

## On “Gay marriage and the death of freedom”



**BRENDAN O'NEILL**, the editor of Spiked Online argues that the marriage of homosexuals foreshadows “a new dark age”. Larded with rhetoric about “ugliness”, “tyranny”, and “the death of freedom” he insists that a liberal elite, aided and abetted by small groups of intolerant lobbyists, is overturning “What humanity has believed for thousands of years”. According to Brendan heterosexual couples in Great Britain are dismayed at finding themselves in an institution that has been changed overnight by government fiat. Equal marriage was not what they signed up for, but the marriage of a man and woman, founded primarily for the reproduction and care of children. This rather dodgy view on marriage and its antiquity neatly avoids the myriad forms which marriage has assumed across cultures at different times and in different places, including the complex and shifting relationship between marriage, Christian churches, and the secular authorities throughout history.

Concretely, the kind of marriage that Brendan is defending from homosexuals has in fact disappeared during the course of the last fifty years without any

assistance from lesbians or gay men. It has been replaced by a form of marriage between heterosexual couples who already openly enjoy a monogamous sexual relationship, and typically also live openly together before the wedding, with or without their children. Such couples usually tell their parents of their intention to marry, but do not seek permission or approval. They control the guest list and the arrangement of the wedding. Although they are not averse to being helped materially and financially by parents and friends, all the important decisions remain with the couple in question.

This form of marriage has been dubbed “companionship marriage” to distinguish it from the kind of marriage common before the mid-sixties of the last century which often carried the traces of older entailments. No matter how fictional the aspiration for a virgin bride might often have been it was hoped that the fiancée was a virgin and would not have had sex until the ritual ‘first night’ with her new husband. The symbolic presentation of a woman’s untainted virtue at the wedding was important to all concerned. Of course, it was widely assumed that the lad would have ‘sown his wild oats’ before entering into this monogamous compact, and would be comfortable and confident in the business of consummating the contract. Another survival from earlier times was a residual form of dowry represented by the expectation that the bride’s family would shoulder the lion’s share of wedding expenses.

So companionship marriage has spontaneously replaced the older arrangements without any regard to homosexuals at all. The changing social position of women, the growth of female employment in permanent full-time jobs, and in the professions, the development of much more effective forms of contraception, and much else has changed marriage irrevocably *in practice* rather than in Parliament. To be sure state intervention has made divorce easier and governments have monitored and assessed the safety of new means of contraception and sought to

determine access to abortion, but these interventions have implicitly supported the spontaneous growth of companionship marriage rather than legislated for it.

This new form of marriage has not ushered in an ideal world in which women are not oppressed and children are not abused, nor has it saved us from the proliferation of moral panics concerning paedophilia. What it has done, however, is create an institution that is more suitable to the atomised kind of society in which will all live and move where older kinds of homogeneous communities have been dissolved by mass car and home ownership, and by the technical and industrial transformation of workplaces and neighbourhoods.

It is this new kind of marriage to which homosexuals are now being admitted because once all the other anti-gay laws have been overturned the case for the continued exclusion of homosexuals from marriage is largely restricted to those with religious objections. It is here that Brendan O'Neill and his allies engage in an astonishing sleight of hand by repeatedly asserting that equal marriage legislation forces or compels the churches to host the weddings of lesbians and gay men. This is, of course, simply not true.

Religious freedom must involve the right of religious folk in their churches, mosques, synagogues, gurdwaras, and temples, to determine who and who may not be embraced by the faith. If congregations and religious sects want to exclude homosexuals it is entirely a matter for them. Similarly, if people wish to express hostile sentiments towards lesbians and gay men it is entirely up to them, providing they do not advocate brutal attacks or violence. I agree with Brendan O'Neill that freedom of speech and conscience should be sacrosanct, and any attempt to enforce laws relating to insulting behaviour should be discarded immediately.

By the same token those offering goods and services to the general public should not be allowed to discriminate against people by claiming freedom of conscience. If Christian business people or officials

like registrars are engaged in serving the general public they cannot use their personal morality, no matter how strongly felt, to justify refusing service to people on the grounds that they object to the sex lives of those they are being asked to serve. In cases like this, devout and traditionalist Christians need to serve all comers or find different work to do.

This being said equal marriage laws in the United Kingdom and the Republic of Ireland do not compel churches to host homosexual weddings. Churches, like private clubs, are and continue to be free to choose their members, and whether or not to conduct weddings for homosexuals. There are some churches that have embraced marriage equality, others are bitterly divided and battles are being waged *for* and *against* amongst particular congregations, yet others still will brook no such thing and insist that the thought of sex between people of the same gender, never mind marriage, is absolutely abhorrent to God.

Religious people continue to be free to express hostility towards homosexuality within their places of worship, and to reject the idea of equal marriage out of hand. Such people will in some circumstances have to put up with being called bigots or insulted. It is, after all, Brendan O'Neill in *Spiked*, the *Spectator*, and in many other publications, who tirelessly defends everybody's right to say what they like, including insulting each other's cherished beliefs. Having said this, there can be no doubt that the majority of the general public have little or nothing to do with religious institutions and are by and large not in favour of traditional Christian nostrums on sexuality or personal relationships.

This being so, Brendan O'Neill's argument then shifts to the area of state intrusion in our private lives. The admission of homosexuals into marriage according to Brendan represents an expansion of state authority under cover of liberal sentiment – equal marriage is an insidious intrusion into the lives of homosexuals because “It is not about equality, but is about the validation of homosexual relationships”.

Here, I think Brendan is on to something. Marriage equality is about the validation of gay and lesbian relationships, it is about the state ratifying the view that homosexual relationships are of equal weight and legitimacy as those of heterosexuals. In supporting this view the state is accepting that the modern form of companionship marriage can easily accommodate both homosexuals and heterosexuals without difficulty.

