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Opposing Same-Sex Marriage, by supporting Civil Partnerships: Resistances to LGBT Equalities

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Introduction

Whilst many speak of battles being won around Lesbian, Gay, Bisexual and Trans (LGBT) equalities, the debates regarding same-sex marriage and the implementation of equalities legislation suggests that there continues to be strong resistances to sexual and gendered rights. Scholarship on the political and social activism of the Christian Right, as well as on the conservative right more broadly, has detailed the depth and breadth of the ongoing resistance to LGBT equalities. Much of this research is focused on the USA, documenting how the oppositional approaches taken by US organisations have shifted over the last decade or so (Herman, 1997) and has demonstrated the geographical specificity of various resistances (Nash and Browne, 2014, Browne and Nash, forthcoming).¹

In this chapter, we focus on the various forms these resistances to LGBT equalities can take. This is important because while we might assume that opposition to LGBT equalities is now understood as ‘marginal’ or in ‘the minority’ in places such as Great Britain, these groups continue to organise coordinated and at times somewhat effective resistances to LGBT equalities, particularly during the implementation phase.² These resistances suggest that

¹ Scholarship has also explored various legal challenges to LGBT equalities legislation in the North American and UK contexts (Cooper and Herman, 2013; Miceli 2005; Nicol and Smith, 2008; Rayside, 2008; Smith, 2008; Stychin, 2009).

² We use Great Britain, because this research investigated England, Scotland and Wales. Scotland had different legislative processes to the passage of its Marriage and Civil Partnership (Scotland) Act, however the consultation and passage of this and the Marriage

'homophobia remains not just alive but aggressively kicking' (Weiss and Bosia, 2013: 7). Therefore, alongside considerations of 'the world we have won' (Weeks, 2007) and the emergence of various homonormativities (critiques of the normalisations of gay men and lesbians, that see equalities as reiterating norms, rather than critiquing them), it remains important to examine how heteronormativities³ continue to be asserted and manifest in ways that are different in different places and times. The core argument of this chapter is that the modes of resistance and the discourses deployed by those who seek to 'protect' marriage as a 'union of one man and one woman' are shaped by and are reflective of an element Great Britain's contemporary political and cultural context. This challenges Weiss and Bosia's (2013: 6) contention that homophobia is imposed consistently across continents. Key in the British context is the consultation about, and eventual passing of, same-sex marriage legislation in 2014 *after* same-sex civil partnerships had been in place for some ten years and had appeared to gain a wide degree of acceptance.

The paper will firstly outline some of the key claims about the importance of marriage equality by proponents of same-sex marriage, before moving on to argue for a complementary focus on those groups seeking to maintain heteronormative privileges through the institution of marriage. The paper will then explore the specific constitution of resistances to LGBT equalities, focusing on data collected through online sources (see tables 1 and 2) as well as newspapers, magazines and newsletters. We begin by considering the centrality of the marriage debate in this historical moment. We then explore in-depth how arguments were structured so as to enable opposition groups to claim that they support equal rights (and were thus 'not homophobic'), while simultaneously opposing same-sex marriage. In particular, we focus on these

(Same Sex Couples) Act by the Westminster Parliament were in similar timeframes. Moreover, the opposition worked both across Britain and there were also specific organisations that focused only on Scotland. We use the UK to discuss the Civil Partnership Act, which included both Scotland and Northern Ireland (see Norrie, this volume).

³ Heteronormativity is the normalization of gender within male and female as opposites meant to come together in heterosexual relationships. This is particularly pertinent for these discussions as the groups who are opposing LGBT equalities, as it is not just sexualities that are opposed, but also gender normativities. In part this is because homosexuality is seen to come from gender transgression, so the fear of not being 'properly gendered' is central. Thus, heteronormativity is correct here.

groups' 'support' of civil partnerships rather than same-sex marriage to deflect criticisms of homophobia and bigotry, and show how critical engagements with a politics of marriage equalities are (re)presented by those who seek to maintain marriage as a 'union of one man and one woman'.

Same-Sex Marriage Debates

The debates surrounding the passage of same-sex marriage legislation are important sites of legal and symbolic contestations around sexual citizenship, which have, as Kitzinger and Wilkinson (2004: 132) argue, always been "intensely political" (Bell and Binnie, 2000; Weeks et al., 2001). Scholarly discussions about the implications of same-sex marriage for gays and lesbians have tended to argue about the possibilities and potentialities of gay and lesbian assimilation into dominant, normative values and the related concerns about what might be included in these homonormativities (Duggan, 2002). Feminist critiques have also engaged with questions about whether same-sex marriage might challenge (or queer) the institution of marriage itself (Auchmuty, 2004; Barker, 2012; Bell and Binnie, 2000; Butler, 2004). Taking these arguments in turn, we will consider how they are intertwined with contemporary resistances to LGBT equalities in order to highlight our assertion that engagements with LGBT equalities gains have sparked certain forms of resistances we consider under the term 'hetero-activism⁴.' We then explore the enactment of Civil Partnerships in the UK and Northern Ireland as a specific context for the emergence of these movements.

