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Jowett, A.

Article

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Abstract

This article uses a rhetorically-informed thematic analysis to critically examine conservative arguments against same-sex marriage, as articulated in the British press at the time of a public consultation on marriage equality. Seven opposition arguments were identified: (1) Marriage is by definition and tradition a union between a man and a woman; (2) Marriage is designed as a framework for raising children; (3) If you allow gay marriage now, it will be polygamous and incestuous marriage next; (4) Same-sex marriage would threaten the right to religious freedom; (5) Same-sex couples already have equal rights; (6) Changing the law to allow same-sex marriage would be undemocratic; and (7) The Government should focus on bigger priorities. Many of these arguments were a reworking of arguments previously used to oppose other forms of equality, although there was a notable absence of arguments explicitly based on assertions that homosexuality is immoral.

Same-sex marriage is a contested terrain both within and outside lesbian, gay and feminist academia and activism. There are those who argue that exclusion from marriage on the grounds of a partner's gender is discriminatory, while others claim that lesbians, gay men and feminists alike should be fighting to abolish marriage rather than extending it to same-sex couples (for a range of feminist views expressed prior to the Civil Partnership Act, see the Special Issue of *Feminism & Psychology* (2004, 14[1]) on same-sex marriage). Meanwhile, it has been suggested that the debate outside of feminist scholarship, as played out within the media, parliamentary debates and courtrooms around the world, is often polarised between 'liberals' on the one hand, who argue that same-sex marriage is a simple matter of equality and human rights, and conservatives on the other, who claim it is a threat to traditional marriage, moral values and the family

(Clarke, 2003). This is particularly considered the case in the United States, where same-sex marriage has been described as a key debate within a larger 'culture war' between right wing conservatives and liberal progressives (Fingerhut, Riggle and Rostosky, 2011). By contrast, the issue of same-sex marriage has typically been a more muted affair in the UK, rarely making the news headlines nor featuring prominently on the mainstream political agenda. This all changed in 2011, however, when the UK coalition Government announced that it would be holding a public consultation on the introduction of same-sex civil marriage, sparking a public debate within the British media. (The Marriage (Same Sex Couples) Act was subsequently granted royal assent on 17th July 2013.) This article examines the arguments that were used to oppose marriage equality, as articulated in the British press.

Same-sex couples have been able to gain legal recognition in the UK since 2005 in the form of a 'civil partnership' which provides registered same-sex couples most of the legal rights granted to married heterosexual couples[1]. From the time the Civil Partnership Act (2004) came into force, it has been understood and portrayed in various ways. Jowett and Peel (2010) found that within the British press, civil partnership was predominantly reported as being no different from marriage, with journalists typically using marital terminology and treating civil partnership largely as a euphemism for 'gay marriage'. A second way in which civil partnership was constructed within the media was as something different and inferior; marriage-like but not 'full' marriage. Very little coverage presented civil partnership as being something different but nevertheless equal to marriage.

Research conducted since the introduction of civil partnerships in the UK has found that although they are generally viewed positively by those who choose to have one, there is a level of discontent surrounding the nomenclature of civil partnership. Many civil partners themselves use the terminology of marriage to describe their own relationships (Clarke et al., 2006), and although civil partnership is often viewed as a major step towards equality, it is also paradoxically described as a 'consolation prize' or as perpetuating inequality through implementing a form of segregation (Harding, 2008; Rolfe and Peel, 2011).

In 2006, Sue Wilkinson and Celia Kitzinger, a British couple who married in Canada, brought a legal challenge to the UK Government, petitioning that the UK's refusal to recognise their marriage breached the European Convention on Human Rights in accordance with the right to marry (Article 12), the right to a family life (Article 8) and the right to protection against discrimination (Article 14). The High Court dismissed their case, ruling that marriage is 'by long standing definition and acceptance, a formal relationship between a man and a woman, primarily (though not exclusively) with the aim of producing and rearing children' (Para. 119) (Wilkinson v. Kitzinger, 2006 cited in Harding, 2007). Kitzinger and Wilkinson (2004), by contrast, have argued that civil

partnership and civil marriage are not *different* institutions (they are practically identical in legal terms), but rather civil partnership represents a 're-branding' of marriage with the difference in name serving only to symbolically deny same-sex couples the privileged status of marriage, and thus representational equality.

In September 2011 the Conservative/Liberal Democrat coalition Government announced its plan to consult the public on extending civil marriage to same-sex couples. To appease religious groups, the consultation document proposed that not only would religious organisations not be compelled to conduct same-sex marriages, they would also not be legally permitted to do so (Government Equalities Office, 2012). Such assurances, however, did not forestall opposition. A campaign group calling itself the 'Coalition for Marriage' was soon formed, which, by the end of the public consultation, claimed to have garnered over 500,000 signatures to their anti-gay marriage petition. The arguments put forward by such opponents were given a great deal of attention in the British media, particularly in the right wing press, such as *The Daily Mail* and *The Daily Telegraph*; these will be the main focus of this paper.

