

INQUIRY INTO SAME SEX MARRIAGE LAW IN NSW

Organisation: Poly Action Lobby
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There are always going to be relationships that are structured differently from the common nuclear family. It is poor public policy to ignore them as it will inevitably entrench legal anomalies and inequality. The best way to ensure protections for people within polyamorous relationships is to recognise them.

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Dear Honorable Members,

One perspective that has readily been denied within parliament is that of polyamorous marriage. We wish to propose an alternative policy to the current stance that focuses solely on marriages between two people within Australia.

The Australian Law Reform Commission has supported further investigation for the viability of polyamorous marriages within Australia. This is due to the fact that various immigrant and indigenous cultures structure their society around polyamorous marriages. Beyond this, it is a case of civil liberties – the state should have no restrictions on who can marry who, something which we have seen consistently reinforced within the same-sex marriage campaign. Parliament is meant to protect minority groups, principles, equality, and freedom. We don't believe that our parliamentarians should compromise on principles in order to gain a little more support; instead, we believe that we should hold by principles.

Polyamory, sometimes known as ethical non-monogamy, is not a niche phenomenon that can be ignored – it is a lifestyle and sexual identity that exists throughout mainstream society and the LGBTIQ community. We do not think our elected representatives to simply ignore this.

One criticism outlined by opponents of polyamorous marriage is that it inherently disadvantaged women. This is due to the negative stereotypes that exist surrounding male-headed polygamous marriages in various communities. While we acknowledge that this can be an issue, we do not see this as an inherent problem in polyamorous marriages - as long as they exist in a culture of respect and consent. Much like domestic violence exists within heterosexual marriages, this does not make marriage itself bad, but makes these brutalities in relationships an issue.

Ignoring polyamorous relationships will not address this. Instead, we should acknowledge its existence, remove restrictions against it, and create public policy to make sure exploitation of women does occur within any relationships. Currently people with multiple marriages that come to Australia are forced to identify one as a 'wife/husband' and the others become de facto mistresses. This is culturally intolerant and itself exploitative. We must empower women, not deny them rights to choose their partner(s).

This is what makes good, healthy public policy: not being blind to these forms of relationships. We should respect the people that enter into these relationships, and criticise those who take advantage of them.

Thank you for taking time to consider this submission. The best way to address these concerns in society is through respectful discourse.

Regards,

Brigitte McFadden, Executive Director
Kieran Adair, Member