief)



SEXUALITY AND LEADERSHIP - Documenting the History

Received by the ASC in August 2009 (Minute 09.30)

The issue of sexuality and leadership has been a long standing and contentious one, having been before the Uniting Church for the past thirty years. This record of how the Assembly Standing Committee (ASC) and Assembly have responded to it from 1982-2008 is provided in fulfilment of ASC minute 06.105.03 (b) which determined that the Assembly Standing Committee “provide a clear, readable and relatively brief summary of the debate about sexuality over the last thirty years;”

In March 1982 correspondence was received by the ASC from the Presbytery of Yarra Valley. The letter concerned the ordination of homosexuals, and was dealt with at that meeting.

The ASC responded “that in its view the sexual orientation of a candidate is not and has not been in itself a bar to ordination. A decision on the suitability of a candidate may of course depend among other things on the manner in which his or her sexuality is expressed” (ASC minute 82.14).

Later that year the Synod of Victoria and the Presbytery of Yarra Valley asked the ASC to give further consideration to the ordination of homosexual persons. At the August 1982 meeting of the ASC it re-affirmed its previous resolution and provided a fuller response.

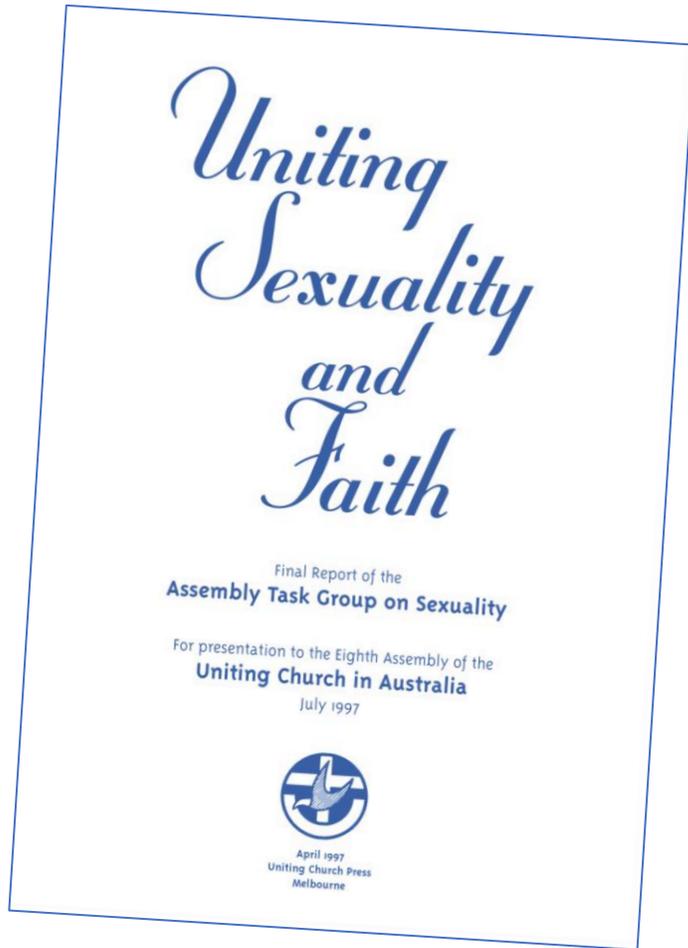
6th ASSEMBLY (1991)

91.34.1

Sexuality Task Group

- (a) To establish a sexuality task group to prepare a report on the way the Church should respond to changing patterns of human relationships and sexual activity in our society;
- (b) that the report of the task group should cover:
 - an analysis of the changes which are occurring;
 - a framework for discussion of the issues, including consideration of the way scripture acts as a resource for the church in this issue;
 - sexuality and spirituality;
 - various issues of sexuality;
- (c) to request the task group to hold hearings, lead studies and encourage broad and open discussions in the Church as part of the process of preparing the report;
- (g) to request the task group to present an interim report to the 1994 Assembly and a final report in 1997.

