

## **What marriage means to me**

To me, marriage is about the lifelong commitment of two loving people and it is a rite of passage. It starts by announcing to friends and family that you have found someone who you want to spend the rest of your life with and it is then celebrated by a gathering of friends and family to witness the beginning of this lifelong commitment. It is one of the most significant and important milestones in a person's life and it creates the beginnings of a new family, both socially and legally.

I recognise that marriage is different things to different people. I am not trying to change anyone's personal definition of marriage, because that is not my place. I am only asking for the legal freedom to exercise my personal definition of marriage, which does not infringe upon the freedoms of others.

## **Why I want marriage equality**

I want to marry my partner. I want to marry her for the same reasons as most people want to get married. I want to make a lifelong commitment to her, in front of my family and friends. I want to be able to refer to her as my wife.

I want to share in the rite of passage that many of my family and friends have been able to. I want to be able to enjoy a friend or family member's wedding without feeling crushed when the celebrant is required to mention how "Australia" defines marriage.

I want to be equal in the eyes of the law with those couples who only differ on a subtle biological and anatomical level. I don't want marriage to be about who has what sexual organ or who meets what arbitrary binary gender role. I want marriage to be about love and commitment.

## **Relationship registers and civil unions**

Relationship registers and civil unions, no matter how legally they mimic marriage, do not provide the social acceptance, dignity, and respect that a loving couple deserves. They do not provide the same level of recognition, interstate and overseas. They are cold, and clinical. They do not create families, they do not create husbands and wives, they create "civilly unionised persons".

"Will you civil union me?"

"Will you register your relationship with me?"

These are not romantic questions.

Civil unions do not instil the level of commitment that is implied with marriage. They are less likely to be entered into with the same level of seriousness. They are a second-class solution that reinforces stigma and institutionalises discrimination. They are a separate but equal drinking fountain solution. They are scraps under the table.

## **Marriage law and transsexual & intersex people**

The current Australian marriage law is especially discriminatory when it comes to transsexual and intersex people. As an Australian transsexual who was born in the United Arab Emirates, I face a number of difficulties when it comes to proving my identity.

I was born male in Abu Dhabi to Australian parents and received Australian citizenship by descent from the Australian Embassy less than a month after I was born. When I was one year old, my parents and I came back to Australia where I have lived ever since.

I have since undergone permanent sex reassignment surgery and my physical appearance now matches my internal gender of female. Because my birth certificate was issued by the United Arab Emirates, I cannot update it to reflect my sex. As a result, some government departments see me as female, and others as male.

I have spoken in detail with the registries of births, deaths and marriages in my home state of Queensland, and in New South Wales where I currently reside.

### **In Queensland**

According to the QLD Registry of Births, Deaths & Marriages, despite my being female, I can only legally marry another female, due to my birth certificate. However, an Australian-born transsexual may choose to marry either a male or a female, depending on whether or not they decide to have their birth certificate amended.

### **In New South Wales**

According to the NSW Registry of Births, Deaths & Marriages, I can choose to marry either a male or a female, depending on whether or not I decide to register my change of sex and receive a Recognised Details Certificate.

I had to wait a few days while my query was transferred up the hierarchies, but eventually those were the official responses I was given.

As you can see, I am in quite a unique situation. I can have what most would consider a same-sex marriage in both Queensland and New South Wales, and in New South Wales I can marry any single consenting adult regardless of gender! I haven't enquired with other states, but I think I can safely assume they would also fall under one of these two circumstances.

The reason this problem exists is due to the discriminatory marriage laws in Australia that define marriage as the union of a man and woman, when they cannot conclusively define what a man and woman actually are. In reality, not everyone falls into one of these binaries, and not everyone will fit into the same category for their whole life.

It is incredibly unfair and discriminatory that Queensland will not recognise my change of sex for the purposes of marriage. The fact that I can marry anyone regardless of gender in New South Wales just goes to show how ridiculous the current marriage laws are. As it happens, I want to marry a female, but not when I would legally be considered the bridegroom.

There are a number of other ridiculous situations that I am in, because of my medical history and birth circumstances, which all stem from the governments need to document and base laws on the contents of a persons underwear. Quite simply, a persons genitals are only the business of their partner, and their doctor.

## **The arguments against equality**

**Opponents to marriage equality state that marriage is a tradition that we shouldn't change, and that it is sacred.**

Throughout history, marriage has been many things, including:

- Polygamy: most commonly, between one man and many women.
- Arranged: where the individuals don't have a say in who they marry and why. Where the marriage was about pleasing the parents and grandparents, creating family alliances to protect land and wealth
- A business transaction, where mistresses and concubines were often the only form of romantic love.
- An assurance of the paternity of a man's children through exclusive sexual access.

Marriage has already been redefined to include same-sex couples by the major English dictionaries, including the Oxford English Dictionary and Websters Dictionary.