Social psychological research focusing on same-sex marriage debates has been conducted predominantly in North America where the issue has been higher on the political agenda and attracted a more sustained level of media attention than in the UK. Research has often taken the form of attitudinal research and focused on predictors of attitudes towards same-sex marriage. Herek (2011) summarised this body of research indicating that heterosexuals' attitudes towards marriage equality correlate with a number of individual differences such as: political values (with conservatives being more likely to oppose than liberals); ethnicity (with African Americans being more likely to oppose than non-Hispanic whites); contact with lesbians and gay men (with those who know fewer non-heterosexuals being more likely to oppose); and sexual prejudice (with those who hold prejudiced attitudes towards non-heterosexuals being more likely to oppose same-sex marriage). Such research, however, arguably locates heterosexism within pre-existing 'attitudes' of individuals rather than situating it at an ideological level and individualises a *political* problem. Billig (1987, 1991), on the other hand, has argued that 'attitudes' should not be understood as internal schemas held by individuals (or groups of individuals) but rather as rhetorical stances taken within matters of controversy and debate. A rhetorical approach then takes matters of argument as its central focus rather than attitudes *per se*.

In an effort to focus on rhetoric rather than attitudes, other research has tended to examine the *arguments* used publically to oppose same-sex marriage. In a study of public debate over same-sex marriage in Hawaii, Hull (2001) found thirteen 'discourses' in letters to newspaper editors opposing same-sex marriage. Arguments identified included the need for the will of the majority to prevail and objections to the tactics of marriage

equality advocates. Other frequent discourses were: the immorality or unnaturalness of homosexuality; the idea that homosexuality is a choice; and the argument that marriage by definition involves one man and one woman. While supporters of same-sex marriage most often invoked discourses of rights and tolerance, Hull claimed that opponents employed discourses of democracy and morality. Another study by Cole, Avery, Dodson and Goodman (2012) examined the frequency of some common arguments used to oppose same-sex marriage in the US. First reviewing the scholarly literature, Cole et al. identified key oppositional arguments: 'change over time' arguments, which claim that marriage arrangements have been fixed across time and place (and therefore should remain that way); 'norms' based arguments which suggest that same-sex marriage is a threat to social order; 'procreation' arguments which emphasise the necessity of two people of different biological sexes to reproduce; 'welfare of children' arguments which assert that children raised by a mother and father within marriage do best; and 'moral' arguments, often involving religious pronouncements about the immorality of homosexuality. They then used content analysis to assess the prevalence of these arguments within prominent US newspapers. Arguments that marriage has always referred to a heterosexual union, and therefore should continue to do so, were the most frequently used (mentioned in more than a third of articles), followed by moral arguments (appearing in just under a third of articles).

The forms that same-sex marriage debates take are undoubtedly culturally specific – for example in some African countries the issue of same-sex marriage often intersects with cultural discourses about whether homosexuality is an 'un-African' Western import (Cock, 2003; van Zyl, 2011) – and the content and form of an argument on any matter of controversy will be shaped by the rhetorical context in which it is expressed (Billig, 1991).

As a key ally of LGBT psychology, feminist psychology has a shared interest in dismantling social inequalities (Clarke and Peel, 2005). One important way of doing this is to examine the way in which inequalities are justified and legitimated in discourse. For example Rosalind Gill (1993) used discourse analysis to examine how male radio DJs explained and justified gender inequality in radio broadcasting and argued that by doing so we can learn something about how inequalities are perpetuated. Similarly, Clarke (2001) examined arguments against lesbian and gay parenting within the media, while Ellis and Kitzinger (2002) examined arguments in parliamentary debates against equalising the age of sexual consent for gay men in line with that for heterosexuals. The aim of this study was to identify the content of arguments against marriage equality as well as to examine the patchwork of interpretative resources drawn upon in putting forward these arguments, within the British press. Although the fight for same-sex marriage in the UK has now been won, this debate continues to be played out around the globe and there may well be common rhetorical tropes and patterns of argumentation used to resist equality legislation in different contexts. This study therefore contributes to

critical psychological work concerned with the rhetorical legitimation of inequality (e.g., Gill, 1993; Wetherell and Potter, 1992; Clarke, 2001; Ellis and Kitzinger, 2002; Summers, 2007).

Method

The Data Corpus

The analysis is based on British national newspaper coverage collected over a nine-month period (October 2011 – June 2012). This time period was selected to examine opinions represented within the press from just after the Government's announcement of the public consultation to the end of the consultation period. During this time, a number of notable events occurred: the Conservative Party held their annual conference during which David Cameron defended his support for same-sex marriage; the UK officially entered a 'double-dip' recession; a number of European countries struggled to refinance their sovereign debt, further threatening the UK economy; the Conservative party suffered major losses in the May 2012 local elections; and President Barack Obama for the first time publicly declared his support for same-sex marriage in the US.

