

INQUIRY INTO SAME SEX MARRIAGE LAW IN NSW

Name: Name suppressed

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Partially Confidential

Thanks for accepting this submission.

Marriage as it is currently defined, as between man and women should be retained. Actually I am not sure that this is a state issue. It makes more sense on such a sensitive issue that the laws are consistent across the states. While people may not be happy with the current federal governments decision, using the states to agitate for change seems an unhelpful and overly politicised move.

Another reason the state should not involve itself is that it seems intrusive of a government to start legislating on a issue that is an institution that has lasted much longer than itself. It is almost universal in cultures across that we have an institution of marriage, but also that it is between man and women. It is a massive thing for the state to want to change this. This is a fundamental unit of stable society. It recognises the complementary nature of men and women, that on a physical level is undeniable.

My final point and my biggest concern is what this means for Children. By allowing marriage between same sex couples will necessarily deny some children the right to be brought up by a live in mother and father - the most beneficial and stable place for a child to be reared. I do not think that a particular same sex couple could not bring up a child well. (even better than lots of other families) But when it comes to legislation we need to think bigger than an individual story. On the whole, children in same sex couples would be disadvantaged, and their rights minimised in favour of adults. Individual stories you will hear of same sex couples will always present a more rosy picture. But we need to look beyond individuals and to society as a whole and in particular children. Legislation should always seek to defend those who cannot fight for themselves.

In making a change like this there is also an unknown element to be considered. Some research has been presented to show that on the whole children are not disadvantaged in same sex relationships. In evaluating the validity of this research though one thing has not been considered - the candidates at the moment able to acquire children - given the hurdles - will be highly motivated and resourced - ie it is a skewed sample to people more likely to succeed in parenting compared to the average population. If marriage is redefined, and hurdles are removed the case these skewing factors will be removed. When comparing like with like, a mother and father will always have significant advantages to bring up their children.

Thanks for considering these thoughts.