Those that seek to challenge institutional homophobia and the 'defence of the family' right wing often look to establish the importance of same-sex marriage in gaining equality (Bevacqua, 2004; Bolte, 1998; Calhoun, 2000; Ellison, 2005; Rauch, 2004; Saavedra, 2004; Sullivan, 1995; Kitzinger and Wilkinson 2004). Literature in this area contends that same-sex marriage and civil

⁴ We thank Dr. Miriam Smith, York University, for coining the term 'heteroactivism' in our discussions about a research bid related to this project. Whilst the label 'Christian Right' is useful in a USA context, but in our work we are contesting the location of resistances solely there (see Nash and Browne, forthcoming; Browne and Nash, forthcoming). Hetero-activism names the processes that promote heterosexualities as morally superior to other sexual/gender identities and the 'best for society' (see Nash and Browne, forthcoming).

partnerships advance the rights of lesbians and gay men by offering equality in terms of equal rights and responsibilities. These are part of a politics of recognition that allows gay and lesbian relationships to be regarded as being on an equal footing with heterosexual relationships (see for example Bolte, 1998; Calhoun, 2000; Rauch, 2004; Sullivan, 1995). For some, the right of gays and lesbians to marry will provide momentum for the promotion of broader rights for all lesbian, gay, bisexual and trans people (Kitzinger and Wilkinson, 2004). The 'gay liberal reformists', as they are termed (Bell and Binnie, 2000), regard same-sex marriage as ensuring LGBT equality with heterosexuality and that gays and lesbians will have the same legal rights as straight people.

For others, the institution of same-sex marriage is just the starting point to affect a more substantial transformation in the 'flawed' institution of marriage as a whole (Bevacqua, 2004: 38). This includes dissolving distinctions between heterosexuality and homosexuality, challenging the naturalized, gendered power imbalances in heterosexual marriages, removing the emphasis on 'proper families' for reproduction and even contesting the very conceptualisation of 'family' itself (Bolte, 1998; Calhoun, 2000; Duggan and Hunter, 1995). Rather than being assimilationist then, "same-sex marriage is held as capable of undermining the most solid of social structures ('the family') by infiltrating it and exposing its contradictory logics from within" (Bell and Binnie, 2000: 57; Bevacqua, 2004; Saavedra, 2004). It is unsurprising then that these arguments about the undermining of the meanings of 'family' and 'marriage' through the implementation of same-sex marriage are also used by those opposed to LGBT equalities as a key reason that same-sex marriage is what they term a 'slippery slope' to moral decay (see also Nash and Browne, 2014)⁵.

Those who critique same-sex marriage on the grounds that it privileges and normalises 'marriage' as a pre-eminent social institution also draw on feminist interventions that condemn same-sex marriage as merely reproducing

⁵ The extent to which this similarity knowingly uses queer/academic sources is hard to tell. At times explicit reference is made to academic material, in order to undermine mainstream arguments, at other times the links and similarities cannot be traced through these channels.

heterosexual, gendered family structures while overlooking the need to continue to agitate for the human rights of the individual (Auchmuty, 2004; Barker, 2012; Card, 1996; Davis, 2005; Donovan, 2004; Rauch, 2004; Spade, 2011; Warner, 1999). Some queer theorists also contend that as certain gay men and lesbians become assimilated into capitalist hegemonic structures, they no longer offer the same critique of normativity through their existence as a sexual and gendered alternative set of experiences and practices (Davis, 2005; Halberstam, 2005). In this view same-sex marriage is always and already normative and patriarchal, and indeed same-sex marriage has become a key feature defining homonormativity (Auchmuty, 2004; Davis, 2005; Donovan, 2004; Duggan, 2002; Halberstam, 2005). Those that engage in same-sex marriage can also be considered to be mimicking heterosexuality such that we are not looking at how “heterosexuals might not live best” or the ways that “lesbians and gays might live better” (Auchmuty, 2004: 124).

For some, the same-sex marriage battle is not one that we should fight. Rather, there is a call for the abolishment of the institution of marriage itself (Card, 1996; Donovan, 2004). Feminists have long contested the patriarchal model of heterosexual marriage, critiquing the impoverishment, vulnerability and abuses of women (see Bernard, 1973; Greer, 1970; Wollstonecraft, 1792/1929). In this context, Auchmuty (2004: 105) argues:

200 years of feminist agreement that marriage permits, even encourages oppression makes the institution of marriage untouchable and irredeemable in the eyes of many women, including myself.

