



22 November 2017

Malcolm Turnbull MP
Prime Minister
Parliament House
Canberra ACT 2600

Dear Prime Minister,

Australians have voted overwhelmingly *Yes* in the postal survey on marriage equality. The Religious Society of Friends (Quakers) welcomes this expression of support for LGBTIQ equality by the Australian community. But equality will only be achieved when Parliament passes legislation that fully honours the decision of the Australian people in both letter and spirit. Only legislation that recognises the equality of LGBTIQ people without any exception can do this.

As the Parliament considers legislation to recognise marriage equality, Quakers urge all Members of Parliament to oppose any amendments to the Bill introduced by Dean Smith that would allow personal objections to marriage equality to override existing anti-discrimination protections. Such amendments would not be about giving churches the discretion as to whose marriages they celebrate. Churches already have this. Such amendments would potentially allow anyone to refuse services to LGBTIQ people based on personal opposition to marriage equality. Some have even called this “conscientious objection”.

As one of the historic peace churches, Quakers have given much thought to conscientious objection. Indeed, it was the first generation of Quakers back in the 17th century who proclaimed their absolute opposition to fighting wars “under any pretence whatsoever”. At times, Quakers have suffered legal penalties for this stand even—through relief organisations around the world, including Quaker Service Australia—to relieve the suffering of the wounded. Very occasionally Quakers have received recognition of our peace work, such as the award of the 1947 Nobel Peace Prize.

Conscientious objection has developed a clear meaning over the years. It means taking a principled stand against harming your fellow human beings, usually through refusal to take up arms.

Conscientious objection does not refer to just any strongly held personal belief. For example, no matter how strongly you hold the conviction, refusing to serve women or

Australia Yearly Meeting

The Religious Society of Friends
(Quakers) in Australia Inc.
Incorporated in the ACT
119 Devonshire Street
New South Wales 2010
Australia

M: 0423 308 550
E: ymsecretary@quakers.org.au
www.quakersaustralia.org.au
ABN 16 036 715 933

people of colour is not an act of “conscientious objection”. It is simply discrimination, just as refusing to provide services to LGBTIQ couples on the basis of their sexuality or gender identity is discrimination.

During the recent postal survey people have expressed surprise and, sometimes, delight that a church founded in the Christian tradition would be so supportive of marriage equality. Celebrating the marriages of LGBTIQ couples and including them fully in the life of our community is part of Quakers’ belief that everyone is equal in the Spirit. It has been a joyful and affirming experience to have our communities enriched by the spiritual insights and practical support of LGBTIQ people. Quakers are, of course, not alone. Australian Christians for Marriage Equality includes many churches and people of faith.

We have also all shared in frustration at the slow pace of progress towards equal rights over the decades, and in the more recent pain felt by many LGBTIQ people, their children and families, as one of the most intimate aspects of their personal lives has been subject to a majority vote. The 2004 amendments to the Marriage Act, which explicitly restricted marriage to the union of a man and a woman, not only entrenched discrimination against LGBTIQ people, they denied the religious freedom of faith communities like the Quakers that wished to celebrate the marriages of LGBTIQ couples.

Nevertheless, Quakers have taken a strong stand on marriage equality and have celebrated LGBTIQ marriages as spiritual unions for many years. The first Quaker marriage of a gay couple in Australia took place in 2007. This marriage was necessarily a form of civil disobedience due to the 2004 amendments to the Marriage Act that defined marriage as “the union of a man and a woman”. The gathering of family, friends and community to celebrate the loving commitment of two people, it must be said, is one of the most joyful forms of civil disobedience possible.

Maintaining a choice for faith communities about which marriages to celebrate is important for many legitimate reasons. In the case of Quakers, a marriage is not just a commitment by the couple to each other, but a commitment by the Quaker community to support and care for their relationship. Therefore, Quakers can only hold marriage ceremonies for couples we know. But such choice should not come at the expense of anti-discrimination protections.

We hope nothing comes of proposals to wind back anti-discrimination protections to allow discrimination against LGBTIQ people based on a misunderstanding of conscientious objection. It would be against the spirit of everything Australians have voted for if marriage equality legislation made LGBTIQ Australians less equal. Homophobia and transphobia have no place in the Australian community or anywhere else in the world. If such proposals are pursued, we encourage other churches to join us in opposing such harmful provisions.

Support for religious freedom and marriage equality go hand in hand. Despite efforts to confuse the issue, equality really is very simple. As Australians, we ask that everyone is accorded equal rights and recognition in the eyes of the law. And as people of faith, we ask only for the freedom to love, to celebrate, and to include.

Yours sincerely,

A handwritten signature in black ink that reads "J.R. Jordan". The signature is written in a cursive style with a long horizontal flourish extending to the right.

Jo Jordan
Presiding Clerk
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