

如何用公共論據參與



同性婚姻的辯論

關啟文教授

同性婚姻的訴求在澳洲已帶來巨大衝擊，並引起巨大爭論，基督徒應如何參與這場激烈的辯論呢？一方面我認為基督徒和教會作為多元社會的一元，也有權利從信仰角度發言；另一方面，引用聖經在一個已高度世俗化的社會的效果不一定很強，所以基督徒也應善用上帝給我們的腦袋，使用諸般的智慧（而不是「豬一般的智慧」）去為真理竭力爭辯。在這過程中，大多數人能明瞭的公共論據至關要緊。事實上，很多支持同性婚姻的論點都能用公共論據反駁。

例如同性婚姻支持者愛把同性婚姻稱為婚姻平權（marriage equality），這種修辭法在辯論中是有優勢的，然而，究竟甚麼是「平等」和「平權」呢？所有人在所有事上都得到同等對待，這就是平等了嗎？不是的，一律給學生的考試卷同一個分數（無論他表現如何），並非公平，反而是對優秀學生不公平。簡而言之：「等者等之，不等者不等之」，這樣才是公平。

社會鼓勵特定的婚姻形式，而不去制度化另外一些（如三人或多人婚姻），為的是保障和促進社會的長遠發展。有人認為異性戀者可以結婚，同性戀者卻不可以，這種差別對待就是不平等——這種理解是膚淺的。我們還要仔細考慮：婚姻制度的目的是甚麼？在十種八種可能的婚姻制度中，我們應用那些原則包含或不包含那些呢？要把同性婚姻等同婚姻平權，首先要證立同性戀結合與異性戀結合有相同價值——包括它們對公共利益的貢獻，但看來還未有成功的證明。

「同運」人士又說同性婚姻是國際人權的共識，但事實並非如此。《公民

權利和政治權利國際公約》23 條說：

（一）家庭是天然的和基本的社會單元，並應受社會和國家的保護。

（二）已達結婚年齡的男女締婚和成立家庭的權利應被承認。...

以上沒有提到「同性婚姻」，論到的婚姻也是男女之間的結合。紐西蘭早年也不接納同性婚姻，一對女同性戀者不服，上訴到聯合國人權委員會，但按委員會在 2002 年對《公民權利及政治權利國際公約》的解釋，人權公約提到的婚姻權利是指「單純一男一女的自願結合」。另外，歐洲人權法庭近年的三個判決都表明，《歐洲人權公約》並未賦予成員國有承認同性婚姻的義務：2010 年的崔克與托夫訴奧地利案（Schalk and Kopf vs. Austria, no. 30141/04）；2012 年有關法國的 Valérie Gas 與其女同性伴侶 Nathalie Dubois 申請領養的訴訟；2014 年的 Härmäläinen v. Finland, Application no. 37359/09。

另一些人說：同性婚姻是人權，所以不用訴諸社會共識，因為少數人的權益不是多數可以決定的。當然，不應讓大多數人的意願主宰法庭的決定，但這就代表可以讓少數人的訴求去主宰社會的長遠發展嗎？人權可用來保障少數人，但這不表示所有「少數群體」對人權的宣稱就必然是對的，難道凡是弱勢群體提出的訴求，就必然合理？當然不是，這種盲目追捧少數群體的思路是矯枉過正。例如：要求與父母和兄弟姊妹結婚的人更加少數，難道他們的訴求就更加是人權？多數也好、少數也可，關鍵是如何釐定何為人權的標準。

世界人權宣言（Universal Declaration of Human Rights）第二十九條說：

（一）人人對社會負有義務，因為只有在社會中他的個性才可能得到自由和充分的發展。

（二）人人在行使他的權利和自由時，只受法律所確定的限制，確定此種限制的唯一目的在於保證對旁人的權利和自由給予應有的承認和尊重，並在一個民主的社會中適應道德、公共秩序和普遍福利的正當需要。很明顯，考慮人權時不代表要全面抹殺「道德、公共秩序和普遍福利」的重要性，而這些正是多數人會考慮的因素，如何能說多數人的意見全不相干呢？

