Submission:
Inquiry into the Marriage Equality Amendment Bill 2012 and the Marriage Amendment Bill 2012

The Senate:
Senate Legal and Constitutional Committee
Parliament House, Canberra ACT 2600
E-mail: The Secretary of the Committee,
legcon.sen@aph.gov.au

Prepared by:
Spencer Gear MA (couns. psych.)
Summary of the Bill:

The Bill "amends the Marriage Act 1961 to: remove discriminatory references based on sexual orientation and gender identity; and allow marriage regardless of sex, sexual orientation or gender identity".¹

The following submission addresses the issues relating to why the Australian government needs to retain marriage as between a man and a woman and not legalise homosexual marriage. I have just retired after 34 years as a youth, family and general counsellor, the last 17 years being in a full-time counselling capacity.

Abstract of this submission:

It is essential to retain marriage between a man and a woman and not legalise homosexual marriage or any other alternative. The research evidence confirms that heterosexual relationships are preferred over gay relationships because of length of relationships, monogamy vs. promiscuity, commitment to the relationship, children being raised, health risks and intimate partner violence. A survey by family scholars found that union between a man and a woman benefitted children, men, women and society.

Since the beginning of time, God’s view for love and family does not include homosexuality but promotes heterosexuality. God’s view of marriage matters. Heterosexual marriages with a mother and a father provide the best family situation in which to raise healthy children (research demonstrates this). Homosexual unions do not foster optimal family relationships because of the example set for children and the sexual identity confusion, the problem of commitment in gay relationships, issues relating to mental health, substance abuse, suicidality, violence and longevity of life. Incest is higher in homosexual relationships.

Homosexual activists have aims to deconstruct the family and the government must not fall for this line. The human rights’ argument is fraught with logical consequences that would be deleterious to Australian society. What would stop the legal push for polygamy, polyandry, polyamory, and marriage of children in our multi-cultural society? It will be arbitrary and unjust not to grant the request of other partners to call their sexually intimate and enduring relationships marriage, if homosexual marriage is legalised. For the health of the nation’s families, reaffirm the Marriage Act in its support of marriage as a union between a man and a woman.

Why it is essential that marriage must be retained between a man and a woman

If you read the popular media, you will get the impression that there is not much difference between heterosexual marriage and homosexual marriage. So let’s legalise homosexual marriage and quit this discrimination against gays. You could quickly gain this impression by reading Robert Gebeloff and Mary Jo Patterson, ‘Married and gay couples are not all that different’. Is it true that there is not much difference in relationships between heterosexual and homosexual couples, and that Australia should make both kinds of marriage legitimate by legalising homosexual marriage, especially for human rights’ reasons? Please read on!

I. The research evidence

When we check the research evidence, we find that there are data to demonstrate that ‘committed’ homosexual relationships are considerably different from heterosexual married couples in several fundamental respects and to legalise same-sex marriage would be detrimental to our country:

- The length of relationships;
- Monogamy vs. promiscuity;
- The commitment to the relationship;
- The number of children being raised;
- Health risks;
- Rates of intimate partner violence.

1. Heterosexual vs. homosexual longevity of relationships

A USA Census Bureau study from 2002 found that 70.7% of women married to a man between 1970 and 1974 made it to their tenth anniversary and 57.7% remained married for 20 years or more.

How is it for homosexual relationships? There was a survey of 7,862 homosexuals in 2003-2004 in the Gay/Lesbian Consumer Online Census. It found that of those involved in a ‘current relationship’, only 15% described their relationship as longer than 12 years or more. Only 5% lasted more than 20 years. While this does not predict absolutely the longevity of a homosexual relationship, it is an indicator of the fact that short-term relationships are typical of homosexual relationships.

---


3 This information is based on research of the Family Research Council 2012. Comparing the lifestyles of homosexual couples to married couples. Available at: http://www.frc.org/get.cfm?i=IS04C02#edn1 (Accessed 12 March 2012).


2. Monogamy vs. promiscuity

One study in Amsterdam among a homosexual population found that currently, 86% of new HIV infections occur within steady partnerships. How can that be with a 'steady partnership'?

It was reported in *The Journal of Sex Research* that most homosexuals have between 100 and 500 sexual partners in a lifetime. This research found that 10.2% reported between 501 and 1,000 sex partners, and 15.7% said they had more than 1000 sex partners in their lifetime.

