



Protect Marriage Australia

**Submission**

on the

**Marriage Equality Amendment Bill 2010**

to the

**Committee Secretary**

**Senate Legal and Constitutional Affairs Committee**

Contacts

**Protect Marriage Australia**

Edward Dabrowski – Convenor

**30 March 2012**

## Contents

1. Executive Summary.....	3
2. Mission and Vision .....	3
3. Parliamentary inquiries platform for homosexual marriage .....	4
4. No Barrier, open door to Polygamy . .....	4
5. Marriage Equality Amendment Bill 2010.....	4
6. Equality or eradication of innate differences .....	5
7. De-gendering marriage and family .....	5
8. The disappearance of individual rights .....	6
9. Sexual Orientation Gender Diversity .....	7
10. Christian objections .....	7
11. Cultural & Ethnic objections .....	7
12. Existing marriages .....	8
13. Attachments.....	8

## **1. Executive Summary**

The aim of the Greens Party in authoring the Marriage Equality Amendment Bill 2010 is to destroy the foundations of the family by breaking the link between marriage and sexuality.

Protect Marriage Australia has a clear understanding of the threat to personal liberty, human rights and fundamental freedoms posed by this Bill and the leftists Marxists' project to erode gender and personal identity in order to impose a Totalitarian State and control over individuals. This Bill represents a significant and harmful threat to the fabric of family in law and in life, and is a stepping stone to the One World Government (World parliament) espoused by Senator Bob Brown, the leader of the Greens Party. It is now a reality that the recently revised Labor party platform also poses the same threat and has the same aim of State control and global dominion over persons and all peoples.

Marriage and the natural family pre-date the State. The Government can regulate marriage but cannot legitimately alter its meaning and function. To do so is to create a legal fiction and alter the definition of Family and the whole human rights framework which evolved from the natural biological Family.

Just Discernment and Just Discrimination are good; we positively discriminate in favour of children's best interests to have a natural family with mum and dad and should continue to do so.

The true agenda of the Greens Party to create new "human rights" of sexual orientation and gender identity are to export these to the UN and impose the homosexual agenda on unwilling countries. These alleged "rights" are not accepted in the global Human Rights framework, nor can they be fundamental human rights. They are repeatedly rebutted at the United Nations despite the provocations of Marxist activists operating inside various treaty bodies and NGOs.

## **2. Mission and Vision**

Protect Marriage Australia is an online community of Australian citizens dedicated to the task of preserving traditional one man one woman marriage and the natural family. Our voting preferences are strongly tied to the extent to which major political parties in Australia protect and foster the human rights and best interests of children, parents and families. We are an active group willing to lobby and take targeted political action to protect the established world wide human rights framework that emerged from the Universal Declaration of human Rights and we will take grassroots action against attempts to re-frame, re-interpret, modify or add to the accepted body of fundamental human rights. Our mission extends to appropriate action when the threat to existing human rights such as the right of men and women to marry, emanates from Government, activist courts, UN Treaty monitoring committees, internationally funded radical Marxists groups such as GetUp.org , homosexual activists, radical feminists, or from any other such radical groups trying to ideologically transform and radicalise the natural family and an unsuspecting public.

### **3. Parliamentary inquiries platform for homosexual marriage**

With respect to this Senate inquiry and other HREPS inquiries into similar same sex marriage Bills, this is the first time we can recall any inquiry being set up online like the HREPs survey, designed to emulate a referendum but targeted to a youthful audience using the on-line internet medium - older folk will fall away and not be represented as strongly. We believe this is a deliberate strategy to influence the outcome in favour of homosexual marriage.

It also disproportionately panders to the big on-line communities set up by leftist socialist lobby groups such as GetUp. Again, the survey is susceptible to gross distortion and multiple uploads.

The Government will likely use the results of this largely homosexual activist driven Poll (survey) to argue for homosexual marriage and the re-definition of Family. Government should not embed homosexual "rights" to sexual orientation and gender diversity in the very definition of marriage and that of the traditional natural biological Family.

