

Senate Committee Submission

Legal & Constitutional Affairs - Marriage Equality

21 August 2009

Equality is an excellent notion - we are a nation of equal citizens. Our heritage and traditions acknowledge authority, but recognise that figures in authority are still, after all, equal citizens.

Equality, though, has its limits. I am an equal citizen with my children, however I have responsibilities over and above what they have in nurturing, teaching and disciplining them. In that sense we are not equal in our relationship, however that is an essential and positive inequality. Unfortunately we have seen examples where families do not function where equality is stretched to mean that children do not accept the nurture, teaching and discipline of their parents.

My neighbour and I are equals, however we have long-established principles of individual dignity and property rights which mean that while equal, I cannot claim her land as my own. Our society would be drastically damaged by asserting that her land is my land because we are equals.

In the case of the notion of 'Marriage Equality' I believe that the argument is faulty. I support equality of treatment, and respect the desires of individuals where they do not conflict with the benefit of our society. The proposed changes to the Act on this occasion do not pass that test, and I strongly reject them.

Marriage is and always has been between a man and a woman. That does not mean that we cannot have other acknowledgements of relationships other than marriage, but they are not the same. An apple and an orange are both wonderful fruits, and equal in their position in the pantheon of fruits, but they are not, and do not need to be, equal.

Marriage has and should retain a special role in our society. It is not only a 'relationship' but is the societal unit that ensures the best possible continuation of our society. It is not a perfect institution, but to misquote Winston Churchill, it is the "least bad of all those that have been tried."

We must keep Marriage with its current definition, whatever other provisions we make to ensure that there is no disadvantage to those who choose a path which does not fit the definition of marriage.

Thank you for your consideration.