這些議題很複雜，本短文只能作點初步批判反思，在一系列講座中，我會更詳細解釋如何用公共論據回應同性婚姻的挑戰。（參：關啟文，〈同性婚姻是人權嗎？〉，http://kwankaiman.blogspot.hk/2012/11/blog-post_22.html。）



關啟文教授早年畢業於香港大學電機工程系，後取得蘇格蘭鴨巴甸大學道學學士和牛津大學的神學碩士與博士學位，現任浸會大學宗教及哲學系教授兼系主任、明光社董事及香港性文化學會主席。關教授將於七月底應邀來澳，以同性婚姻為題主講澳神神學講座。

2016 粵語神學講座

同性「婚姻」是人權嗎？ 神學和理性批判

講員：關啟文教授

日期：7月30日（週六）下午2時至9時

地點：基督學院 Christ College, 1 Clarence Street, Burwood NSW 2134

費用：每位\$80（優惠價每位\$70：在6月30日前或不少於5人集體報名）

另有兩場培靈會，分別於7月29及31日晚上7時半假寶活長老會（Burwood Presbyterian Church, 46-48 Belmore Street, Burwood NSW 2134）舉行，題目分別為『從聖經看同性「婚姻」：贊成與反對的釋經理據並應持守的立場』及『從信仰看同性「婚姻」：合法化對持守福音信仰者的危與機』，憑票入場，建議每票奉獻\$5。

詳情請瀏覽本院網站 www.ctca.org.au

學院動態

教務長回來—梁明生牧師的放假進修，將於六月底告一段落，七月一日返回上班。

澳神學生會—已於五月九日成立，通過會章，選出第一屆職員（主席易慶初同學、副主席陳玉轉同學、文書孫雷雷同學、財政鄭碧妮同學及總務李竟裕同學），敦請院長擔任義務顧問。

圖書館人手—學院圖書館徵求部份時間圖書管理員或圖書館技術助理一名，須具專業資格或訓練，詳情請參閱本院網站。

本年短宣—訂於九月十三至十八日前往達爾文，由院長率領九位同學同往，承蒙達爾文華人基督教會接待，並合辦中秋外展。



請支持
澳神事工

- 劃線支票抬頭請寫“Chinese Theological College Australia”，然後連同個人資料（姓名、地址、電話、電郵）及奉獻用途*寄回本院，以便發回收據。
- 直接存入戶口（Westpac Bank A/C No. 032-080-29-0867），存款後請將收據連同個人資料及奉獻用途*以電郵或郵寄方式通知本院，以便發回收據。

*經常費、獎學金、圖書館基金或校舍基金（後兩者可扣稅）

招生

本院現正招收
**澳洲神學協會
碩士、學士及文憑課程**
學生，入學資格、申請手續及章程請參閱本院網站。

2016年第二學期 澳神神學證書及文憑課程

以下科目與學位同學同班，報讀者須懂得操作電腦，上課地點為基督學院 Christ College (1 Clarence Street, Burwood)，所有科目均以普通話授課。

『舊約先知書及著作』 陳大同牧師

18/7-5/9 及 10/10-31/10 期間，
逢週一晚上6時至9時（共12堂）

『基督教靈修學』 陳大同牧師

19/7-6/9 及 11/10-1/11 期間，
逢週二下午2時至5時（共12堂）

『耶穌與福音書』 梁明生牧師

19/7-6/9 及 11/10-1/11 期間，
逢週二晚上6時至9時（共12堂）

『耶利米書』 陳大同牧師

21/7-8/9 及 13/10-3/11 期間，
逢週四上午8時45分至12時
（共12堂）〔此科只可旁聽〕

詳情及報名表可於本院網站
瀏覽及下載

學生見證

徐軍

6年前，是上帝，他親自牽引我，來到曼利聖公會聖馬太堂，在那裡，我第一次聽到了關於上帝的教導，真理的道攪動我內心深處的共鳴。我被感動，被吸引，之後就一直在曼利聖公會聖馬太堂參加聚會、活動，並參與迎新組的服事。

