

The SPCS SOCIETY

for the promotion of community standards



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Society
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SOCIETY FOR PROMOTION OF
COMMUNITY STANDARDS INC.

Registered Charity No. CC 20268

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Introduction to Marriage (Definition of Marriage) Amendment Bill



This private member's bill, sponsored by Labour MP Louisa Wall, "who identifies openly as a lesbian", had its 1st Reading in Parliament on 29 August 2012 and a majority of MPs (80:40) voted that it be sent to the Government Administration Committee for consideration. The Bill's Explanatory Note is both legally flawed and dishonest. It states two purposes for amending the Marriage Act 1955 (the principal Act):

- (i) "...to ensure that its provisions are not applied in a discriminatory manner".
- (ii) to "... ensure that there is equality for people wishing to marry regardless of their sex, sexual orientation, or gender identity and will be in accordance with the New Zealand Bill of Rights Act 1990 and the Human Rights Act 1993."

ANNOUNCEMENT

All Members are invited to attend the
Society's 2011/2012 AGM

Venue: Central Baptist Church, 46 Boulcott
St, Wellington. Carparks opp. church (free).

Time: AGM 7.30 p.m. to 8.30 p.m

Date: Monday 28 January 2013

Agenda includes:

President's Report

Executive Director's Reports

Audited Financial Statements: Reports

Proposed changes to Objects of the Society
[see p. 3 of this Newsletter for details]

General Business:

Followed by Guest Speaker (TBA), then
supper at 9.15 p.m.

TO SEE WHY THE BILL IS BOTH LEGALLY FLAWED AND DISHONEST

read the Society's 14 page written submission
opposing the Bill - orally presented to
the Government Administration Committee
on 22 November 2012

<http://www.spcs.org.nz/2012/submission-on-the-marriage-amendment-bill/>

Listen to Interview regarding the submission

<http://www.spcs.org.nz/2012/spcs-president-same-sex-marriage-interview/>

Proponents of the **Marriage (Definition of Marriage) Amendment Bill** advance the spurious argument that the prohibition on same-sex marriage under the principal Act constitutes a breach of s. 19 (“Freedom from discrimination”) of the New Zealand Bill of Rights Act 1990 [BORA] – (in conjunction with s. 6 of BORA), as it relates to one of the “Prohibited Grounds of Discrimination” referred to in s. 19(1) of BORA, as set out in s. 21 of the Human Rights Act 1993 [HRA] – namely s. 21(m) – discrimination based on “sexual orientation which means a heterosexual, homosexual, lesbian or bisexual orientation.”

However, the Court of Appeal (*Quilter v Attorney-General* [1998]) decisively ruled that this was not the case (see SPCS submission - SPCS website).

Conclusions to SPCS Submission on Marriage

Parliament has no authority to redefine marriage and should not presume to engineer changes to a natural institution that constitutes the very fabric of society. Marriage is foundational to understanding and expressing the true nature of our humanity comprising the complementarity of the sexes in true union and the procreation of new life issued from that true union. Same-sex couples have the freedom to form legally recognised relationships under the Civil Union Act 2004. The concept of same-sex marriage is an oxymoron. Marriage by definition involves a man and a woman and its unique and distinctive quality must be preserved, protected and promoted by the State. The Marriage (Definition of Marriage) Amendment Bill should be rejected. The explanations provided in the Bill for amending the principal Act are legally flawed. Amendments to the Civil Union Act rather than the Marriage Act should be the means by which the GLBT community address their issues of inequality, denial of “rights” and claimed discrimination etc.

See: <http://www.spcs.org.nz/2012/submission-on-the-marriage-amendment-bill/>

The Society’s Objectives include: S. 2 (c) “To promote wholesome personal values, including strong family life and **the benefits of lasting marriage as the foundation for stable communities.**”

N.B. The Society will be seeking to specifically define “marriage” in its Constitution as between a man and a woman (see pp. 3-4)

Promoting Marriage: One man and one woman (Unity in diversity). [From submission]



Marriage defines in the fullest sense the true nature of our humanity. Only the sexual union of man and woman (within marriage) is illustrative of the true human concept of “unity in diversity” that defines humanity and inextricably binds successive generations together (“And they shall become one flesh ... [two shall become one] ... go forth and multiply” Genesis 1:28; 2:24). As Sam Shulman states: “Marriage is how we are connected backward in time through the generations to our Creator [in whose image we are made Genesis 1:27] ... and forwards to the future beyond the scope of our life-span”.

Again we must reiterate: gay marriage is an oxymoron. As Shulman notes – “Neither the “union” of same-sex “marriage” partners nor their “disunion” partakes of the act of creation. When divorce takes place in a traditional marriage there is a rent in the very fabric of society. [As the Talmud teaches: the Creator weeps over every marriage divorce.] The vessel that had the potential to perpetuate the human species is torn asunder.” Children born of such a union are denied by the divorce, the regular loving support of biological parents they deserve - from a mother and a father, living in the close proximity of a domestic setting.

“...the essence of marriage is to sanction and solemnize that connection of opposites which alone creates new life (Whether or not a given married couple does in fact create new life is immaterial). Men and women can marry only because they belong to different, opposite sexes. In marriage, they surrender these separate and different sexual allegiances, coming together to form a new entity. Their union is not a formalizing of romantic love but represents a certain idea – a construction, an abstract thought – about how best to formalize the human condition. This thought embodied in a promise or a contract, is what holds marriage together, and the creation of this idea of marriage marks a key moment in the history of human development, a triumph over the alternatives that is concubinage.” (Shulman. OrthodoxyToday.com).

Proposed changes to Society's Constitution - Remits for AGM

Changes to Objects of SPCS to be determined by members' vote taken at forthcoming AGM combined with postal votes by members (**see voting paper enclosed**). Changes to Objectives require clear majority of 75% or more).

Remit 1.