The general public in Great Britain seem to accept this, and we know in the Republic of Ireland they most certainly do. It remains to be seen what happens in the other places where O'Neill chooses to campaign. I would say the reason for the ease of this acceptance is the result of a combination of the way the public have universally adopted companionship marriage, and clear majorities of the population support the idea that homosexual people should not be subject to unequal or different laws from the heterosexual majority.

There is no doubt these developments form part of a trend in which big banks, and commercial interests – the capitalist class in general – have come to the conclusion that in modern circumstances homosexuality and difference in general is no longer dysfunctional to capital accumulation, if it ever was. Clearly those in power have gradually come to the conclusion that the imprisonment, disgrace and humiliation of gay men is no longer necessary for the maintenance of morality and good order amongst the population at large. Consequently, we now see the sponsorship of lesbian and gay events and the general endorsement by the political and propertied classes in favour of equal rights and equality of esteem for homosexuals.

This fact is deployed by the enemies of lesbian and gay marriage to indicate the sinister character of equal marriage, and to attribute the relative speed of its adoption, to the manipulative agenda of the-powers-that-be in their insinuation of their own priorities into our lives. This is an amusing aspect of Brendan

O'Neill's campaigning. In his evidence to the UK Parliament he even denounced companionship marriage as 'bourgeois', as if the traditional form he is defending was not! He appears to believe against all evidence to the contrary that the state's involvement in attempting to shape and determine the moral order is in some sense novel and particularly intrusive. He talks as if there is something recent or new about the rich and powerful attempting to impose their priorities upon the rest of us. It was ever thus.

What is new and apparently disconcerting for O'Neill is that the wolf has decided this time to turn up in sheep's clothing. However, by standing up for equal rights and equality of esteem the elite has surprised not only Brendan, but also veterans of the gay liberation movement like myself. I have to admit to being astonished by the way in which corporate interests as well as state institutions have come out so completely in defence of lesbian and gay equality over the last decade or so.

However, the fact that our new and powerful friends are not entirely trustworthy or honest does not mean that we should or even could reject the legal emancipation now on offer. There is nothing unusual about the rulers of capitalist society enacting liberal reforms in order to stabilise or perfect their rule. They did so by conceding workingmen the vote, they did it by eventually granting women the vote; they did so again with the introduction of old-age pensions, sickness relief, and unemployment benefit. Sensible people have never opposed these reforms and innovations on the grounds that they help those in power to remain on top. Similarly, it would be utterly absurd for gay liberationists of old to reject or refuse the legal reforms that have been offered. Of course, the recuperation or inclusion we have been granted is not liberation it is simply the right to live openly and participate fully in the mainstream of capitalist society.

In a desperate attempt to sound radical O'Neill makes very heavy weather out of the fact that the public campaign for marriage equality appears to be

so slight and insubstantial. “There have been no riots in favour”, no “vast demonstrations” or “strikes demanding marriage equality”, he irately insists, as if anybody is contradicting him. Of course, he’s entirely right, the campaign for the inclusion of homosexuals in companionship marriage, once all other anti-gay laws have been abolished, is pushing at an open door. Marriage equality is the completion of a process, not an embattled commencement, and we cannot read from the absence of uproar that it does not have widespread approval or support.

The campaign waged by Brendan O’Neill, and his allies in the evangelical and Roman Catholic churches, can do nothing to alter or challenge these social trends. They cannot unseat companionship marriage by argument or win the majority over to the rejection of equal status and equal rights for same sex relationships. Whatever Brendan O’Neill subjectively thinks about homosexuality or the removal of anti-gay laws, in arguing that the state should not confer equality of esteem on same sex relationships he is aligning himself largely with religious groups hostile to companionship marriage who are committed to fighting a rear guard action against homosexual equality.

It may well be that the traditionalists are right and that companionship marriage is merely a transient form that will in the long run prove unsustainable. In that case it may be replaced with a simple focus on the responsibility of parents for their kids, rather than upon the nature of their relationship with each other. In which case monogamous marriage and much else might go out of the window. However Brendan is not engaged in an interesting speculation but is defending the *status quo ante* – in the course of which he is more than prepared to switch focus.

Recently, he says he’s doing all this in support of the old idea of gay and lesbian liberation, and he’s muddled this up with the defence of traditional forms of marriage, and with the freedom of conscience of Christians and other believers. He’s fighting the good

fight amidst this tangle of contradictory commitments. On the one hand he argues that from time immemorial marriage is about generation, the production of children and the reproduction of community, but he's at a loss to explain how the inclusion of homosexuals undermines the modern form of the institution.

O'Neill seems to think that in opposing marriage equality he's engaged in a fight for democracy, and freedom of conscience. Yet in his purely rhetorical and ideological engagement he eschews any consideration of the extraordinary material changes that have taken place over the last fifty years in the manner in which we all live and work. There is a peculiar idealism at play here in which any Marxist consideration of material relations and relationships is more or less absent. This leads him into one contradiction after another. Most notably he castigates the supporters of marriage equality for attacking their opponents while in other places and on other matters he argues that people have got every right to insult each other and to trash their most valued or sacred beliefs and assumptions.

Similarly, he argues against state intrusion into our private lives, yet he defends the state registration and ratification of heterosexual marriage – the *status quo ante* is apparently acceptable. In this muddle and confusion it is becoming increasingly difficult to account for the ire and determination with which Brendan O'Neill is pursuing this struggle against marriage equality. I have no reason to doubt that he's received death threats, or that he is often insulted up hill and down dale (both of which, incidentally, I have some personal experience), but I am completely out of sympathy with his tireless defence of straight marriage accompanied as it is with opposition to the state's ratification of the legitimacy and equivalence of same sex relationships.