8th ASSEMBLY (1997)



to recognise that the work of the Task Group on Sexuality is another step in the Church's exploration of issues of sexuality and that *Uniting Sexuality & Faith* is a resource for study, discussion and dialogue;

to acknowledge the diversity of human relationships in which Uniting Church members are involved and the different Biblical, theological, ethnic and cultural responses of groups within the Church to these relationships;

8th ASSEMBLY (1997): Statement on marriage

“The Assembly of the Uniting Church in Australia declares that

1. Marriage

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.

It is intended to be the mutually faithful lifelong union of a woman and man expressed in every part of their life together.

In marriage the man and the woman seek to encourage and enrich each other through love and companionship.

In the marriage service

- the woman and man make a public covenant with each other and with God, in the company of family and friends;
- the couple affirm their trust in each other and in God;
- the Church affirms the sanctity of marriage and nurtures those who pledge themselves to each other in marriage and calls upon all people to support, uphold and nurture those who pledge themselves to each other in marriage.

8th ASSEMBLY (1997) Statement on marriage

Where sexual union takes place the partners seek to express mutual delight, pleasure and tenderness, thus strengthening the union of their lives together.

In marriage, children may be born and are to be brought up in love and security, thus providing a firm foundation for society.

8th ASSEMBLY (1997)

This Assembly also adopted a statement on separation, divorce and re-marriage, which affirmed that ... (inter alia) ...

In cases of the irretrievable breakdown of marriage, the Church acknowledges that divorce may be the only creative and life giving direction to take.

The grace and healing of God are available to people who are divorced, which may free them to marry again.”

8th ASSEMBLY (1997)

to request the Standing Committee, following consultation with the Commission on Doctrine, to appoint a group representative of the different perspectives in the Uniting Church in Australia, to prepare and make available material on ways in which the Church understands and uses the Bible in seeking to live in faithfulness to the Gospel;

- (a) commit the Church to a continuing dialogue on the matters as yet unresolved in the same spirit of openness and compassion that has prevailed during the meeting of this Assembly;
- (b) acknowledge the disappointment of those who were looking to the Assembly for greater clarity and direction in regard to these matters;
- (c) express deep regret to those whose personal pain remains unalleviated by its inability to reach further decisions at this time;

9th ASSEMBLY (2000): Statement on unity and diversity

We affirm

- the authority of the Scriptures as defined in the Basis of Union, acknowledging that within the church there is a range of views on questions of Biblical interpretation on various matters of Christian faith and practice;
- we are bound together by Christ, and because we love the Uniting Church as part of the one holy catholic and apostolic church we will continue to work together in our diversity as servants of the living God;

9th ASSEMBLY (2000): Statement on unity and diversity

We acknowledge

- that issues regarding committed same sex relationships and ordination were unresolved by the Eighth Assembly in 1997 and the Ninth Assembly in 2000 and remain unresolved;
- that the diversity of viewpoints and the lack of resolution of these issues have resulted in tension within the life of the church;

10th ASSEMBLY (2003): Resolution 84

recognising that:

- (i) within the church people of faith have wrestled with integrity to interpret Scripture in relation to the issue of Christian sexual ethics and have on some issues come to mutually exclusive positions;
- (ii) here are members of the church who have reached the conclusion that "celibacy in singleness and faithfulness in marriage" is a faithful Christian standard for Christian sexual ethics;

10th ASSEMBLY (2003): Resolution 84

- (iii) there are members of the church who have reached the conclusion that "right relationships" as outlined in *Uniting Sexuality and Faith* is a faithful Christian standard for Christian sexual ethics; and
- (iv) membership of the Uniting Church is open to all persons subject only to the guidance of the Basis of Union, the Constitution, the Regulations and policies of the Assembly; to call upon members of the Church to seek to live together in peace as people of faith, notwithstanding differing views in the matter of same sex relationships;

10th ASSEMBLY (2003): Resolution 84

to remind presbyteries that:

- (i) in considering issues related to candidature, ordination or commissioning for specified ministries, and the placement of persons in specified ministries, decisions should only be taken on a case by case basis; and
- (ii) a decision on the suitability of an applicant or candidate depends upon a wide range of criteria and may include consideration of the manner in which the applicant's or candidate's sexuality is expressed;