That Object 2. (b) of the Constitution, which states: "To promote recognition of the sanctity of human life and its preservation in all stages", be removed and replaced with

To uphold the universally held principles: "Every human being has the inherent right to life" [United Nations Declaration of Human Rights 1948], and "the child, by reason of physical and mental immaturity, needs special safeguards and care, including legal protection" [UN Declaration of the Rights of the Child 1959; see also the World Medical Association's Declaration of Geneva (1948)].



Comment: The Society's primary concern is the inherent right of children and young persons to be fostered and nurtured in a caring environment that provides special safeguards in law (e.g. censorship laws) to protect them from abuse, exploitation, and harmful moral influences; by reason of their level of physical, mental, emotional and spiritual immaturity. The inherent right to life of every human being, in particular the most vulnerable and weakest members, must be safeguarded by society.

Remit 2

To add the following words to object 2 (d):

"for the purpose of moral and spiritual improvement."

.... so it reads as follows:

d) To focus attention on the harmful nature and **consequences of sexual promiscuity, obscenity, pornography, violence, fraud, dishonesty in business, exploitation, abuse of alcohol and drugs, and other forms of moral corruption.** for the purpose of moral and spiritual improvement.

Comment: Charity law has established that activities that advance moral, or mental or spiritual improvement (or combinations thereof), can qualify as serving charitable purposes. The Society's *primary charitable purpose*, as recognised and approved by the Charities Commission when it was registered in 2007, is "THE PROMOTION OF MORAL & SPIRITUAL WELFARE". This purpose comes within the Fourth Head of "Charitable Purposes" – namely "Other Purposes of Public Benefit" - as found in the Preamble to The Charitable Uses Act 1601 (the Statute of Elizabeth). It conforms to the spirit and intent of the purposes set out in the Act.

The SPCS, a recognised charitable entity, has standing in the Courts as an organisation that is entitled to appeal the classification decisions issued by the Office of Film and Literature Classification (OFLC) and the Film and Literature Board of Review. It has successfully used the legitimate avenues in law open to it to do so, both in the High Court and Court of Appeal. It has also made applications to the Broadcasting Standards Authority (BSA) relating to such matters. However, it has not pursued any legal action in the courts, thus far, since being registered as a charity with the Charities Commission on 17 December 2007.

Remit 3.

To add the following words to object 2(c)

"(Marriage means the union of a man and a woman to the exclusion of all others, voluntarily entered into for life)." so it now reads

(c) To promote wholesome personal values, including strong family life and the benefits of lasting marriage as the foundation for stable communities. (Marriage means the union of a man and a woman to the exclusion of all others, voluntarily entered into for life.)

Comment: This definition of marriage is taken from Australian Federal Law - The Marriage Legislation Amendment Act 2004.

It is consistent with Article 16 of The Universal Declaration of Human Rights (1948) to which New Zealand and Australia are member States. A definition of Marriage that allows for same sex unions is contrary to S. 16 which states:

Article 16 (1) Men and women of full age, without any limitation due to race, nationality or religion, have a right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution.

Article 16 (2) Marriage shall be entered into only with the free and full consent of the intending spouse.

Article 16(3) The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.

See: <http://www.un.org/en/documents/udhr/index.shtml>

A definition of the term "marriage" needs to be added into the SPCS Constitution in view of attempts by politicians to change the universally held view of marriage as involving only the union of a man and a woman, to one allowing for same sex "marriage".

Obscenity and New Zealand Censorship Laws

"To focus attention on the harmful nature and consequences of ... obscenity, pornography and violence" is quoted from the fourth object for which the Society ("SPCS") was established in 1975 (see s. 2[d] of SPCS Constitution).

Something is "OBSCENE" if it is "abhorrent to morality or virtue; *specifically*: designed to incite to lust or depravity". At the same time it can also be, and often is both "repulsive by reason of crass disregard of moral or ethical principles" and "so excessive as to be offensive". (Source: <http://www.merriam-webster.com/dictionary/obscene>).

Current NZ censorship law does not include the use of any of the terms: "abhorrent", "morality", "virtue", "lust", "depravity". "repulsive", "ethical principles", "excessive", or "offensive", "obscene" or "obscenity". But this does not mean that our censorship laws do not address the issue of "obscenity" as defined above. Instead of this term "obscenity", the somewhat euphemistic term "objectionable" has found its way into section 3 of the Films, Videos and Publications Classification Act 1993 ("FVPCA").

When s. 3 is carefully studied, one finds that the term "objectionable" actually embodies the same core concepts underlying the term "obscene" (content) but without any mention of or reference to "morality" or "ethical principles": e.g. activities set out in sections 2 & 3 of FVPCA - such as certain depictions of "sexual or physical conduct of a *degrading or dehumanising or demeaning nature*" and "sexual violence or sexual coercion, or violence or coercion in association with sexual conduct" etc.

Section 3(1) of FVPCA states:

"For the purposes of this Act, a publication is **objectionable** if it describes, depicts, expresses, or otherwise deals with matters such as sex, horror, crime cruelty, or violence in such a manner that the availability of the publication is **likely to be injurious to the public good.**" [Emphasis added]



Dr Andrew Jack was appointed as New Zealand's Chief Censor, by the Minister of Internal Affairs, Nathan Guy, on 22 December 2010 for a 3-year term commencing 7 March 2011. Prior to that he had 26 years experience in the public service and significant legal expertise that includes working with the FVPCA (3news.co.nz).

Obscene publications by definition corrupt or have potential to corrupt good morals and violate acceptable community standards. As former New Zealand Chief Censor Bill Hastings stated publicly: repeated exposure to hard core pornography and explicit obscene content depicting acts of paedophilia, etc. has a "toxic" and "corrosive" impact on the mind of the viewer and in the wider sense, is injurious to the "public good".