The Nexis UK database was used to identify press coverage of same-sex marriage in UK national newspapers using "marriage" as a key search term in combination with the terms "gay" or "same-sex". This search retrieved over 3,000 results. As the aim was to examine arguments articulated within the UK press, only comment/opinion pieces, editorials and letters to editors which directly expressed an opinion on same-sex marriage were selected for analysis. News stories related to same-sex marriage adopting a journalistic veneer of neutrality were excluded. This provided 105 editorial/opinion/comment pieces and 103 published letters to editors. Opinion pieces were written by a wide range of people including newspaper editors, regular columnists, politicians and religious leaders. Letters to editors not only came from unknown readers but also included individuals representing organisations (e.g., the director of the Family Education Trust), other publications (e.g., the editor of the *Christian Law Review*) and even a Member of Parliament. The data came from 11 national UK newspapers (tabloid and broadsheet) from across the political spectrum, however arguments *against* same-sex marriage were represented predominantly within the more conservative and right wing publications (e.g., *The Daily Telegraph, The Daily Mail, The Daily Express*), and so these predominate in the analysis[2].

Method of analysis

The data corpus was analysed thematically (Braun and Clarke, 2006) to identify recurrent arguments against same-sex marriage and theoretically drew on the tradition of rhetorical psychology (Billig, 1991, 1995; Billig et al., 1988). A rhetorical approach is part of a wider family of discourse analytic methods (see also Potter, 2007) with a particular focus

on examining lines of argument within discourse (Gibson, 2011). It involves a critical interrogation of the rhetorical strategies and practices employed in argumentation, a concern for how arguments work and what ideological functions they serve. Billig (1991) proposed that expressing opinions on matters of controversy involves an argumentative dialectic of justifying one's own stance and criticising counter-positions. Furthermore, he suggests that these justifications and criticisms are typically structured around ideological 'commonplaces', which are culturally shared values that are typically not matters of debate. My analytic aim was not to engage directly with the arguments in the sense of making counter arguments or providing evidence to contradict opponents' claims, as other psychologists have done (e.g. Mustanski, 2008), but rather to better understand their rhetorical nature. A sustained focus on arguments against (rather than for) same-sex marriage enabled the focus on *how* these arguments are used to heterosexist effect.

Analysis followed the procedure outlined by Braun and Clarke (2006), beginning with an initial reading of the entire data corpus to gain a broad sense of its content, followed by free coding the data. The data items containing arguments *against* same-sex marriage were then selected for further analysis, re-coded and grouped thematically according to the content of the key arguments put forward. These themes were then refined with some arguments merging into other broader arguments, and these themes were given names that captured the essence of each argument. Extracts related to each argument were collated and extensive notes were made regarding the rhetorical strategies used.

Analysis

Seven recurring arguments were identified within the data set: (1) Marriage is by definition and tradition a union between a man and a woman; (2) Marriage is designed as a framework for raising children; (3) If you allow gay marriage now, it will be polygamous and incestuous marriage next; (4) Same-sex marriage would threaten the right to religious freedom; (5) Same-sex couples already have equal rights; (6) Changing the law to allow same-sex marriage would be undemocratic; and (7) The Government should focus on bigger priorities. Throughout the analysis, parallels to arguments used in previous debates to deny lesbians and gay men equality will be highlighted as will the rhetorical context of others.

Marriage is by definition and tradition a union between a man and a woman

One of the most commonly deployed arguments against same-sex marriage in the media suggested that marriage is in some way *inherently* heterosexual. For instance, one commentator suggested that opposition to same-sex marriage was premised upon the 'intellectually coherent position' that 'marriage is, on the basis of tradition and definition, intrinsically a heterosexual institution' (*The Observer,* 18 March). This line of argument

was typically underpinned by another argument; that (heterosexual) marriage was a timeless concept whose meaning had remained constant across time and place:

> Throughout history and across cultures, marriage has been recognised as being between one man and one woman. Over the centuries, when legislatures brought in laws on marriage, they were not inventing it, just recognising its reality (*The Daily Telegraph,* 14 March)

As can be seen in the above extract, traditional marriage was presented as something pre-discursive, with heterosexual marriage constructed as a 'reality' which the law merely recognises. Marriage was described as stretching back to the beginning of humanity: 'I question whether even Mr Cameron has the capacity to rethink an institution which has dominated the world (for better, for worse, for richer, for poorer) since Adam and Eve' (*The Daily Telegraph,* 10 March). It was described as something which is 'universally understood' (*The Sunday Telegraph,* 4 March).