與上帝的邂逅，在人看，似乎是偶然；然而，在神的計劃裡，確是必然的。因為上帝向我們每個人都發出了邀約，就在祂所定下的時間裡，我被神找到了。

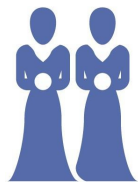
這些年來，上帝透過祂的話語，藉著耶穌的生命啟示我，通過教會遮蓋並帶領我，使我在聽道，行道雙翼團契中得著屬靈的保護和成長。我從一種完全沒有信仰背景的生命狀態，轉而成為了一名有信靠願擔當的基督徒。我期盼可以真正聽懂上帝的話語，堅固我的生命根基，走對祂要我走的路。而且我也渴慕自己可以成為神合宜的器皿，在神的時間計劃中接受裝備，為神預備。我相信上帝聽見我在尋求，於是，他透過澳神的一場神學講座和緊接著的開放日為我打開了通往神學院的大門。

去年9月，我參加了澳神舉辦的由田宏恩牧師主講的一場神學講座。講座的內容對我深有啟發，我感悟到神學的豐富性，深知自己在這方面的缺乏。隨後澳神的開放日，從羅德麟院長宣講澳神的意向和宗旨中，我了解到在上帝的啟示中，澳神在悉尼建立，為神的子民，特別是華人族群預備著工人，這深深激勵我的使命感。我向上帝求證祂的旨意，禱告、詢證、預備，蒙神恩領，我立定心志：選擇澳洲華人教牧神學院，開始接受有系統的神學裝備，為主所用。

作為一名信徒，一名神學生，我祈願在上帝的引領下，得悉全備真理，活出屬天的神性；更求神為我預備擔當的心智和能力，有信心回應祂的呼召，在榮神益人的事工中有份。



How to Use Public Arguments to



Participate in the Debate about Same-sex Marriage?

Prof. Kai-Man Kwan

The demand for same-sex marriage has created immense impact on the Australian society and has led to a heated debate. How should Christians take part in this sometimes acrimonious debate? On one hand, Christians and the churches are an integral part of the pluralistic society. So we also have the right to speak from the faith perspective. On the other hand, just quoting Bible will not be very effective in a highly secularized society. I suggest Christians should also make use of the knowledge given to us by God and appeal to all kinds of "wisdom" to defend the truth. In this process, the wise use of public arguments is very important. As a matter of fact, many arguments for same-sex marriage can be refuted by public arguments.

For example, supporters of same-sex marriage often call it "marriage equality". This kind of rhetoric has helped the gay lobby greatly. However, what is really meant by "equality"? Does it mean that we should treat everyone identically in all matters? No, because giving the same grade to all students in an examination regardless of their performance is far from fair; in fact it is unfair to those who have worked hard. In short, equals must be treated equally, and unequals must be treated unequally—this is real equality & justice.

The society encourages some specific form of marriage, but does not institutionalize other forms (e.g., three-person marriage, polyamory). Why? To protect the long-term development of the society. Some people say that since heterosexuals can marry but gay people cannot, this differential treatment itself proves that our existing system is unfair. This argument reflects a superficial understanding of equality. We also need to consider: what is the purpose of the institution of marriage? Among a dozen possible marital forms, what kind of criteria should be used to institutionalize some forms but not others? To equate same-sex marriage with marriage equality, the supporters need to prove that heterosexual union is indeed equal to homosexual union in all respects (including their contribution to the common good). This has not been done. The gay lobby sometimes say that same-sex marriage is the consensus of international human rights standard. This is again

incorrect. Article 23 of *International Covenant on Civil and Political Rights* says: "1. The family is the natural and fundamental group unit of society and is entitled to protection by society and the State. 2. The right of men and women of marriageable age to marry and to found a family shall be recognized." This does not mention same-sex marriage; the kind of marriage referred to here is the marriage between "men and women."