A study from 2004 by Chicago sociologist, Edward Laumann, discovered that the 'typical gay city inhabitants spend most of their adult lives in "transactional" relationships, or short-term commitments of less than six months.' In the Netherlands, in a study of homosexual men, published in the journal *AIDS*, it was found that the 'duration of steady partnerships' was approximately 1.5 years.

What about heterosexual marriage and promiscuity?

In a representative survey of 884 men and 1,288 women, published in 1997 in the *Journal of Sex Research*, the research found that 78% of married men and 88% of married women denied having extra-marital sex during the last year and during their lifetimes.

*Parade* magazine conducted a telephone survey of 1,049 adults as representative of the USA demographics and found that 81% of married men and 85% of married women reported that they had never violated their marriage vows.

---


11 Sexual habits of Americans have changed dramatically in ten years: New national survey finds both men and women more committed and caring, 1994. *PR Newswire* August 4, p. 12.
These and other research studies have concluded, therefore, that heterosexual marriages are much more stable and monogamous than homosexual relationships. And, thus, with lower HIV rates.

3. Commitment to the relationship

There was a Canadian study of homosexual men who stated that they had been in committed relationships for more than a year. This research indicated that only 25% who were interviewed claimed to be in a monogamous relationship. The study’s author, Barry Adam, stated that ‘gay culture allows men to explore different … forms of relationships besides the monogamy coveted by heterosexuals’. Similar results have been found in earlier research.

As for heterosexual relationships, see the statistics above where approximately 80% of married men and women had not violated their marriage vows or sexual faithfulness.

4. The number of children being raised

In the USA, the 2000 Census figures showed that only 33% of female same-sex households and 22% of male same-sex households have their own children living with them. However, the same Census revealed that 46% of heterosexual married couple households have at least one child living in the household.

5. Health risks

According to the journal, AIDS, 1993 research found that men who were involved in relationships that engaged in anal intercourse and oral-anal intercourse with greater frequency than those without steady partners were linked with a range of sexually transmitted diseases, including AIDS.

A 1999 study of twins examined the relationship between homosexuality and suicide and was published in the Archives of General Psychiatry. It found that homosexuals were at a higher risk for overall mental health problems and were 6.5 times more likely than the heterosexual twins to have attempted

---

14 Coxon, A P M et al. 1993. Sex role separation in diaries of homosexual men, AIDS, July, vol 7 no 6, 877-882. Available at: https://docs.google.com/viewer?a=v&q=cache:_BGW_nNjpyoJ:sigmadiaries.com/Sex%2520Role%2520Separation.pdf+Sex+role+separation+in+diaries+of+homosexual+men&hl=en&gl=au&pid=bl&srcid=ADGEESjBqTb9QJKsMvjkhh_g1uqC-zwmCX4VPwqNeeN5U-FTOmoFPTPQStqX7_b4ADLnxz2Y5sh1cXfGnF4sIY6UZohk-P4OqTfBYzaALTVq50CshzE8b2ZUTqgVUb1gJKFAl&sig=AHIEtbS4ZMavckulfbW2kIoG S4aDn_yvYf (Accessed 12 March 2012).
suicide. This higher rate was not attributable to mental health or substance abuse disorders. 

6. Rates of intimate partner violence

The National Violence against Women Survey from July 2000, sponsored by the National Institute of Justice in the USA, found that same-sex cohabitants reported significantly more intimate partner violence than did opposite-sex cohabitants. Among women, 39.2 percent of the same-sex cohabitants and 21.7 percent of the opposite sex cohabitants reported being raped, physically assaulted, and/or stalked by a marital/cohabiting partner at some time in their lifetime. Among men, the comparable figures are 23.1 percent and 7.4 percent.

Surely the research evidence is mounting that homosexual relationships are less desirable in a nation than the foundational heterosexual relationships?

II. Defining marriage as a union between a man and a woman

In recent decades, marriage between a man and a woman has been undermined by the support and promotion of defacto relationships (which are typically unstable), easy divorce, and attractive welfare benefits for singles who have children. This kind of situation in Australia has been weakening marriage and family life in the lucky country for decades.