Opponents of same-sex marriage also argued that marriage was *by definition* a relationship between a man and a woman and same-sex marriage was thus ontologically positioned as an oxymoron:

> This is an issue simply of semantics, rather than justice, morality, social convention or biblical theology: by definition (see various dictionaries) marriage is between a man and a woman (*The Guardian,* 13 March)

Another commentator described the proposed bill as 'an attempt to redefine reality' (*The Sunday Telegraph,* 4 March). The ostensibly authoritative, value-free and 'factual' quality of dictionaries makes appealing to current definitions a persuasive rhetorical strategy (Potter, 1996; Braun and Kitzinger, 2001). In this way, legalising same-sex marriage was constructed as illogical. Heterosexual marriage was also typically described as 'traditional'. Indeed 'traditional marriage' was used as a euphemism for heterosexual marriage, presenting heterosexual privilege and the exclusion of same-sex couples from the institution of marriage as a part of our cultural heritage and something to be preserved for future generations.

Marriage is designed as a framework for raising children

Opponents of same-sex marriage often described the 'purpose' of marriage as being related to procreation and the formation of the nuclear family. Marriage was described as 'a framework for raising children' (*The Sun,* 19 March) or as existing in order to 'constitute the family unit of parents and children' (*The Daily Telegraph,* 13 June). Within these arguments, the nuclear family was constructed as the ideal family unit and as the 'bedrock' of society. Inherent in many of these arguments was the notion that the

State has a vested interest in the stability of heterosexual relationships for the sake of their children, while having no such interest in the stability of same-sex partnerships:

> The Government's fundamental interest in marriage should be confined to preserving an institution in which the raising of the next generation of citizens is stable and secure. Its interest in other kinds of relationship, though it may regard them as of equal esteem, has no pressing importance (*The Daily Telegraph,* 12 June)

There is an assumption here that same-sex couples do not raise children – and that heterosexual couples *do* – and that the stability and security of children cannot be met by same-sex parents (or indeed any parent(s) outside of marriage). Others argued that restricting marriage to heterosexual couples was in the best interests of children. This line of argument is illustrated in the following extracts, the first of which is taken from a letter to the editor of *The Times* by a Conservative Party MP:

> Marriage is vital because it is where child rearing tends to take place. Evidence recognises that married parents are good for children and society. If gay couples are considered equally eligible for marriage, even though gay relationships do not tend towards child-raising and cannot by definition give a child a mother and a father, the crucial understanding of what marriage is mainly for has been discarded (*The Times*, 13 March)

A comment piece by Scotland's most senior Catholic, Cardinal Keith O'Brien, also included the following:

> Marriage has always existed in order to bring men and women together so that the children born of those unions will have a mother and a father. This brings us to the one perspective which seems to be completely lost or ignored: the point of view of the child. All children deserve to begin life with a mother and father; the evidence in favour of the stability and well-being which this provides is overwhelming and unequivocal. It cannot be provided by a same-sex couple, however well-intentioned they may be. Same-sex marriage would eliminate entirely in law the basic idea of a mother and a father for every child. It would create a society which deliberately deprives a child of either a mother or a father. (*Sunday Telegraph*, 4 March)

Both of these extracts construct marriage as existing for the purposes of child rearing and use emotive rhetoric that emphasises the sanctity of childhood (see also Clarke, 2001). Note that in the first of these extracts, marriage is described as being 'where child rearing *tends* to take place' and as 'what marriage is *mainly* for', acknowledging potential criticisms that not all children are reared in heterosexual marriages, and not all married couples raise children. The argument is therefore hedged in terms of generalities while glossing over the exceptions. Both also claim that heterosexual marriage provides the

best environment in which to raise children and present this claim as an assertion of fact by referring to unspecified 'evidence' (see Potter, 1996, regarding the rhetorical use of fact construction). This line of argument implies that there is a deficit within families headed by same-sex parents, as they are unable to provide both a mother and a father within the parental 'unit' (Clarke, 2001). The idea that a child should be raised by a mother and a father is constructed as a 'basic idea', appealing to readers' commonsense, and implies that the law should uphold this idealised and naturalised state through maintaining a special status of marriage for heterosexuals only.

In making his case, Cardinal Keith O'Brien claims to represent not the view of the Catholic Church, but rather, 'the point of view of the child' which he claims is ignored by equal marriage advocates. As Clarke (2001) notes, this is kind of rhetoric is powerful, because the need to act in 'the best interests of children' is an ideological commonplace within our culture which would be very difficult to argue against.

These arguments framed the debate around how children should be raised rather than around equality or how relationships should be legally recognised. They constructed marriage as part and parcel of a heteronormative script: men and women marry, have children and raise those children together within the archetypal nuclear family. Furthermore, this rhetoric claims that following this script is what is best for children and society and thus should be promoted by the state through privileging heterosexuality, by excluding – in the interests of children – same-sex couples from marriage.

