Behind the Push for Same-Sex Marriage

It appears that, depending on the polling method used, a slim majority of Australians support same-sex marriage but the issue isn’t a priority at the moment. It’s necessary to qualify this, as the issue has never been properly defined, in a transparent way, and the population’s understanding of the issue has never been adequately measured. Like many lobby groups promoting social change, those who advocate same-sex marriage aren’t doing much defining or measuring. There are strategic reasons for this; one is that they know the issue isn’t about anti-discrimination; it’s about symbolic gesture. A comparable analogy is whether or not Australia should become a republic, an issue framed by its advocates in a misleading way, because once the facts are widely known the significance of a republic diminishes in the public mind and it becomes harder to advocate for one.

Same-sex marriage isn’t even a priority among gay and lesbian Australians, many of whom understand the advantages of keeping their relationships unofficial and the disadvantages of making their relationships official. To give one example, a few years ago, the Rudd government announced that Australia’s social security administration, Centrelink, would begin registering same-sex partners on an opt-on basis. It sounded good at the time but a few same-sex partners realised their social security benefits—calculated as two single individuals—would be reduced if they registered. Thereafter they would be treated like a heterosexual couple and receive a lower combined benefit. Welcome to the real world.

Those who advocate same-sex marriage should be honest about what they’re advocating, as there’s a lack of transparency around this issue. While some advocates may simply be uninformed, others are spinning their agendas, and no one appears to be representing those gays and lesbians who don’t want the issue forced upon them. Whenever someone tells me same-sex partners should be allowed to get married, and implies this is a matter of social justice—of remedying some grave historical inequality—I ask them what difference getting married would make to their legal status as a de facto partnership, a status conferred upon them simply through cohabitation. The real question is: Are de facto partnerships different for homosexuals and heterosexuals? The answer is: It would appear both kinds of de facto partnership are comparable under common law. Another important point is usually overlooked here. The rate of breakdown of same-sex partnership is already comparable to heterosexual divorce; a significant proportion of them being ugly and messy. That’s why same-sex partners are encouraged to have a cohabitation agreement similar to a pre-nuptial agreement.

Any discussion about same-sex marriage should be framed around the gains gay and lesbian Australians have made in recent decades. It would be dishonest not to. We can’t pretend we’re still living in the pre-Whitlam era or that social attitudes haven’t changed along with the law. Gays and lesbians enjoy a high level of acceptance. They’re a sophisticated lobby. Some argue they’ve become a privileged minority. Apart from registering as partners with Centrelink (provided it suits them), they can obtain loans and mortgages together, split incomes for taxation purposes, make their wills in favour of each other, and nominate each other as superannuation beneficiaries. They have a broad range of family visa options and can bring relatives and same-sex partners into Australia permanently. Female couples can obtain assisted fertility. Male couples can obtain surrogate wombs. That’s only the beginning.

There was no exact moment when the bubble of rights became a menu of choices instead of a social contract; however, the menu evolved after the gay liberation movement demanded that homosexuality
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no longer be classified as a disorder and same-sex attraction became widely regarded as a variation within the range of normality. That demand was necessary and, overall, its consequences have been positive; however, as psychiatrists and psychologists had to drum up business elsewhere, they invented gender identity disorder, the treatment for which is keeping them busy, along with surgeons, endocrinologists and now neuroscientists (apparently different parts of the brain light up when one sex imagines itself as the opposite sex). The diagnosis of this disorder is sophisticated and no one is allowed to question it; except the occasional patient who realises their irreversible re-assignment isn’t what they really wanted and tries to sue those who gave them one.

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pare a thought for society’s all-purpose scapegoat, the church, which is struggling to comprehend this menu of choices in relation to its covenant of obligations. But perhaps Christians struggle no more than anyone else, including those gays and lesbians who are scratching their heads and wondering how to make sense of all this bewildering change. When Jesus expanded upon the Shema Yisrael, he said the two most important commandments—one of which is a proxy for the other—are to love God above all else and to love your neighbour as yourself. Admittedly, and perhaps no more than the rest of society, Christians are only just getting the hang of loving their gay and lesbian neighbours, as singles and as de facto partners, in the same way they love God. Now they are confronted with not only gays and lesbians but newer neighbours from the menu of choices. To get a sense of how challenging this is, do the following exercise. Step 1: List all the choices on the menu. Step 2: Calculate as many combinations of choices as you can. Step 3: Add marriage to your calculations.

