

Dear Senate Legal and Constitutional Affairs Committee,

This is my submission to your inquiry into marriage equality. I fully endorse the submission made by Australian Marriage Equality in favour of the Marriage Equality Amendment Bill 2009.

This is a very difficult subject to examine objectively, both for those against same-sex marriage, and for those of us in favour of its legalisation. However, just because something is difficult to discuss does not mean that it should be considered half-heartedly, or indeed overlooked entirely, as has been implied by the Labor Government's assertion that "Mr Rudd...will not change the policy he took to the last election. 'We went to the last election being very clear-cut about our position on marriage under the Marriage Act being between a man and a woman,' he said" (ABC News, <http://www.abc.net.au/news/stories/2009/07/29/2639885.htm>, 29 July 2009). In refusing to even consider changing its position, the Government does a great disservice to the Australian people. The Government was elected by Australians to represent Australians, not to represent itself and its own opinions. As I'm sure a number of other people will have noted in their submissions, the majority of Australians are supportive of marriage equality (it is not an overwhelming majority, it's true; however, as it would be enough to win an election, one would hope it would also be enough to win equal rights) - and so for the Government to claim that it represents the people in the face of such widespread support is fallacious.

I, as I sit writing at the moment, am legally able to marry. I am 22 years old, physically female, and am, generally-speaking, attracted to men. I am also single, partially through introverted bookishness, and partly due to the insurmountable fact that I am transgender. Being a gay man when to the rest of the world one looks like a very feminine woman is even more difficult, complicated and mentally and emotionally trying than it sounds, and from this difficulty arise two equally problematic possibilities. The first is that I can remain as I am, mentally male but physically female, and so retain this gender dysphoria for the rest of my life (as many other transpeople with whom I've spoken have become alcohol- or drug-dependent and/or suicidal because they've chosen to ignore their gender dysphoria, this option is neither overly hopeful nor appealing). The terrifying alternative is to undergo what is commonly termed a "sex change", and, at the risk of losing friends and family through homo- and transphobia, live as the man I know myself to be. I have not yet decided upon which course of action to take, but both will necessarily impact upon my future lifestyle and relationships, and although it is not of the utmost importance at this stage, nor is indeed a contributing factor as to whether or not I will seek Sex Reassignment Surgery (or SRS), marriage is nevertheless one of these affected "lifestyle and relationship" aspects. The current fact that I can remain intrinsically "me" but through SRS forfeit my right to one day marry the person I love is a very confronting idea. Is my depressed, dysphoric female appearance more valid than the person I am? It has taken a year and a half to truly comprehend that I am transgender, and that it is nothing to be ashamed of, and yet how can one remain proud of oneself when one's own Government rules that the female mask I show to the world has more rights than the man behind it?

Personal issues aside, it is also important to remember that the institution of marriage is not what it once was. What used to be a binding religious contract for life has become secularised and able to be terminated at will. My heterosexual parents were married seven years before I was born in their back garden in a secular ceremony. They are still together and happy, and the values of religion have only played a role insofar as commonsense dictates (i.e. being nice to people is hardly an exclusively religious tenet). In light of this, it is somewhat difficult to fathom how religious belief and opinion can continue to dictate something that has passed from the purely religious to the mainstream secular society, particularly when said society has long sought to separate religion and politics. Marriage has its foundations in religion, but is no longer a solely religious institution, and so it follows that the religious teachings that once governed it, religious teachings which include homophobic discrimination, be reconsidered.

I understand that in asking this it would require much more time than many Senators may have available, but there is a film which very cleverly and poignantly depicts the discrimination faced by non-heterosexuals in modern society that might help otherwise un-empathetic members understand the difficulties faced by many LGBTIQ people on a daily basis. *Straight Story*, by Greek directors Vladimiro Kiriakidis and Efi Mouriki, is told from the perspective of a heterosexual man in a primarily homosexual world, and explores the heterophobia he is confronted with when his orientation is discovered by his family and friends. Sometimes described as a “black comedy”, it is both a saddening and uplifting movie which provides an astute social commentary and ultimately optimistic prediction of the end of homophobia and the realisation of equal rights and acceptance by society of anyone and everyone not “straight”.

Unfortunately, the equal marriage debate often boils down to an emotional, highly subjective argument over homophobic discrimination and the ideal that equal rights are equal precisely because there are no exceptions with regards to the people to whom they apply. These ideas and ideals have been used throughout history in defence of other minority and underprivileged groups, the most recent being equal rights for women and for African-Americans, and so if these same arguments have been used before now to protest the case for same-sex marriage (which I’ve no doubt they have), then perhaps it is time to carefully and patiently consider exactly why these arguments continue to appear, and equally carefully and patiently resolve the issue once and for all.

Thank you for your time, your consideration, and your willingness to consider an issue that impacts so many lives and yet is denied to so many people. Please show us that we are not second-rate citizens in our own country, and that our faith in humanity and pride in ourselves and our friends are not misplaced. Even if you do not ever intend to have a same-sex marriage, please do not deny those of us who do that right to equal happiness.

Yours faithfully,