Auchmuty (2004) contends that in the United States, it is usually gay men advocating an agenda based on same-sex marriage because they have not encountered the difficulties with the institution of marriage that women have “save it excludes them” (p. 105).

In this context, the recuperation of what was once radical and transgressive, that is, all lives that existed outside of the heterosexual ideals of opposite sex marriages and reproduction, allows conservative agendas around

commitment, public sex and 'proper' partnerships to be re-established. This can give rise to a problematic binary between the 'good gay' and 'bad gay' where properly lived gay lives are those appropriately enfolded into monogamous, middle class and child-centred marriage and constituting the acceptable form of relationship (Bell and Binnie, 2000; Davis, 2005). Bell and Binnie (2000: 61) contend that these hierarchisations of relationships and the sex negative links between monogamy and marriage, suggest it is 'unlikely' that same-sex marriage offers anything other than assimilation. In other words, as Davis (2005: 24) puts it, same-sex marriage does not embrace "the multiple ways we have learned to love and fuck each other". These arguments, and those of organisations such as 'Against Equality' (<http://www.againstequality.org/>, Conrad, 2010), are also taken up by those resisting LGBT equalities. As we will show later in the chapter, they are reiterated and reproduced in ways that support the argument for keeping 'traditional marriage', particularly through the assertion that 'gay people don't want it'.

Butler (2004), whilst recognising the problems related to same-sex marriage, also argues that there are substantial psychic and social problems arising from NOT recognizing same-sex unions (see also Auchmuty, 2004; Bourassa and Varnell, 2002). Yet, she remains ambivalent about same-sex marriage, as do many others. In a similar vein, recent discussions about civil partnerships and same-sex marriages, drawing on empirical evidence, has found a messiness not easily reducible to straightforward questions of assimilation or transgression. There is a complex array of perceptions, meanings, lived experiences, citizenships and implications of same-sex marriage for those agitating for it or seeking to engage with it. Smart (2008), for example, notes that lesbian and gay couples are aware of the political, social and cultural ramifications of their decisions to formally commit. The move between for/against is a core tenet of this book, and here we wish to raise awareness of the tensions arising from the queer/homonormative critique of marriage and how agitation for same-sex marriage can mobilise resistances to LGBT equalities more broadly.

Civil partnership to Marriage

The specific political context of the 1980s and 1990s in Britain was decidedly more hostile to LGBT people with legislation such as Section 28 of the Local Government Act 1988, banning the promotion of 'pretended family relationships' in schools and other local authority schemes for people under 16. However, as Auchmuty (2004: 119) contends, "the legal [and we could add political] world of the 21st century is very different from that of the 20th century". LGBT equalities gained traction over the last decade, culminating in the Equality Act 2010. We now need to account for a very different political context in Britain, one that arguably has achieved legislative equality for 'all gay men and lesbians' (see also Cooper, 2004; Stychin, 2003; Richardson and Monro, 2010). One of the key ways in which legislative equalities in the UK was achieved was through the passage of the Civil Partnership Act 2004.

Stonewall, a Lesbian, Gay and Bisexual lobby group that operates across Britain, asserted that civil partnerships are marriage in everything but name. Kitzinger and Wilkinson (2004: 133), however, regarded this nomenclature as creating 'a symbolic separation of same-sex couples from the hallowed institution of 'marriage.'" a situation they liken to apartheid and interracial marriages. Auchmuty (2004: 102) argued that it is marriage, rather than civil partnerships, that has a symbolic significance that "confers upon the individuals the highest social status and approval". In a similar vein, Butler (2004) contends that the use of varying names and different rights simultaneously recognises and excludes gays and lesbians from the institution of marriage, a move that paradoxically pleases both the right wing fundamentalists and radical critics of the institution of marriage (Thorpe, 2005).

There was little organised and mobilised opposition to the Civil Partnership Act 2004 (see Weeks, this volume) although the Church of England did oppose it quite vigorously (see Goddard, this volume). However, in 2011-2013, there was a large, coordinated and concerted opposition mounted to the Marriage (Same-Sex Couples) Act that also galvanized a broader collective opposition to LGBT equalities that had been predominantly

vocalised through individual court cases grounded in claims of religious freedoms (see Cooper and Herman, 2013). In 2011-2012, consultations on same-sex marriage re-ignited opposition from organisations, such as Society for the Protection of Unborn Children who had argued against homosexual teaching in schools in the 1980s and 1990s, but whose activism prior to this debate had focused predominantly on abortion.