Some time ago, a lesbian couple in New Zealand appealed to the United Nations' Human Rights Commission as the New Zealand government disapproved same-sex marriage back then. According to the interpretation by the UN Human Rights Commission in 2002, the right to marry means "only the union between a man and a woman wishing to marry each other." (*Joslin v. New Zealand*, Communication No 902/1999) Moreover, in three recent verdicts of the European Court of Human Rights, it is stated clearly that the *European Convention of Human Rights* does not require the legislation of same-sex marriage: in 2010, *Schalk and Kopf vs. Austria*, no. 30141/04; in 2012, the case of a French lesbian couple (*Valérie Gas & Nathalie Dubois*) applying for adoption; in 2014, *Hämäläinen v. Finland*, Application no. 37359/09.

Other people say, since same-sex marriage is a human right, we need not consider social consensus. We cannot let the majority decide on a minority's human right. Of course, we cannot decide the issue purely on the basis of the majority's consensus. However, it does not mean that the claims of the minority groups should have the privilege to decide the long-term development of the society. Indeed human rights are used to protect the minority groups. But it does not follow that the claims to human rights by the minority groups are necessarily justified. For example, the people who demand the right to marry their father, mother, brothers and sisters may be a very tiny group. Does it follow that they have a stronger claim to human right? No. No matter it is a majority or minority, the key question is what are the correct criteria to determine which is a human right, and which is not.

Article 29 of the *Universal Declaration of Human Rights* says:

(1) Everyone has duties to the community in which alone the free and full development of his personality is possible.

(2) In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.

Obviously, when we consider human rights, we cannot dismiss entirely the importance of "morality, public order and the general welfare," and these are exactly the considerations appealed to by the majority. How can we say that the majority idea is entirely irrelevant then?

Of course these issues are complicated, and here I can only provide preliminary discussions. In a series of lecture, I will explain in more details how we can use public arguments to respond to the challenge of same-sex marriage.



Prof. Kai-Man Kwan

B.Sc. (Electrical Engineering), University of Hong Kong

M. Phil. in Philosophical Theology, Oxford University

D. Phil. (Oxon) - Philosophy of Religion, Oxford University

Head of the Department of Religion and Philosophy, Hong Kong Baptist University

Founding member and board member of the Society for Truth and Light, Hong Kong

Founder and chairman of the Hong Kong Sex Culture Society

Prof. Kwan, as invited by CTCA, is coming to Sydney in late July to deliver a theological lecture on the topic of same-sex marriage.

2016 Cantonese Theological Lecture

“Is Same-sex Marriage a Human Right? Theological and Rational Judgements”

Speaker: Prof. Kai-Man Kwan

Date: Saturday, 30 July 2016
 Time: 2pm - 9pm
 Venue: Christ College, 1 Clarence Street, Burwood NSW 2134
 Fee: \$80 each (Discounted to \$70 each if registered before June 30 or for group booking of 5 persons or more)

In addition, Prof. Kwan will address on the topics of viewing same-sex marriage from the perspective of the Bible and Christian belief at 2 public meetings to be held on Friday July 29 and Sunday July 31 respectively from 7:30pm at Burwood Presbyterian Church, 46-48 Belmore Street, Burwood NSW 2134. Admission by tickets only. Donation of \$5 per ticket recommended.

Please visit our website www.ctca.org.au for details.

Latest News

- The Academic Dean will complete his study leave by the end of June and resume duty on July 1.
- CTCA Students Association was founded on May 9 with the approval of its Constitution and the election of its first Committee (Thomas Yick as Chairperson, Charlotte Chen as Deputy Chairperson, Lane Sun as Secretary, Pi-Ni Cheng as Treasurer and King Li as General Affairs). Also, the Principal has accepted its invitation to become its honorary advisor.
- CTCA library is seeking a part-time Librarian or Library Technician. Applicant must possess relevant qualification and experience. Please visit our website for details.
- The Principal and 9 students will go to Darwin for our College Mission trip during 13/9 to 18/9. They will visit Darwin Chinese Christian Church and co-organise a mid-autumn outreach.



