

Redefining marriage will affect the very fabric of society. The first cut has yet to be made. If this matters to you, now is the time to make a stand. This document is to help you write a submission to the Select Committee.

Speak now. Or forever hold your peace.

*Make a submission.
Make them listen.
Make a difference.*

The 1st reading in Parliament showed that only 21 MP's need to change their vote to NO in order to defeat this Marriage Amendment Bill. It is vital that as many people as possible write a submission to show their support for marriage remaining between one man and one woman.

To help you, we have prepared the following:

- **KEY POINTS:** These can help form the basis of your own submission. However, try to say it in your own words.
- **SUBMISSION FORM:** Don't know where to start? We've done it for you. Use the cut-off submission form at the back of this booklet. You can also make an **online submission**. All the information you need is on our website.

PLEASE NOTE: Submissions are due by **26 October 2012** They will not accept late submissions.

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Key points

To be clear

The debate over same-sex marriage is not a discussion about:

- whether homosexuals are good people or good citizens. They are.
- whether homosexuals can form loving relationships or be loving parents. Of course they can.
- whether homosexuals should be treated with dignity. Every human being should be treated with dignity.

Many people in the homosexual community do not agree with same-sex marriage either. Like us, they simply hold a particular view on an important social issue. This argument has nothing to do with hate or fear, and everything to do with history and tradition.

Marriage is foundational

Throughout history and in virtually all human societies, marriage has always been a union between men and women. Marriage did not arise because some Government or religious organisation dictated that people must marry. Marriage predates both the organised church and the State. The State should not presume to re-engineer a natural human institution.

Nature's way

Marriage combines the complementary characteristics of men and women as defined by nature. Gender distinctions are important. Men and women complement each other physically and emotionally. Nature is exclusive in that only the union of a man and a woman can produce another life.

Every child has the right to a mum and dad

Marriage between a man and woman says to a child that the mum and dad who made you will also be there to love and raise you. Although death and divorce may prevent it, the evidence shows that children do best with a married mother and father.

Mum and dad matter to kids

One of the consequences of amending the definition of marriage is that same-sex couples will be able to adopt. The debate around same-sex adoption should be focused on a review of the Adoption Act, not the Marriage Act.

However, we note the following: Marriage is one of the best ways to ensure that children grow up with their biological mothers and fathers. Marriage encourages the raising of children by the mother and father who conceived them. Social science confirms that children who are raised by their own married mother and father are happier, healthier, and more prosperous than those raised in any other family structure.

On average, when compared with children raised by both parents, children deprived of mum or dad in their daily lives fare worse on many measures of well-being. Men and women are distinctly different. Each gender brings vitally important – and unique – elements to a child's development.

Two men might each be a good father, but neither can be a mum. Two women might each be a good mother, but neither can be a dad.

As a prominent Irish homosexual and political commentator said, this is certainly not to cast aspersions on other families, but it does underscore the importance of marriage as an institution.

While a compassionate and caring society always comes to the aid of motherless and fatherless families, a wise and loving society never intentionally creates fatherless or motherless families. No adult has the 'right' to adopt a child. It is perfectly legitimate, and indeed essential, to discriminate in favour of the child to ensure the child's social and emotional wellbeing. Deliberately depriving a child of a mum or a dad is not in the child's best interests.

Decades of studies

There are large, scientifically strong studies from the past four decades showing children do better with their married biological mother and father compared with other types of family structure. Studies which purportedly show that children of homosexuals do just as well as other children are, so far, methodologically weak and thus scientifically inconclusive.

The 'right' to marry

Nobody has the absolute right to marry *any* person they love. Marriage rightly discriminates. A 14-year-old cannot get married. Three people cannot get married to each other. A person who is currently married cannot marry another person. A father cannot marry his adult daughter. A mother cannot marry her adult son. Both sides of this debate agree there should be limits to who can marry, even when the parties involved love each other.



What about the rights of others?

For many, marriage is more than just a legal agreement or social contract. We must consider the rights of people who have deliberately chosen marriage because of its cultural, religious and historical meaning. By changing its meaning, we would be trampling on the rights of a significant proportion of New Zealanders.