This reminds me of a story which I hope is an urban myth. Last year, on a trip into the city from the airport, an Arab taxi-driver told me (without being prompted) more than I wanted to know about how some in the Muslim community negotiate polygamy in Australia, under the radar so to speak. A husband divorces his wife under Australian law; the ex-wife goes on social security as a single parent; he repeats the process until he has a few wives on pensions and several children. The taxi-driver said that, under sharia law, which already operates here as a shadow legal system, these ex-husbands and ex-

wives are still married. I hope this story, about having the best of both worlds, has no parallel among same-sex partnerships, or that no one accuses me of dog-whistling; however, it ought to be admitted that if the public purse can be rorted, homosexuals are no less likely to rort it than heterosexuals.

Here’s another story which is definitely not an urban myth. Several years ago a neighbour was flattered when a lesbian couple asked him for his sperm so they could have a child. Don’t rush into it, I advised him, think about the consequences. There are no consequences, he said, they only want my sperm, they’ve assured me of that. There are always consequences, I said. Their assurances are worthless, I pointed out. The law around such circumstances is changing and will keep on changing. The child will be biologically yours. Any number of scenarios could unfold; their relationship could break down and you’ll be up for maintenance; their relationship could remain stable and you’ll still be up for maintenance; your child may need and want you; you may need and want your child. He took my advice, kept his sperm, and the lesbian couple split up soon after. Other men haven’t been so careful. The media loves to share their hapless and occasionally poignant stories with a world entranced by the menu of choices.

Please don’t misunderstand me. I’m not against de facto same-sex partnerships or equal opportunity for gays and lesbians. I simply believe the issue of same-sex marriage isn’t about anti-discrimination; it’s about symbolic gesture. I simply want to know why a minority of gays and lesbians want more rights than Julia Gillard and Tim Mathieson have as de facto heterosexual partners. Isn’t that enough for them?

As Paul Kelly pointed out so cogently in the Australian on November 30, the argument that same-sex marriage is needed to remove discrimination in marriage conceals rather than reveals what’s really happening. In a civilised polity like Australia’s, there’s no place for discrimination based on age, race, gender, or sexual preference. However, changing the Marriage Act isn’t about removing discrimination, it’s about changing the concept of marriage. It’s about erecting a libertarian construct of marriage which—one opposite-sex exclusivity is terminated—opens the way for a variety of post-modern and cross-cultural constructs where marriage can encompass a range of people and sex options: polygamous, polyamorous and polymorphously perverse. It’s

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about changing the concept of parenthood, which undermines the legal recognition of motherhood and fatherhood. This affects the entire community, not just gays and lesbians. Let’s not pretend this isn’t a slippery slope.

Most Australians believe male–female marriage should be upheld for its traditional meaning, as an important social institution which contributes to a stable society. Many Australians believe that allowing same-sex marriage won’t alter this status quo. That’s a naïve view. Altering the Marriage Act won’t give gays and lesbians rights they don’t already have, but it will de-emphasise traditional marriage, which is what advocates of same-sex marriage intend. Like a charter of statutory rights, it will also undermine religious freedom: once the state changes the meaning of marriage, the church will become the focus of attack for denying same-sex marriage ceremonies in the name of religious faith.

This plays into the hands of those who, in Kelly’s words, demand that “religion be driven from the public square into a strictly private realm, an idea that constitutes a betrayal of the secular state whereby the state was to guarantee religious liberty”.

Let’s be honest about what’s really happening, what’s really at stake.

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Canary-yellow sloop with a Bermuda rig

Off Melville Island on the placid green of the Timor Sea, where the giant barramundi glide beneath the surface and the Spanish mackerel swarm, that yellow sloop passes with its wandering spirits, stirring the rock cod from their drowse.

Bound North by Northeast into deeper water, this untidy rover sails on a reckless journey, one exploring risky archipelagoes and realms of Third World disorder, those marked on the charts by chaos and misery.

In an orange sarong the vain young captain dances across the fine teak deck, a tall and shining being in the hazy light, his confident gaze fixed on a bikinied crew barely out of their teens, amateurs as slender as naiads and unaware of the abyss:

He is someone’s wayward son, but how his ship disappears will elicit little sympathy when the news breaks, perhaps taken by pirates, or swallowed in a fog over the Java Trench, where unmanned drones circle high above the clouds with that sky-floater, the sea-eagle, bearing witness to all such vanities, and the agonies of the lost.

Dan Guenther