These days we have people marrying multiple times, impulse weddings in Vegas and divorce rates of between one third and half of married couples, including the incredibly short, and famous examples of:

- Julia Roberts and Lyle Lovett - 21 Months
- Charlie Sheen and Donna Peele - 14 Months
- Jennifer Lopez and Cris Judd - 7 Months
- Pamela Anderson and Kid Rock - 5 Months
- Renee Zellweger and Kenny Chesney - 4 Months
- Nicolas Cage and Lisa Marie Presley - 4 Months
- Drew Barrymore and Jeremy Thomas - 6 Weeks
- Carmen Electra and Dennis Rodman - 9 Days
- Dennis Hopper and Michelle Phillips - 8 Days
- Britney Spears and Jason Alexander - 55 Hours!

A third of marriages in Australia end in divorce. In my own experience through friends and family, it's over half.

Heterosexual marriage is clearly sacred to some, but not to others.

I'm not asking for the church to redefine it's definition of marriage, it is already different from civil marriage, nor am I asking them to hold ceremonies that go against their beliefs. It's their private club, and I think it's important that they are allowed to discriminate, providing they are not taking tax payer money.

**Opponents state that the term marriage needs to reflect the unique relationship of males and females because they can procreate, and that this is the chief purpose of marriage.**

Marriage and procreation do not necessitate one-another.

Many married couples will continue to not have children, either because they don't want to, or because they can't. It's disrespectful to them to say that marriage is for the purpose of procreation.

Non-married couples, gay and straight, will continue having children through a variety of different means, sometimes with the intent to marry later and sometimes with no intention to marry at all. Marriage will not give same-sex couples any more ability to have children.

Denying marriage on the basis that gay couples can't have children is unjust, when there are many scenarios where gay and straight couples are in the exact same situation regarding child birth. Straight couples use IVF, donors, surrogates and adoption when they can't otherwise have children, exactly the same as same-sex couples. There are even same-sex couples that have the ability to have a child that is the direct biological descendent of both parents when one of them is transgender or intersex.

Nowhere in the marriage act, mandated ceremony practices, or even typical and traditional wedding vows, are children mentioned - it is clear that the intention of marriage is a life-long commitment between two people in love.

The people behind these arguments are clearly against same-sex couples (and single people?) having children, which is fine, but clearly a different issue and not valid to this argument.

**Opponents go on to emphasise the child-raising environment that marriage creates, including the rights of children to be raised by their biological parents where possible and the importance of having both male and female role models.**

Given that same-sex couples can already have children, those children deserve to be raised in a family that has the same rights and benefits as any other.

Having both a male and female parent doesn't mean the child is ensured a good upbringing by masculine and feminine parents. Having same-sex parents doesn't mean the child is denied male and female role-models, nor masculine and feminine role-models. People come in many varieties, and child-raising is often assisted by many people, both family and friends, male and female.

The only reasonable argument put forward is that children deserve the right to be raised by their biological parents if suitable. I can't argue with that, and even agree with it to some extent. However, as explained previously, couples will continue to have children without marriage, and it's not a good enough reason to stop people from getting married.

Restricting marriage on the basis that the possible children of the married couple won't have the ideal upbringing is unjust when convicted criminals, illicit drug users, alcoholics,

gambling addicts, workaholics, service people, and even convicted paedophiles have the right to marry (and have children).

We do not base current marriage rights on the couples ability to raise children and provide a healthy environment, so I don't see why this is relevant.

Quite simply, marriage doesn't make good parents. Good people make good parents. The only proven negative factor about having same-sex parents is the teasing and bigotry of others.

The recurring thing I'm seeing here, is that these people seem to believe that because this is their belief or morality, it should be enforced upon others through law, even though it doesn't affect them.

### **People often say there are more important things to deal with**

Nothing is more important than basic rights, it's what a free country is based on, no matter how trivial it might seem to some, it should be valued above all else.

### **Another reason that is often mentioned, which I believe may be the real reason, is because of religious morality.**

Some bible passages that are often used include:

"A man should leave his father and mother and be joined to his wife, and the two shall become one flesh." - Genesis 2:24

"If a man lies with a male as he lies with a woman, both of them have committed an abomination. They shall surely be put to death. Their blood shall be upon them." - Leviticus 20:13

The bible encourages rape, slavery, and murder, and should never be used as a source of morality when writing law.

### **What I expect from my government**

I expect my government to stop enforcing other people's morality on me, when it doesn't affect them.

I expect the government to stop discriminating against people, while taking their money at the same time.

I expect the government to amend the Marriage Act to remove discrimination against same-sex couples.

I expect the government to stop preventing same-sex couples from marrying overseas, by means of denying them a Certificate of No Impediment to Marry.

Most of all, I simply want to get married.