INQUIRY INTO SAME SEX MARRIAGE LAW IN NSW

Organisation: University of Sydney Students’ Representative Council
Date received: 1/03/2013
To the Honourable Niall Blair, Helen Westwood, Catherine Cusack, Greg Donnelly, Jan Barham, and Natasha Maclaren-Jones, Members of the Legislative Council of New South Wales.

Dear Sir or Madam:

I am writing to you on behalf of the student body at the University of Sydney.

This submission is an initiative of the Queer Action Collective, a campus-based queer activism group. It was written and compiled by the Queer Department of the Students’ Representative Council, with contributions from both allied and queer-identifying students in the university community.

The official policy stance of the University of Sydney Students’ Representative Council is full support for marriage equality. Moreover, we condemn the Australian Marriage Amendment Act 2004 due to its discriminatory nature. We believe in an Australian government that is both secular and democratic, and affords total equality to all Australians, regardless of sex, gender, sexual orientation, or sexuality.

For these reasons, we endorse this submission, and trust that you will both consider and reflect on the arguments, voices, and hopes contained within.

Yours sincerely,

David Pink
85th President
Students’ Representative Council
University of Sydney
Dear and honourable Members,

The struggle for marriage equality is one that has implications for all of us. For same-sex couples that wish to marry, it is an emotional battle to prove the validity of their relationship before the law and before society. For the children of same-sex couples, it is an emotional and trying ordeal to understand why their parents are seen as inferior citizens. And for all Australians, regardless of their sexual orientation, it is a shameful demonstration of the inability of our society to uphold the most basic of Australian values: freedom, equality, and courage.

This submission will focus on how the legalization of marriage equality will affect students. By failing to recognize same-sex marriage, the legislature only facilitates the homophobic notion that being LGBTIQ is somehow unnatural, abnormal, and inferior. This has important implications for young people, many of whom must go through the terrible pressures of coming to terms with their sexual orientation in a world that is not yet fully accepting and inclusive.

We present this submission on behalf of the Queer Action Collective at the University of Sydney. It is our sincere hope that you will read the following submission with both an open mind and an open heart. It is time for Australia to embrace marriage equality.

Yours sincerely,

Fahad Ali and Eleanor Barz
Queer Officers
Students' Representative Council
University of Sydney
The University of Sydney Queer Action Collective Submission to the New South Wales
Same-Sex Marriage Inquiry

Members of the Queer Action Collective at the University of Sydney strongly support marriage equality both in NSW, and Australia wide. That same-sex couples cannot currently marry not only implies that such couples are less valuable or legitimate than their different-sex counterparts. It also means that they are discriminated against because their relationships do not have the same legal and social standing as married couples.

Having grown up in a society that values democracy and abhors discrimination based on sex, race, religion, age, and ability, the government’s current policy on same-sex marriage comes across as both hypocritical and ironic. By not being allowed to marry, same-sex couples are systematically excluded from social welfare and health systems. Hundreds of families around the nation are denied legal recognition, leaving children of same-sex couples at a disadvantage.

Although same-sex couples may achieve recognition by obtaining a civil union, this does not give them identical legal standing to different-sex couples. For example, it is impossible for a married individual to marry someone other than his or her spouse without first divorcing the first partner. But a member of a civil union may marry a different person without formally ending the previous civil union, which would simply terminate automatically. This means that civil unions are not legally binding in the same way marriages are.

Further, civil unions are not always recognised overseas. Those in same-sex couples may be treated as individuals by insurers, hospitals and employers, which can put them at a financial disadvantage.1 Being involved in such a union also can result in breaches of privacy when they are forced to disclose the nature of their relationship. This can expose them to homophobic discrimination and abuse and potentially jeopardise their safety.

Even if civil unions had exactly the same legal and social standing as marriage, not allowing same-sex couples to marry implies difference. This is inherently homophobic and heterosexist. If the government is to view same-sex couples and different-sex couples as equal, then they should be entitled to the same forms of recognition. Just as race should not dictate where an individual can sit on a bus, nor should sexuality determine the type of government recognition available.