For over ten years, up until the time Bill Hastings was replaced as Chief Censor at the end of 2010, the Society regularly published evidence that strongly suggested that his regular exposure to hardcore porn and gratuitous sexual violence had so desensitised him to the effect of such material, that his judgment had become impaired, when it came to assessing it for the purposes of classification (e.g. the film *Baise-Moi*)

Some liberals have advanced the facile argument that the term "**obscenity**" is "too broad" a term to ever be applied in any meaningful sense to the depiction of, or public performance of certain human activities, such as "sexual or physical content of a degrading nature." However, the term does retain the very real concept of "causing offence against prevailing community standards, such offence being generally sexual in content, designed to incite to **lust** or **depravity**, and possessing the very real potential to corrupt and do injury to the 'public good'."

The word **obscenity**, while no longer in use in our current New Zealand censorship law, is used widely in administrative policy guidelines by various enforcement agencies, Crown entities and government service departments. For example, the Companies Office and the Charities Commission employ the term "**obscene**" as a "criteria" to apply in determining appropriate company or charity names.

These agencies rely on a definition of "obscene" such as:

"An obscenity is any statement or act which strongly offends the prevalent morality of the time. The word can be used to indicate a strong moral repugnance, in expressions."

Persons found in possession of and/or having imported and/or distributed **obscene** (as defined above) publications are regularly prosecuted and convicted under New Zealand law - such as FVPCA.

Part 7 of **The Crimes Act 1961** is subtitled "Crimes against religion, **morality**, and public welfare". It covers "Blasphemous Libel" (s. 123), Distribution or exhibition of **indecent** material" (s. 124), **Indecent** Act in public place (s. 125), and "**Indecent** act with intent to insult or offend" (s. 126).

However, the terms "**indecent**", and "**morality**" are not defined anywhere in the Crimes Act and yet clearly the terms possess sufficient legal meaning (based in historic case law) to form the basis of current statutes under which certain persons have been charged and convicted in New Zealand courts for committing gross **indecencies**. The latter are almost always acts of a sexually degraded/excessive nature. **Indecencies** committed by individuals are generally "designed to incite [themselves and/or others] to **lust** or **depravity**" and because they contravene acceptable community standards they are often referred to as "**obscene**" acts (e.g. bestiality, necrophilia, and paedophilia).

In New Zealand censorship law the term "**indecency**" is strongly connected with all matters that now fall under section 3 (2) of the **Films, Videos and Publications Classification Act 1993** ["**FVPA**"], such as:

"the use of violence or coercion to compel any person to participate in, or submit to, sexual content",

The **Indecent Publications Act 1954** extended the definition of **indecency** to include *undue* [excessive] emphasis on matters of sex, horror, crime, cruelty or violence (all five "gateways" are retained in section 3(1) of FVPCA).

A new system for censoring publications came into being with the passing of the **Indecent Publications Act 1963**. This Act established the **Indecent Publications Tribunal (IPT)** a single arbiter of indecency in books, magazines and sound recordings.

While it is true that the definition of what constitutes **obscenity** differs from culture to culture, between communities within a single culture, and also between individuals within those communities; our concern is with the appropriate use of this word within New Zealand's legal context.

Many cultures have produced laws to define what is considered to be **obscene**, and censorship is often used to try to suppress or control materials that are **obscene** under these definitions.

There are generally very good reasons for governments seeking to suppress the dissemination of **obscene** publications due to the corrupting effect of such content on the "public good". "Objectionable" publications are deemed to be "injurious to the public good" and it is for this reason they are banned or restricted in terms of age.

In a legal context, the term **obscenity** is most often used to describe expressions (words, images, actions) of an explicitly sexual nature. As such censorship restricts freedom of expression, crafting a legal definition of **obscenity** presents a civil liberties issue. In New Zealand the Bill of Rights Act 1990 (BORA) must be taken into account in every decision made by the Classification Office to restrict any publication.

However, BORA does not negate the authority of the Chief Censor's Office to ban or severely restrict certain **obscene** publications by applying FVPCA.

The growing pandemic of sex crimes and **obscene** publications has generated particular concern in New Zealand and in jurisdictions sharing similar legal traditions and censorship laws.

In 1976 the British Board for Film Classification (BBFC) claimed that, in that year, it had viewed 58 films depicting "explicit rape", declaring scenes that glorified it as "**obscene**". As opposed to questions of "indecent", which have been applied to sexual explicitness, films charged with being **obscene** have been viewed as having "**a tendency to deprave and corrupt**" and been liable to prosecution.

References

1. <http://www.filmreference.com/encyclopedia/Academy-Awards-Crime-Films/Censorship-SEX-AND-VIOLENCE.htm>
2. *On Pornography: Literature, Sexuality and Obscenity Law (Language, Discourse, Society)* by Ian Hunter, David Saunders & Dugald Williamson (Palgrave Macmillan: New edition edition: November 1992).

Membership of SPCS How can I join and/or make a donation?

You can join the Society as a full member by way of making a donation to SPCS. Cheques should be made out to "SPCS" or "Society for Promotion of Community Standards Inc." and sent to The Treasurer, SPCS. P.O. BOX 13-683 Johnsonville 6440. PLEASE INDICATE IF YOU WANT A RECEIPT SENT TO YOU for tax rebate purposes. *Please provide a stamp-addressed envelope.* (SPCS is a registered Charity CC20268).

Prospective members must read, agree with and fully support the Society's Objectives found on our website: together with our Constitution - see www.spcs.org.nz

You must also provide us with your name and accurate **full contact details** so we can send you our newsletters, email updates (if requested) etc. An individual membership donation is recommended at a minimum of \$45 per year.

The Society's financial year runs from 1 January to 31 December.

Membership should be renewed prior to the beginning of each new financial year) paid in advance).

See: www.charities.govt.nz for our audited yearly financial statements (Search under charity number CC 20268). Or go to www.societies.govt.nz (No. 217833).

Equal Marriage is "fundamentally flawed" says new in-depth study

Chris Sugden, Anglican Mainstream, in a report dated 12 December 2012 states:

Research sent to constituency Conservatives and Westminster MPs will "strengthen grass-roots Tory opposition" as David Cameron attempts to railroad through "gay" marriage legislation



British Prime Minister **David Cameron's** push for same-sex marriage is being vigorously opposed

A new study of extensive world-wide research published concludes that government plans to introduce same sex marriage (SSM) legislation in the near future are based on false premises and a deeply flawed understanding of both conventional marriage and "gay" relationships.