If you allow gay marriage now, it will be polygamous and incestuous marriage next

There were many examples within the data of the classic form of rhetoric often referred to as the 'slippery slope', 'thin end of the wedge' or 'where will it end?' argument (Rizzo and Whitman, 2003). It was typically claimed that if same-sex marriage were legalised, there was a danger that polygamous or incestuous marriage might follow. Slippery slope arguments have been mobilized to pursue a conservative agenda in a wide range of political debates and have historically been used to oppose lesbian and gay equality. For example, Ellis and Kitzinger (2002) noted that proposals to equalise the age of consent for gay men were met with arguments that this would inevitably lead to lesbians and gay men demanding further rights - including the right to marry - which was construed as a step too far. Scholars such as Calhoun (2005) and Cahill (2005) suggest that within same-sex marriage debates social hostility and disgust towards polygamy and incest are invoked to whip up a moral panic around the 'erosion' of sexual norms in modern Western societies. Rizzo and Whitman (2003) examined the use of slippery slope arguments across a range of public debates in the US, and argued that this form of rhetoric is based upon the premise that the argument for a proposed change (e.g. same-sex marriage) and the potential argument for future changes (e.g. incestuous marriage) are 'indistinguishable in principle', and that accepting the former would require one to

logically accept the latter – also evidenced in my data. For instance, take the following extract:

> If marriage can be redefined so that it no longer means a man and a woman but two men or two women, why stop there? Why not allow three men or a woman and two men to constitute a marriage, if they pledge their fidelity to one another? If marriage is simply about adults who love each other, on what basis can three adults who love each other be prevented from marrying? (*The Sunday Telegraph*, 4 March)

As Billig (1991) notes, opinion giving inevitably involves positioning one's argument in relation to counter-opinions. In the above extract this is done using an if-then type formulation. The author presents a version of the argument for same-sex (and thereby gender-neutral) marriage: '*If* marriage is simply about adults who love each other...', before posing a rhetorical question: *[then]* 'on what basis can three adults who love each other be prevented from marrying?' The author here is not presenting an argument *for* legally recognising polyamorous relationships but rather is constructing proponents' arguments as flawed through claiming to extend their reasoning to its inevitable conclusion. It is taken for granted that readers (including those who may support same-sex marriage) oppose the notion of polygamy and this works to undermine support by suggesting that those who support marriage equality must, by logic, also support polygamous marriage. It also assumes that there are no arguments against polygamy which do not apply to same-sex marriage. By deploying this argument, opponents direct attention away from the issue at hand (same-sex marriage), which may be deemed rather innocuous by many, and construct it as a debate about the legalisation of polygamy and incest which would be more commonly opposed.

Same-sex marriage would threaten the right to religious freedom

Another 'danger' of marriage equality articulated within the data was that it posed a threat to religious 'freedom of conscience'. The argument went that, if the government allowed same-sex civil marriage, it would only be a matter of time before the courts forced churches to marry same-sex couples, drawing on the commonplace principle, identified by Wetherell and Potter (1992) in political discourse, that 'nobody should be compelled' to act against their conscience. This argument was however pre-emptively responded to in the Government's consultation document, in which it was proposed that it would be explicitly written into the legislation that religious ministers or organisations could not be compelled to marry same-sex couples. Yet this did not result in opponents ceasing to use this argument, rather, opponents questioned the credibility of the Government's assurances, by questioning its authority to sustain such a position:

> His [David Cameron's] flagship policy, he claims, will "change what happens in a register office, not what happens in a church". I hope we're not being governed by a prime minister who sincerely believes any such nonsense […] The moment the

first registrar officiates a homosexual marriage, and the first vicar refuses to do so, the vicar will be sued for discrimination faster than you can say 'European Court of Human Rights' (*The Daily Mail,*4 April)

The truth is that nothing the Government promises to put in a new law is worth a light anymore, because Strasbourg can simply overrule it (*The Daily Mail,*12 June)

The UK government were thus constructed as powerless and at the behest of the European Court of Human Rights (ECHR), while the ECHR was portrayed as a threat to freedoms of religious belief and conscience. This argument constructs marriage equality as being potentially in conflict with others' human rights, and pits the rights of lesbians and gay men against the rights of those with a religious belief. It presents same-sex marriage as potentially precipitating an injustice rather than remedying one and effectively positions those of a religious faith as being the ones who are really persecuted and under threat, rather than lesbians and gay men.

