

QUESTIONING 'SAME-SEX MARRIAGE SLOGANS'

The decision of the Commonwealth Government to put to a referendum or plebiscite the question whether the word 'marriage' (currently a relationship between a man and a woman) should be used also for a biologically and psychologically different relationship (between two people of the same sex) gives Australians finally an opportunity to engage in a reasoned discussion. To date, there have been nothing more than emotional slogans and a concerted effort to force change by momentum.

However, with this opportunity goes the responsibility for people to think through and to discuss all the relevant issues. There is the additional responsibility to contribute relevant facts. These things are required for any democracy to function properly.

One-sided media promotion

Paul Barry, the presenter of Media Watch on ABC TV, highlighted recently how the media is promoting a one-sided view of same-sex marriage, and denying an equal opportunity to those against it to present their case (Media Watch 17/8). He cited the example of a paid advertisement by *Marriage Alliance* which was refused air time by Channels Seven and Ten, along with 2Day FM, The Australian Radio Network and Nova.

Readers can google the article for themselves. Barry also points to the pressure on media by same-sex marriage advocates not to present any opposition to their point of view. He asks 'Whatever happened to free speech?'

Barry himself, an advocate for the same-sex marriage, concluded

... this is a conscience issue and an important change that's being proposed, and surely both sides of the debate have an equal right to be heard.

Democracy requires informed debate. Media attempts to manipulate public opinion and to deny free speech to opponents of their view are an abuse of power and a failure of responsibility. Nova, for example, stated (Media Watch 17/8)

We simply felt that this message (is) significantly out of alignment with the Nova brand and our audience.

What was the Marriage Alliance advertisement about?

The *Marriage Alliance* advertisement simply highlighted the need for people to think through implications of same-sex marriage. Examples they point to are

- freedom of speech, freedom of conscience, freedom of trade and freedom of privacy
- sex education in schools
- the psychological emotional and intellectual effects of *deliberately* fatherless or motherless childhoods
- the implications of a mother being optional.

In this context, it is worth noting that, in some countries, the legislation of same-sex marriage has lessened religious freedom, including in Catholic schools. In Canada, for example, no parent can request their child be exempted on moral, conscience or any other grounds from classes teaching alternative ideas on sexuality and family.

In Australia, the Australian Education Union has adopted a *Sexual Orientation, Gender Identity and Intersex Policy* under the mantle of making schools safer for gay, lesbian, bisexual and transgender students. Catholic schools achieve the same goal by teaching the dignity of every human person as someone created in the image and likeness of God.

In practice, the Education Union policy goes way beyond the protection of students to ‘celebrating diversity’. Media refusal to accept paid advertisements by *Marriage Alliance* censors community discussion on the implications of same-sex marriage legislation.

This leaves the current slogan-based media promotion of same-sex marriage free to discourage any thought about implications. What are some examples of such slogans?

(i) We stand for Marriage equality

We Australians react quickly against any inequality. So it is clever of same-sex marriage advocates to create a slogan connecting marriage and equality.

What we need to ask is: ‘Is there marriage inequality?’ ‘Are same-sex couples deprived of any rights which heterosexual married couples enjoy in the law?’

The best response to these questions is that of another advocate for same-sex marriage, the Deputy Leader of the Opposition, Tanya Plibersek, from earlier this year. Referring to the legislative changes of 2008, she said [*Marriage Alliance website*]

... we changed 85 laws, removed every piece of legal discrimination against gay and lesbians and same-sex couples on the statute books.

The suggestion that there is any legal inequality between heterosexual and same-sex couples is without foundation. Slogans referring to ‘marriage equality’ therefore do not stand scrutiny.

(ii) Change will remove injustice and discrimination

There is no question that homosexual people have suffered unjust discrimination in the past. We need to be sensitive in discussing same-sex marriage for no one should want to hurt others.

However, the fact remains that the above words of Tanya Plibersek show that there is no legal injustice or discrimination against same-sex couples in Australia today – nor has there

been any since 2008. So if Parliament were to legislate same-sex marriage, no injustice would be removed.

Sometimes people speak as though discrimination is always unjust. However, while *unjust* discrimination is always wrong, without *just* discrimination, there would be no Brownlow Medals, Victoria Cross winners, school awards and male and female change rooms.

Unjust discrimination violates the human rights of some. Just discrimination, on the other hand, recognises legitimate differences but violates no one's human rights.

Same-sex relationships are different from heterosexual marriages. But to say this is no more unjustly discriminatory than to distinguish the relationships between parents and children from those of brothers and sisters.

(iii) Both relationships are essentially the same

Suggestions that hetero-sexual and same-sex relationships are essentially the same, and so should both be recognised as marriage, ignore facts of biology, law and language.

The biological differences are obvious. And their sexuality effects every aspect of a person - how they think, how they feel in situations and so on. Hetero and homosexual relationships, therefore, cannot be exactly the same.

Second, law will always recognise differences between these relationships. Heterosexual relationships have the natural capacity to conceive children so the law prohibits close blood relationships from marrying because of the risk of harm to possible children.

Homosexual relationships, on the other hand, can never naturally conceive children. There will never be a legal need, therefore, to prohibit certain close blood relationships from entering into homosexual relationships as there is no risk.

Finally, the language of hetero and homosexual marriages would be different. A wife-wife or husband-husband relationship will always be different from a husband-wife relationship.