"The long-term impact of such legislation on our children's up-bringing, on our health and welfare and on our liberties enshrined in law has not been acknowledged by SSM proponents," says author R S Harris, "nor in its rush has the government encouraged proper debate around these vital issues."

The study, which comprises secular argument and research and is non-religious in approach, is published by Anglican Mainstream (AM), the UK-based online information resource for the global Anglican Communion, and Voice for Justice UK, a new campaigning group for civil and religious liberties. It is the first of its kind in the UK and is commended by a number of public and political figures, including the former Lord Chancellor Lord Mackay of Clashfern.

"Our report is unashamedly academic and educational," said AM's Chris Sugden, "but it is full of hard-hitting facts and evidence against gay marriage that SSM proponents dare not face and try to avoid."

The report was mailed to all members of both Houses of Parliament and also to over 350 chairmen of Conservative constituency associations, the majority of whom are opposed to the legislation according to surveys. Polling by ComRes has found that seven in ten Tory constituency chairmen want David Cameron to drop the proposal; six in ten believe it will lose their party more votes than it will gain and nearly five in ten report a loss of association members over the issue.

"We want to strengthen the Tory grassroots opposition and give them further research and reasons to reinforce their dissent," said Chris Sugden. "The study will make compelling Christmas reading for them."

The report concludes:

- * The concept of 'equal marriage' is fundamentally flawed as it presupposes a questionable notion of 'equality' and ignores the essential and defining components of conventional marriage.
- * Gay marriage falsely judges parenting roles as interchangeable.
- * Same-sex marriage wrongly assumes that the benefits of marriage are automatically transferable to same-sex couples who 'enter' the same institution.
- * There is no evidence that same-sex couples will benefit from the 'commitment device' invoked by marriage.
- * Gay marriage introduces a disturbing, unproven and socially risky new norm into society, that children do not need both a mother and father for optimal development, when all the evidence points the other way.
- * Same-sex parenting studies are fundamentally flawed in their sample size and methodology when measured against commonly accepted social science standards.

* When same-sex couples create children through IVF, it is a grave injustice to the rights of children, as they are unable to know and be cared for by one or both of their natural parents.

* In jurisdictions where same-sex marriage is already legal, this holds the status of legal fiction.

* If 'love and commitment' are the sole criteria for marriage then alarming consequences ensue, such as the validation of incestuous relationships, as well as recognition of polygamous, polyamorous relationships, as has already begun to occur in countries with SSM.



President Barak Obama Embraces "Gay" Marriage

* Fear of causing offence makes society tread silently around disturbing medical data from both the UK and the US that, like smoking, homosexual activity is intrinsically unhealthy. For instance unlike the vaginal lining, the rectal lining is unable to withstand penetrative activity without medical damage. The active promotion of a gay lifestyle in schools that SSM marriage inevitably entails is medically harmful for our children, especially boys, and costly to the health service.

* Dissent from the new government-promoted orthodoxy regarding family life, sexual ethics and marriage is now treated with the same uncompromising intolerance that the US Senate McCarthy Committee once treated those suspected of supporting communism.

The report "Is there a Case for Same-Sex Marriage?" is available in hard copy from TLB Direct, P.O. Box 3837, Swindon, SN6 9DS, telephone 01793 861040, info@vfjuk.org. As an e-book it has been available for purchase since Wednesday 12th December.

Available from Amazon download here <http://www.amazon.co.uk/Same-Sex-Questions-Eligibility-Consequences-ebook/dp/B00AMPHMGS>

Download Kindle free to a computer here <<http://www.amazon.com/gp/kindle/pc/download>>

Source: Article by By Chris Sugden. Anglican Mainstream. <http://www.anglican-mainstream.net/>

“GAY” “MARRIAGE”?

A BLATANT ATTACK ON THE CONCEPTS OF HUSBAND AND WIFE



Homosexual couple, John Jollif, 83, and Des Smith, 72, were the first “gay” couple in New Zealand to register in a civil union. They claim that they feel marginalised and will continue to, until they can get legally “married”. (tvnz.co.nz 27/07/2012).

Following their oral submission to the Government and Administration Committee, one committee member, National MP Kanwalijt Bakshi Singh, who, quizzed homosexual submitters John Jolliff and Des Smith as to what their gender roles would be if they got married. He asked:

"If you get married, who will be identified as husband, and who will be identified as wife?"

One of them responded with light-hearted banter referring to his culinary expertise and domestic skills as a good reason to be the “wife”. Those observing this charade sensed no indication that the submitters were miffed by being ‘interrogated’ on the question of gender roles. On the contrary, they seemed to rise to the occasion as an opportunity to proclaim their blissful state of serene domestication.

However, in an article entitled *Gay couple say "ignorant, bigoted" MP must go* the website GayNZ.com reported on 26/11/12 that the two men....

"... were grossly offended by committee member Kanwaljit Singh Bakshi MP asking them, when they gave an oral submission to the Committee, who would be the wife in a gay marriage. They want him removed from the committee."

"It was insulting, offensive and bigoted," says Jolliff. "He's clearly not competent to work on this bill. I think he has got very set ideas which come from ignorance and an unwillingness to learn. He has got to go."



National MP Kanwaljit Singh Bakshi Singh

Smith says tonight that he is surprised that a Sikh would show such "willful intolerance" when his understanding is that Sikhs believe in respecting people regardless of race, religion or gender. "It's clear he doesn't understand either marriage or human sexuality," says Smith.

The couple believe Bakshi has had plenty of time since being appointed to the committee to educate himself regarding same-sex relationships.

They are also disturbed that in defending Bakshi Prime Minister John Key is supporting what they describe as Bakshi's offensiveness towards gbt people.