No need to re-define marriage to achieve equality

It is perfectly possible to support traditional marriage while also recognising and respecting the rights of others. There is absolutely no need to redefine marriage to provide legal recognition and protection for committed same-sex relationships. In 2004, the Government introduced civil unions which changed more than 150 pieces of legislation to achieve this very thing.



How does it affect your marriage?

While it may not affect an individual marriage, we need to be concerned with more than what merely affects us personally. Changing the definition of something changes the way society views it and the important role it plays. This Bill isn't just a simple change in the wording of the current law. It is proposing the complete redefinition of an institution as it has existed for thousands of years until now.

An ideology forced onto others

If marriage is redefined, everyone would be subject to the new definition. Anyone who disagrees with it will be at odds with the law.

A legal opinion obtained by Family First NZ from Barrister Ian Bassett and reviewed by human rights legal expert Grant Illingworth QC describes the Marriage Amendment Bill, if it is enacted, as having the following effects:

"1. Marriage celebrants (including church ministers) exercising their public function will be in breach of the New Zealand Bill of Rights Act 1990, if they refuse to perform their public function as marriage celebrants by reason of the same sex of a couple seeking to be married.

2. Church ministers, marriage celebrants, church elders/leaders, churches hiring out their facilities, photographers and caterers and any other person or entity supplying services to the public will be in breach of the Human Rights Act 1993, if they refuse to supply services to a couple seeking to be married by reason of the same sex of the couple."

The full opinion is on our website.

Key Points

The evidence overseas

CANADA: Saskatchewan's highest court ruled that marriage commissioners who are public servants cannot refuse to marry same-sex couples

UK: a government MP called for churches to be banned from holding marriages if they refuse same-sex couples; a marriage registrar in London was sacked for refusing to carry out civil partnerships; and a Christian marriage conference was banned for their opposition to same-sex marriage

DENMARK: same-sex couples have won the right to get married in any church they choose, even though nearly one third of the country's priests have said they will refuse to carry out the ceremonies

NEW JERSEY: a judge ruled against a United Methodist retreat house that refused to allow a same-sex civil union ceremony to be conducted on its premises, ruling the Constitution allows "some intrusion into religious freedom to balance other important societal goals"

ISRAEL: The Jerusalem Magistrate's Court ordered the owners of a reception hall to pay \$25,000 damages to a couple after refusing to host their same-sex wedding on the grounds of religious beliefs.

KANSAS: a proposed law would force churches to host same-sex weddings

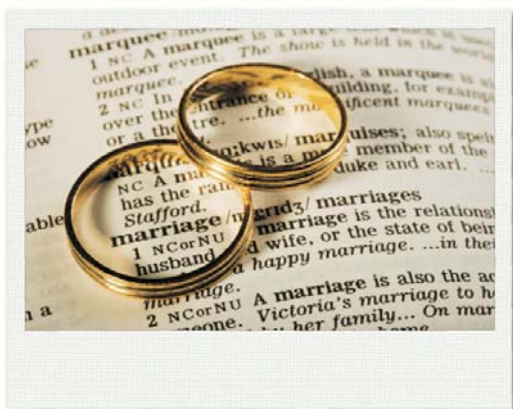
AUSTRALIA: there were calls for a member of the board of the Victorian Equal Opportunity and Human Rights Commission to resign over his views on gay marriage

THERE ARE MANY MORE EXAMPLES.



What next?

If marriage is redefined once, what is to stop it being redefined again to allow, for example, polygamy? Allowing only same-sex marriage on the basis of love, commitment and human rights, we would then be discriminating against those seeking polygamous, polyamory (group) and consensual adult incest-type marriages.



In 2002, the Ministry of Women's Affairs reported, "New Zealand legislation gives a mixed message about what State counts as family. For example... only the male and one wife from a polygamous family are allowed to immigrate to New Zealand. There is an increasing recognition of the need to avoid enshrining in legislation concepts of family which are exclusive."

And former Minister of Social Development, Labour's Ruth Dyson, said in a speech in 2008, "We must cater for the diversity we know exists. By this I mean the range of relationships from single, couples, triples, blended, de facto, and so on. That's where we're going with social policy."

**YES, I'll help
protect marriage
in New Zealand**

If you believe marriage is worth investing in, please help us do the job of protecting it. We invite you to donate at protectmarriage.org.nz/donate

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Q: Shouldn't two people who love each other be allowed to commit themselves to one another?