Government should not be extinguishing children's right to a Mother and Father in favour of adult homosexual "rights" and privileges.

Should any of the same sex marriage Bills pass, the next step by the homosexual lobby and their government supporters would then be to force the education of children to include normalisation of homosexuality against parental wishes.

Religious and parental rights would be further eroded and coerced by the State. Further amendments to the Marriage Act would happen incrementally. It would only be a matter of time before the religious were forced to conduct homosexual weddings in the house of God.

### **4. No Barrier, open door to Polygamy**

The re-definition of marriage would obscure the goods of traditional marriage forever.

It would also remove any logical argument against the future legalisation of polygamy, the marriage of two or more people. In fact when marriage is reduced to any "two people" or "two partners" there is no justification left to discriminate against 3 or more people, a group, who want to marry.

### **5. Marriage Equality Amendment Bill 2010**

The Marriage Equality Amendment Bill 2010 states:

- i. "A Bill for an Act to amend the Marriage Act 1961 to create the opportunity for marriage equality for people regardless of their sex, sexual orientation or gender identity, and for related purposes"*

The Bill's claim of "marriage Equality" is fallacious for the following reasons:-

Firstly the marriage of Husbands and Wives is a relational and procreative reality and an institution that pre dates the State, laws and legal systems. It is not open to legislators to redefine this reality. Legislatures have a responsibility to protect and foster one man one woman marriage and regulation can be used for this purpose but not to redefine marriage as it has been known and accepted for centuries throughout our Judeo Christian heritage.

The natural biological family is defined through marriage and mothers and fathers, husbands and wives, and the children that are the fruits of their union. The Bill would completely re-define the family to render gender meaningless as well as displacing the unique place and role of mothers and fathers in the family, replacing them with "parents" or "progenitors", whoever they might be. It opens the legal door for the State to one day dictate who can be *the parent* and resultant totalitarian loss of fundamental freedoms through the loss of personal identity, no longer respected as *the mother* and *the father* of the children they bore.

## 6. Equality or eradication of innate differences

Just Discernment and just Discrimination is good; we positively discriminate in favour of children's best interests to have a natural family with mum and dad.

The false mantra claiming "equality" in marriage is nothing more than a means to eradicate differences, such as gender, male and female, that matter to marriage, procreation and child development.

The laudable eradication of discrimination per say will lead to the elimination of natural differences, replaced by a form of egalitarianism that confuses and erases personal identities.

The definition of maternity as a biological function and not as a social function that can be learned is an example of discrimination against men which shapes our social identities and capacities as people. Should we also introduce an equality bill to give men the right to be mothers or rather, is the fate of men determined by biology with the male gender unable to experience maternity?

Calls for marriage equality are as nonsensical as calls for men to be mothers.

## 7. De-gendering marriage and family

The human species is made up of two different sexes, man and woman. However the Greens Bill would eradicate gender roles and "Father" and "Mother" then become relative concepts and no longer correspond to the gender of the parties who sign the marriage (family-making) agreement.

Same sex marriage rights replace the man and woman, the couple who make up the nucleus of the family unit, with any kind of cooperative agreement between any two parties. This new family legislation does not require the parties to be a man and woman. It is enough for anybody to express a wish to reach agreements regarding a shared residence and life with someone else. The law would thus, places common-law partners on the same footing as married couples.

The Bill would empty marriage of its true significance being a child-centric institution and replace it with one defined only as the affections of two adults, any two adults.

The Homosexual activists have been careful not to talk of sex, but of love and happiness. The point of departure between established marriage and their new concept is the right to permanent happiness and limitless love, the idea of turning a romantic utopia into reality. Children are no longer a primary concern of marriage.

The intent of this Bill is clearly a clash between adult homosexual rights and their claim on marriage over and above the best interest of children, resulting in children's rights to a mother and father and natural family being extinguished in law. In our Judeo Christian history, whenever the rights of the weak and the strong clash, our societies have supported the weaker most vulnerable group and in this case it must surely be the children.