Despite this beat-up on Mr Singh by Mr Smith via GayNZ.com, his question regarding 'gender role' put to the two homosexual men was very reasonable. Those promoting Louisa Wall's 'same-sex marriage' Bill have thus far failed to explain why the Principal Act (The Marriage Act 1955), which the Bill seeks to amend, has not had section 31 amended to remove all references to gender.

Why have the terms "**legal wife**" and "**legal husband**" not been removed from s. 31 despite the fact that the Bill amends Schedule 2 in order to remove all traces of gender identity in the list of forty "forbidden marriages"? Why these glaring inconsistencies? Section 31(3) states:

During the solemnisation of every such marriage each party must say to the other—

(a) "I AB, take you CD, to be my legal wife or husband"; or words to similar effect...

If Louisa Wall's Bill becomes law as presently drafted, a marriage celebrant will not be able to solemnise a "wedding" involving any two persons of the same gender under s. 31 of the Marriage Act 1955. In the case of two male homosexuals it would be ludicrous and unlawful for the marriage celebrant to indulge the fantasies of the applicants by allowing them to use the terms "legal husband" or "legal wife" as required in the vows which are premised on a heterosexual union. To do so or use words to similar effect such as "lawfully wedded wife" and "lawfully wedded husband" would be profoundly stupid, negating the meaning of the **gender specific words** "husband" and "wife".



Professor Marilyn Waring

New Zealand's first openly lesbian politician.

[image: Gareth Watkins. Nov. 2012]

http://www.pridenz.com/queer_politicians_marilyn_waring.htm

Likewise, for a marriage celebrant to indulge the fantasies of two lesbians by allowing the use of either the word "legal wife" or "legal husband" in the taking of the "marriage" vows, would be ridiculous. It would make a mockery of the proper use of the English language and negate the meaning of terms as used in the Marriage Act that are well understood and reflect our true humanity involving the complementarity of the two sexes.

In 2004 Professor Marilyn Waring, “New Zealand's first openly lesbian politician”, joined the Christian and family-oriented groups opposed to the Civil Union Bill at hearings before Parliament's Justice and Electoral Law Select Committee in Auckland. But the former Raglan and Waipa National MP - unlike the majority of submitters who said the bill undermined marriage and the family unit – argued, as she still believes, that the Civil Union bill does not go far enough.

Since 2006, Marilyn Waring has been a Professor of Public Policy at the Institute of Public Policy at AUT University in Auckland. Since 2004 she has instead called for amendments to the 1955 Marriage Act and the 1995 Births Deaths and Marriages Registration Act to allow for same-sex marriages. "Equivalence is not equality," she continues to assert. She believes excluding same-sex couples from marriage is discrimination.

See: “Civil union bill doesn't go far enough for gay ex-MP”

http://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=3586331

Civil Union Bill Rubbished by Marilyn Waring

<http://www.scoop.co.nz/stories/PO0411/S00212.htm>

It is clear that the GLBT (Gay-Lesbian-Bisexual-Transgender) community are demanding special “rights” which heterosexuals do not have. GLBT want to be able to lawfully identify their partners as either “wife” or “husband” based on criteria that have no known basis in the natural law or biology.

When a lesbian insists on identifying and referring to her female partner as her “husband” rather than “wife”, in law, in the context of the marriage vow, we can only assume she has a good reason to do so. Perhaps it is based on sexual dominance v. passivity role modelling, or penetrative v. receptive activity, or on physical attributes (combinations).

If the Bill becomes law, the meanings of the terms “husband” and “wife” are negated and the traditional view of marriage is effectively mocked.

In his provocative and thoughtful essay “Gay Marriage – and Marriage” (OrthodoxyToday.org November 2003), Sam Shulman writes:

“WHY SHOULD I not be able to marry a man? The question addresses a class of human phenomena that can be described in sentences but none-theless cannot be. However much I might wish to, I cannot be a father to a pebble--I cannot be a brother to a puppy--I cannot make my horse my consul. Just so, I cannot, and should not be able to, marry a man. If I want to be a brother to a puppy, are you abridging my rights by not permitting it? I may say what I please; saying it does not mean that it can be.

“In a gay marriage, one of two men must play the woman, or one of two women must play the man. “Play” here means travesty--burlesque. Not that their love is a travesty; but their participation in a ceremony that apes the marriage bond, with all that goes into it, is a travesty. Their taking-over of the form of this crucial and fragile connection of opposites is a travesty of marriage's purpose of protecting, actually and symbolically, the woman who enters into marriage with a man. To burlesque that purpose weakens those protections, and is essentially and profoundly anti-female.”

Source of Full Article:

<http://www.orthodoxytoday.org/articles2/SchulmanGayMarriage.php>



Mayor Jenny Rowan, right, with her “wife” Jools Joslin who made a joint submission in support of “gay” marriage and were supported by Prof. Marilyn Waring

(Photo: stuff.co.nz) 11/10/2010.

It is noteworthy that when the Mayor of the Kapiti District Council – Ms Jenny Rowan - introduced her lesbian partner Jools Joslin to the members of the Government Administration Committee on 22 November 2012, when they both made an oral submission supporting the Bill; she introduced Joslin as her “wife”. The Committee appeared startled by Rowan’s referring to Joslin as her “wife”.

Rowan and Joslin were one of three lesbian couples who claimed that the Marriage Act 1955 discriminated against them based on their “sexual orientation, in that its provisions prevented them from getting a marriage licence. The couples took their grievance case to the Court of Appeal (*Quilter v Attorney-General* [1998]) and lost.

The majority of the Court agreed with the opinion and conclusions delivered by Tipping J, including: **“The meaning of marriage referred to in the Marriage Act permits of no other interpretation than that of a marriage between a man and a woman who are not restricted from marrying one another for reasons listed therein** [see Schedule 2 of Act for list].” [Emphasis added]

In a separate opinion Thomas J concluded that no other interpretation of the meaning is possible without “usurping Parliament’s legislative supremacy” (p. 542). Indeed it was parliament’s clear intentions – as set out under Schedule 2 – that marriage be understood as involving a man and a woman. The appellants themselves agreed that the principal Act could only be interpreted correctly in this way. Now “gay” activists are disregarding legal avenues to address ‘discrimination’ and seeking change via the ‘back door’ (parliament).