Members of the Queer Action Collective also value democracy, and feel that the government should listen to the voices of Australians. According to Australian Marriage Equality’s 2012 survey, 64 per cent of the population supports marriage equality. Among those aged between 18 and 24, an overwhelming 81 per cent said they supported marriage equality. These statistics show that Australians are more than ready for marriage equality reforms. It is time for Australia to move forward, and follow in the footsteps of countries such as Belgium, South Africa, Sweden and Portugal.

Furthermore, marriage equality has been endorsed by a number of professional Australian organizations, including the Australian Psychological Society (APS). Professor Simon Crowe, former President of the APS, clarified the significance of this in his statement:

1 “‘A failed experiment’: Why civil unions are no substitute for marriage equality,” Australian Marriage Equality (2009)
“Decades of psychological research provides the evidence linking marriage to mental health benefits, and highlighting the harm to individuals’ mental health of social exclusion. The APS supports the full recognition of same-sex relationships, on the basis of this evidence.”

The Australian Medical Association (AMA) has issued a position statement on sexual diversity and gender identity, which states that the AMA is “supportive of legislation that proscribes discrimination and provides legislative recognition of same-sex unions and families as this will lead to legal, societal, financial, and healthcare equality within the community.”

In addition, the Australian Medical Students’ Association (AMSA) is a strong supporter of marriage equality. AMSA has released a policy document calling upon the Australian Government to “remove all discriminatory references from the Marriage Act 1961 to allow all people, regardless of sex, sexuality and gender identity, the opportunity to marry.”

However, despite the tremendous support for marriage equality from the scientific, medical, and psychological professions, the Australian Government is still reluctant to recognize the union of same-sex couples as ‘marriage’.

There are several discernible arguments that are raised in opposition to same-sex marriage, many of which are unfounded and easily challenged. Chief among these are: that children raised in a same-sex union are at a disadvantage; that marriage is traditionally defined as the union of a man and a woman; and that religious institutions that oppose same-sex marriage will be forced to be celebrants to same-sex couples.

The American Academy of Paediatrics (AAP) supports marriage equality as “the right of every child and family to legal, financial, and psychosocial security that results from having legally recognized parents who are committed to each other and to the welfare of their children.” Moreover, the AAP has stated that “there is ample evidence to show that children raised by same-gender parents fare as well as those raised by heterosexual parents. More than 25 years of research have documented that there is no relationship between parents’ sexual orientation and any measure of a child’s emotional, psychosocial, and behavioural adjustment.”

It is clear, when the scientific evidence is considered, that the first argument is an absurd allegation based on uninformed and prejudiced personal convictions.

Arguing against marriage equality on the basis of the definition of marriage cannot stand up to any scrutiny without first accepting what marriage is. In the recent debate on the Marriage (Same Sex Couples) Bill in the British House of Commons, the opposition centred on the definition of marriage as espoused by the Church of England. However, it is hypocritical and unreasonable for the legislature to base all marriage law on any one group’s definition of marriage.

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3 ‘Sexual Diversity and Gender Identity,’ Australian Medical Association (2002)
4 ‘Marriage Equality and Health,’ Australian Medical Students’ Association (2012)
5 ‘The Effects of Marriage, Civil Union, and Domestic Partnership Laws on the Health and Well-being of Children,’ Pawelski et al. in PEDIATRICS (2006)
6 Ibid.
marriage. If the government is to be truly secular, it must not allow religious groups to dictate its position on same-sex couples’ right to marry.

During the same-sex marriage debate, there has not once been the demand that religious groups should lose their right to have their own marriage policy. Marriage equality activists merely ask that the government legally recognise same sex marriage. The final argument is therefore irrelevant, as religious groups would still retain their autonomy regarding marriage equality.

Marriage equality remains an important issue for young people. We present statements of support from students in the university community that demonstrate quite clearly the need for legislative reform.

Statements from Allies in the University Community

An ally is an individual who does not identify as gay, lesbian, bisexual, trans, intersex, or queer, but supports the LGBTIQ rights movement.

Daniel Offner:

Discrimination of any kind is repugnant in a country that prides itself on “a fair go”. Marriage inequity is discrimination and tarnishes any society that encourages it. The very concept of differentiating two parties, based on the definition of a word or sexual preference, lends itself to a culture that is bigoted and ill-minded. I beg you to end this prejudiced disposition and fight for equal rights. I plead that you disregard any personal distaste and do what is right on behalf of a country that prides itself on equity.