ASSEMBLY STANDING COMMITTEE: Resolution 84

ASC responding to reaction against Resolution 84

- (i) “the concept of ‘right relationships’ was neither adopted nor recognised by the Assembly;
- (ii) the Assembly has not placed the Uniting Church outside of the one, holy catholic and apostolic Church;
- (iii) the Assembly has acted faithfully in accordance with the Basis of Union;
- (iv) the leadership of the Assembly did not mislead the Assembly;
- (v) those who adhere to resolution 84 have not separated themselves from the Uniting Church” (03.65.01.02).

It stated that “proposal 84 did not introduce new policy for the Church (03.65.02).

The ASC varied the resolution to clarify these points.

ASSEMBLY STANDING COMMITTEE: Resolution 84

ASC added additional clauses, including:

informs the Church that congregations and councils of the Church who wish to state a sexual ethic may elect to do so after prayerful consideration and study of the Scriptures providing that

- there is respect for and acknowledgment of those who hold a different view;
- such statements do not prevent the consideration on a case-by-case basis of individuals related to candidature, ordination or commissioning, and placement, according to proposal 84.3” (ASC minute 03.69.04).

11th ASSEMBLY (2006)

5. to acknowledge:
 - a) that Assembly members are not of one mind regarding the issue of the acceptance into the specified ministries of those living in committed same-gender relationships; and
 - b) that some members of the Assembly adhere to the traditional teaching and practice of Reformed and Evangelical churches in this matter, while others who also adhere to the Reformed and Evangelical tradition believe that God may be leading this tradition to a different understanding and practice; and
 - c) and therefore, notwithstanding the hopes of many in the Church, that the 11th Assembly, having prayerfully sought to discern God's will and after much deliberation, is not prepared to exercise further its determining responsibility in this matter.

11th ASSEMBLY (2006)

7. to encourage Congregations:
 - a) to be aware that within many Congregations there is a diversity of belief on matters of sexuality and leadership and that some members do not feel free to express their beliefs;
 - b) to become safe communities where people may hold diverse beliefs on these matters and work together as the Body of Christ; and
 - c) to recognise that the possibility of living with difference is a gift which Christ offers to the world.

11th ASSEMBLY (2006)

9. to request the Assembly Working Group on Doctrine to engage in further work that assists the Church in our ongoing consideration of the theological diversity of the Church on this issue and to authorise the Assembly Standing Committee to determine the terms of reference for such work.

10. to acknowledge:

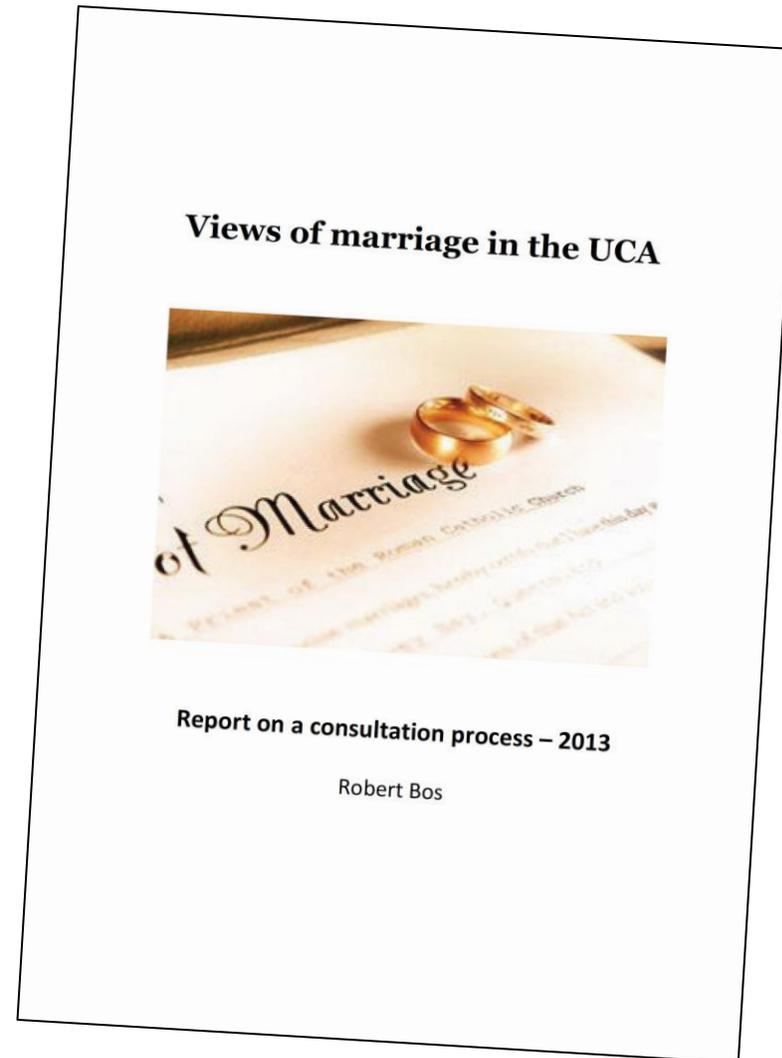
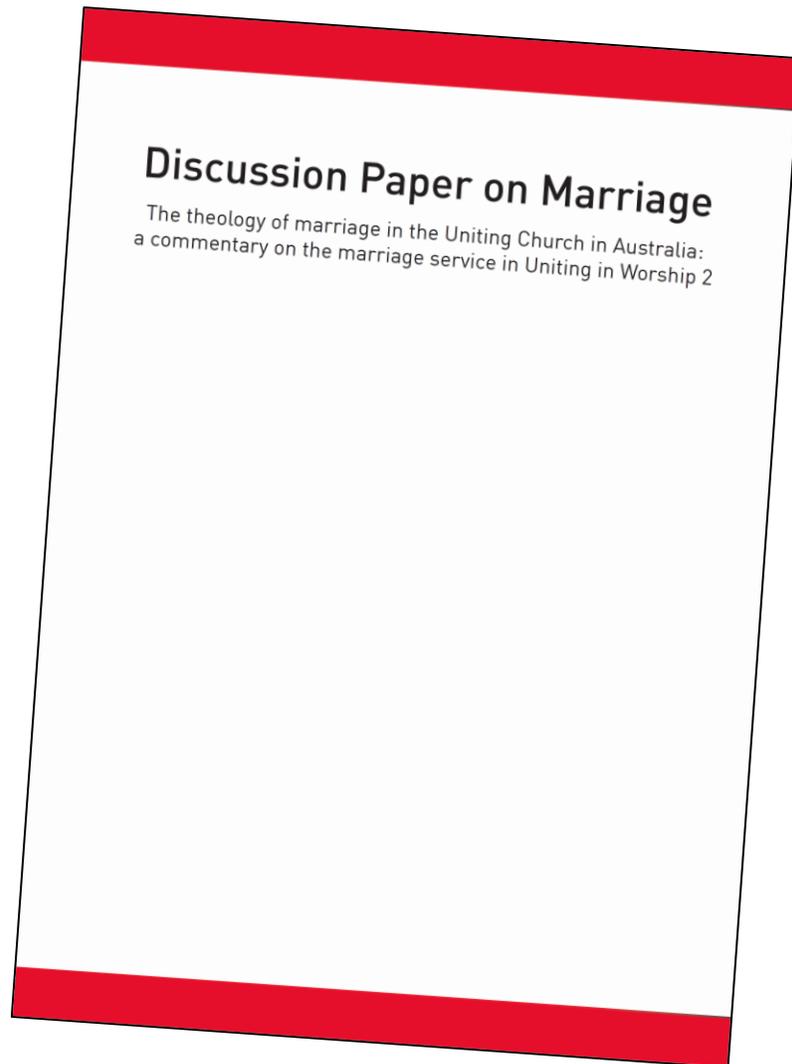
a) that the Uniting Church is committed “to bear witness to that unity which is both Christ’s gift and will for the Church”;
and

and to call the Uniting Church to re-commit itself to its primary purpose of “worship, witness and service”