Labour MP for Manurewa – Louisa Wall

Sponsor of the Marriage (Definition of Marriage) Amendment Bill



Ms Louisa Wall, described by GayNZ.com as “New Zealand’s first Maori lesbian MP”, stated in parliament:

“There is no reasonable ground on which the state should deny any citizen the right to enter the institution of marriage if he or she chooses. That is not the process of inclusion...”

Here she demonstrated to all New Zealanders her fundamental misunderstanding of the principal Act, which, as an instrument of the State, does not allow “any citizen” to get married. Contrary to her assertions, 40 prohibitions are set out in schedule 2 based on “reasonable grounds”. Her apparent belief that “the process of inclusion” must trump or ‘laud’ it over all forms of lawful discrimination is at complete odds with the law, which allows for “justified discrimination” and even “indirect discrimination” in certain circumstances.



Nikki Kaye MP

A supporter of the Bill at its 1st Reading, National MP for Auckland Central, Nikki Kaye, has sought to justify the need for same-sex marriage, based on the claimed failure of the Civil Union Act 2004 - because it “did not guarantee every New Zealander the ability to marry the person they love. It did not guarantee an equality of status relationship”. Here again New Zealanders witnessed the same logically flawed reasoning demonstrated by Ms Wall.



“Bridezilla Tim Barnett (right) ties knot” in civil union with the “who’s who of the Labour Party” in attendance at Taupo. (Stuff.co.nz 01/01/2009)

It is noteworthy that the sponsor of the Civil Union Bill, “gay” Labour MP Tim Barnett, stated at its 1st Reading: “The Civil Union Bill is an acceptable alternative, marriage can remain untouched.”

Former Christchurch Central MP Tim Barnett, whose civil union partner is Ramon Maniapoto (pictured on page 11), was appointed General-Secretary of the Labour Party and commenced his new role on 26 July 2012.

At the time the Civil Union was being debated in 2004, The Prime Minister at the time, Rt Hon, Helen Clark (Labour) stated:



Prime Minister Helen Clark

“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.” (NZ Herald June 23, 2004)..... [YEAH RIGHT !!]

LATEST NEWS IN BRIEF

Powershop attempts to humiliate Pope Benedict by casting him as one of a “bunch of rotten demagogues” – Catholic Diocese of Auckland

Electricity retailer Powershop, which is owned by Meridian Energy, a State Owned Enterprise, has erected a number of four-and-a-half storey billboards around central Auckland and Wellington depicting Pope Benedict XVI marrying a couple of interracial homosexual men. They are the latest in the power supplier’s “same power, different attitude” ad campaign.

Mr Ari Sargent, Powershop Chief Executive, described their campaign as one that takes a “bunch of rotten demagogues, famous the world over for their abuse of power, and recasts them as people who do decent things in their community.” In his mind the “decent” thing would be for the Pope to abandon his belief that marriage is an exclusive relationship between one man and one woman, and widen the definition to include same-sex couples. Catholic Church spokeswoman Lyndsay Freer has told Radio New Zealand it wants the billboards to be removed because they are highly offensive.

She says the marriage of two men by the Pope is “totally against our Catholic faith and principles, and would never happen. To include Pope Benedict in the company of Saddam Hussein and Kim Jong Il is ridiculous and a gratuitous insult, not just to the pope, but to Catholic people in general.”

The SPCS has written to the Meridian Energy, Powershop and the Minister of SOEs, the Hon Tony Ryall, pointing out that the homosexual lobby is prepared to exploit and manipulate even State-Owned Enterprises in order to fulfil their agenda of inflicting same sex marriage on our community.

A Few Examples of Progress in 2012

1. SPCS 2011 Financial Statements (audited) lodged with Charities Commission in early February 2012, five months ahead of deadline ! (30 June 2012).
2. Following disestablishment of Charities Commission and transfer its core functions to the Department of Internal Affairs, on 1 July 2012, a three person statutory board was established with decision-making powers concerning registration and de-registration functions. SPCS has received assistance and helpful advice from DIA relating to aspects of its core functions as a charity – +ve changes are in progress.
3. SPCS has had a major legal opinion/review of its responsibilities and functions relating to Charity Law completed and has itself completed a number of research studies on Charity Law.
4. SPCS has continued to present its findings (e.g. on Marriage Law) to select committees and it continues to network on a regular basis with other like-minded groups advancing similar objectives to its own.
5. PCS has continued to provide advice and research findings to church leaders, researchers and media on a range of issues relating to its main activities.
6. Effective and harmonious working of SPCS executive and its helpful advisors.

Wishing you and your loved ones a Wonderful Christmas and New Year !

Please remember to

Write, or email or visit your local MP as well as others in your region expressing your concern over the Marriage Amendment Bill that seeks to redefine marriage so that same-sex couples can get married. Use resources contained in this newsletter to express your opposition.

Pass on information on this issue to others and encourage them to also make contact with MPs. The Bill goes to its Send Reading in Parliament next year.

**Marriage Celebrants, “Gay” Marriage,
The Government Administration
Committee & the ‘Same-Sex’ Marriage Bill**



Chris Archinvole, Marriage Celebrant

List Member National Party

Deputy-Chairperson of the Government

Administration Committee

Chris Archinvole is a marriage celebrant. has been involved in the Uniting Church, becoming a lay preacher, and is currently a member of the Presbyterian Council of Assembly (West Coast/Tasman/Nelson/Marlborough).

As a Council Member of the Presbyterian Church of Aotearoa-New Zealand he would be well aware of the doctrinal faith position adopted by this church on the nature of marriage as contained in the Westminster Confession of Faith. As a lay preacher he would be aware of the teachings of the Lord Jesus Christ and the Apostle Paul on the nature of Christian marriage. (Mr Archinvole officiated at the wedding in Parliament of fellow MP Tau Henare on 7 March 2012).