(iv) 'Love is equal': 'love is love'

This is obviously true. Who is going to suggest, for example, that married, parental or sibling love is less equal or loving than love in other relationships? But to say that love is equal is not to say it is the same in different relationships.

Genuine love helps others grow, so the experience and effects of love are different in different relationships. The experience of parental love and its effects, for example, will be different from those of the love of siblings.

No loving relationship confident in itself needs to claim the name of another loving relationship for legitimacy or to feel equal. And the fact that love is equal does not justify changing the meaning of marriage to include same-sex couples.

(v) Most people support same-sex marriage

Promoters of same-sex marriage claim support of between 60 - 70% of Australians. If this is indeed the case, their cause will win any referendum or plebiscite overwhelmingly, so they have nothing to worry about.

However, the confidence of those proposing same-sex marriage seems shaken by the possibility of the Australian people being given the opportunity to vote on the issue.

One objection is that the question could be put in a way that the 60-70% of those in favour would vote against it. But we need to ask ourselves: 'Are Australians really so unintelligent that they are likely to vote the against to their own wishes?'

Could proponents' fear in fact stem from another fear - that opinion polls suggesting in favour of same-sex marriage posed manipulative questions?

In this context, it is interesting to note that the latest opinion poll for the seat of Canning as it prepares for a by-election shows that only 46.9% of electors - less than half - would vote for same-sex marriage. This is a long way from 60 - 70% support!

This leads to the question: 'Could claims of support by proponents of same-sex marriage be wildly exaggerated for political reasons?'

(vi) Australia will be out of step with other countries

Of 196 countries across the world, 22 have legislated same-sex marriage. Of the remaining 174 countries, 14 have legislated civil unions which give same-sex couples the same legal rights as heterosexual married couples.

In 2008, the Australian Parliament legislated the same legal rights to same-sex couples as those enjoyed by married couples. The only thing missing, in law at least, is a name for the union of same-sex couples.

Given that the sole basis for same-sex relationships is the choice of the couple and that, unlike heterosexual marriage, there is no prospect of conceiving children naturally, the logical name for same-sex relationships should be *Civil Union*.

(vii) Religious people should not impose their idea

Marriage is not the creation of any religion. Hetero-sexual couples have always married each other - though religions have celebrated and blest their unions.

For thousands of years, marriage has been recognised as a distinctive relationship between a man and a woman. This has been the only commonly recognised feature of marriage over the millennia, though there have been different ideas about whether marriage is for life and for children, as well as different ideas on questions such as divorce and the number of husbands or wives.

Heterosexual marriage, therefore, is a phenomenon of human nature – not religion. Unlike same-sex relationships, it is common to all cultures and religions.

If people try to side-line those involved in a religion as a means of silencing their opposition, religious people need to point out that marriage is a phenomenon of human nature. All human beings are entitled to speak.

(viii) Parliament should follow the people's wishes

This is the slogan of those who claim polls show Australians overwhelmingly support same-sex marriage – a questionable claim, given the poll in the seat of Canning. However, even if this claim proves to be true, the slogan misunderstands the responsibility of parliamentarians. In the words of the great parliamentarian, Edmund Bourke

Your representative owes you, not his industry only, but his judgement; and he betrays instead of serving you if he sacrifices it to your opinions.

When leaders choose to make themselves bidders at our auction of popularity, their talents, in the construction of the state, will be of no service. They will become flatterers instead of legislators ...

Parliamentarians need to base their votes on facts and discussion, listening to all sides of any argument. Their 'judgement' needs to be informed by the fact that, since 2008, heterosexual and same-sex couples enjoy exactly the same rights under Australian law.

Exercising their judgement is difficult on the issue of same-sex marriage as those who have elected them are being denied equal media access to the arguments of both sides. This has been well established by Paul Barry on *Media Watch*.

The current media thrust reflects the best practice of a marketing campaign and the principles of propaganda. To cite one principle example: 'Repeat something often enough and people will believe it.'

The seriousness of legally changing the meaning of marriage demands serious factual debate - not treatment in the same way as the marketing of a brand of toothpaste. The debate needs to focus too on the future implications of any change.

Proposal for moving forward

Given that heterosexual marriage and homosexual relationships are quite different, the logical consequence is that each relationship should have its own name. Australia should follow those countries, therefore, which name same-sex, relationships '*Civil Union*'. This acknowledges the basis for these relationships - the agreed union of the couple. There will be no naturally conceived children by these couples.

Conclusion

On present implications, it is unlikely that both sides of the debate about changing the meaning of marriage in Australia will be allowed an equal hearing. It depends upon ordinary people, therefore, to raise awareness of the implications (such as those pointed to by *Marriage Alliance*) of such change. They need too to counter misleading slogans by the same-sex marriage lobby.

There is no doubt that confidence is declining among those proposing same-sex marriage, despite emotion and efforts to rush legislation through Parliament. Confident people do not

- seek to silence opposition for they are confident of their case
- vilify opponents when they speak
- have concerns about people voting
- seek to stifle discussion on serious implications of what they propose.

Anyone committed genuinely to democracy in Australia needs to remember their responsibility to contribute to the good of society. The only thing necessary for the current push for same-sex marriage to succeed is for people not to be informed about both sides of the debate.