Patrick Hargreaves:

For me, marriage equality is a subject that in future generations will be studied like the ‘67 referendum on aboriginal voting rights, the civil rights movement in America, and even conscription. For me it is such a non-issue, even though I’m heterosexual, that I find it baffling, similar to how baffled I was when looking at the 7% of people who voted ‘no’ in ‘67 or Billy Hughes in 1917. I’m lucky enough to be apart of the first generation when ‘gay’ was stopped being a stigma. It still is, but now films, TV shows rarely tend to deal with homosexuality as something to either offend or stigmatize. Thus, I befriend and live along people who are homosexual as if I would if they wore red socks instead of blue, so the concept of two people who happened to be queer getting legally recognized would be normal. The barriers to it are just so bizarre, that I couldn’t contemplate supporting anyone, or sympathizing with people who still believe homosexuals shouldn’t get married. This issue I guess is important for me because I have friends who are queer, and I don’t go to my aboriginal friends ‘you can’t marry whites’ so why should I go to my other friends ‘you can’t marry your partner’? The people against this are rejecting the changing of the law, not because of logic, but similar to people who grew up in white only communities, for them, this isn’t right. There is no logic behind every argument they wallow in.

Padraic Gidney:

I’m writing to you today both to express and to explain my strong support for the proposed ‘State Marriage Equality Bill’. I’m not of homosexual orientation myself but I do believe
vehemently in the importance of logic and, as I will explain below, it seems to me that the

case against marriage equality, and therefore also the case against this bill, has no logical
grounding and therefore also no place in Australian politics.

Now I understand that letters like these are usually valued less for their content and more for
the mere fact of their existence – as contributing to some large number of letters which, as a
figure, might have political influence – however it is my optimistic hope that this letter, in
addition to helping in that way, might also be useful as a reference of sorts when this bill
inevitably comes up against resistance both in parliament and in public.

With that in mind; here are the reasons why I believe that the current case against marriage
equality – and by extension this bill – is illogical (structured as a series of refutations of the
most prevalent arguments against marriage equality, as they appear in the media):

1) “Marriage is between a man and a woman”

Yes, obviously that is the current definition of marriage in NSW. The purpose of this bill is to
change that. You cannot in good sense use the fact that this bill has not yet been passed as a
point against the passing of this bill. To apply such logic generally would be to resist every
and all novel changes to legislation.

2) “Homosexuality is unnatural”

This is demonstrably not the case. The word ‘natural’ means either existing in or based on
‘the state of things in nature’ and homosexuality is ubiquitous in the natural world – both
among animals and humans. Just as a brief example (since the full amount of supporting
evidence is too immense to be listed here), 10-15% of Western Gulls and up to 19% of
Mallards are homosexual and around 60% of Bonobo apes engage in homosexual behaviour.

Given this, a critic might then retreat to the weaker claim that ‘homosexual marriage, if not
homosexuality, is unnatural’ but this statement, meaning ‘same-sex marriage does not exist in
nature’, is only trivially true in that animals don’t partake in either heterosexual or
homosexual marriages. This is, of course, with the exception of humans but (as was
mentioned above) the reason it doesn’t exist between humans yet – at least in most countries
- is not because it is ‘unnatural’ to us but rather because bills like these have yet to be passed.

3) “Homosexuality is ungodly”

Whether or not this is the case is irrelevant since the topic of this debate is not religious, but
civil (and, since we live in Australia, secular), marriages as performed by members of the
civil service rather than of any religious institution.

4) “Civil unions already ensure sufficient equality”

What a strange term; ‘sufficient equality’. As if we might accidently give homosexuals ‘too
much’ equality and they’d storm parliament house in a stampede of equal-ness. The fact is
that, as in the foremost article of our most praised and valued universal declaration of human
rights (“All human beings are born free and equal in dignity and rights”), there’s not a
’sliding scale’ of equality; there’s simply equal and not equal.
If civil unions aren’t equal to marriages, then there had better be some compelling reasons as to why (which, as is discussed both above and below, there aren’t) and if they are equal, and the two unions differ in name only, then there’s no reason why they shouldn’t be amalgamated – in fact, since these are civil (government) unions we’re talking about, the duplication of policy and infrastructure involved in keeping the two institutions separate would amount to unacceptable government wastage.