13th ASSEMBLY (2012)

- (b) noting the desire for respectful conversation within the diverse community of the church and the current public debate about same-gender marriage to ask the Doctrine Working Group, after appropriate consultation across the Church and with ongoing liaison with the Standing Committee:
- to prepare a discussion paper on the theology of marriage within the Uniting Church, and explore its implications for public covenants for same-gender relationships;
 - to circulate the paper widely, and specifically to UAICC National Committee, synods, Chairpersons of National Conferences, presbyteries, UAICC Regions, Uniting Network, the Assembly of Confessing Congregations, congregations, agencies and institutions of the Uniting Church, requesting responses to the Working Group by a date to be determined by the Standing Committee; and
 - to summarise responses and bring recommendations to the Standing Committee by November 2014, to enable the Standing Committee to bring a report to the 14th Assembly in 2015.
(Agreement)

AFTER THE 13th ASSEMBLY (2012)



REPORT TO 14th ASSEMBLY (2015)

What the church believes about marriage has always been shaped by the interaction between scripture, tradition and culture. Therefore, the Working Group believes that consideration of any change to the existing doctrine of marriage needs to engage a theological approach that holds together scripture, tradition, and culture. It is through this process that the church develops its doctrines.

It is true that the various Christian views on marriage have consistently assumed that marriage is a lifelong, faithful, male-female union; beyond that the church's teaching about the status and purposes of marriage has changed across time, place and cultures. The presenting issue is whether one of those three constants in the Christian doctrine of marriage, namely it is a male-female union, should be maintained; or whether it can be changed to embrace same-gender unions.

REPORT TO 14th ASSEMBLY (2015)

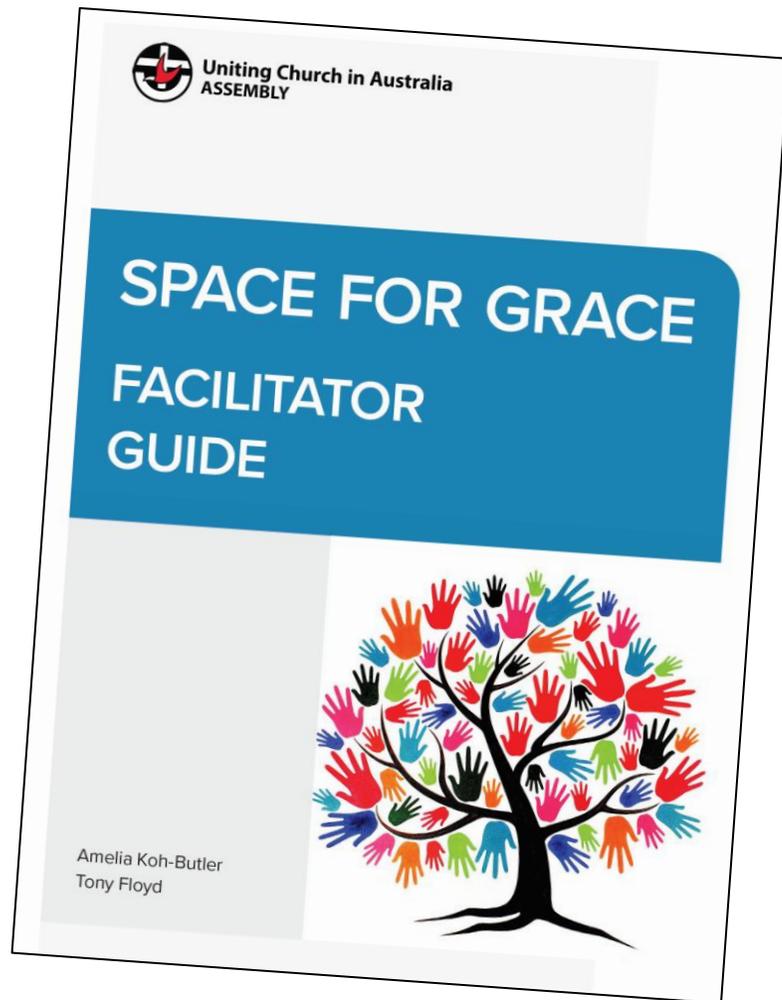
To explore this possibility in a manner consistent with the process of theological discernment outlined above, further attention needs to be given to the doctrine of scripture, the doctrine of creation, and the doctrine of the new creation in Christ.