Table 1 provides a summary of an analysis of 49 online groups and websites engaged in opposition to LGBT equalities in 2012 in the UK. As Table 1 indicates, same-sex marriage became the predominant focus for opposition to LGBT equalities. In some cases, new groups were founded to combat the proposed legislation (e.g. Coalition for Marriage) while in other cases, organisations refocused their activism as is the case of the Society for the Protection of Unborn Children (SPUC). Many organisations were also issue-based and loosely categorised around so-called ‘cultures of life’, which included asserting the heterosexual family as the ‘bedrock’ of society.

Nonetheless, the key issue for groups opposed to LGBT equalities solidified around opposition to same-sex marriage. There can be little doubt that the same-sex marriage debates galvanised oppositions to LGBT equalities in Great Britain, and received significant support, for example the coalition for marriage petition was signed by over 600,000 people, despite eventually being defeated in both the House of Commons and the House of Lords. It is important to note that 161 (backed by 366) MPs in the House of Commons and 148 peers (supported by 390) in the House of Lords voted against same-sex marriage. This is a significant minority that illustrates the importance of resistances to LGBT equalities, even where the Bill was seen as having an ‘easy passage’ through both houses.

Table 1: Issues Addressed by Groups opposed to LGBT Equalities

Issue	No. Orgs
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		SPUC, family education trust, coalition for marriage, network of Sikh organisations, Scotland for marriage, Thomas Moore Institute, The Catholic Union of Great Britain, evangelical alliance, CARE, Christian concern, orphans of liberty, BNP, Christian institute, Anglican Mainstream, Opus Dei, Core Issues, Christian Legal Centre, Christian Medical Fellowship, true freedom trust, affirming the faith, Civitas, Jubilee entre, Lovewise, Marantha, Theos think tank, voice for Justice, the lawyers for Christian fellowship, centre for social justice, alliance defending freedom, love for life, affinity, centre for policy studies, young Britons foundation, liberty league, UKIP, conservative Christian fellowship, reform, challenge team
Same-sex marriage	38	
gay education (including, but not limited to, sex education)	6	SPUC, Scotland for marriage, orphans for liberty, BNP, International healing foundation, NARTH
sex education	14	SPUC, family education trust, Scotland for marriage, the catholic union of great Britain, evangelical alliance, Opus Dei, Christian medical fellowship, Christian concern, the Christian institute, Anglican mainstream, campaign to protect children, Challenge team UK, Lovewise, voice for justice UK,
gay parenting/same-sex parenting, adoption/fostering	17	SPUC, family education trust, CARE, orphans of liberty, BNP, the Christian Institute, NARTH, Opus Dei, Christian legal centre, Christian medical fellowship, lovewise, marantha, theos think tank, voice for justice UK, the Lawyers Christian fellowship, centre for social justice, young Britons foundation,
public policy, legislation	5	Family education trust, CORE issues, Trust freedom trust, liberty league, evangelical alliance
family structure	3	Family education trust, CARE, centre for policy studies
LGBT rights/gay rights	8	The Catholic Union of Great Britain, evangelical alliance, orphans for liberty, BNP, The Christian institute, international federation for therapeutic choice, CORE, true freedom trust,
LGBT rights versus religious rights, liberty versus LGBT rights	11	Opus Dei, International Federation of Therapeutic choice, Christian legal centre, Civatas, Jubilee centre, Theos think tank, Voice for Justice UK, The Lawyers Christian fellowship, Redeemed Lives, Alliance Defending Freedom, UKIP
Gay/LGBT identity	9	Christchurch London, people can change, Cru, association for Christian councillors, PATH, live in Christ, Courage, Christian medical fellowship, Core Issues
Gay reparative therapy	13	Anglican Mainstream, NARTH, International Federation for Therapeutic choice, core issues, living waters UK, Christian medical fellowship, true freedom trust, redeemed lives, live in Christ, PATH, Association of Christian councillors, JONAH, people can change
HIV/ health	3	NARTH, protection of conscience project, family education trust
Trans, gender identity	5	Protection of Conscience, NARTH, Christchurch London, true foundation trust, Parakaleo
Gay bullying	2	Alliance defending freedom, international healing foundation

What was clear from our data is that there was a major shift in how resistances to homosexuality have been framed. In the 1990s, homosexuals were largely cast as morally dangerous to children; a position used to support the passage of the infamous section 28 of the Local Government Act 1988. But as we can see from Table 2, and as we have argued elsewhere (Nash

and Browne, 2014), in developing arguments in opposition to same-sex marriage, organisations framed their concerns as a consideration of ‘the best for society’ and framed these concerns in ways that sought to privilege certain relationships (i.e. monogamous, heterosexual) over others — what we are calling hetero-activism. These organisations challenged accusations of homophobia and bigotry by arguing that these labels were used to close down debate and silence opposition. Disputing or deflecting accusations of homophobia is key for these organisations, particularly in contexts such as the UK where ‘homophobia’ is becoming increasingly unacceptable and associated with extremisms. Thus, whilst Weiss and Bosia (2013) seek further theorisations of homophobia, there is also a need to explore how those opposing LGBT equalities are contesting the term itself. While a full exploration of this is beyond the scope of this chapter, it is sufficient to note that reclaiming and redefining homophobia is central to contemporary debates on same-sex marriage in places such as Britain.