In order to achieve the often stated "right to happiness" of homosexual couples, the Bill must remove all obstacles, all barriers and those elements that formerly constituted the foundations of commitment in marriage. It is necessary to separate love and gender and eradicate one of the most important family ties, that which links gender and marriage.

## **8. The disappearance of individual rights**

The intention of the Bill is to both enact into law and to teach the public that neither Father nor Mother are necessary in order to create a nuclear family or to procreate, and they are even less essential when it comes to bringing up the children.

It would create families in which gender realities are challenged by contrary legal definitions such that nobody is a man or a woman, or a father or a mother, all of which are realities that become debatable and controversial.

The Bills is in error in creating out of thin air, new human rights to sexual orientation and gender diversity and making the outlandish claim that these are "fundamental" rights. This kind of illogic is comparable to saying that red is blue or that men can be mothers. It is an attempt by the Greens to legislate a rupture between the individual and his or her sexuality. These new so called "rights" translate into the disappearance of individual rights. You no longer have rights, those old rights that helped you as a mother or as a man. Absolute equality then is the state of being in which your former identity has become the identity of everyone in the name of equality.

**If your identity is the identity of everyone, it is not precisely the identity of anyone. In this manner, your identity, together with your freedom, remains for ever in the possession of the State.**

Doublethink means the power of holding two contradictory beliefs in one's mind simultaneously, and accepting both of them, which is the confusion caused by the Bill in the name of equality.

## **9. Sexual Orientation Gender Diversity**

The objective that is being sought by the Greens through their Bill in creating so called new human rights of sexual orientation and gender diversity, is the restriction of civil rights, with the State serving as the sole deposit and regulator of these rights.

These new human rights are far removed from the Declaration passed in 1948 by the General Assembly of the United Nations.

The Greens Bill scandalously removes words that imbue meaning to traditional marriage and the natural family, by substituting “a man and a woman” and “a husband and wife” with the words “two people”. This would all but eliminate the natural biological family unit in Australian law and mean that children have no protected right to the mother-father parenting structure as any “two people” will be legally privileged over a child’s inalienable human right to their biological mother and father.

## **10. Christian objections**

Christians and religious peoples of most mainstream faiths understand marriage to come from God. God is the creator and author of marriage and has a distinct plan for men and women to unite as one flesh in marriage, a unity that finds its ultimate expression in the bearing of children and their nurture. Catholics believe and practice that God is at the Apex of their marriages, and that in sacramental marriage, the married couple themselves are the living sacrament. The Bill would re-define and teach that marriage is a homosexual institution in complete conflict with Christian marriage and sensibilities. The law would in effect defile and obscure the traditional understanding of marriage as it is bound up in Christian faith and teachings. The Bill would have the effect of wounding Christian marriage and embedding tensions and divisions between Christians and other groups in society. It would create ongoing conflict between Government and Christians as Government sought to expand the homosexual agenda in law and society, making incremental changes over time and eventually forcing the celebration of homosexual marriages in a consecrated Church or House of Worship. This would signal the end of religious freedom, constrained to freedom inside the house of worship only and then even this place would not be safe from Government totalitarian intervention and coercion.

## **11. Cultural & Ethnic objections**

Australia is migrant nation. Many families have established ideas and identity based on marriage, heritage and the traditional family. The roles of mothers and fathers are understood in the context of child rearing and raising a family. Marriage is inexorably bound up with culture, customs and traditions of many ethnic groups and nations. It has an established meaning that is at the root of many cultures and migrant groups. It is cultural vandalism and a hostile act on its own people by Government to force a re-definition of traditional marriage on these groups, which form a majority of our Australian society.

## **12. Existing marriages**

Most married people would not want the meaning of marriage to be radically altered just to appease a vocal homosexual lobby and their activism more intent on forcing public acceptance of the homosexual lifestyle than real marriage reform for the greater public good.

