

April 1, 2012

Committee Secretary,
Senate Legal and Constitutional Committee
PO Box 6100,
Parliament House,
Canberra ACT 2600,
Australia

Dear Committee Secretary,

As an Australian who believes marriage should remain a life long commitment between a man and a woman, I strongly oppose the Marriage Equality Amendment Bill 2012.

The fundamental nature of marriage is based around a biological principle, namely that two people of opposite sexes can unite and form a new biological entity (i.e., an offspring). This is simply an observation from nature that people have acknowledged regardless of their religious and cultural heritage, as can be seen from the way that marriage has existed in almost every culture historically. A defence of this notion of marriage is convincingly articulated in the article *What is Marriage?* by Girgis et al. published in the Harvard Journal of Law and Public Policy.

The argument that gay people's rights are currently being violated in the absence of same sex marriage is fallacious. Like every adult, they have the right to marry a consenting adult of the opposite sex. Is a single person's right to marry being violated because they have been unsuccessful in finding a spouse? Should the government modify the definition of marriage to allow them to marry themselves if they decide they wish to make a life long commitment to stay single?

Consider the following analogy. Under the current law, parents are entitled to various family tax benefits. If I do not have a child, but instead have a cat, am I being denied the right to my family tax benefits? Of course not, because there is a fundamental difference between having a child and having a cat. But perhaps my cat is expensive to maintain (health issues), and I feel a strong affection for my cat in a way that parents feel for their children. So it seems I have three options.

1. I could acknowledge that I am not being deprived any right because the right in question is to receive family tax benefits if I did have a child.
2. I could fight to have laws changed so that I am not being deprived of the tax benefits, giving cat owners also the same tax benefits that parents receive (on the grounds mentioned earlier, e.g. the high cost of maintaining a cat).
3. I could demand that the law be changed at the definition of what constituted a child, so that a child no longer had to be human but could include 'feline' children.

In recent years, same-sex marriage advocates have systematically used the second option to remove any perceived discrimination (e.g. superannuation benefits or tax entitlements to same-sex partners) and are now arguing for the last option, because they do not like the fact that the law makes a distinction between same-sex couples and opposite-sex couples (the same way that it makes a distinction between children and cats). Regardless of one's religious persuasions, there must surely be an acknowledgement that biologically there is a difference between these two types of relationships (one obvious difference is the fact that one can result in a new human being made).

Further, it is unclear to me how the proposed definition of marriage (as a life long commitment between two loving humans) can justify other exclusive aspects. For instance, why should it be life long? Why should it be only between two people? If the main reason to alter the definition is to be more inclusive, the government should also consider permitting polygamy. If a bisexual person wished to have two spouses of the opposite sex, is there any moral or legal reason to deprive them of this 'right'? I would like the advocates of same-sex marriage to consider whether they would also encourage subsequent redefinitions of what constitutes marriage. Generally such objections are brushed aside as fringe issues, but is that not how the idea of gay marriage would have been perceived 40 years ago?

The provisions of the bill giving ministers of religion the right to marry same-sex partners do not allay my fears about freedom to practice religious beliefs. If a high school teacher refuses to teach books in which same-sex marriage relationships are normalised or encouraged, will he/she be excused from doing so? If a wedding photographer wishes not to photograph same-sex wedding celebrations because they find it morally objectionable, will they have the right not to?

In general, would non-ministers have the right to follow their conscience on this issue, even if it meant not treating same-sex marriages as somehow different. Consider the case of Catholic adoption agencies having to close because they are prohibited from denying same-sex couples access to their services. Australia would also be wise to look to somewhere like the state of Massachusetts to see whether there are any reports of restricted freedoms of opponents of same-sex marriage.

I have been reluctant to write a submission to this inquiry because of the perception that people who oppose same-sex marriage must be hateful bigots, and I would prefer not to be viewed in this light. I am not entirely sure why people who oppose gambling are not viewed as gamblophobes, and why vegans aren't seen as omni(vore)phobes, but nevertheless, the same-sex lobby has powerfully silenced dissent using this strategy. This is, however, not a time to be silent and if I am viewed as a narrowminded bigot for putting forth my views then so be it. I would rather state what I believe is right and best for this country than silently fall into line with a popular but ultimately detrimental view.

I fear that the push for same-sex marriage has come quite fast and too few people have considered the consequences it will have on Australia. If we believe that marriage is a fundamental building block of society then we need to think carefully about what its purpose is, and how allowing modifications of the male/female partnerships would affect it. If, on the other hand, marriage is now an outdated and irrelevant relic that has no consequence for the country, why bother legislating it at all?

Yours Sincerely,