

**Submission**  
on the  
**Marriage Equality Amendment Bill 2010**  
to the  
**Senate Legal and Constitutional Affairs Committee**

Date of Submission: 2/04/2012

Attention:  
Committee Secretary  
Senate Legal and Constitutional Committee  
PO Box 6100  
Parliament House  
Canberra ACT 2600  
Australia  
Email: [legcon.sen@aph.gov.au](mailto:legcon.sen@aph.gov.au)

Dear Secretary,

**Executive Summary:**

This submission outlines two objections to the proposed Marriage Equality Amendment Bill 2010, from a non-Christian perspective. Firstly, the proposed Amendment violates the underpinning moral code that has been accepted by generations of people from all faiths, culture and ethnicity. Secondly, the proposed Amendment is attempting to legislate against a higher Law of Nature espoused within the Marriage Act. I submit that the Marriage Act is not the correct target legislation to amend, and thus the Amendment Bill should be defeated.

**Introduction:**

**Basis of Objection:**

While I am practicing Christian minister of religion, and very well-versed with the Bible, this submission is **not** based on the Christian Bible for the following two reasons:

- (1) The general Australian public does not consider the Bible to be a relevant document, or refer to it, as a basis for their arguments.
- (2) Many other Christians, and ministers have adequately voiced their objections to the Amendments, arguing from a Christian biblical perspective.

This submission is based on more common grounds, which I hope the general public may better appreciate:

### **Objection #1**

Firstly, I object to the proposed Amendment Bill because it violates the underpinning moral code embodied within the Marriage Act.

All societies are governed by Moral Codes, (or practices of morality) from which the Legal Code is derived. While Moral Codes could be oral, and may not be explicitly written, it forms the basis of which the Legal Code is created.

To change any pre-existing legal code without due consideration to the underlying Moral Code will lead to social confusion. A society with confused moral codes leads to conflicting laws. This may also render the resulting Legal Code to be fraught with conflicting values, and ultimately rendering it ineffective, and unnecessarily litigatory.

In other words, any attempts to amend an Act has implications on the underlying Moral Code.

The Marriage Act 1961, like all legislation, embodies a Moral Code that has been accepted in our Australian democracy for generations. Many other faiths, cultures, and ethnicity represented in modern Australia share this same Moral Code. In particular, the Marriage Act is a legal expression of the Moral Code of marriage being a union between a man and a woman only, which leads to natural procreation.

If the raised issue is about Equality, then it is even more evident that the Amendment is quite misguided by targeting the Marriage Act. The Marriage Act is not intended to be a statement about general social equality, but about marital union between two heterosexual persons.

### **Objection #2**

Secondly, I object to the proposed Amendment Bill because it attempts to legislate against a higher Law of Nature, which is espoused within the Marriage Act.

All natural persons are also governed by Natural Laws, which cannot be violated, nor legislated effectively against. Obviously, to pass a Law against the Law of Gravity won't make apples fall upwards, nor can we legislate for the Sun to not rise tomorrow morning.

Likewise, to amend the Marriage Act for the benefit of same-sex couples won't magically give them the ability to procreate naturally.

The existing Marriage Act implicitly expresses the higher Natural Law of natural procreation. Any human attempt to change the higher Natural Law by means of

this Amendment will not succeed in this unwinnable battle against Nature. It would only likely to result in other meaningless laws in the hope of fixing the issue.

Therefore, I object to the Amendment because it is in conflict with the implicit Natural Laws within the Marriage Act.

**Conclusion:**

To proceed with the proposed Amendment will not only violate the underlying Moral Code, but also violate a sacred Institution. To desecrate an established Institution is to destroy a key pillar that holds up the roof of our Australian democracy.

Whether same-sex union should be constructed as another pillar is an entirely separate matter. At present, de-facto relationships have legal representation within our Laws, but are managed OUTSIDE of the Marriage Act.

Therefore, I contend that to undermine an existing Institution is not the correct legal approach.

Marriage, as an accepted Institution by the majority of Australians, should not be amended to accommodate the interests of a vocal minority. To pass the proposed Amendment would amount to legal discrimination against the majority.

It will also irreparably violate the underlying Moral Code, and be a futile attempt to legislate against Natural Laws.

In conclusion, I contend that the Marriage Act is **not** the correct legislation to amend, for all the above reasons, and thus the proposed Amendment Bill should be defeated.

Yours faithfully,

***Paul C Lee (Rev.)***