5) “The institution of marriage existed long before the current governing bodies and therefore they have no right to reshape it in such a fundamental way”

Marriage has been reshaped in equally fundamental ways scores of times by dozens of different societies. To pretend that marital unions have some unchanging, sacred legacy is simply to ignore the historical facts. Over the ages some marriages have been polygynous (i.e. ancient Israeli or modern Islamic marriages), some polyandrous (i.e. in Tibet), some heterosexual (i.e. traditional Christian marriages), some homosexual (i.e. in the Chinese Zhou dynasty or in the early Roman Empire), some revolved around the birthing and raising of children (i.e. Jewish), some were childfree (i.e. Manichean marriages or marriages between sterile couples), some were performed for financial or political gain (i.e. pre-arranged Hindu marriages or marriages between European high-borns or royalty), some for intimacy (i.e. many modern marriages).

In reality we are, as those societies were, free to choose how we define our unions. To demand that we follow historical precedent is both needlessly conservative and, more importantly, impossible – since historical precedent contradicts itself on almost every point.

6) “Allowing same-sex marriage is the beginning of a long and slippery slope; It starts with legislation like this but next thing you know we’ll be marrying children and paedophiles, men and dogs.”

This is, of course, a ridiculous non-sequitur. It’s the same sort of vile idiocy that lapped at the feet of the 13th amendment and the black vote in America and the aboriginal and women’s vote in Australia; i.e. ‘next thing you know we’ll be letting chickens vote’.

Legislation is far from slippery – it’s considered and incremental, if not glacial – and, even if it was, the bill proposed here doesn’t open the door to paedophilia or bestiality any more than introducing RBTs opened the door to a new age of prohibition or removing creationism from science classrooms opened the door to widespread church burnings.

**Ian Hemming:**

I just want to say that I feel strongly that our country should, at the very least, accept and agree to marriage equality. Ignoring the fact that our national anthem say "Advance Australia Fair", is it not right for a country that claims a great ideology of multiculturalism, and acceptance of all people to push forward towards equality in all things?

I personally have a good number of friends who identify as being gay, and proudly too! If the people of this country can accept gays as friends, co-workers and family, why can't our country accept and formalise the partnerships they choose? How can our government
interfere in the choices of their citizens? Is that truly promoting the ideal of Australia as fair and free?

Sam Murray:

Ideally we would live in a world where relationships between individuals did not need government recognition in order to have meaning; where marriage could mean whatever individuals, or their faiths, wanted it to mean. Hopefully, one day we can have that, and removed marriage from the language of the law and leave it up to individuals and wider society to define in any way it sees fit. However, until that day comes marriage remains part of the legal vocabulary that affects the way that society operates both at a functional level and at a social level. When certain partnerships are denied access to marriage by the state, even if it is totally equivalent to civil unions or whatever expression is found, the state is necessarily usurping a word that should be under the prerogative of civil society to define and is instead taking upon itself to determine what sort of relationships people should be allowed to have. Marriage is a cultural institution with a long history. It is not, and should not be a state institution, that is limited to particular members of society. Until the time when marriage is removed from the legal world, it should be made available for everyone. It is always better to err on the side of more rights for people than less rights, and, speaking as a practicing Catholic, by personal beliefs or the beliefs of my church should not supersede the rights of individuals to achieve happiness in their lives, nor contribute to a heteronormative environment that condemns homosexuality as the other. Allow gay marriage and recorrect centuries of pain, depression and suicides caused out of a misplaced deference to top-down ideas of how society should work, rather than letting people in society define themselves and their intimate relationships with people in the ways they want.