Please
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CTCA

For donation, please draw cheque in favour of Chinese Theological College Australia and send it to P.O. Box 1340, Burwood NSW 1805, together with your personal details (name, postal address, phone no. & email address) and purpose of donation*. Official receipt will be issued accordingly.

Or you may deposit into our Westpac Bank Account No. 032080-290867. Please send the deposit slip, together with your personal details and purpose of donation* to CTCA by post or via email. Official receipt will be issued accordingly.

*general fund, scholarship, library fund or school building fund [Donations to the latter 2 funds are tax deductible.]

Open for
Application

Application for the Australian College of Theology undergraduate and postgraduate programs now opens. For course information, admission requirements and procedures, please visit our website.

CTCA Associate Licentiate & Certificate Courses 2016 Term 2

Students of the subjects below sit in the same class as degree students. Applicants need to be computer literate. All classes are held at Christ College (1 Clarence Street, Burwood) and taught in Mandarin.

“Old Testament Prophets and Writings”

Rev. Raymond Chan

18/7 - 5/9 & 10/10 - 31/10
 every Monday 6pm - 9pm
 (total 12 lessons)

“Christian Spirituality”

Rev. Raymond Chan

19/7 - 6/9 & 11/10 - 1/11
 every Tuesday 2pm - 5pm
 (total 12 lessons)

“Jesus and the Gospel”

Rev. Ming Leung

19/7 - 6/9 & 11/10 - 1/11
 every Tuesday 6pm - 9pm
 (total 12 lessons)

“Jeremiah”

Rev. Raymond Chan

21/7 - 8/9, & 13/10 - 3/11
 every Thursday 8:45am - 12pm
 (total 12 lessons)
 [This subject opens for audit only.]

For details and enrolment form please visit our website www.ctca.org.au.

Student's Testimony

Judy Xu

About 6 years ago, God led me to St Matthew's Anglican Manly. It was at that church where I heard of God for the first time. Truth stirred deeply in my heart. I felt so touched and drawn to the church that I started to worship at St Matthew's Anglican Manly. I also became involved in many church activities and served in the welcome team.

To people, it seems that encountering with God happens by chance; yet to God, it happens by His plan and is inevitable. For God has extended an invitation to everyone and in His divinely appointed time, I was found by God.

During the last few years, God had taught me through His words, revealed Himself to me through the life of Jesus Christ, sheltered and led me through His church. I was able to grow spiritually and receive protection by word and deed. Hence, my life was changed from having no religion to having Jesus Christ and became a Christian life of trust and commitment. I longed to understand God's word, to lay a solid foundation of my life and to walk the way God has designed for me. I also longed to become a suitable vessel of God.

Last September I attended a theological lecture hosted by CTCA with Rev Talis Tien as the speaker. That lecture inspired me in many ways. Whilst I started to have a glimpse of the vastness of theology, I also became aware of my own lack of theological knowledge. Soon after, during the Open Night of CTCA, I heard of the Principal, Rev Dennis Law, sharing the vision and goal of CTCA that CTCA was founded to prepare suitable servants for God and God's people. This suddenly evoked a sense of mission in my heart. I asked God for His Will by prayers, confirmation and preparation. By God's grace, I was finally clear that I would study in CTCA to be equipped systematically in theology and biblical knowledge for God's use in the future.

Now, as a believer and a theological student, my prayer is that by God's guidance, I may receive full knowledge and truth of God and live godly. I also pray that God will prepare my heart to respond to His calling in faith, give me strength for future responsibilities and let me partake in Christian ministry to bless the others and glorify Him.