The Westminster Confession – Chapter XXIV (I) states clearly:

Marriage is to be between one man and one woman: *neither is it lawful for any man to have more than one wife, nor for any woman to have more than one husband, at the same time.*

http://www.reformed.org/documents/wcf_with_proofs/

The Biblical teaching on marriage is perfectly clear. **Marriage involves a man and a woman** (e.g. Gen. 2:24; Matt 19:5-6; Gen. 2:18; 1 Cor. 7:2; Heb. 13:4).

On 22 November 2012 the SPCS presented its submission on the Marriage (Definition of Marriage) Amendment Bill to the Select Committee of which Mr Archinvole is Deputy-chairperson.

Newstalk ZB reported that day that the SPCS has “been challenged” on its claims by National MP Chris Auchinvole, “particularly the organisation’s attitude to societal standards.”

“Mr Auchinvole wants to know if the Society should reflect changing standards, or if it prefers to retain existing standards.”

See: <http://nz.news.yahoo.com/a/-/top-stories/15451295/parliament-hears-public-views-on-same-sex-marriage/>

The Society executive members who attended the oral presentation were not impressed with Mr Archinvole’s seemingly dismissive attitude towards those submitters who expressed their sincere belief that the Marriage Act 1955 should not be amended to introduce into it a definition of marriage that extends it to include same-sex couples, and gave good reasons for their position.

Auchinvole asked one submitter opposed to the Bill, Father Lyons, what first came to his mind when he thought of his understanding of the word “soldier” he had had at the time he was a boy. Father Lyons promptly and candidly responded “I suppose a man”. Auchinvole responded smugly, grinning broadly – along the lines... “there you are, see ! ... definitions change ... women are in combat now – that means the definition [of soldier] has changed .. likewise our definition of the word ‘marriage’ should change with the times as society changes.”

This specious and silly argument advanced by Auchinvole against Father Lyons, Parish Priest, Sacred heart Cathedral, Wellington, encapsulated the philosophically bankrupt and disingenuous reasoning that lies at the basis of the case for “gay” marriage. The term “soldier” has never been defined strictly on the basis of gender. In fact the sex of the person forms no part of the essential definition. The term is universally defined as independent of gender – “a person who serves or has served in the army”.

Throughout history there have been some women who have played a role in military endeavours in combatative roles, just as there have been young teenagers and even boys today in Africa involved (who cannot be called “men”). Marriage, however, because it reflects a fixed aspect of the natural order involving its orientation towards procreation and the biological complementarity of the two sexes, is strictly defined as always involving a male and a female. [See Lyon’s response to Archivole] ...

<http://www.catholic.org.nz/news/fx-view-post.cfm?loadref=53&id=32>

As SPCS informed the select committee, “The concept of a same-sex marriage is an oxymoron, in the same way reference to a “bleeding stone” is [an oxymoron].

Archinvole and his fellow travellers on the committee have committed a serious philosophical blunder when they come to believe that a concept like marriage cannot remain constant in terms of its essential nature, but rather must evolve with changing societal standards. The SPCS informed the committee that marriage has always been understood as involving a man and a woman. The Australian Government has adopted a traditional understanding The Marriage Legislation Amendment Act 2004.

“Marriage means the union of a man and a woman to the exclusion of all others, voluntarily entered into for life.” [SPCS supports this definition]

Archinvole, as a leader in the Presbyterian Church cannot remain faithful to its purity of doctrine if he continues to espouse the view that core biblical teaching on the nature of marriage should be allowed to be undermined and compromised for the ‘higher’ purpose of keeping up with societal trends - contrary to Christian teaching. He appears to have no difficulties embracing the philosophical absurdity of a marriage celebrant like himself ‘marrying’ same-sex couples who refer to each other in the taking of vows as “legal husband” or “legal wife”. He clearly finds involvement in the solemnisation of the “marriage” of a same-sex couple as playing no part in undermining the meaning of the words “wife” and “husband”.

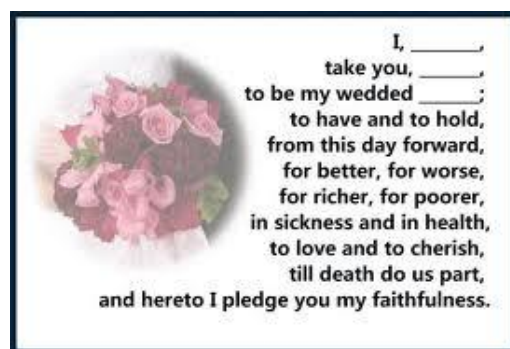
Soon marriage celebrants like Archinvole will be prayerfully guiding two homosexual men through their deeply meaningful “marriage” vows:

“I – AB– take you CD to be my legal wife”

... followed by the fatuous charade

“I – CD take you AB to be my legal husband.”

Section 31 of the Marriage Act which requires the marriage celebrant to insist that the words “legal wife” and “legal husband” are used in the marriage vows taken by same-sex and heterosexual couples, has not been amended in Louisa Wall’s Bill. Why not? Schedule 2 – detailing 40 kinds of unlawful marriages has been amended by her to remove all trace of gender language. So why has s. 31 not been de-gendered? Why is she not consistent?



Section. 31 of the Marriage Act requires the words “legal wife” and “legal husband” to be used in the marriage vows, or words to that effect. The Marriage (Definition of Marriage) Amendment Bill does not amend this section to remove gender specific words.

Marriage celebrants like Archinvole who appear to have no scruples about marrying same-sex couples, arguably have a conflict of interest being involved on a select committee that has significant influence in the decision-making process that might lead to changes to our Marriage Act. If the Bill is passed into law Archinvole might gain from a widened potential client base, bolstered by the influx of same-sex couples seeking his celebrant services.

In contrast those celebrants who do not approve of same-sex “marriage”, may well have their earnings negatively impacted if the Bill becomes law, when they face potential litigation - should they refuse to “marry” same-sex couples.