Max Schintler:

I'm heterosexual, and one day I hope to exercise the rights afforded to my legally privileged position, and get married and have children. I would like to think that in a free, democratic society such as ours that my children would be able to share in the same rights and civil liberties as I have. However, if my children were same-sex attracted, they would be lesser citizens in the eyes of the law, and of many people and institutions in Australia. I come from German ancestry. In the last century, members of my family from whom I am descended were looked down upon, persecuted and untrusted by society in times of war because of traits they were born with - for example, a German name. They rightly hoped that their children and descendants would have a better future. As it turns out, I am currently living in this better future. But what about my children, if indeed they are born with traits that they did not choose; traits that have been documented in numerous studies not to negatively impact one's ability to raise children. I am only twenty years old, and I hope that by the time I am ready to have children of my own, they will be guaranteed an equal place in the future of our nation, as will be my friends who are same-sex attracted.

Thank you in advance for considering my submission. I trust that if all the available evidence about the impact of same-sex marriage being implemented is considered carefully, a just and right decision will be made in favour of equality.
Aaron A.:

My people invented democracy. What that means to me is if I look to my left, then to my right, I expect the people on both sides to have the same rights as me, and that is to marry the person they love.

Michael de Waal:

I work in an office where I am the only person in the whole management of the organisation who is allowed to get married.

This is not because of my citizenship status, or my criminal record, or any other such interest of the New South Wales government. It is simply because I happen to fall in love with people of the opposite sex.

Every person should be allowed to marry the person they love. It's that simple.

Nina Hallas:

I don’t identify as queer. I don’t even put much credence in the sanctity of marriage. Despite both these things however, I am an ardent supporter of marriage equality. I don’t see it as the Government’s responsibility or jurisdiction to dictate who loves who, and how, and how much. What I do see, however, is the love that can be formed between people of the same gender. I see, through queer identifying friends and family, how that love is absolutely equal to my own. Of the same quality. Subject to the same diversity and complexities found within and between heterosexual relationships. Acknowledging that equality, if consenting parties choose to express that love through the institution of marriage, who is anyone to deny them?

The inevitability of marriage equality can’t be ignored, but the delay is frustrating, and it’s hurtful. It’s also embarrassing for the politicians who roadblock what’s really just a simple, straightforward, non-complicated right. They will go down in the annals of history alongside those who, only a few decades previous, railed against the ‘evils’ and ‘immorality’ of interracial marriage. Religion has no place in parliament. Personal bigotry has no place in parliament. Irrational fear has no place in parliament. Unfortunately, on this matter, among many others, these things are overcrowding the halls.

Why put your name to what you know will be the wrong side of history? 2013 should be known as the year Australia finally legislated Marriage equality. The time to do so was years, and years ago. Let’s not tarry anymore. There are so many more pressing issues that need tending to, problems that need to be solved.

Benjamin Pope:

Opponents to marriage equality in Australia are on the wrong side of history. Much is made of celebrated individual cases of success or repression in the queer community - the names Alan Turing and Michael Kirby are writ large in the public discourse. Yet the fact that the debate remains at that level really indicates the degree to which homosexuality is regarded as abnormal by the state and in public life. This robs society of the valuable contributions of its hundreds of thousands of gay, lesbian, and queer members and makes their liberty and pursuit of happiness much more difficult to find than it should be.
As a straight man I have it lucky, and have been appalled at the treatment of my gay friends - most especially in being bullied at school and in the difficulty in having their relationships recognised as being as stable, loving and indeed normal as any other. I therefore wish to express my strong support of the equalisation of marriage law in order that a strong legal precedent be set for the normalisation of homosexuality in our society.

James Higgins:

The issue of marriage equality is one that strikes at the heart of our society – on a moral, legal and human level. Discrimination against the many individuals who fall under the GLBTIQ ‘category’, from those who embrace their sexuality to those who find themselves unable to be open about it, is widespread and deeply engrained. It is also unacceptable.

This discrimination against queer-identifying citizens, embodied most overtly by the state’s failure to recognise non-heterosexual relationships through marriage, would be intolerable in any other circumstance. It compares to similar restrictions placed on people of different ethnicities. It is akin to racism and sexism in its foundation on ignorance and fear, the insidious behaviour it underpins, and the shocking consequences it has for people (especially young people) who experience it. Our government’s failure to enact marriage equality is a gross breach of our civil rights, our community’s treatment of its queer-identifying members is a gross breach of our responsibilities as human beings, and it quite simply has to stop.

