

“Saving” Marriage

The Gay Marriage debate is arcing up again. It is so much about spin and so little about concept. Terms such as “GAY marriage” and “TRADITIONAL marriage” are bandied about without any expression of what is meant or what the government is expected to do about them.



A recent petition put out by the Australian Christian Lobby is an example. Tag lines like “We need your help to save marriage” are oversimplifications: Is someone suggesting that people can’t get or be married any more? But I guess they are a lobby group and messages need a simple cutting edge to get heard – and to the extent that they must compete with the equally oversimplified messages of the other side in an electorate whose mob-personality looks increasingly like Kath & Kim, I’ll give them some latitude.

What do I think? In response to a Sydney Morning Herald article I have written a letter to Malcolm Turnbull and cc’d it to my local member, Sid Sidebottom.

I’m happy to have my views challenged or honed on this, feel free to push back at me.

Dear Mr. Turnbull,

I note with interest the report in the Sydney Morning Herald (<http://www.smh.com.au/nsw/turnbull-seeks-views-on-gay-marriage-20110208-1alqa.html>) which indicates you are canvassing opinion on the subject of Gay Marriage.

I suggest to you that the defining of marriage is not necessarily the job of government at all.

The government has the task of recognising and protecting the existence of meaningful relationships in our community. It must encapsulate these relationships in diverse regulations – from the exercise of family law, the determination of ‘next of kin’ in many situations, to the methods of applying taxation and social security.

Currently, the form of relationship that we call “marriage” is not the sole beneficiary of such regulation. The vast majority of the law is equally applied to de facto heterosexual relationships and, in many jurisdictions, “civil unions” of a non-sexual or homosexual sort.

This plurality of forms of relationship, while personally unsettling to many, is a simple fact of life which government must handle.

“Marriage”, however, cannot conceptually contain such a plurality. It is a word that encapsulates the idea of a publicly-declared lifelong faithful partnership between a man and a woman and to attempt redefinition is to do injury to that idea and to those for whom it is precious.

I suggest to you that the current debate is motivated not by semantics but by a perceived disparity in the sense of dignity afforded to different types of relationship by government.

I suggest to you that there are ways for government to respond to this perception without doing injury to the idea of marriage.

For instance, one difference between marriage and other forms of relationship is that one form (marriage) is solemnized by government authority, and other forms are simply recognised. This may be perceived as a difference in dignity.

Some suggest that the Marriage Act could be broadened to solemnize other forms (in which case it would no longer be

the "Marriage" Act). There are doubts that this would adequately embrace the true breadth of plurality and adequately handle the real difference between the forms of relationship.

A better suggestion is that government should get out of the business of solemnizing relationships altogether, but simply give legal recognition to the existence of forms of relationship (for instance, recognising a religious ceremony as the beginning of a marriage) where such recognition is needed and appropriate in law.

Let me encourage you, as I'm sure you will, to form your opinion around the principles at hand and avoid the oversimplification of simply changing definitions that should not be changed.

Yours faithfully,

Rev'd Will Briggs
Somerset, Tasmania

(cc Sid Sidebottom, my local MHR)