Therefore, a case can be put that no registered marriage celebrant should be allowed to serve on the select committee dealing with this Marriage Amendment Bill.

Section 29 of the Marriage Act 1955 states:

“A marriage licence shall authorize but not oblige any marriage celebrant to solemnize the marriage to which it relates.”

The Government Administration Committee has now realised that the Louisa Wall’s Bill will have to be amended to safeguard the rights of both religious celebrants and independent celebrants under the Bill of Rights Act 1990, to refuse to “marry” same-sex couples, if this action contravenes their personal beliefs. Section 29 of the Act does not provide sufficient protection to prevent a celebrant refusing to marry “gays” being the subject of litigation under the Human Rights Act 1993 based on alleged discrimination relating to sexual orientation.

THE BILL IN RELATION TO CURRENT “FORBIDDEN MARRIAGES”

Schedule 2 of the Marriage Act 1955 lists 40 types of “Forbidden Marriages” – 20 preventing men from marrying 20 categories of females (e.g. sister, grandmother) and 20 preventing women from marrying 20 categories of men. “The provisions of this schedule with respect to any relationship shall apply whether the relationship is by the whole blood or by the half blood.” The laws of New Zealand’s jurisdictions set out degrees of consanguinity in relation to prohibited sexual relations and marriage parties. All of these restrictions are put in place to prevent the possibility of children being born genetically defective. Society has long recognised the offspring of consanguineous relationships as being at greater risk of certain genetic disorders.

Under Louisa Wall’s Bill Schedule 2 is truncated so that the male and female prohibited marriage categories are combined into one with gender designations removed. Thus “grandmother” and “grandfather” are merged to become “grandparent”; and “brother” and “sister” become merged into “sibling”. Forty categories of forbidden marriages are reduced down to twenty.

Thus a ridiculous situation arises. The Bill, if passed into law, would make same-sex “marriages” legal, but would prevent any homosexual man from “marrying” his homosexual brother. However such a sexual union could never result in children being born to the couple.

Therefore the laws based on consanguineous relationships lose all real meaning if this Bill passed into law. There is no longer any rationale for such homosexual unions to be made unlawful because the unions are sterile.

Likewise, there is no longer any rationale based on genetics, to prevent any two combinations of lesbians from the Bill’s schedule 2, getting married (e.g. a lesbian marrying her sister) as no children can be produced from such a sterile union.

As a consequence of the legalisation of same-sex “marriage” in some overseas jurisdictions, pro-“gay” lobbyists have become emboldened to strongly advocate for the “rights” of same-sex filial partners (sister-sister/half-sister and brother-brother/half-brother) to get legally married. The “gay” push for the “right” of men to have sex with men (MSM) is relentless and the age for legal consent for homosexual sex has been lowered progressively in a number of jurisdictions.

The Marriage (Definition of Marriage) Amendment Bill, sponsored by Louisa Wall MP, “an openly lesbian woman”, is both legally flawed, a philosophical absurdity and will be the source for much confusion if it becomes law. Already the institution of marriage is under attack with growing numbers of heterosexual couples opting for de facto relationships and those already in marriages breaking their marriage vows by being unfaithful to their spouses. Such infidelity carries with it the very real problem of children being born out of wedlock. Homosexual men who have sexual relations with men other than their civil union partner or “marriage” partner, run no risk of producing children. This fact alone points to the very real biological difference between the “gay” “marriage”/“gay” sexual union and traditional marriage. The same fundamental difference exists between a lesbian couple and a heterosexual couple.

Note: Although heterosexual marriages between close relatives are discouraged (or even illegal) in North America, in many cultures (particularly in the Middle East, Asia, and Africa) preferred marriages are between first cousins or, less commonly, between an uncle and niece or double first cousins. In fact, in some parts of the world, 20% to 60% of all marriages are between close biological relatives.

IMPORTANT ANNOUNCEMENT

All Members are cordially invited to attend the Society's 2011/2012 AGM

Venue: Central Baptist, 46 Boulcott Street, Wellington. Carparks opposite church (free).

Time: AGM 7.30 p.m. to 8.30 p.m

DATE: Monday 28 January 2013

Agenda includes:

President's Report

Executive Director's Reports

Audited Financial Reports

Proposed changes to Objects of the Society [see p. 3 of this Newsletter for details]

Followed by Guest Speaker (TBA), followed by supper at 9.15 p.m.

SOCIETY MEMBERSHIP REMINDER

AND CALL FOR FINANCIAL HELP

Dear members and supporters

If your 2012 membership is overdue we would really appreciate it being paid as soon as possible. Membership for 2013 should ideally be renewed prior to the beginning of the new financial year (01/01/13) - *paid in advance*. We do apologise for the lateness of this Newsletter reminder.

We are in urgent need of funding. Can you help us please continue our work? Cheques can be sent to SPCS -PO Box 13-683 Johnsonville 6440.

Thank you so much for your ongoing support.

DONATIONS ARE TAX-DEDUCTIBLE

John Mills – President elect

See: www.charities.govt.nz for our audited yearly financial statements (Search under charity number CC 20268). Or go to www.societies.govt.nz (No. 217833).

Membership of SPCS

How can I join and/or make a donation?

You can join the Society as a full member by way of making a donation to SPCS. Cheques should be made out to "SPCS" or "Society for Promotion of Community Standards Inc." and sent to The Treasurer, SPCS. P.O. BOX 13-683 Johnsonville 6440. PLEASE INDICATE IF YOU WANT A RECEIPT SENT TO YOU for tax rebate purposes. *Please provide a stamp-addressed envelope.* (SPCS is a registered Charity CC20268).

Prospective members must read, agree with and fully support the Society's Objectives found on our website: together with our Constitution - see www.spcs.org.nz

You must also provide us with your name and accurate **full contact details** so we can send you our newsletters, email updates (if requested) etc. An individual membership donation is recommended at a minimum of \$45 per year.

The Society's financial year runs from 1 January to 31 December.