## **13. Attachments**

The following are attached for further reading and information

- i. A version of the Bill annotated with comments from Protect Marriage Australia.
- ii. Protect marriage Australia Media Release dated 13 February 2010



13 February 2010

[www.ProtectMarriage.org.au](http://www.ProtectMarriage.org.au)

## Media Release

### Greens extinguish children's rights to create right to "sexual orientation"

The Greens "Marriage Equality Amendment Bill 2010" is a brazen attempt to create a new international human right to "sexual orientation" whilst extinguishing every child's human right to a mother and a father, Protect Marriage Australia spokesman Edward Dabrowski said today.

"Marriage has been hijacked by the Greens to create a legal instrument in support of sexual orientation in order to redefine the long standing Universal Declaration of Human Rights for the homosexual agenda world-wide", said Mr Dabrowski. The undefined and controversial term "sexual orientation," in reality has no foundation in any international legal or human rights instrument that would justify its inclusion in the Marriage Act.

The European Union devised a legal strategy in 2007 to codify orientation and gender identity into international legal agreements. However the term "sexual orientation" is not defined and not found in any binding international treaties. In 2010, seventy-nine countries from Africa, the Caribbean and the Pacific Islands, sent a letter to the European parliament strongly demanding that the EU stop pushing its homosexual agenda on developing countries. During economic treaty revision negotiations, the EU tried to insert language on "sexual orientation" as a category of non-discrimination. This was repeatedly rejected by the developing nations and was struck from the final version of the revised agreement.

"The idea of redefining marriage to be a homosexual institution rather than a heterosexual one is objectionable and harmful to many ethnic groups in culturally diverse Australia", lamented Mr Dabrowski. He said that "marriage and family culture is transmitted intergenerationally through family and religious life, through education at home and in schools, through religious observance in church and in the public arena, through marriage itself, passing from mums and dads to their sons and daughters. Many traditions and customs are interwoven with the marriage tradition and marriage life and to turn marriage on its head as the Greens want to do is extremely reckless and insensitive and damaging of many cultural groups from Eastern Europe and Asia that reside here in Australia".

Mr Dabrowski commented further that "the rush to redefine marriage and use of cheap online polls as "benchmarks" of public opinion, showed just how dangerous and insidious the Greens could be in trying to ram through their radical social engineering on unsuspecting Australian families.

The Greens Bill scandalously removes words that imbue meaning to traditional marriage and the natural family, by substituting "a man and a woman" and "a husband and wife" with the words "two people". This would all but eliminate the natural biological family unit in Australian law and mean that children have no protected right to the mother-father parenting structure as any "two people" will be legally privileged over a child's inalienable human right to their biological mother and father.

Ends.

Media Contact: Edward Dabrowski

Presented and read a first time

[http://www.c-fam.org/publications/id.1782/pub\\_detail.asp](http://www.c-fam.org/publications/id.1782/pub_detail.asp)

Nothing unequal about upholding the definition of marriage as between man and woman.

PARIS, February 3 (C-FAM) A ruling in the homeland of "egalité" last week found the French prohibition of same-sex marriage is in accord with the French constitution, effectively ruling that there is nothing unequal about upholding the definition of marriage as between man and woman.

The French Constitutional Council is the nation's highest authority on the constitution, and while it normally advises the government on the constitutionality of elections and laws, it also has authority to rule on constitutionality of individual cases brought to it by French citizens. This fall, the Council accepted the case of a lesbian couple that challenged the constitutionality of the French Civil Code (which identifies marriage between man and woman), claiming the exclusion of same-sex marriage violated a citizen's right to lead a "normal family life" and the principle of equality before the law.

The Council ruled last Friday that because of the difference of situations between same-sex and heterosexual couples, the difference in treatment in family laws is justified and not in violation of the principle of equality. As for the right to a normal family life, the court found that the pacte civil de solidarité, a form of civil union that accords a plethora of legal, fiscal, and official benefits, is sufficient for a "normal family life."