One important way that opposition to LGBT equalities are manifest in the British context is through supporting ‘civil partnerships’, while contesting same-sex marriage. As Table 2 illustrates, this was the key focus for 8 groups engaged in opposing same-sex marriage. Thus, these groups are not necessarily ‘rewriting history’ in now supporting civil partnerships, but their use of equality to contest accusations of homophobia and bigotry marks a shift in the ways in which LGBT rights are contested (see also Nash and Browne, 2014).

Table 2: Reasons for opposing Same-Sex Marriage

Reason	No.
Marriage is between one man and one woman, basis of society	15
Protects children/best environment/ marriage is about children/procreation as key	14
Redefines marriage, not a state role	11
Leads to polygamy or incest, love and commitment not enough	11
Schools	10
Ordinary people don't support it, 'evidence' that people don't want it, no mandate	9
Civil partnerships are enough	8
Loss for individuals/freedoms/discrimination on religious grounds	7
Not a priority/costly	6

Religious protections won't work and churches will be made to perform ceremonies/EU will interfere	5
Will lead to demands for more	4
Undermines marriage	4
Not bigoted or homophobic, marginalises the majority	3
Gay people don't want it	2
Adultery isn't part of the Bill	2
Gay relationships are non-monogamous	2
Started with decriminalisation	2
The more its tolerated, the more it proliferates	1
Homosexuality is morally wrong	1
Gay relationships are different/gay sex is wrong	1
Massive change not incremental	1
Rejected by most worldwide	1
Will lead to disestablishment	1
It's too early	1
European Convention on Human Rights doesn't support it/gay marriage not a human right	1

Equality not Parity: Opposing the Marriage (Same-Sex) Act by supporting Civil Partnerships

Our focus for this section is on how civil partnerships are used to contest same sex marriage. This was a strong theme that emerged from the data, showing that it is a prominent feature of the UK debate. The availability of this argument to hetero-activists is specific to contexts such as Britain because it instigated a form of civil union, instead of same-sex marriage and then sought to implement same-sex marriage. Other themes (such as basis of society, protection of children) are explored elsewhere (see Nash and Browne, 2014 and Browne and Nash, forthcoming).

We start with UKIP (United Kingdom Independence Party), a right wing political party that has gained popularity in the past five years, because of its opposition to the EU and its stance on European migration. It now receives regular invitations to appear in mainstream media outlets such as BBC Radio 4 and Newsnight on BBC 2, and spokespeople for the party are regularly asked to comment on current political debates. In 2014 UKIP won a historical victory in the UK European elections, topping the polls ahead of the two key parties, Labour and the Conservatives. UKIP has an LGBT wing known as 'Lgbtq in UKIP'. The group's slogan is "Britain Should be Out and Proud". Their comments in relation to same sex marriage, focus on contending that

some form of 'special rights' were being created for LGBT people through the enactment of same-sex marriage legislation. In November 2012, David Coburn of UKIP's National Executive Committee clarified the party's policies and positions with regard to LGBT issues:

'The party fully supports the existing concept of civil partnerships. Coburn stated, "UKIP's stance on gay marriage is simple: we entirely, wholeheartedly support equal rights for couples regardless of their sexuality and we believe this has been achieved through the introduction of civil partnerships, which UKIP supported." (UKIP)

As this quote demonstrates, David Coburn of UKIP's national executive committee can both 'wholeheartedly support equal rights' while not giving support to same-sex marriage. Some form of civil partnerships allows for this somewhat paradoxical claim. UKIP is able to throw its support behind civil partnerships and thus espouse some form of 'equality' for LGBT people but are able to stand against same-sex marriage, which they elsewhere seek to define as a 'special right'. By maintaining this 'support', they seek to move themselves away from accusations of homophobic bigotry. It is interesting that in the discourse of 'special rights', civil partnerships could be seen as 'special rights', and marriage understood as removing these 'special' conditions. In other words, UKIP neglects to see civil partnerships as 'special' in their opposition to 'gay marriage'. Here 'special' exists in opposition to a normative heterosexuality.