“Strong language”, some might say. Yet too often, too many people dismiss homophobia as overstated – a regrettable state of affairs, but not something worthy of a national outcry or severe condemnation. Indeed, sexuality (especially of the homo-, bi-, trans- or inter- variety) is apparently not something for polite conversation. The emphasis is on not offending those who upbringing or sheer awfulness has rendered ignorant and intolerant. What of the offence caused to the young man whose grandparents will not accept him; the middle-aged woman whose marriage and life is crumbling around her as she struggles with her sexuality; the countless people – young and old – who repress who they are out of fear of what their family, friends and the world might think?

As a society, we apologise for the exclusion and homophobia practiced by the state and by many religious organisations. Yet we would be seriously and overwhelmingly outraged if those same institutions sought to perpetrate similar discrimination against women or ethnic minorities. Of course, discrimination against these groups still exists and opposition to it is not universal – it is, by no means, a thing of the past. The difference, however, is that it is widely and, what’s more, publicly regarded as belonging in the past.

The ‘public’ component here is important. While some (perhaps many) may still nurse private prejudices against other minority groups, few are willing to overtly express them. Such discrimination still structures inequality of opportunity and outcome for other groups (especially women), and it is most definitely pointless to compare or somehow rank the severity of discrimination suffered by different people. But there is a blaring, utterly pointless and very readily resolved feature of the discrimination against GLBTIQ-identifying people: they are not allowed to symbolically express their commitment to the person they love in the same way that heterosexual people are allowed. They are not allowed to marry – their relationships are regarded as ‘different’, ‘less’, ‘unnatural’. And that, honourable Members of Parliament, apart from being utterly incorrect, is simply not right.
Further, the suggestion that this discrimination is in some way limited in who it affects (namely, to queer-identifying people) is a complete fantasy. We are all made less by having to be careful about public perceptions of our sexuality. I can only write from the perspective of a young man, but I strongly believe (and have witnessed) that apart from being absurd, this aversion to ‘being queer’ produces warped and unhealthy understandings of masculinity. Complex issues of gender- and sexual-identity are routinely conflated. Many men conform to a rigid idea about sexual preference, and feel that they are unable to question it. The result is a confused and lonely man, hidden beneath a thin veneer of aggressive masculinity. No one (but again, particularly not young people) should have to agonise over their sexuality and build around themselves a persona that they believe is acceptable to the broader world.

Ending discrimination against the GLBTIQ community is by no means the ‘last frontier’ for those who value a just and equal society, in any sense. Many groups still face unequal treatment in our society, and marriage equality is by no means a ‘silver bullet’ for the queer community. It is, however, a start. And it is a start that you, as members of the NSW Parliament, have the power to begin.

When you consider the fundamental issue at stake here – love – there is no good reason to vote against marriage equality.

**Statements from Queer Students in the University Community**

*Queer is an umbrella term for individuals who identify as same-sex attracted or with a gender, sexuality, or sexual orientation that lies outside heterosexuality and/or the gender binary of male/female.*

**Eloise Layard:**

Legalising equal marriage is the only way to allow same sex couples and families to have their relationships fully recognised as equal in every way to heterosexual relationships. In addition, it sends the message to queer youth that they are accepted, loved and valued. It is in line with what the ever increasing majority of the Australian population believes is just.

I have dreamed of getting married to the love of my life since I was a little girl, and continue to today. However, as a bisexual girl, as the law stands today there is only 50% chance that I’ll be able to do so, something that I not only find illogical but am hurt by in many ways. I believe that this can change and am excited for the day when it does.

**Matthew Yeldham:**

My name is Matthew Yeldham and I am currently studying a Combined Bachelor of Laws with a Bachelor of Arts. I am also writing this submission in my capacity as the Queer Officer of the Sydney University Law Society, and an advocate of queer rights.

I have long been passionate about advancing queer rights and especially achieving marriage equality in New South Wales, and ultimately Australia-wide. Marriage equality is undoubtedly a question of equal rights, equal treatment and equal opportunity under the law.
and the rule of law. I am passionate about this issue not just because I am openly gay myself, but because my grandfather was Mr Justice David Yeldham QC of the Supreme Court – an honourable man viciously chastised by politicians and the media in 1996 for leading a ‘double life’ of bisexuality, which unfortunately culminated in his untimely suicide that year.