### Marriage Equality Amendment Bill 2010

No. . . . ., 2010

(Senator Hanson-Young)

A Bill for an Act to amend the *Marriage Act 1961* to create the opportunity for marriage equality for people regardless of their sex, sexual orientation or gender identity, and for related purposes

#### Contents

1	Short title .....	1
2	Commencement .....	1
3	Objects .....	1
4	Schedule .....	2
Schedule 1—Amendment of the Marriage Act 1961 .....		3

#### Schedule 1—Amendment of the Marriage Act 1961

*Marriage Equality Amendment Bill 2010* No. . . . ., 2010

A Bill for an Act to amend the *Marriage Act 1961* to create the opportunity for marriage equality for people regardless of their sex, sexual orientation or gender identity, and for related purposes

The Parliament of Australia enacts:

#### 1 Short title

This Act may be cited as the *Marriage Equality Amendment Act 2010*.

#### 2 Commencement

This Act commences on the day on which it receives the Royal Assent.

#### 3 Objects

The objects of this Act are:

*Marriage Equality Amendment Bill 2010* No. . . . ., 2010

- (a) to remove from the *Marriage Act 1961* discrimination against people on the basis of their sex, sexual orientation or gender identity; and
- (b) to recognise that freedom of sexual orientation and gender identity are fundamental human rights; and
- (c) to promote acceptance and the celebration of diversity.

#### 4 Schedule

The *Marriage Act 1961* is amended as set out in the applicable items in Schedule 1, and any other item in a Schedule to this Act has effect according to its terms.

*Marriage Equality Amendment Bill 2010* No. . . . ., 2010

Amendment of the Marriage Act 1961 Schedule 1

#### Schedule 1—Amendment of the Marriage Act 1961

##### 1 Subsection 5(1) (definition of marriage)

Repeat the definition, substitute:

~~marriage~~ means the union of two people, regardless of their sex, sexual orientation or gender identity, to the exclusion of all others, voluntarily entered into for life.

##### 2 Subsection 45(2)

After "or husband", insert ", or partner".

##### 3 Subsection 46(1)

Omit "a man and a woman", substitute "two people".

##### 4 Subsection 72(2)

After "or husband", insert ", or partner".

##### 5 Section 88EA

Repeat the section.

##### 6 Part III of the Schedule (table item 1)

Omit "a husband and wife", substitute "two people".

*Marriage Equality Amendment Bill 2010* No. . . . ., 2010

[http://www.c-fam.org/publications/pub\\_detail.asp?id=1758](http://www.c-fam.org/publications/pub_detail.asp?id=1758)

#### US Forces Vote on "Sexual Orientation" in General

Assembly Delegations who voted to remove the language reiterated concerns over the "undefined and controversial" term "sexual orientation," citing the reality that there is "no foundation in any international legal or human rights instrument that justifies its inclusion" in the resolution.

[http://www.c-fam.org/publications/pub\\_detail.asp?id=1758](http://www.c-fam.org/publications/pub_detail.asp?id=1758)

#### US Forces Vote on "Sexual Orientation" in General

Assembly One delegation blasted the US-led attempt to reintroduce "sexual orientation" into the text as "international legal adventurism."

#### US Forces Vote on "Sexual Orientation" in General

Assembly Some observers expressed deep concern that at least three delegations quoted a recent controversial speech by UN Secretary General Ban Ki-Moon in support of the US amendment. Ban had claimed that "sexual orientation" was part of the Universal Declaration of Human Rights, although that document makes no reference to the term.

[http://www.c-fam.org/publications/pub\\_detail.asp?id=1758](http://www.c-fam.org/publications/pub_detail.asp?id=1758)

Substituting "a man and a woman" and "a husband and wife" with the words "two people" eliminates the natural biological family unit in Australian law and mean that children have no protected right to the mother-father parenting structure as any "two people" will be legally privileged over a child's inalienable human right to their biological mother and father.

No! this is not the global understanding of marriage lived in culture for over 2000 years!

It is a Greens leftist socialist construct