The Coalition For Marriage, a coalition of groups opposed to LGBT equalities, was established as a not for profit company to specifically contest the Marriage (Same-Sex Couples) Bill. In their words, their mission was to 'support traditional marriage and oppose any plans to redefine it' (2013).⁶ As with UKIP, the Coalition's stance supports 'equality' but not parity, which the Coalition associates with 'bland uniformity' and 'state imposed sameness'. Using this reasoning, civil partnerships offer 'all the legal benefits' and 'equality', but asking for marriage 'redefines' it:

⁶ There was a related but separate organisation to contest Same-Sex Marriage legislation in Scotland, due to the different legislative processes

Civil partnerships already provide all the legal benefits of marriage so there's no need to redefine marriage.

Same-sex couples already have equality. All the legal rights of marriage are already available to same-sex couples through civil partnerships. Equality doesn't mean bland uniformity or state-imposed sameness. If the Government genuinely wants to pursue equality, why is it banning heterosexual couples from entering a civil partnership? Same-sex couples have equal rights through civil partnerships, but they don't have the right to redefine marriage for everyone else.

(Coalition for Marriage, 2012)

The Coalition for Marriage's support for civil partnerships, but opposition to marriage sets same-sex couples as different but equal. They go beyond this to seemingly argue that straight couples should have Civil Partnerships, whilst continuing to oppose same-sex marriage. They appear to imply that if this legislation was about equality, heterosexual couples would be given access to civil partnerships⁷. However even if this were understood to be the case, it is unlikely there would be support for same-sex marriage.⁸ Instead the assertion that same-sex couples have all they 'need' in terms of equivalent rights acts to shield these groups from accusations of being discriminatory. By focusing on rights as utility, the symbolic rights of marriage are ignored.

One approach framing resistances to the redefinition of marriage is to position same-sex relationships as completely distinct from heterosexual partnerships because of the supposed gender 'complementarity' of man/woman relationships. Given this supposedly pivotal difference, enacting different legislative provisions is sufficient rather than including same-sex relationships under the umbrella of 'marriage', which should be reserved for those relationships that have distinctive man/woman components. Differences between relationships forms can be maintained through civil partnerships, and this is similar to contentions by scholars (Kitzinger and Wilkinson, 2004; Auchmuty, 2004). This ensures that those groups who oppose same-sex

⁷ This is reminiscent of Norman Tebbit's comments in the civil Partnership debates, which sought to give civil partnerships to sisters and other family relations, as a way to contest the passing of the Bill in 2004. This, similar to these debates, seek to contest accusations of homophobia.

⁸ Consultations regarding the future of civil partnerships in Great Britain are taking place as we write this in 2014.

marriage can logically support essentially the same protections provided by civil partnerships, by seeing rights as utility. They can simultaneously contest same-sex marriage and the symbolic rights associated with marriage. However, at the same time, claims about the equality and parity of civil partnerships is contested by this very same assertion of difference:

‘Marriage and civil partnerships have been designed for two very different types of relationship and should be kept distinct.’
(Christian Medical Fellowship)

Central to discourses that claim it is ‘best for society’ to ensure marriage is limited to heteronormative couples, is the possibility of procreation. This is key to the ‘difference’ of marriage. Keeping civil partnerships and marriage distinct renders some relationships not only different but also ‘better’ than others. In the assertion of difference, civil partnerships are not transgressive in the sense envisaged by scholars who see them as different to marriage (e.g. Auchmuty, 2004).

‘Lord Singh, head of the Network of Sikh Organisations is reported as saying that the posed reforms represented “a sideways assault on religion”. “It is an attempt by a vocal, secular minority to attack religion,” he told BBC Radio 4’s Today programme. Sikhs believe in marriage as the union of a man and a woman and that changing the definition was an attack on the English language, he said. “We have total respect for gays and lesbians and we are delighted that there is a Civil Partnership Act. We believe that this gives gays and lesbians everything they need.”

<http://www.telegraph.co.uk/news/uknews/9154043/Muslims-and-Sikhs-attack-Camerons-gay-marriage-plan.html>

Here Lord Singh is simultaneously claiming ‘respect for gays and lesbians’ and assuring us that we have ‘everything we need’, whilst also characterising same-sex marriage as an ‘assault’ on religion. The ‘delight’ at civil partnerships is contrasted with the ‘attack’ of same-sex marriage both on religion and the English language. So whilst the ‘minority’ can have ‘everything they need’, they cannot contest or be provided with an opportunity to challenge normative heterosexual relations and marriage as a ‘union of a man and a woman’. The redefinition is seen as an affront to language itself, because these groups believe that marriage cannot be redefined. Thus,

same-sex/gay marriage is an impossibility and marked linguistically by the use of scare quotes around gay marriage to indicate their scepticism regarding the concept itself. Civil partnerships do not need such grammatical additions.

