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Gay marriage ban passed in Australia

Activists call bill unconstitutional and are considering a court challenge

by Donald Miller

SYDNEY — Australia's Prime Minister John Howard has won his fight to ban gay marriage, but faces a possible court challenge to the newly established laws.

The country's Labor Party — which had traditionally offered a moderate approval for LGBT civil issues — voted with the coalition in the Senate to pass the marriage amendment bill after an emotion-charged debate.

But Equal Rights Network spokesman Rodney Croome said the bill may be unconstitutional.

"Our lawyers are exploring the possibility that the constitutional basis for the new law is too weak to sustain it," Croome said.

"We are seriously considering the possibility of a High Court challenge."

For the first time in three years, the government set a time limit on the debate for the bill to ensure it passed on Aug. 13.

Australian Democrats sexuality spokesman Sen. Brian Greig said the bill had been driven by fundamentalist Christian MPs and community leaders, who rallied in Canberra prior to the vote.

"Imagine if I were to stand in this chamber and boldly announced that Jewish people were shameful, vile and moral terrorists," Greig told the Australian Parliament.

"I don't believe those things, I would not say them, I know them to be untrue and I would condemn anybody who said such appalling and shocking things.

"However... here in the Great Hall of Parliament House I witnessed a huge gathering of mostly fundamentalist Christians and other assorted far right-wing and anti-gay groups make those exact claims against gay and lesbian people and their children."

Greig said it was deeply offensive for anti-gay campaigners to argue that love and commitment between gay people was less or different to that between people of the opposite sex.

Democrats leader Andrew Bartlett came to the verge of tears as he spoke of the high rate of suicide by young gay people who were vilified by such laws.

National Party leader Sen. Ron Boswell, who attended the rally in Parliament, said the bill made an important statement.

"Marriage is about love — I've had 40 years of it," Boswell said.



Aussie Sen. Brian Greig says right-wing fundamentalists called gays and lesbians 'vile and moral terrorists.'

"But it is also about commitment, about creation, about providing the right environment for nurturing children.

"Through this legislation the government is reconfirming Australia's commitment to marriage, its commitment to families and its commitment to our children and grandchildren.

"We are recognizing that marriage is a public good, not just a private benefit."

Manager of opposition business in the Senate Joe Ludwig said the Labor Party supported the change because it was in line with the common law definition of marriage and was consistent with marriage's social and religious history.

The legislation changes marriage law to insert the words "man" and "woman." The text on government forms previously did not specify that marriage was restricted to opposite-sex couples.

Ludwig said a Labor government would implement a raft of changes to tax, superannuation, family and immigration laws to stamp out discrimination against gays and lesbians.

Green Party leader Bob Brown said the government had successfully wedged the Labor Party on an issue that not even President George W. Bush could get through Congress because it breached the U.S. Constitution.

Sen. Brown accused Howard of "hate legislating" and refused to apologize when the Senate president described it as unparliamentary language.

The bill passed 38 votes to seven.

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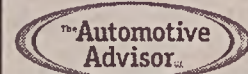
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