

INQUIRY INTO SAME SEX MARRIAGE LAW IN NSW

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Same-sex Marriage

Marriage (*n*), Middle English: from Old French 'marier'; from the Latin 'maritus' and 'marital', literally (as a noun) 'married husband', and 'married wife'. The etymology of the word 'marriage' thus incorporates the two sexes.

► Marriage is more than the coupling of two adults; it is the basis of family life, and the underpinning of communities.¹

► Marriage is society's institution that represents and protects the inherently reproductive human relationship between a man and a woman. ² It is our way of recognising the importance of this relationship which is capable of creating, nurturing, and protecting our next generation.³

► Marriage carries important values and memes⁴ related to reproduction. The welfare of children, and not the commitment or love between two adults, is central to the purpose of marriage.⁵

► Marriage serves the interests of the community by providing stable and secure homes for children, headed by male and female role models who are in a committed relationship.⁶

► Marriage as the union of a man and a woman is an objective natural reality that reflects the complementary biological nature of the two. Marriage is not for the sake of the partners to the marriage *per se*, but for the well-being of any children resulting from the marriage.⁷

► Marriage between a man and a woman has been the norm across cultures and religions for millennia.

► Marriage is deeply respected and highly valued by many faith and cultural communities in Australia, many of which hold it as a sacred institution.

► Based on the rates in the few overseas jurisdictions where homosexual marriage has been legalised, only between 0.2% and 0.6% of the population is likely to take it up, while it deeply offends and alienates our faith and ethnic communities, comprising a substantial proportion of the population. ■

¹ Marriage is not just a matter of private decision-making; it is also of concern to society.

² At the individual level, many young people who see no problems with sexual relationships outside marriage or living together before marriage, get married either before having children or if pregnancy or birth occurs. This illustrates the importance of the role of marriage with respect to procreation.

³ Nature dictates that a man and a woman are required for procreation, which "discloses something of the purposes and providence of nature: that a child's best interests are served by it having a mother and a father." (Frame, T. (2008), *Children on demand: The ethics of defying nature*, Sydney: UNSW Press, pp. 21-22.)

⁴ A meme is any unit of cultural information, such as a practice or idea, that is transmitted verbally or by repeated action from one mind to another; an idea, behaviour or style that spreads from person to person within a culture.

⁵ If at all possible, children have a valid claim to be raised by their own biological parents.

⁶ Excluding same-sex couples from marriage is not related to those people's homosexual orientation, or to them as individuals, or to the worth of their relationships. Rather, the exclusion of their relationship from marriage is related to the fact that it is not inherently procreative.

⁷ Reproduction is the fundamental occurrence on which the future of human life depends. That is the primary reason why marriage is important to society. (In our highly individualistic culture, we sometimes only look only at its importance to individuals, and ignore its importance to families and to society generally.)