

**Submission to the inquiry on the Marriage Equality Amendment
Bill 2012**

Date of Submission: 1 April 2012

Attention:

**Committee Secretary
Senate Legal and Constitutional Committee
PO Box 6100
Parliament House
Canberra ACT 2600 Australia
Email: legcon.sen@aph.gov.au**

Dear Committee Secretary,
Please find attached my submission to the inquiry into the Marriage Equality Amendment
Bill 2010.

Yours faithfully,
Dean Allright

1 April 2012

Submission to the Senate Enquiry on the Marriage Equality Amendment Bill 2012

Introduction

I make this submission with mixed feelings:

- sadness that it is even necessary in a secular, 21st Century democracy in which homosexuality is legal; yet
- gratitude that I have the opportunity to be heard on repeal of what I consider to be the last bastion of State sanctioned discrimination against same sex attracted citizens.

Summary and Overview

I need to be clear that I am only concerned with one institution of marriage: the State institution. I am no longer a member of a religious club. I haven't paid any membership fees, I don't want to use their club house for a wedding or any other purpose and I haven't subscribed to their rules (which I recognise they are free to promulgate within the limits of the law) with perhaps one important exception – I believe very much in doing unto others as I would have them do unto me. So I will not be resorting to the politics of hate and hell fire. Mine will, I hope, be a rational and compelling submission in support of marriage equality.

History does not judge well those States which have discriminated against citizens without compelling reasons for doing so. I can see no rational, constitutional or legal justification for the State's continuing, legislatively enshrined discrimination against homosexuals by limiting the right to marry to heterosexuals. Exactly the same rational which justified removal of discrimination in 76 other legislative provisions justifies marriage equality. In the remainder of my submission I propose to dispel each of the commonly advanced arguments in opposition to marriage equality before giving some additional, personal context.

Fallacious arguments opposing marriage equality

he repeatedly advanced arguments of the minority of Australians who oppose marriage equality do not withstand scrutiny and certainly do not justify continuation of the discrimination enshrined in the Marriage Act:

1. "Marriage has always been between a man and a women, therefore it cannot or should not change."

The limitations inherent in this argument are obvious. If applied to all reform without consideration of the merits there would be no progress.

Marriage is not a static institution and thankfully has evolved to reflect changing societal norms such as:

- the acknowledgment that men do not have property in women; or
- the recognition that refusing to allow dissolution of marriage in the absence of infertility or fault is not in anybody's best interests.

If marriage really could only exist in its current form, how is it that it has survived extension to same sex couples in other, foreign jurisdictions?

2. "Permitting gays and lesbians to marry each other will undermine the sanctity of marriage"

Extending marriage equally to a committed couple in a loving stable relationship does not undermine its sanctity. Using marriage as a television, money making stunt or something to be done on a whim while on holiday in Las Vegas or something to be done and undone repeatedly is what undermines the so called "sanctity of marriage". As does using marriage as a vehicle for continuing discrimination against same sex attracted citizens.

3. "Marriage is for the purpose of creating life."

Reproduction (rather than marriage) is for the purpose of creating life and while it pains some people to have to acknowledge it, reproduction can and does happen independently of marriage. And sadly, as growing numbers of infertile spouses are painfully aware, marriage does not guarantee reproduction.

If marriage really was a prerequisite for reproduction then I have no doubt that the growing number of gay men and lesbian women who are teaming up to reproduce would be willing to get married before they do so followed by dissolution upon birth. This, of course, would do little for the sanctity of marriage.

Again, as much as it pains some people to acknowledge it, there are growing and significant numbers of same sex couples with children. If marriage assists in the creation of stable family units, which in turn benefits the welfare of children forming part of those units, this is surely a strong argument in favour of extending marriage to same sex

couples, who have or who may, at some point in the future, have children.

It concerns me that there is a strong correlation between those who are most vocally opposed to marriage equality and those who condemn homosexuals as promiscuous. While these same people don't like sexual relations with multiple casual partners they do not want the State to extend marriage, with its public statement of commitment to the exclusion of others, to those they are condemning. At best this is inconsistency at worst it is hypocritical.

Personal context

I am happily in a loving relationship with my male partner. Since arriving in the Lucky County in 2006 I have contributed over \$750,000 in taxes and countless hours in voluntary service. I came to Australia from New Zealand because of the general acceptance of homosexuals and the size of the gay communities and networks in Melbourne and Sydney. I struggled from puberty to 25 to accept my sexual attraction to other males. I still struggle with low self-esteem and lack of confidence which I believe very strongly are linked to ten formative years when many of the messages I received were that I was abnormal, that I was a sinner, an abomination and evil and that I needed to deny the strongest of innate, instinctive urges and desires. I was born this way. Prior to coming out in very dramatic and traumatic circumstances I contemplated suicide. Sixteen years on and I have not stopped coming out. It is not as difficult as it used to be but it is not as easy as it could be when there is still legislatively enshrine discrimination against homosexuals.

I enjoyed a 10 year relationship with my first boyfriend who I still love and miss. I often wonder whether, if we had had the privilege of being married, we might have made more of an effort to address the differences between us which resulted in the end of our relationship.

Conclusion I invite you do take the initiative and be remembered kindly by history for doing so. Please lift the veil on discrimination and grant me the right to achieve the same legal status for my relationship as that which is enjoyed by my parents and my brother.

Dean Allright