

23 August 2009

Committee Secretary
Senate Legal and Constitutional Committee
PO Box 6100
Parliament House
CANBERRA ACT 2600

Dear Committee Members,

INQUIRY INTO THE MARRIAGE EQUALITY AMENDMENT BILL 2009

I write in support of the above mentioned, to enable community and legislative recognition of committed couples, irrespective of their gender combination.

This amendment provides equality, where there currently is none. Equality should be the cornerstone of all legislation in a free and democratic country such as ours, unless there is justifiable and evidence based reason for the contrary.

The current legislation contained within the *Marriage Act*, is built solely on the basis of beliefs – perhaps commonly held by many, but beliefs nonetheless. Whilst there has been considerable debate on the subject of amendment of this act, I am yet to see any sound arguments of reason put forward by persons who seek to deny others their right to equality that cannot be refuted (despite the combined intellect of this group). This is because their reasons are not based on evidentiary fact. Instead, beliefs and generalisation are constantly put forward and dressed up as facts, often sourced from religious texts of various persuasions. Whilst these texts may be held by some as the absolute truth, the content or claims of these texts are not evidence based. Furthermore, the insistence of portraying portions of religious texts as the absolute truth and the reason for on-going discrimination, whilst then choosing to ignore other sections of the same text in the same breath, is at best an arbitrary belief. Whilst I genuinely respect a person's right to freedom of belief, I would simply ask why their beliefs should impact so directly on my life and take precedence over my right for equal recognition and treatment under the law.

Others may also argue that marriage is for the raising of children. Whilst, this again may be a norm, there are many children born to parents outside of marriage, and there are indeed many people who also choose to marry, without the intent of raising children. On this basis, if marriage was for the sole domain for of raising children then those choosing not to have children, or the elderly should also be precluded from marrying on the basis of this argument.

Notwithstanding that traditional reference for marriage may have been 'man and woman', the world has moved on, recognising the rights and freedoms of individuals, irrespective of how they decide to couple. The legislation of many countries now reflects this and has not resulted in the diminution of marriage nor has it had negative social consequences. Perhaps, the abolition of slavery, giving women and indigenous Australians the right to vote, was also met with its fair share of opposition too when proposed. However, today these forms of social and personal discrimination are simply incomprehensible and abhorrent to the population at large. The stolen generation needed to wait many decades to receive an apology for the social policies inflicted upon them. How long will it be before we look back and wonder why it took so long for us to amend the *Marriage Act* to make it inclusive and provide equality for all Australians to enhance their lives, irrespective of their personal and private choices in life.

Thank you for considering my submission.

Yours faithfully

SD Kennedy