A: Yes, they should and they can – so we don't need to redefine marriage to achieve this. Same-sex couples have the freedom to form meaningful and legally recognised relationships under the Civil Union Act.

Q: What about a married man and woman who are childless?

A: Having babies is not a requirement for marriage – but it is a natural outcome. It is a union that can naturally lead to procreation. It is for this reason that the State became interested in marriage in the first place. We do not disqualify couples from marrying based on exceptions. Older people marrying is also the exception, not the norm. Every man and woman who marries is capable of giving any child they create (or adopt) a mother and a father.



Q: If most religions object to same-sex marriage, can't we just allow same-sex marriages and let churches do what they want?

A: As mentioned earlier, if same-sex marriage is seen as a fundamental human right, then all will be forced to recognise it. You can't be selective about which groups will recognise fundamental human rights.

Q: Isn't this just progress? Shouldn't we be open to new concepts?

A: Not all new concepts are beneficial. We need to assess any attempt at social engineering on its merits, the public good and the welfare of children.

Q: Isn't banning same-sex marriage the same as banning inter-racial marriage?

A: Laws banning inter-racial marriages were unjust, and were designed to keep races apart. Marriage has nothing to do with race. The historic definition of marriage is grounded in bringing men and women together. Overturning the ban on inter-racial marriage did not mean a *redefinition* of marriage but an *affirmation* of it.



*This Pamphlet
is produced by
Family First NZ.*

Find out more about the work of Family First NZ, and become a supporter, at www.familyfirst.org.nz

**FAMILY
FIRST**
NEW ZEALAND

Political U-turns

HELEN CLARK (Labour)

NZ Herald June 21 2004 "Should people who want to have legal recognition of a marriage be able to get it? The Government says yes, but you can't marry. Marriage is only for heterosexuals. The Government is not - underline - not, changing the Marriage Act. That will remain as an option only for heterosexual couples."

TIM BARNETT (Labour)

1st Reading Civil Union Bill "The Civil Union Bill is an acceptable alternative; marriage can remain untouched."

METIRIA TUREI (Green)

1st Reading Civil Union Bill "Marriage as understood in our society, and as formalised in law, is a specific culturally and historically bound institution. ...This bill does not affect the Marriage Act. It does not change in any way the structure, the validity, of the institution of marriage."

JOHN KEY (National)

2006 "Marriage is an institution of the church, I don't think it is necessary to have that label put on every relationship."
2008 "I don't think there's a real need to change the current legislation or to adopt new legislation."

GERRY BROWNLEE (National)

1st Reading Civil Union Bill "Marriage exists essentially for the protection of children, and, as I said at the start, this country is increasingly putting unacceptable pressures on children."

BARACK OBAMA (US President)

2008 Presidential campaign "I believe that marriage is the union between a man and a woman...for me as a Christian, it is also a sacred union...but I do believe in civil unions."

When preparing your submission, REMEMBER THESE THINGS:

- **At all times, be positive, respectful and constructive.** Highlight what you are FOR - maintaining the current definition of marriage. Avoid personal attacks, negative labels, or angry words.
- If possible, **include a personal story of why marriage matters to you** and why you believe it is an important cultural, religious and historical institution.
- **We would strongly encourage you to say YES to appearing before the Select Committee.** Making an oral submission provides you with the opportunity to reinforce what you have said in your written submission. We can help you prepare for this. Appearing before the Committee adds weight to your submission and communicates just how important this issue is to you.
- When you send your submission in to the Select Committee, please consider also **emailing or posting a copy to your local MP.** You can find out who your local MP is (and their email address) at www.haveyoursay.org.nz You can also email your submission through the Government website. Go to our website for further details.
- It may be helpful to ask someone to check your submission before you send it in to make sure it is clear and effective. Please contact us if you have any queries.

PLEASE NOTE: SUBMISSIONS ARE DUE BY 26-10-2012 (They will not accept late submissions)

Family First is aiming to collect 100,000 signatures

Encourage others to sign the Petition. Online signatures are preferred so direct them to www.protectmarriage.org.nz To obtain written signatures, petition forms can also be downloaded from our website.

PROTECT MARRIAGE
.org.nz

