



COMMONWEALTH OF AUSTRALIA

PARLIAMENTARY DEBATES



**HOUSE OF REPRESENTATIVES**

**Federation Chamber**

**BILLS**

**Marriage Equality Amendment Bill 2012**

**Second Reading**

**SPEECH**

**Monday, 18 June 2012**

BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES

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## SPEECH

**Date** Monday, 18 June 2012  
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**Questioner**  
**Speaker** Neumann, Shayne, MP

**Source** House  
**Proof** No  
**Responder**  
**Question No.**

**Mr NEUMANN** (Blair) (12:22): Like many people in this House, I have relatives and friends living in loving, monogamous same-sex relationships, and I respect and love them. They are cherished, and their love should be accepted, honoured and understood. I love my sister-in-law Rhonda and her partner, Marion. I have friends like Andrew, Clinton and others. But, respectfully, I do not agree with same-sex marriage. As a member of the Australian Labor Party and this government, I was very pleased to vote for more than 80 pieces of legislative amendment which removed discrimination on issues such as immigration, superannuation and the like—without dissension from those opposite.

There have been many wild and ridiculous claims in relation to these matters, on both sides. For instance, from those more fundamentalist extremists from a religious point of view, there have been some ridiculous claims in relation to polygamy et al. This is simply nonsense. I think they are repugnant and really quite disingenuous in relation to their position. But equally, for those people who have argued that this is solely about marriage equality, I think that that same comment in relation to being disingenuous is also the case. For instance, we do not have a situation in this country where one man can marry one woman and then be married to a second woman. That is bigamy, an offence in Australian law. We have prohibitions on marriage between people in close blood relationships. We also have a situation where we have restrictions on the capacity of children to marry. I think it is a clever marketing ploy. I tip my hat to it, but I think that it is disingenuous to argue that it is solely about marriage equality.

I think that marriage between a man and a woman was in the mind of the framers of the Australian Constitution when they enumerated section 51. It gave the power to the new Commonwealth government to legislate in relation to divorce and marriage. I think there is considerable argument in relation to the capacity of the Commonwealth government to legislate in the area of same-sex marriage.

As a member of the House of Representatives Standing Committee on Social Policy and Legal Affairs we saw real dispute on this particular matter with constitutional limits of the Commonwealth government to make laws in this area. In written and oral submissions there were disagreements in relation to this. Ultimately, if the House of Representatives and the Senate pass legislation, I am sure that those constitutional limits will be tested in the High Court. But steeped in history, in religion, in culture and in our law is the concept of the old definition that marriage is between a man and a woman. That cannot be denied. It is part of our history and our tradition going back to ancient times. It is part of English law and Australian law. I do not ever think that the framers of the Constitution thought that the Commonwealth government had the power to deal with this issue.

It has significant repercussions to our society. I believe that a marriage between a man and a woman is a fundamental institution of our society. I cast no criticism on those people who find love—no matter how they find it—in adult relationships. I have acted for plenty of people in same-sex relationships when I was a practising lawyer in the Family Court and the Federal Magistrates Court. I know many colleagues from my days as a lawyer who were in same-sex relationships. But fundamentally, before we mess with the concept of marriage held by so many Australians, we need widespread and strong community consensus. We do not have it; therefore, I do not support the bill. (*Time expired*)