DECISION OF 14th ASSEMBLY (2015)

- b) request the Standing Committee, in consultation with the UAICC and Multicultural and Cross-cultural Ministry, to explore how the Uniting Church can engage in further discussions about marriage and same-gender relationships in culturally appropriate ways; and

- c) request the Standing Committee to address immediately, through appropriate mechanisms, the following work:
 - (i) to engage with the continuing work of the Doctrine Working Group as outlined in its report to the Fourteenth Assembly;
 - (ii) to engage with the members of the LGBTIQ community and the wider Church in discussions about marriage and same-gender relationships;
 - (iii) in consultation with the relevant Assembly working groups, to prepare a report to the Fifteenth Assembly with appropriate recommendations, as well as supporting theological, liturgical, pastoral and educational resources; and
 - (iv) in consultation with our ecumenical partners, where appropriate, to investigate the implications of changing the Church's current relationship with the Commonwealth Government with respect to the conduct of marriages.

BETWEEN 2015-2018



Space for Grace process commended to the church for conversations

2 marriage conversations using Space for Grace each involving about 25 people.

Consultation with UAICC.

Discussion at cultural groups' National Conferences.

DOCTRINE WORKING GROUP REPORT to 15th ASSEMBLY

It is important to acknowledge that the Eighth, Tenth and Eleventh Assemblies have recognised an enduring disagreement between members of the church on a range of questions concerning human sexuality. The Thirteenth and Fourteenth Assemblies have engaged the church in a process of respectful conversation on same-gender relationships and marriage.

Among other important findings, the process of consultation and study reflected in the Working Group on Doctrine Report on Marriage and Same-Gender Relationships has confirmed that

- The diverse understandings identified by previous Assemblies are all able to be justified biblically and theologically – even though they are mutually exclusive interpretations;
- That diversity of understanding is itself explicable in biblical and theological terms, and can be recognised as a gift and a sign of health in the Body of Christ;
- The diversity in the understanding of marriage is in fact greater than can be imagined in the dominant culture when the witness of Indigenous and non-Western cultures is listened to. In many cultures marriage is primarily a community arrangement and fundamental to social and cultural structures and understanding, and only in a secondary sense about the love between two people.

PROPOSAL 8 (2018)

That the Assembly resolve:

- (a) To note that the Working Group on Doctrine Report documents a continuing and faithful struggle on matters relating to sexuality and marriage spanning several decades in the Uniting Church; and that the issue of same-gender marriage is one about which many Uniting Church people faithfully hold strong and at times mutually exclusive convictions;**

PROPOSAL 8 (2018)

(b) To adopt the following policy statement on marriage:

Marriage is a gift God has given to humankind for the well-being of the whole human family. For Christians, marriage is the freely given consent and commitment in public and before God of two people to live together for life. It is intended to be the mutually faithful life-long union of two people expressed in every part of their life together. In marriage two people seek to encourage and enrich each other through love and companionship, experience the fruitfulness of family, contribute to the well-being of society and strengthen the mission of the church.

PROPOSAL 8 (2018)

- (c) (i) To affirm that Ministers and celebrants authorised by the Uniting Church in Australia may exercise freedom of conscience with regards to accepting requests to celebrate marriages, including same-gender marriages, according to the rites of the Uniting Church in Australia;**
- (ii) To request the Assembly Officers to direct the appropriate Assembly body to prepare an authorised Marriage Liturgy suitable for opposite-gender and same-gender couples for approval by the Standing Committee at its August 2018 meeting;**
- (iii) To note that Church Councils:**
- have the authority under Regulation 4.4.1 to permit or refuse the use of any property held for the use of the Congregation for same-gender weddings;**
 - do not have the authority to require a Minister in placement in their Congregation, or prevent a Minister in their Congregation from, celebrating same-gender marriages.**

8 PROPOSALS AT ASSEMBLY

- Four supported making provision for same gender marriage;
- Two called for retaining the 1997 statement (man and woman)
- One called for deferral and more work, with the matter to come to the 16th Assembly;
- One proposed that any change to the UCA understanding of marriage should be referred to other councils as it is a matter of vital importance to the life of the church.

