



Family Council of
Queensland, Inc.

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28 August, 2009

Senate Legal and Constitutional Committee
Parliament House, Canberra, ACT
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SUBMISSION ON MARRIAGE EQUALITY AMENDMENT BILL 2009

Dear Senators

On behalf of hundreds of thousands of Queenslanders, I write regarding the Marriage Equality Amendment Bill 2009 on which you will be reporting to the Senate by 26 November. (The Family Council of Queensland is a peak body for the family in this state, an association of pro-family organisations including the Catholic Church, the Salvation Army, the Australian Family Association, Family Voice Australia, Drug-ARM and Endeavour Forum.)

Senator Sarah Hanson-Young's private member's bill seeks to remove all discrimination from the Marriage Act 1961 on the basis of sexuality and gender identity and to permit marriage regardless of sex, sexuality and gender identity.

The Marriage Legislation Amendment Bill which was passed into law with the support of both the Government and Opposition parties in 2004 enshrined in law the definition of marriage as "the union of a man and a woman to the exclusion of all others, voluntarily entered into for life".

Besides safeguarding the definition of marriage against judicial misinterpretation in Australia, this Bill had the effect of preventing same-sex couples who marry overseas from having their "marriages" legally recognised in Australia.

This was the right and proper position to take five years ago and nothing has changed since.

More than 2000 years ago the Roman statesman and orator, Marcus Tullius Cicero (106-43 B.C.) said: "The first bond of society is marriage." This is just as true today as it was then.

Marriage is too important to society to tinker with. It is the foundation of the family and the family is the foundation of society. If we strengthen marriage, we strengthen the family and we strengthen the community.

This is not about discrimination. This is about preserving the institution of marriage.

The fact is that two homosexuals can marry, as long as one is a man and the other is a woman. All people have the same right to marry, as long as they abide by the law. One cannot be married to more than one person at the same time, one cannot marry a close relative, an adult cannot marry a child and one cannot marry someone of the same sex. Every human being of sound mind has access to marriage as long as they meet the requirements.

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Until recently, when several countries have engaged in social experimentation in this area, no society in history has ever tolerated “marriage” between members of the same sex as a norm for family life – and for good reason.

Should marriage disappear as an institution by being redefined out of existence, the harm to society would be immeasurable.

In 2002, 13 of the top US scholars on family life issued a joint report on the importance and benefits of marriage, entitled *Why Marriage Matters: 21 Conclusions from the Social Sciences*. A second updated version of this report including Australian research, entitled *21 Reasons Why Marriage Matters*, has just been published by the National Marriage Coalition Australia.

The report’s fundamental conclusion was: “Marriage is an important social good, associated with an impressively broad array of positive outcomes for children and adults alike.” To give just one example, adults who marry live longer, healthier, happier lives. They have lower rates of suicide, substance abuse, alcoholism, mental illness, depression and anxiety. These positive outcomes do not apply to any other relationship – de facto couples, same-sex couples or single parent families.

One of the main reasons why society and governments should reject the legalisation of same sex marriage is that a state cannot consider marriage without also considering “filiation” – child-parent ties. Because marriage is inevitably built around children, all countries that have legalised same-sex marriage have sooner or later authorised adoption and surrogate gestation by same-sex couples.

Every child has the right to both a mother and a father. Sadly, this ideal is not always possible. But it is bordering on child abuse to allow children to be adopted by same-sex couples where they will have two mothers or two fathers.

The overwhelming evidence from the social sciences is that children do best when they are raised by both a mother and a father. A child needs to see how men and women interact and relate to each other on a daily basis.

The UN Convention on the Rights of the Child states: “In all actions concerning children... the best interests of the child shall be a primary consideration.”

The best interests of children are paramount and supersede any perceived “right” homosexual couples may claim to adopt children.

Long-term homosexual relationships tend to be very rare, whereas heterosexual relationships have a much better record of permanency.

Studies cited by the homosexual movement purporting to show that children are not harmed when raised by same-sex parents have many methodological shortcomings. Not surprisingly, other studies show that children raised in same-sex households are more likely to become homosexual themselves.

The fact is that many other groups are denied adoption rights - for example, those who are too young or too old and those with criminal records.

The American College of Pediatricians in 2004 published the following statement on same-sex parenting:

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"The research literature on childrearing by homosexual parents is limited. The environment in which children are reared is absolutely critical to their development. Given the current body of research, the American College of Pediatricians believes it is inappropriate, potentially hazardous to children, and dangerously irresponsible to change the age-old prohibition on homosexual parenting, whether by adoption, foster care, or by reproductive manipulation. This position is rooted in the best available science."

(Source: "Homosexual Parenting: Is It Time For Change?" The American College of Pediatricians, January 22, 2004; <http://www.acpeds.org/index.cgi?cat=22&art=50&CONTEXT=art>)

The onus is on the proponents of change – those who are advocating legalisation of same-sex marriage – to prove that the institution of marriage would not be damaged and that being raised by same-sex parents would be in the best interests of children.

As all the evidence shows they cannot do this, **we urge you to recommend that the Marriage Equality Amendment Bill 2009 be rejected by the Senate.**

Yours faithfully

ALAN BAKER
President
Family Council of Queensland