

Submission

To the Senate Legal and Constitutional Affairs Committee
inquiry into the *Marriage Equality Amendment Bill 2010*

by Australian TFP Bureau Inc.

2nd April 2012

Introduction

“No ideology can erase from the human spirit the certainty that marriage exists solely between a man and a woman, who by mutual personal gift, proper and exclusive to themselves, tend toward the communion of their persons. In this way, they mutually perfect each other, in order to cooperate with God in the procreation and upbringing of new human lives.”¹

The Australian TFP respectfully submits the following response to the Senate Legal and Constitutional Affairs Committee Inquiry into the *Marriage Equality Amendment Bill 2010*. This submission is made on behalf of our association’s members living throughout Australia. The Australian TFP is strongly opposed to any change to existing legislation that will allow same-sex marriage. The Australian TFP is a civil organisation of Catholic inspiration which seeks to defend and uphold the values of Christian Civilisation. Consequently, we defend the ideal of natural marriage, the exclusive union of one man and one woman to the exclusion of all others, voluntarily entered into and for the term of their natural lives. We would like to highlight the following aspects:

I. Same-sex marriage is not marriage at all

Calling something marriage does not make it marriage. Marriage has always been a covenant between a man and a woman, which by its nature is the proper context for the procreation and education of children and the unity and wellbeing of the spouses. The promoters of same-sex “marriage” propose something entirely different. They propose the union between two men or two women, which denies the self-evident biological, physiological, and psychological differences between men and women that find their complementarity in marriage. It also denies the primary purpose of marriage: the perpetuation of the human race and the raising of children. Two entirely different things cannot be considered the same thing. Homosexual ideology seeks to normalise the homosexual lifestyle by obtaining official governmental recognition of same sex marriage. Should this change occur then the homosexual lifestyle will be validated along with its bisexual

¹ *Considerations regarding proposals to give legal recognition to unions between homosexual persons*, Congregation for the Doctrine of the Faith, June 3, 2003.

and transgender offshoots. This validation would be then be used to vigorously promote the homosexual lifestyle to the detriment of Australian society.

2. Same-sex marriage violates Natural Law

Marriage is a relationship rooted in human nature and governed by Natural Law. Natural Law's most basic precept is "do good and avoid evil." By natural reason a human being knows what is morally good or bad. Being rooted in human nature, Natural Law is universal and immutable. It applies to the entire human race. Saint Paul wrote in his Epistle to the Romans that the Natural Law is inscribed in the heart of every person (Rom. 2:14-15). By natural reason we know the end – or purpose – of each of our acts. Any situation which institutionalises the circumvention of the purpose of the sexual act violates Natural Law and the objective universal norms of morality. Natural marriage, the union of one man with one woman, normally has the result of children (unless turned from its purpose by birth control). Contrastingly, same-sex marriage is a naturally sterile union. If the "spouses" want to birth a child they must circumvent nature by artificial means.

3. Same-sex marriage is harmful to the Common Good and therefore must be opposed by all responsible legislators and governments.

The principal function of government is to uphold the Common Good. This means government must seek at all times to do what is truly best for the good of society as a whole and not just for groups within society. Homosexual "marriage" by its very nature is contrary to the good of society. It threatens the continuation of the human race by reducing procreation, and brings in its wake a series of social problems such as same-sex couples adopting children, surrogate motherhood, legal issues of sperm donation and donor identity, and depriving children of the right to have both father and mother. Therefore it behoves the State to uphold natural heterosexual marriage for the sake of the common good.

4. Same-sex marriage imposes its acceptance on all society

By legalising same-sex "marriage" the government becomes its official promoter. Whilst the bill proposes exemptions for religious celebrants, all other citizens with strongly held beliefs about constitutes a marriage, would be given no legal protection whatsoever. Nor is it inconceivable that after a while even the freedom to refuse a religious ceremony in churches to homosexual couples would be overturned. The government would order public schools to teach its acceptability to children, and punish government employees who express disapproval. In the private sphere, objecting parents will see their children exposed more than ever to this new "morality". Businesses offering wedding services will be forced to provide them for same-sex unions. Rental property owners will have to accept same-sex couples as tenants. In every situation where marriage affects society, the government will expect Christians and all people of good will to betray their consciences by condoning, through silence or cooperation, an attack on the natural order and on Christian morality. Same-sex marriage legislation will, if passed, become a hammer in the hands of the homosexual movement to further promote their agenda above and against the common good. This is dangerous, unjust and unfair.

4. Same-sex marriage is a moral wrong, not a civil right

Homosexual activists argue that same-sex “marriage” is a civil rights issue analogous to the struggle for racial equality in the 1960s. This is false. Sexual behaviour and race are essentially different realities. A man and a woman wanting to marry may be different in their characteristics: one may be black, the other white; one rich, the other poor; or one tall, the other short; one educated the other not. None of these differences prevent marriage. They are still man and woman and the requirements of nature are respected. Same-sex “marriage” opposes nature. Two individuals of the same sex, regardless of their race, wealth, stature, or education will encounter an insurmountable obstacle to marriage due to a biological impossibility.

It is noteworthy that recently the European Court of Human Rights ruled that homosexual marriage is not a human right, in a case brought by a lesbian couple in a civil partnership after the French courts would not allow them to adopt a child as a couple. The judges said: “The European Convention on Human Rights does not require member states’ governments to grant same-sex couples access to marriage.” The judges added: “With regard to married couples, the court considers that in view of the social, personal, and legal consequences of marriage, the applicants’ legal situation could not be said to be comparable to that of married couples.”²

5. Same-sex marriage offends God

We do not believe it is within the State’s power to redefine marriage to include same-sex unions. Marriage was not created by the State but has pre-existed the State since primordial times as the basic social unit of society. Upon the permanent union of one man and one woman all tribes, nations, kingdoms and States were built. To tamper with something so fundamental as this is to tamper with the most profound social structure of all. Marriage was established by God in Paradise for our first parents, Adam and Eve. As we read in the Book of Genesis: “Male and female He created them. God blessed them, saying: Be fertile and multiply; fill the earth and subdue it.” (Gen. 1:27-29). Whenever one violates the natural moral order established by God, one sins and offends God. Same-sex “marriage” does just this.

Conclusion

Marriage should remain as it is currently defined in Australian Law and be defended and upheld by our legislators for the sake of its unreplaceable contribution to the common good and development of our beloved country. We would like to thank the committee for the opportunity to make this submission and to explain our opposition to any legislative recognition of so-called “same-sex marriages”.

Mark Halliday
President, Board of Directors,
Australian TFP

² *Gay marriage is not a “human right”*: European ruling torpedoes Coalition stance, Steve Doughty, *Mail Online* [Daily Mail, UK], 20TH March 2012