However an increasing body of research confirms that monogamous, life-long marriages are best for the health and wellbeing of children and their parents. I enthusiastically support the innovative work of Michael J. McManus,

---


17 For this submission I have been helped by the research provided by Thomas Finn PhD, Why we oppose same sex unions in Connecticut," Family Institute of Connecticut, now available from, http://www.cga.ct.gov/jud/old/SameSexMarriage/WhyWeOppose.pdf (Accessed 12 March 2012).

18 A survey of 13,000 people in 1987-88 found that ‘about 40% of cohabiting unions in the U.S. break up without the couple getting married... And marriages that are preceded by living together have 50% higher disruption (divorce or separation) rates than marriages without premarital cohabitation. So instead of a 50% divorce rate for cohabiting couples, it is 75%.... The odds are 4 to 1 against any cohabitation evolving into a lasting marriage’ (cited in Michael J. McManus, Marriage Savers. Grand Rapids, Michigan, Zondervan Publishing House 1993, p. 23).
expounded in his publication, *Marriage Savers*,\(^\text{19}\) in which he advocates the following to better prepare people for marriage and to nurture and strengthen existing marriages:

1. Helping teens with sexual self-control;
2. Weighing a relationship's strengths and weaknesses;
3. Marriage preparation for engaged couples;
4. Help for newlyweds;
5. Marriage Encounter: The best marriage saver;
6. Saving troubled marriages through intervention programmes;
7. Legal reform of no-fault divorce; and
8. A community marriage policy: how to reduce a city's divorce rate.

### 1. Marriage between a man & a woman matters

The survey of research, "Why Marriage Matters: Twenty One Conclusions from the Social Sciences," A Report from family scholars\(^\text{20}\), found:

#### a. About Children

- "Parental divorce reduces the likelihood that children will graduate from college, and achieve high-status jobs.
- "Children who live with their own two married [man and woman] parents enjoy better physical health, on average, than children in other family forms. The health advantages of married homes remain even after taking into account socioeconomic status.
- "Parental divorce approximately doubles the odds that adult children will end up divorced."

#### b. About Men

- "[Heterosexual] married men earn between 10 and 40 percent more than single men with similar education and job histories.
- "Married people, especially married men, have longer life expectancies than otherwise similar singles.
- "[Heterosexual] marriage increases the likelihood fathers will have good relationships with children. Sixty-five percent of young adults whose parents divorced had poor relationships with their fathers (compared to 29% from non-divorced families)."

---


\(^\text{20}\) This report summary is from the Institute for American Values, chaired by Norval Glenn of the University of Texas, Steven Nock of the University of Virginia, and Linda Waite of the University of Chicago. Available at: http://www.marriageresourcesforclergy.com/documents/Acrobat/WhyMarriageMatters.pdf (Accessed 12 March 2012)
c. **About Women**

- "Divorce and unmarried childbearing significantly increases (sic) poverty rates of both mothers and children. Between one-fifth and one-third of divorcing women end up in poverty as a result of divorce.
- "Married mothers have lower rates of depression than single or cohabiting mothers.
- "Married women appear to have a lower risk of domestic violence than cohabiting or dating women. Even after controlling for race, age, and education [in the research design], people who live together are still three times more likely to report violent arguments than married people."

d. **About Society**

- "Adults who live together but do not marry - cohabitors - are more similar to singles than to married couples in terms of physical health and disability, emotional well-being and mental health, as well as assets and earnings. Their children more closely resemble the children of single people than the children of married people.
- "Marriage appears to reduce the risk that children and adults will be either perpetrators or victims of crime. Single and divorced women are four to five times more likely to be victims of violent crime in any given year than married women. Boys raised in single-parent homes are about twice as likely (and boys raised in stepfamilies three times as likely) to have committed a crime that leads to incarceration by the time they reach their early thirties, even after controlling for factors such as race, mother's education, neighborhood quality and cognitive ability."