Same-sex couples already have equal rights

This argument claimed that equal marriage legislation was not required as lesbians and gay men already had 'equal rights' in the form of civil partnerships, and that the proposal for marriage equality would not confer same-sex couples any additional 'legal rights':

The Mail passionately supports the principle that everyone should be equal before the law, regardless of race, creed, or sexuality and has consistently backed civil partnerships for gay couples. Everyone deserves the right to have their commitment to a relationship legally recognised, with the security and inheritance tax advantages that brings. But would gay marriage confer any more legal rights than civil partnership, and is there really a genuine demand for it? (*The Daily Mail*, 16 March).

Opponents advancing this argument would typically draw on the commonplace principle that 'everyone should be equal before the law' (Wetherell and Potter, 1992), and it was often presented in a concession/criticism disclaimer format, whereby opponents conceded the importance of lesbian and gay equality before criticising the proposed equality legislation as unnecessary (see Wetherell and Potter, 1992, for examples of how similar rhetorical resources have been deployed to racist effect). By commenting on the merits of civil partnerships, opponents of marriage equality positioned themselves as being *for* equality while being against same-sex marriage, thus re-appropriating the notion of equality and mobilizing it to their advantage (see also Summers, 2007). Through conceding support for lesbian and gay equality in the form of civil partnerships, the argument for the continued exclusion of lesbians and gay men from the institution of marriage is presented as balanced and fair.

Equality was constructed in terms of the legal substance of 'rights' conferred by the two forms of relationship recognition rather than in terms of social and symbolic status (Kitzinger and Wilkinson, 2004). Marriage and civil partnership were thus described as legally equivalent and the difference in name was presented as irrelevant:

> The truth is no one has been able to explain to me the difference between gay marriage and a civil partnership. I have asked ministers and friends. None has an answer. But I do. We already have gay marriage - it's called civil partnership. Why can't Mr Cameron just leave it there? (*The Daily Mail,* 12 June)

Some used the fact that civil partnerships are often described using the vernacular of marriage as evidence that no change was needed:

> The Coalition's policy of promoting gay marriage addresses a problem that does not need solving in the manner proposed. How many gay couples do not already refer to themselves as "married"? The rights established by civil partnership are equal to the rights conferred by a civil wedding. (*The Daily Telegraph,* 9 March)

Furthermore some commentators presented civil partnership as preferable to full marriage equality as it avoided 'offending' those opposed to same-sex marriage:

> [T]he existing system is a classic but effective British compromise, managing to offer the substance of marriage, in the shape of civil partnerships, without offending the many who believe that the ceremony itself must be reserved for men and women only (*The Daily Telegraph,* 5 March)

Those who put forward this argument often did so in conjunction with the previous argument, to suggest that the implementation of the proposal could lead to an unjust infringement of religious freedoms, while the status quo involved no injustice at all: 'If it was a question of justice, what injustice would result from not turning civil partners into married couples? I suggest: no injustice' (*The Guardian,* 18 May).

Summers (2007) notes that although the notion that everybody should be treated equally is typically beyond question, the extent to which a policy under debate is framed as being *about* equality is a highly negotiable matter. Accordingly, opponents characterised the campaign for marriage equality as not about equality but about something else. Many, for instance, suggested that the proposed legislation was an attempt by David Cameron to re-brand the Conservative Party as a modern, liberal party and divest itself of its homophobic public image:

> Even some of the Prime Minister's admirers concede that the policy has less to do with offering equality to the gay community and more to do with decontaminating the allegedly 'toxic' Tory brand (*The Daily Mail,* 12 June)

This line of argument employed a rhetorical strategy of calling into question an opponent's motives by constructing the proposal for same-sex marriage as being based on

public relations and party politics. This argument therefore opposes marriage equality not by arguing against 'equality', which is treated as something that all sides believe in, but by constructing the status quo as already constituting equality, and presenting the proposal for marriage equality as an unprincipled political strategy.

Changing the law to allow same-sex marriage would be undemocratic

Many opponents appealed to notions of democracy, arguing that there was no evidence that the majority of British citizens were in favour of same-sex marriage or used opinion polls to imply that the majority were opposed; 'There is widespread opposition to this plan. One opinion poll said 86 per cent thought you didn't need gay marriage to have equal rights' (*The Sun,* 5 March). This argument draws on a commonplace principle that 'minority opinion should not carry more weight than majority opinion' (Wetherell and Potter, 1992). 'Popular opinion' has historically been used as a justification to curtail equality for lesbian and gay men. For instance, Smith (1994) observed that opinion polls were used to powerful effect in the introduction of Section 28 of the Local Government Act (1988) which prohibited local authorities (including state education) from 'promoting' homosexuality. Similarly, Ellis and Kitzinger (2002) noted that majoritarian arguments were employed by members of parliament opposed to equalising the age of consent for gay men in line with that for heterosexual partners. Moreover, Ellis and Kitzinger claimed that the idea that the Government should act upon majority opinion is often 'elevated to the status of a democratic right that overrides the principle of equality' (2002: 172). In my data, opponents of same-sex marriage claimed that the Government had no *mandate* to introduce such equality legislation:

> I do not care if gays want to live together but I thought we lived in a democracy and MPs were elected to carry out the will of the electorate. She [the Government's Equalities Minister] obviously thinks differently and is acting rather like a dictator (*The Daily Express,* 19 March)

In addition to opponents positioning themselves as being in line with majority opinion, this claimed majority was also commonly constructed as a 'silent majority', despite the many column inches dedicated to opposition arguments; 'the majority of people - mostly silent - are being asked to accept a policy advocated by a minority' (*The Daily Mail,* 17 March). In contrast, proponents of the legislation were described not only as a minority but a 'vociferous minority' (*The Daily Express,* 15 March) or as 'a few militants' (*The Sun,* 19 March). Same-sex marriage was portrayed as something only of interest to a powerful 'elite', variously described as a 'metropolitan' (*The Sunday Express,* 6 May), 'urban' (*The Daily Mail,* 4 May) or a 'governing elite' (*The Daily Mail,* 28 May). Similarly, same-sex marriage was described as a 'minority issue' which 'concerns very few, but curries favour with the political intelligentsia' (*The Daily Mail,* 1 May). The implication of this kind of discourse is that Government policy should concern itself with

the many rather than the few, with 'ordinary' (heterosexual) people, like the presumed readers of such articles, rather than 'minority' groups who are constructed as seeking to be *overly* powerful and influential, and seeking political representation beyond what is warranted by their numbers.

The Government should focus on bigger priorities

The final argument identified here placed the issue of marriage equality within the UK's economic context, to construct the proposed bill as a waste of valuable legislative time:

> Given our present economic situation, why does Mr Cameron think that so much parliamentary time and energy should be dedicated to a change in the law which would obliterate vast amounts of our cultural and legal heritage? (*The Daily Telegraph,* 14 March)

This argument was often used in conjunction with the previous argument (that the introduction of same-sex marriage was undemocratic), citing opinion polls appearing to demonstrate that the public did not consider the proposed change to be a 'priority': 'Nearly 80 per cent of all voters do not think abolishing the legal distinctions between gay relationships and marriage as traditionally conceived should be a priority during this Parliament' (*The Sunday Telegraph,* 11 March). Marriage equality, together with a proposed reform to the House of Lords, was presented by commentators in the right-wing press as emblematic of the Government's misguided priorities. For instance, *The Daily Telegraph* (14 May) ran an article with the headline 'While the Eurozone collapses, Britain's politicians witter on about House of Lords reform and gay marriage'. Both proposals were described as 'fringe issues' (*The Daily Mail,* 4 May), or 'middle class problems', in contrast with issues such as 'crime, immigration and Europe' (*The Daily Telegraph,* 4 May). Again, as with the previous argument, the Government's proposal for marriage equality was constructed as symptomatic of a political class which is disconnected from ordinary people[3]. This rhetoric was used by commentators who claimed explicitly not to object to marriage equality in principle, but who also argued that the time was not right or that the issue was of little importance: 'Personally I do not find this objectionable, just highly marginal to the real problems facing Britain' (*The Daily Express,* 10 March). The argument is framed in terms of what is in the best interests of the country (i.e. a return to economic prosperity) and positions marriage equality as an unwelcome distraction from this. By not opposing same-sex marriage in principle, this kind of rhetoric is guarded against accusations of prejudice.

Discussion

I have identified seven arguments which were commonly put forward in the British press as reasons why same-sex couples should not be granted the right to marry. Many of these are variations of arguments used previously to oppose lesbian and gay equality, such as lesbian and gay adoption (Clarke, 2001) and the equal age of consent for gay men (Ellis and Kitzinger, 2002). The rhetorical and interpretive resources mobilized have also similarly been used in other contexts, for instance to legitimise racial inequalities (Wetherell and Potter, 1992).

These arguments were rarely employed as standalone arguments, but were used in various combinations and iterations, making up a complex web of rhetorical resources. For instance, the argument that marriage is by definition and tradition between a man and a woman was typically used in combination with assertions that marriage is designed as a framework for raising children. In these arguments, historical precedence, tradition and the supposed purpose of marriage were treated as common sense. Meanwhile, the claim that the proposed legislation was undemocratic was commonly used in conjunction with the argument that marriage equality should not be the Government's priority. These tended to draw on opinion polls to warrant opposition and, at times, stated that same-sex marriage was not objectionable in principle but that current conditions (such as the level of public support or the current economic climate) meant that it was not the right time.

