

## Debating Same-Sex Marriage

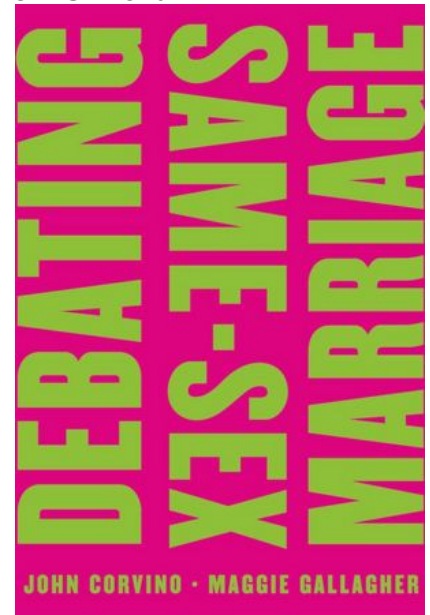
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*As the uproar over the recent New York State law demonstrates, same-sex marriage is a perennial hot-button issue, certain to impact the 2012 US election. **Debating Same-Sex Marriage** provides a roadmap to both sides of this contentious matter. **Megan Pearson** thinks despite its flaws, the book's importance lies in its refreshing ability to facilitate a productive and rigorous debate.*



**Debating Same-Sex Marriage. John Corvino and Maggie Gallagher. Oxford University Press. June 2012.**

Few issues create such heated debate as same-sex marriage. In America, six states plus the District of Columbia have permitted marriage between same-sex couples but there is bitter opposition in others, with many prohibiting it in the state constitution. In the UK, recent plans to introduce same-sex marriage have caused controversy, and political disunity in the Coalition government. This book brings together two American commentators from opposing sides of the debate: John Corvino, an Associate Professor at Wayne State University and writer on LGBT issues, and Maggie Gallagher, co-founder of the National Organization for Marriage, to give the case for and against same-sex marriage.



Given the gulf between the two sides, this book has the aim of 'achieving disagreement', which Gallagher defines as 'the process whereby both sides understand the others' arguments and understand why they disagree' (p.91), something she notes this debate lacks. With this aim in mind, the book takes the format of argument and response. The book is in some ways conservative (as the authors readily admit): marriage as an institution is not challenged and 'the family' is seen as an unqualified positive. This does not detract from what the book tries to achieve, which is a straightforward debate on the core issue.

Corvino makes the case for same-sex marriage. As well as pointing out the practical disadvantages which result from a ban on marriage, he argues that marriage's more intangible benefits should be available to same-sex couples and to any children brought up by them. His argument depends on a view of the purpose of marriage as complex but mainly based on a lifelong mutual caring commitment to another person. Given that gay couples are just as capable of

sharing this commitment as heterosexual ones, he argues that there is no reason to deny marriage without violating a principle of equal dignity and respect. He is careful to avoid the argument that 'people should be able to marry anyone they love' and therefore persuasively argues that permitting same-sex marriage will not lead to a slippery slope in permitting incestuous or polygamous marriage.

Although Gallagher describes herself as holding 'standard Catholic opinions' on matters such as marriage and sexuality she nowhere refers to explicitly religious arguments. Much of her argument depends on what she sees as the purpose of marriage: primarily controlling procreation and making it more likely that children are brought up by a mother and father. She makes the case for the importance of monogamy in heterosexual relationships and argues that marriage needs to encode this ideal. Finally, she draws on studies relating to the effect of marriage and sexuality on children's well being.

In such a heated debate the authors do well to 'achieve disagreement' and even when they disagree vehemently, they maintain respectful communication. Their discussions of the data about what kinds of relationships are best for child rearing are interesting and well-informed. So too are their reflections on the purposes of marriage and why there are many relationships of love that are valuable but which are not 'marriage' or 'marriage-like'.

It is of course in the very nature of the book that you will strongly disagree with much of it. However, there are unnecessary frustrations. The book is primarily written for a lay audience and utilises a more journalistic rather than academic style. This is not in itself a problem, but the focus on anecdote (mainly, although not entirely, from Corvino) is unnecessary. While it is heartwarming to hear about a gay couple who have adopted or fostered five difficult to place children and who live on 'a Victorian farmhouse on five acres, with chickens, pigs, goats, a bird, a turtle, some fish, a dog named Scout and a cat named Milkshake' (p.59), it has very little to do with the debate. In fact in some way it is intellectually dishonest. A right to marry has nothing to do with being 'nice' and is certainly not about being middle-class and comfortably well off.

Furthermore, neither is particularly careful to distinguish the effect of same-sex marriage from other legal or cultural pressures. Many of the deleterious examples of the results of same-sex marriage given by Gallagher, relating for example to religious freedom, are actually about the effects of non-discrimination laws, a related but separate issue. Corvino also falls into a similar trap. For example when discussing hospital visitation rights he describes a situation where a woman was not permitted to see her dying long-term partner. This of course is tragic, but it has little to do with same-sex marriage. The couple had documents granting them legal hospital visitation rights but these were ignored. While marriage would give this right automatically, and the ability to easily gain such legal rights is an important argument for same-sex marriage, this case really concerns (probably illegal) discrimination and it is unclear why this prejudice would be eradicated by the existence of same-sex marriage.

Having said this, this book makes a valuable introduction to the debate. It lays out the main arguments for and against same-sex marriage and leaves the reader better informed, particularly perhaps of the side they are less in sympathy with. However, perhaps its main importance lies in the fact that this book meets its hope of 'promoting a conversation that is spirited, rigorous, civil and productive' (p.3).

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**Megan Pearson** is a PhD student in the Department of Law at the London School of Economics having completed an undergraduate degree in Law at the University of Cambridge and an LLM at King's College London. She is also a member of Middle Temple. Her research concerns the clash between freedom of religion and non-discrimination rights in the UK, Canada and the USA. [Read more reviews by Megan.](#)

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