2. **God’s view of marriage matters**

a. There is an assumption among some that the Bible and religious tradition do not teach that homosexual relationships are contrary to God’s plan. A brochure, representative of the Uniting Church in Australia, stated that ‘Homosexuality is a good part of God’s diverse creation’.\(^\text{21}\) Adelaide’s new Anglican Bishop, Dr Tim Harris, supports homosexual clergy but they must follow church guidelines and not engage in homosexual sex.\(^\text{22}\) The Anglican Church of Australia’s, Very Reverend Peter Catt of Brisbane,

---


supports homosexual civil unions. The United Church of Christ's General Synod (USA), in 2005, affirmed a resolution that there should be "equal marriage rights for all people regardless of gender", but that denomination does not require pastors to perform homosexual marriage. The United Church of Canada urged its federal government in Ottawa to recognise same-sex relationships.

b. However, these views contradict the biblical Scriptures which state that God's plan for love and sexuality does not include homosexual relationships, either in the Old Testament or the New Testament. See Genesis 19:1-29; Leviticus 18:22; 20:13; Romans 1:24-32; 1 Corinthians 6:9-11, and 1 Timothy 1:8-11. The Bible is clear that from the beginning of time, expressions of sexual intimacy were designed for a man and a woman in marriage and there were severe consequences for the practice of homosexuality.

c. Heterosexual sin and homosexual sin are so serious that people who continue to practise these sins ‘will not inherit the kingdom of God' (1 Corinthians 6:9).

d. Jesus Christ defined marriage: “Haven't you read," he replied, “that at the beginning the Creator ‘made them male and female,' and said, ‘For this reason a man will leave his father and mother and be united to his wife, and the two will become one flesh’? So they are no longer two, but one flesh. Therefore what God has joined together, let no one separate' (Matthew 19:4-6).

e. A nation that dares to promote the violation of God Almighty's laws, is calling for judgment (see Romans 1:18-32; Ephesians 5:6; Colossians 3:5-6).

f. ‘Blessed is the nation whose God is the Lord' (Psalm 33:12).

3. From the beginning of time it has been male and female in marriage

To tamper with an institution that causes the very fabric of society to cohere, is to reconstruct a society and destroy its family base. This is travelling into
dangerous territory. I urge the Senate not to take us down this slippery slope of redefining marriage to include same-sex relationships. From the beginning of time, the foundation of society has been, “A man will leave his mother and father and be united to his wife, and they will become one flesh.”

III. Heterosexual marriages with a mother and a father provide the best family situation to raise healthy children.

1. Children live healthier lives when both mother and father are in the home. The benefits include children having better performance in these areas: behaviour, social relationships, academics, financial and emotional stability. They receive increased parental support, delay sexual activity and have fathers who help them to develop positive character traits.

2. The American Academy of Pediatrics wrote that “a growing body of scientific literature demonstrates that children who grow up with 1 or 2 gay and/or lesbian parents fare as well in emotional, cognitive, social and sexual functioning as do children whose parents are heterosexual.” Is this the case? A review of the research literature shows that often the research design does not compare same-sex relationships with those of a heterosexual mother and father. Instead, many of these studies compare children raised in same-sex homes with single-parent heterosexual homes.

3. What happens in single-parent heterosexual families?
   - Children are six times more likely to live in poverty than are those in heterosexual parent families.

---

26 Genesis 2:24.
- The likelihood of boys going to prison is two times higher than in husband-wife families.\(^{30}\)
- "Children of single parents had a 77% greater risk of being harmed by physical abuse, an 87% greater risk of being harmed by physical neglect, and an 80% greater risk of suffering serious injury or harm from abuse or neglect than children living with both parents."\(^{31}\)
- The risk is higher for accidental injury, health problems (including asthma), repeating a grade or being expelled from school, and having emotional and behavioural problems.\(^{32}\)
- Teenagers in these families are twice as likely to have a child before the age of 20 and to cease attending school.\(^{33}\)
- Children have a higher likelihood of divorce among single-parent families.\(^{34}\)

Therefore, since the research focuses on comparing children raised in homosexual homes with single-parent heterosexual households and concludes that there are similar results, the logical conclusion is that children raised with same-sex couples are subject to the same kinds of risks (as above) as children raised in these single-parent heterosexual households – without both a mother and father in the house.

In addition, there is research to validate the fact that homosexual households have other risks to which children should not be exposed. These are:

IV. Homosexual unions do not foster optimal family relationships.

Research shows that homosexual households provide additional risks to children. Here are a few examples.

1. The example set for children


\(^{33}\) McLanahan and Sanfeur, op cit., p. 2.