My family and I have already witnessed first-hand the grief, suffering and torment of having a family member commit suicide because they were not heterosexual. I will admit that when I was in ‘the closet’ and ‘coming out’, I did struggle with seriously depressive and suicidal thoughts, but the knowledge of the pain my grandfather’s selfish actions inflicted on his loving and accepting family kept me from acting on those thoughts. My low levels of self-esteem and self-worth were exacerbated by the loud voices of those advocating against queer acceptance and marriage equality, and by the fact that Australia – a constitutional liberal democracy where everyone is ‘treated equally’ under the rule of law – had, and still has, laws enshrining my status as a second-class citizen.

I have struggled for many years to understand why our democratic laws still prevent marriage equality and passing on other basic privileges and protections to queer individuals. This is even despite the dramatic change in social attitudes since 1996 – witnessed first-hand in my very own family and community. This reality is especially poignant in today’s context of alarmingly high suicide rates among the LGBT community as a direct result of homophobia; rates that are unacceptably high in younger generations.

I believe with all my heart that passing legislation allowing marriage equality will cement the positive social shift in attitudes towards homosexuality and homosexuals since my grandfather’s widely publicised death in 1996. This change in the law would also send a strong signal to the growing queer community of not just tolerance, but of wider acceptance. These laws would say to the queer community that society and the legal system values who you are, and that it will not treat you differently on the basis of a trivial biological difference that is beyond your control. For young people in ‘the closet’, having Parliament send a strong, unified message would undoubtedly aid them with their internal struggles, and may even prompt those individuals to seek serious help if needed.

The time has come to close debate on this issue and pass marriage equality laws demanded by a majority of voters. In years to come, we will look back on this chapter of our political history with disgust at some of the rhetoric and comparisons made by a few outspoken individuals. But we will also look back with pride that New South Wales was the first State to allow same-sex marriage in Australia.

John Rowley:

Changing our legislative stance on gay marriage, while not the only factor that will bring GLBT individuals closer to equality, is an important step. It’ll hopefully encourage those who don’t currently understand or empathise with Australia’s GLBT population to re-assess their views. The concrete nature of a legislative change that aligns with the views of a growing majority will help Australia catch up with other countries around the world. And more importantly, it’ll send a message to young GLBT individuals struggling with their sexuality. A legislative change will tell them that what they’re feeling isn’t something to be suppressed or ridiculed, but rather something to be celebrated.
**Bec Eames:**

Marriage equality is important to me because it would be a step towards normalising queerness. I think I would have figured out a lot earlier that it is OK to love and be loved by women if my love had been recognised by Australian law.

**James Harding:**

The definition of 'marriage' under the Marriage Act is not just a matter of a certificate and legal benefits for me. As a young person who has felt different and excluded in the past, I can confidently say that the law has a lot to answer for. The treating of same-sex relationships as what could hardly be denied as inferior under the law does not do a lot to put a confused young person at ease about themselves.

The law meant, for me at least, that in the opinion of our elected representatives I was different. That, somehow, the 'wisdom' of the playground about homosexuality had some basis in reality. It meant that the schools I attended had nothing to say about me, no advice or help to offer. In my 160 strong high school cohort not one of us came out while we were there. While I can't lay that at the feet of the Marriage Act with complete confidence, I am sure that the various reasons were made worse by it. The opposition to marriage equality at the Federal level added, and continues to add, just one extra front of perceived hostility to a young LGBT person.

So, having said all that, imagine the wonderful impact marriage equality would have on young people struggling with their identity! A common argument from some is "we can't teach homosexuality in schools!" Well, surely that is an argument for marriage equality. Even the simple acknowledgement that the law considers same-sex relationships equal to heterosexual ones will, in some cases, be an improvement.

This statement hasn't said much about the actual desire (or, as I believe, the right) to marry one's partner, regardless of gender. I will leave that to others who can talk more authoritatively and with more experience. Suffice to say, if a government truly believes that same-sex couples are not inferior to straight ones, then it would not offer a special status and ceremony to one and not the other.