



# Doctors for LIFE

## PRESS RELEASE

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### **DOCTORS FOR LIFE INTERNATIONAL SUBMITS EVIDENCE IN CONSTITUTIONAL COURT AGAINST THE RECOGNITION OF SAME SEX MARRIAGES**

Doctors For Life International (DFL), has submitted an amicus brief to the Constitutional Court in the matter between the Minister of Home Affairs and a lesbian couple, Fourie and Bonthuys. The said case was appealed to the Constitutional Court by the Minister after the Supreme Court of Appeal ruled in December 2004 that same-sex couples have the right to marriage.

#### **In the brief , DFL's amicus demonstrates:**

- **The importance and value of the Traditional Heterosexual Marriage including the advantages it holds for the partners and children involved.** Marriage is a virtually universal and fundamental human institution. It is not a creation of the law and predates the law or constitution. At its heart is an anthropological and social reality, not a legal one. Laws relating to marriage merely recognise and regulate an institution that already exists. Research consistently shows that married heterosexual adults and their children do better in virtually every measure of well-being. No major culture or any of the major religions anywhere in the world has a moral objection against the traditional heterosexual marriage. On the contrary all major religions anywhere in the world value the traditional heterosexual marriage.
- **The fact that Same Sex Relationships (SSR's) will not have the same value because they are physically and emotionally unnatural and can consequently clearly not procreate.** The anatomical and histological incompatibility of two males/females for sexual intercourse is very obvious. A large amount of scientific evidence, however, also indicates that same sex relationships are not lasting or truly monogamous. From the point of view of the children involved, each termination of a relationship stands a good chance of having the same psychological impact as divorce. A 1996 study by an Australian sociologist compared children raised by heterosexual married couples, heterosexual cohabiting couples and homosexual cohabiting couples. It found that the children raised by heterosexual married couples did the best, and children raised by homosexual couples the worst in nine of the thirteen academic and social categories measured.
- **There is an increased risk of harm with SSR's to the partners and the children involved and to society as a whole.** The risk to the children involved includes an increased risk of exposing children to the danger of sexual

molestation. Without stereotyping homosexuality or equating homosexuality with Paedophilia, it is a fact supported by a large bulk of scientific literature, that there is a higher prevalence of child molestation amongst homosexuals than amongst heterosexuals.

- **There is no scientific proof that homosexuality is an inherited trait, rather there is a large amount of evidence that it is a learned reaction.** There is also valid evidence that many individuals who desired to abstain from the homosexual lifestyle have been able to do so.
- **If we consider the right to sexual orientation as allowing all kinds of practices that the majority of South Africans would not approve of, where will we draw the line?** Will all sexual practices be acceptable as long as it is between consenting persons? Will we allow necrophilia as long as the person whose corpse is involved has indicated before his death that he would have no objection against any one using his corpse to have sex with? What about incest, bestiality, masochism and even hypoxiphilia (where people get sexual gratification out of suffocating themselves e.g. with a plastic bag over their face). DFL specifically refers to the recent Meiwes case in Germany where two consenting adults first consented to cut off the sexual organ of one of the two and then ate it together. Afterwards, Meiwes killed his partner and continued to dismember his partner's corpse. He then kept it in a deep freezer to eat at a later stage. Also, what about people suffering from apotemnophilia; who get sexual gratification out of having limbs amputated?
- **That the right to sexual orientation is not absolute and that under certain conditions the government has the right to overrule the rights of individuals.** No right is absolute. Nobody has the right to sell themselves into slavery or to sell their organs at a profit. Consequently, if it has been demonstrated sufficiently that a certain practice (like not wearing a safety belt) poses a big enough danger, the government can overrule individuals' rights and enforce the wearing of safety belts by everybody.
- **Giving SSR's legal recognition will most probably lead to such couples adopting children.** Homosexual adoption is a highly controversial issue across the world.
- **Marriage laws are not discriminatory.** Marriage is open to all adults, subject to age and blood relation limitations. As with any acquired status, the applicant must meet the minimal requirements, which in terms of marriage, means finding an opposite sex spouse or a spouse who's not closely related. Consequently same sex couples do not qualify. To put it another way, clerks will not issue dog licences to cats and that not because of "bigotry" to cats. If you declare that, wine should be labelled identically to grape juice because they have similar properties, you have actually destroyed the definitions of both "wine" and "grape juice".

**DFL consequently argues that the Traditional Heterosexual Marriage has so many advantages for society that it should therefore be encouraged and supported by letting it enjoy special privileges.** If the legal benefits of marriage are given to any other type of relationship, the status of marriage will be eroded e.g., allowing anyone to park in disabled parking spaces would not extend a benefit, it will

erode the status of privileged parking for the disabled. In the same way the giving of marital rights and privileges to other partnerships, will devalue the institution of the traditional heterosexual marriage.

DFL therefore argues that there are other ways for homosexuals and lesbians to secure their rights and prevent discrimination, than to give SSR's marital status.

'Doctors for Life International' represents more than 1000 medical doctors and specialists, three-quarters of who practise in South Africa. DFL was founded as a South African organisation in 1991 and has spread across the globe. DFL is involved in several community projects including orphan care, the care of terminal AIDS patients, malaria treatment and the care of abused women.

For more information, go to: [www.doctorsforlifeinternational.com](http://www.doctorsforlifeinternational.com)