\(^{34}\) Ibid.
This research from the Pacific Policy Institute found that homosexual relationships were temporary and mostly sexual in emphasis. Monogamy was not the norm in such relationships. This kind of homosexual behaviour conveys this message to children about “marital” relationships: They are temporary and sexual in orientation.\textsuperscript{35}

2. \textbf{The problem with commitment in homosexual relationships.}

In one research study of 156 homosexual couples, it was found that 100\% of those whose relationships lasted more than five years, had sex outside of the supposedly committed relationship.\textsuperscript{36} This compares with less than 25 \% of married heterosexual couples remaining faithful in their lifetime relationships.\textsuperscript{37}

3. \textbf{Sexual identity confusion among children}

Some research shows that children raised with homosexual parents have a higher incidence of homosexual behaviour than for children raised by heterosexual parents.\textsuperscript{38} This higher incidence ranged from 9\% to 27\% of children in these homosexual homes.\textsuperscript{39}

\begin{itemize}
\item \textsuperscript{35} B. Hayton, \textit{To Marry or Not: the Legalization of Marriage and Adoption of Homosexual Couples}. Newport Beach: The Pacific Policy Institute, 1993, p. 9.
\item \textsuperscript{38} J. Stacey & T. Biblartz, “Does the sexual orientation of parents matter?” \textit{American Sociological Review}, April 2001, pp. 174, 179. In a report of this study, it was emphasised that in one study “64 percent of the adults with lesbian parents (14 of 22) reported that they would consider having a same-sex relationship, as opposed to just 17 percent of those with heterosexual parents (three of 18),” cited in Boston’s, “The phoenix.com news & features,” August 2-9, 2001, available from: \url{http://www.bostonphoenix.com/boston/news_features/top/features/documents/01743257.htm} (Accessed 12 March 2012).
\end{itemize}
4. **Mental health, substance abuse, suicide, violence and longevity of life.**

The American College of Pediatrics reported in 2004 on research that demonstrated that individuals who practice a homosexual lifestyle are more likely than heterosexuals to experience mental illness, substance abuse, suicidal tendencies, and shortened life spans. Although some would claim that these dysfunctions are a result of societal pressures in America, the same dysfunctions exist at inordinately high levels among homosexuals in cultures where the practice is more widely accepted.\(^{40}\)

Some research among lesbians indicated that:
- 33% had experienced depression;
- 18% had attempted suicide;
- 21% sometimes or often experienced suicidal ideation;
- Suicide usually followed a significant psychiatric disorder rather than incidents of harassment;
- 32% claim to have been raped or sexually abused;
- 19% reported childhood incest.\(^{41}\)

It was found that 90% of lesbians reported verbal abuse by their partners, while 31% said that they had been physically abused.\(^{42}\) There was twice the amount of violence among homosexual men as among heterosexual men.\(^{43}\) Other studies have found that lesbians are 3 times more likely to abuse alcohol and experience other compulsive behaviours.\(^{44}\)

The homosexual community has a lower life span than the heterosexual community, by 8-20 years. If this increased death rate continues, about half of all homosexual men will not reach the age of 65.\(^{45}\)

---


5. Incest

Of children raised by homosexual parents, 29% were subject to sexual abuse by a parent, compared with 0.6% of those raised by heterosexual parents. In another study, there were 12% of homosexuals who experienced incest, compared with 0.8% of heterosexuals who reported being victims of incest.

If homosexual marriage is legalised and foster care and adoption rights are granted to homosexual relationships, children will be placed at a greater risk for the above reasons. The research shows that children raised in a home of husband and wife are at much less risk than those raised in homosexual homes for being victims of incest.

V. Homosexual activists aim to deconstruct the family

Paula Etterbrook, a lesbian, legal director of Equality Virginia's "mother" group, Lambda Legal Defense, wrote:

> Being queer means pushing the parameters of sex, sexuality and family, and in the process, transforming the very fabric of society... We must keep our eyes on the goals of proving true alternatives to marriage and of radically reordering society's views of family.

Michelangelo Signorile, a homosexual, wrote in OUT magazine:

> Gay leaders and pundits must stop watering the issue down—"this is simply about equality for gay couples"—and offer same sex marriage for what it is, an opportunity to reconstruct a traditionally homophobic institution by bringing to it our more equitable queer value system. It is also a chance to wholly transform the definition of family in American culture.