THE ASSEMBLY'S DECISION

(a) To acknowledge:

- (i) that within the Uniting Church there is a diversity of religious beliefs and ethical understandings, developed through continuing faithful discernment and held with integrity on matters relating to sexuality and marriage; and
- (ii) that marriage is a gift God has given to humankind for the well-being of the whole human family.

(b) To determine that the Church is able to accept this diversity within its life and make the decisions necessary to enable its ministry and members to act with integrity in accordance with their beliefs.

THE ASSEMBLY'S DECISION

(c) To vary its policy on marriage by recognising two statements of belief:

(i) the belief expressed in the 1997 statement on marriage as follows:

This is the 1997 statement on marriage

(ii) the belief expressed in the following statement on marriage:

This is the 1997 statement on marriage, but with 'man and woman'; replaced with 'two people'/'couple'.

THE ASSEMBLY'S DECISION

(d) To affirm that Ministers and celebrants authorised by the Uniting Church in Australia may exercise freedom to decide whether the minister's or celebrant's religious beliefs allow the minister or celebrant to accept requests to celebrate marriages, as authorised under the Marriage Act and according to the rites of the Uniting Church in Australia.

(e) To request the Assembly Officers to arrange for the preparation of an additional authorised marriage liturgy which reflects the understanding of marriage as outlined in the marriage statement contained in (c)(ii) above for approval by the Standing Committee at its August 2018 meeting, for use according to the rites of the Uniting Church in Australia.

THE ASSEMBLY'S DECISION

(f) To note that Church Councils:

- (i) have the authority under Regulation 4.4.1 to permit or refuse the use of any property held for the use of the Congregation for the celebration of marriages, as authorised under the Marriage Act and according to the rites of the Uniting Church in Australia.
- (ii) do not have the authority to require a Minister in placement in their Congregation or to prevent a Minister in their Congregation from celebrating marriages as authorised under the Marriage Act and according to the rites of the Uniting Church in Australia.

(g) To request the Standing Committee, taking account of advice from the Assembly Legal Reference Committee, to consider and take such action as it considers appropriate, including (if necessary) the making of additional Regulations, to enable Church Councils acting under Regulation 4.4.1 to make decisions regarding use of property for celebrating marriages, in conformity with one of the statements of belief mentioned in (c)(i) and (ii).

BASIS OF THE ASSEMBLY DECISION

- That both views of marriage can be justified biblically and theologically, and faithfully held.
- That marriage is not of the substance of the faith, and so the UCA can allow diversity. (BOU #15: “... the phrase ‘adhere to the Basis of Union’ is understood as willingness to live and work within the faith and unity of the One Holy Catholic and Apostolic Church as that way is described in this Basis. Such adherence allows for difference of opinion in matters which do not enter into the substance of the faith.”)

BASIS OF THE ASSEMBLY DECISION

- That there are no other provisions in the BOU that would prevent the church from adopting a dual-statement position.
- That there had been sufficient consultation across the church that would inform its discernment in making this decision.
- The decision not to seek concurrence of other councils indicates Assembly did not believe that this issue is of vital importance to the life of the church (BOU #15: “It is obligatory for [the Assembly] to seek the concurrence of other councils, and on occasion of the congregations of the Church, on matters of vital importance to the life of the Church.”).

QUESTIONS AS A CONSEQUENCE

More broadly, there are other consequential matters flowing from the decision. These include:

- Question of legally secured rights of celebrants/churches.
- Ecumenical implications (including local reactions).
- Need to negotiate around potential differences between ministry agents and their Congregations.
- An authorised UCA rite for same gender marriage is planned to be available by September 29.