One opposition group, the Evangelical Alliance, which claims to represent two million 'Evangelical Christians' and is based in the UK but within a broader Global network, denies any 'inferiority' of 'single sex relationships' and asserts that they are partnerships, which are different from marriage as a 'matter of objective fact and common understanding'. These 'facts' and 'understanding' draw both on the supposed neutralities of 'facts', evoking 'natural laws' of procreation, but also societal 'common' understandings.

Abiding single sex relationships are in no way inferior...Parliament has not called partnerships between persons of the same-sex marriage, not because they are considered inferior to the institution of marriage but because, as a matter of objective fact and common understanding, as well as under the present definition of marriage in English law, and by recognition in European jurisprudence, they are indeed different. Civil partnerships already confer all the rights and benefits of marriage on same-sex couples.

Same-sex couples can already obtain all the legal benefits of marriage by entering a civil partnership. Despite many requests to government for an explanation as to why gay marriage is necessary given that no further rights can be conferred that are not already available nor any injustices corrected, no answer of significance has been received. Indeed the government minister responsible for the proposed redefinition of marriage herself informed us that the only justification for the measure was "to meet an emotional need of some same-sex couples".

There are many emotional needs in the world but we do not, cannot and should not legislate for them, especially when doing so affects a multitude of other people for whom the meaning of marriage is settled, appreciated and unchangeable.

(Evangelical Alliance)

The question of equalities are addressed through 'rights and benefits' without challenging 'common understandings' or engaging in redefinitions of 'marriage' as properly reserved for man/woman relationships. More importantly, this is not about the inferiority of 'abiding' (read normative) same-sex relationships, rather they are different. Any redefinition of marriage to

include same-sex has no justification beyond 'emotional need' and such a redefinition would have a profound effect on 'other people.' This supports claims about the fixity of the meaning of marriage as 'unchangeable'. As such equality is achieved through difference rather than sameness and importantly protecting 'other people', read heterosexual people.

An increasingly potent argument used by those who oppose LGBT equalities is that 'the public' has been duped by politicians, the media and the 'gay lobby' into supporting a course of action that will unwittingly lead to the demise of marriage. In the British context, this argument was supported by specific critiques of methodologies that failed to acknowledge the presence of civil partnerships:

The public don't want it.

Seven in ten people want to keep marriage as it is. Other polling which purports to show public support for gay marriage fails to tell respondents that equal rights are already available through civil partnerships. When people are told this crucial fact, most people say keep marriage as it is. (Coalition for Marriage)

Contesting the way the public opinion questions are framed is specific to the British context, i.e. the ways in which civil partnerships in 2004 were purported to be marriage in everything but a name. It is argued that 'people' and the 'public' are being manipulated into redefining marriage through a 'failure' to explain the benefits of civil partnerships and the potential risks to marriage itself. When polling was undertaken by those opposing same-sex marriage, the result were (unsurprisingly) very different:

Polling has shown that 70 per cent of the population support the view that marriage should remain an exclusive commitment between a man and a woman (Marriage Survey, ComRes, 23-24 February 2012). The Coalition for Marriage petition against redefining marriage has gained more than half a million signatures in little over two months and is still growing while the rival petition is relatively small (currently outnumbered 10:1). This effectively demonstrates the overwhelming preference of the British public to preserve the historic definition of marriage as between one man and one woman.

Controlling the data and presenting this in a way that supports arguments in opposition to same-sex marriage, illustrates the importance given to the 'right research' by those opposing marriage. Having competing (and supposedly authentic) research is regarded as key to ensuring opposition groups and their spokespeople are regarded as rational, reasonable people who deserve to be listened to, rather than homophobes who are both 'behind the times' and 'on the wrong side of history'. Presenting factual contemporary data thus does more than support their argument; it allows those who oppose LGBT equalities to position themselves as having a 'reasonable debate', rather than an irrational 'rant'.

The data used by opposition groups also draws on queer and critical arguments made against marriage, by theorists and others who oppose the disciplining normativities of marriage more broadly. This claim that some gays and lesbians did not want same-sex marriage supports opposition groups' assertions that there is 'equality in difference' and that gay people are content with civil partnerships. However, the nuanced insights regarding the possibilities of marriage reiterating oppressions and social injustices are reshaped into a very different rhetoric:

Many gay people don't want it.