VI. The human rights’ argument: The slippery slope!

If heterosexual marriage is compromised with legislative support, why should this concession be restricted to homosexual marriage? Surely, the logical conclusion is that, with sufficient public support and influence on parliamentarians in this multi-cultural society (even if only by a small minority of the nation), polygamy (the practice or condition of having more than one wife at a time) may be legislated and permitted. Why should polyandry (the
practice or condition of having more than one husband at one time) be excluded? Why should the marriage of children be prohibited since this is allowed in some cultures represented in our multi-cultural country?

Polyamory groups (the practice of having multiple open, honest love relationships that are not of the "swinging" type) are making the big time in promotion on the worldwide web. Why exclude this kind of relationship if the government wants to legalise same-sex marriage? Would this not be regarded by the polyamory groups as discrimination? One website defined polyamory as:

a lifestyle in which one is involved in or open to two or more sexual relationships (whether or not one is involved in a primary relationship) and in which one also strives to develop and maintain an emotional connectedness and intimacy with most or all of one's lovers, informing each lover at least that one has or may have other lover(s). Distinguished from swinging by more emphasis on emotional connectedness than on physical sex. A polyamorous group larger than two may pursue an open relationship or polyfidelity. Adjective: "polyamorous". Note: There are many variations of polyamory; some examples (there are others) include (1) primary groups larger than two (triads, quads, etc.), (2) couple-to-couple dating, and (3) secondary relationships by members of a primary couple or group.50

If you want to get an idea of the world-wide promotion of polyamory, "Google" the www and surf for "polyamory" to see the range of sites that you can locate.

Examples include:
5. "alt.polyamory" at: http://www.polyamory.org/;
6. "What psychology professionals should know about polyamory" at: http://www.polyamory.org/~joe/polypaper.htm;

The human rights' argument has deleterious logical consequences. There will be no way for a government to stop other marital arrangements (as suggested above), if people have a 'human right' for a government not to discriminate against such people.

The largest and most comprehensive survey of sexuality that has ever been conducted in Australia, ‘Sex in Australia: Summary findings of the Australian study of health and relationships’ (published by Latrobe University) found that ‘97.4% of men identified as heterosexual, 1.6% as gay and 0.9% as bisexual. For women 97.7% identified as heterosexual, 0.8% as gay and 1.4% as bisexual’. The survey was a representative population of 19,307 respondents, aged 16-59 years in 2001-2002. The sample involved 10,173 men and 9,134 women who were randomly selected from all of the states and territories of Australia.51

Here’s one of the problems with the ‘human rights’ view: If even 0.001% of the population was to identify as wanting polygamous marriages, marriages of children, or legalisation of polyamory relationships, the ‘human rights’ argument could not prevent such marriages from being legalised. Therefore, heterosexual marriage needs to be maintained for the reasons given above, on other than human rights’ grounds.

The Center for Public Justice has rightly stated what this will mean if homosexual marriages are legalised.

We will need to pay close attention to the consequences. Judges and public officials will then be required to recognize as a marriage any sexually Intimate bond between two people who want to call themselves married. Which means that there will no longer be any basis for distinguishing legally between a heterosexual union and a homosexual relationship. Which means henceforth that there will be no legal basis for restrictions against a homosexual couple obtaining children in any way they choose, for such restrictions would constitute discrimination. And it will mean that when a mature mother and son, or father and daughter, or trio or quartet of partners come to the courts or to the marriage-license bureau to ask that their sexually active relationship be recognized as marriage, there will be no legal grounds of a non-arbitrary kind to reject the requests. Because if it is now arbitrary and unjust to recognize heterosexual marriage as something exclusive and different from homosexual relationships, then it will be arbitrary and unjust not to grant the request of other partners to call their sexually intimate and enduring relationships marriage.52

Heterosexual marriage has been the foundation of just and stable societies since time began. To weaken that foundation by legalising homosexual marriages will place Australia on the down-hill run to marital confusion with its destructive influences in families and on our culture. THE END

51 In this study, there were 10,173 men and 9,134 women who were randomly selected from all Australian states and territories. Available at: http://www.latrobe.edu.au/ashr/papers/Sex%20In%20Australia%20Summary.pdf (Accessed 12 March 2012).