Many of the arguments identified here are similar to those described by Cole et al., (2012) in US same-sex marriage debates, and in particular, the arguments they referred to as 'change over time', 'procreation', 'welfare of children' and 'norms' based arguments. However, my analysis has demonstrated that such arguments are more than simply a 'rhetorical invocation of what is natural' as Cole et al. (2012: 50) assert. The arguments typically draw upon a patchwork of commonplace principles or interpretive repertoires to appeal to the reader's 'commonsense'. This is not to suggest that commonsense ideas of what is considered 'natural' (and thereby normal) are not used within same-sex marriage debates. As demonstrated above, (heterosexual) marriage was constructed as somewhat of a natural institution which the government simply recognises. However there is a lot more rhetorical work going on within these arguments than an invocation of what is natural.

In contrast to studies based on North American debates (e.g. Cole et al., 2012; Hull, 2001) and previous debates of lesbians and gay equality in New Zealand (e.g. McCreanor, 1996), Australia (e.g. Summers, 2007) and the UK (e.g. Clarke, 2001; Ellis and Kitzinger, 2002), there was a notable absence of arguments explicitly based on assertions that homosexuality is immoral. This was largely the case even in opposition articulated by religious leaders. This absence is significant, given the long history of religious rhetoric being used to resist lesbian and gay equality. In contrast to the US, where religious rhetoric remains prominent within the political arena (Stenger, 2008), perhaps religious-based morality is no longer considered commonsensical within an

increasingly secular UK (NatCen, 2012) and this is reflected within the rhetoric used. Or it may be that invoking religious morality is deemed rhetorically risky, and more open to accusations of prejudice, than the arguments found here.

The manner in which arguments are shaped by the rhetorical context in which they occur can be seen by the use of the UK's economic problems as a warrant for maintaining the status quo. This argument has not been identified as featuring strongly in previous debates regarding lesbian and gay rights, but it does draw on the commonplace principle of political discourse identified by Wetherell and Potter (1992:117), that 'resources should be used productively and in a cost effective manner'. In other contexts, similar arguments have been used to oppose asylum seeking, or to call for caps on immigration (e.g. Goodman, 2010; Goodman and Burke, 2010), and here we see how this rhetorical resource can be used, particularly in a time of economic uncertainty, to warrant continued inequality, through a call to priorities.

Ellis and Kitzinger (2002) have argued that by engaging in a 'counter-arguments approach' (e.g. by challenging claims that children brought up with heterosexual parents do best) lesbian and gay equality advocates allow the opposition to set the agenda and human rights arguments become lost among a plethora of other arguments. Summers (2007), however, notes that once a commonplace principle has been made relevant within a debate, all those engaging in the debate face rhetorical pressure to adopt those same principles in their own arguments. Refraining from engaging in counter-arguments would therefore risk allowing opposition arguments to go unchallenged. Ellis and Kitzinger (2002) also suggested that a *human rights* argument is superior to an 'equality' argument because equality can be constructed in different ways. However, as my analysis has demonstrated, the notion of human rights can also be mobilized by opponents of equality. Both equality and human rights discourses are flexible discursive resources which can be variably deployed by both supporters and opponents of social change. My analysis also suggests that there may have been somewhat of a backlash against human rights discourses, with elements of the right wing press constructing human rights as something imposed on the UK by the ECHR[4]. I do not suggest that marriage equality advocates abandon the use of human rights discourses, however, the nature of the debate may require advocates of equality to have a more extensive toolkit of rhetorical resources, to suit the nuances of the local socio-political climate and respond adequately to counter-positions.

Feminist critiques of marriage (see Finlay and Clarke, 2003 for an overview) were also notably absent within the debate. The notion of marriage as representing a *social good* appeared largely to be a taken for granted cultural commonplace, articulated by both marriage equality advocates and opponents alike. This may have presented a dilemma for some feminists who advocate same-sex marriage on the basis of equality, but are critics of the institution itself (Kitzinger and Wilkinson, 2004), as it suggests that conservative

and assimilationist arguments for equality are likely to be the most politically expedient. However, irrespective of feminists' views of same-sex marriage, examining conservative rhetoric against marriage equality is important because such arguments typically rehash arguments used previously to oppose equality historically, and therefore may well be used again in one form or another in the future. Through better understanding arguments used to oppose equality today, we might be better prepared to challenge them tomorrow.

Acknowledgements

Notes

[1]There are some differences regarding eligibility for some pension rights and courtesy titles and laws regarding adultery and non-consummation do not apply to civil partnerships. There are also some differences regarding how the two unions are formalised. Civil partnerships are officially formed by signing a register whereas civil marriage must be solemnised with spoken words and marriage can be either a religious or civil ceremony while the civil partnership registration itself must remain secular (Government Equalities Office, 2012).
[2]Full references for all data extracts are available from the author upon request
[3]This line of argument became more prominent after the Conservative Party lost a large number of seats in the May 2012 elections, for which commentators in the right-wing press attributed to the Government's misguided priorities.
[4]See Hull (2001) for a discussion of the political limitations of a rights discourse for same-sex marriage advocates in a US context.

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