Polling shows that only a minority of gay people (39 per cent) believe gay marriage is a priority. And according to the Government only 3 per cent of gay people would enter a same-sex marriage. A number of gay celebrities and journalists are themselves opposed to gay marriage. Latest official data shows that only 0.5 per cent of households are headed by a same-sex couple. Not all of them want, or will enter, a same-sex marriage. So, why is such a monumental change being imposed throughout society? (Coalition for Marriage)

The opposition group, the Coalition for Marriage employs data that suggests that because few gays and lesbians themselves seem to want to marry, it should not be 'imposed' on 'society' (read heterosexual society) as a whole. Of course, the declining marriage rates for heterosexual marriages, do not produce a related conclusion that because less heterosexuals want them that we should remove marriage. Nonetheless, the evidence here of a lack of

support for same-sex marriage amongst gays and lesbians is deployed in a particular way, one that ignores the reasons 'gay people' might be hesitant and critical about marriage. This hesitancy is read as a reason to preserve marriage as the 'union of one man and one woman', rather than a dismantling of the institution itself. Instead, the institution of civil partnerships are presented as 'enough' for 'gay people':

As the gay Labour MP Ben Bradshaw has stated: "This is not a priority for the gay community, which already won equal rights with civil partnerships. We've never needed the word 'marriage'." (Daily Mail, 14 April 2012). It is clear from a recent opinion poll that many gay people are not seeking 'gay marriage', not least because they consider that its imposition will polarise society and result in increased public homophobia. It needs to be noted that many 'gay marriage' campaigners do not speak for the majority of gay people in the UK, many of whom do not want 'gay marriage' because they entered into civil partnerships which they regard as wholly appropriate. The survey also revealed that fewer than half of gay people accept Stonewall's main argument for same-sex marriage, that a legal distinction between civil partnerships and same-sex marriage perpetuates discrimination. (Evangelical Alliance)

This quote from the Evangelical Alliance contests Stonewall's assertion of discrimination, arguing that 'gay people' themselves do not see Civil Partnerships as discriminatory. In this way the Evangelical Alliance opposition to same-sex marriage cannot be regarded as discriminatory'. Indeed it is in the pursuit of same-sex marriage that homophobia will increase, due to the creation of a polarised society. Fault for this is laid only with gay people seeking marriage. These two quotes draw attention to how queer arguments are reused and recuperated by opposition groups in order to oppose same-sex marriage. Contestations of 'gay marriage' are seen as supporting a position of difference and the maintenance of marriage as solely between a man and a woman.

Conclusion

In this chapter we have demonstrated that resistances to LGBT equalities are not confined to 'other places' and that they continue to be manifest where the battles for legislative equalities have seemingly been 'won'. These resistances

are spatially manifest, such that the focus on same-sex marriage by these groups has to be understood within the historical and geographical specificity of Britain. This placing is central to understanding how these oppositions are constituted.

Specifically, we chose to focus on how civil partnerships, introduced to very little opposition in 2004 (Weeks, this volume), and hailed as 'marriage in all but name', were redeployed by those opposed to the Marriage (Same-Sex Couples) Act 2014 and the Marriage and Civil Partnership (Scotland) Act 2014. Civil partnerships were used as a tool to illustrate apparent acceptances of some form of equalities and to challenge accusations of bigotry. Civil partnerships were used in this way because they are not marriage and this enabled a somewhat paradoxical position where equality can be claimed and yet equalities legislations resisted. This served the key purpose of distancing groups from accusations of homophobia. After all how can one be homophobic and support an institution that offers 'marriage in all but name'? Moreover, and reworking arguments presented by some queer and sexualities theorists, 'gay people don't want it' either.

The arguments discussed in this chapter lend themselves to LGBT activisms that argue the opposite, that is, that same-sex relationships are not different to heterosexual ones, instead they are the same. This is what Miceli (2005) identifies in the US context between the Christian Right and 'Gay Social Movement organisations' as opposing frames that polarize strategies. Yet assertions of 'sameness', and political agitation around sameness have been critiqued as normalizing and normative, recreating the oppressive structures of marriage (Barker, 2012), as well as more broadly reiterating neoliberal, raced, classed and gendered orders (see for example, Spade, 2011; Richardson, 2005).

We contend that it is important to pay attention *both* to the ways in which homonormativities are manifest through gay (and lesbian) equalities, *and* to resistances to LGBT equalities. Such a theoretical and political strategy moves beyond the for/against same-sex marriage debates and forces a nuanced consideration of the multiple ways in which sexualities and genders

are spatially policed. This requires paying attention to forces both between 'us' and against 'us', but refuses to create a homogenous 'us' in order to undertake this task. Instead, what we are pushing for is a multi-layered, spatially (and temporally) informed engagement with normativities that incorporates, but also moves beyond, the lives, activisms and politics of LGBT people.

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