



Book review: *Debating Same-Sex Marriage*

Corvino, J., Gallagher, M. (2012). *Debating same-sex marriage*. New York: Oxford University Press.

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When Dan Cathy, owner of the popular fast food restaurant Chick-fil-A, made his views in support of traditional marriage known publicly, it stirred up controversy south of the border, as any discussion of marriage is bound to do. This recent incident serves as a reminder of the divisiveness of the same-sex marriage debate and just how quickly debate can splinter into slogans and boycotts on both sides. The legal debate in Canada may seem like eons ago, but the grander question regarding the purpose and function of marriage in society remains important and largely unexplored here.

The same-sex marriage question is an emotional issue to be sure. That's why the new book *Debating Same-Sex Marriage* is a welcome attempt, as co-author John Corvino writes, to "move the disagreement down the field" in a fairly civil manner. The engagement of opposing views on same-sex marriage in this book is needed, but the most significant contribution is the recognition of the tension around the meaning and function of marriage in society – a discussion that was largely absent in the Canadian debate leading up to the legalization of same-sex marriage in 2005.

The book features John Corvino, associate professor and chair of philosophy at Wayne State University, arguing the case for same-sex marriage. Maggie Gallagher, co-founder of the National Organization for Marriage and author of numerous books on marriage including *The Case for Marriage: Why Married People Are Happier, Healthier, and Better Off Financially* presents the case against same-sex marriage. Both authors capably represent their positions with Corvino providing the opening essay followed by Gallagher's piece. Corvino then responds with a rebuttal and Gallagher closes the book with her rebuttal. The format works, but unfortunately the editors opted for endnotes rather than footnotes so readers will need to keep a finger in the notes section at the back as significant exchanges and clarifications occur there.

Despite basic agreement on the importance of marriage, the essays reveal significantly differing views about the function and purpose of marriage in society. Corvino argues that marriage is primarily for "mutual life-long care giving," connected to romantic and sexual relationships. He argues that the mutual life-long care giving purpose of marriage supports the other functions of marriage such as the protection of children and the provision of a "safe harbour" for sexual intimacy. Corvino's position emphasizes the relational priority of marriage.

Gallagher asserts that the central purpose of marriage is to bind the sexual union of a husband and wife, connecting resulting children to their co-creators. She argues that marriage connects goods that otherwise tend to become unanchored from one another such as "sex, love, care taking, babies and mothers and fathers." Redefining marriage, Gallagher argues, would result in the loss of the institutional function that aids society.

Corvino's case: For same-sex marriage

Corvino opts to spend little time arguing for same-sex marriage and focuses the majority of his opening essay on identifying and rebutting arguments against his position. Simply stated, Corvino argues in favour of same-sex marriage as an expansion of marriage rather than a transformation of the institution. He views same-sex marriage as a means of ensuring equal rights for gays and lesbians, while at the same time publically affirming the dignity of same-sex relationships. Further, Corvino suggests that recognizing same-sex marriage extends the benefits of mutual life-long care giving to gays and lesbians, and provides the centerpiece for family building.

Engaging a core argument of his opponents, Corvino agrees that marriage offers benefits for children, but states that this benefit is neither the only reason for marriage nor the fundamental function of marriage. He suggests that research supporting the superior benefits to children of two biological parent families does not predict anything about gay parenting. He argues that the state does not restrict remarriage, step families or other family forms based on the two biological parent arguments. He notes that the state permits adoption among various family forms. Corvino cites the American Psychological Association and other professional bodies to support his claim.

Corvino argues that the history of marriage should not prevent the evolution of the institution towards the inclusion of same-sex couples. He accuses his opponents of circular reasoning when advocates state that same-sex marriage can't be marriage because it doesn't meet the definition and function of marriage.

Corvino also refutes the notion that same-sex marriage will sanction fatherless and motherless families and lead to a slippery slope towards polygamy or other marital configurations. He argues that each proposed configuration of marriage should be evaluated on its own merits and reminds readers that there is no logical connection between same-sex relationships and polygamy. He illustrates his point arguing that most polygamists are motivated by religious fundamentalism and are unlikely to rally for gay rights. Corvino fails to note that polygamists point to same-sex marriage as a precedent for inclusion in marriage. Interestingly Corvino doesn't address polyamory groups who also cite equal rights arguments for the expansion of marriage to include their multi-partnered unions.

Gallagher's case: For man-woman marriage

Gallagher engages in three tasks in her essay. She presents her case for man/woman marriage, speaks to the difficulty of "achieving disagreement" with opponents and finally, lays out why some people who embrace respect for gays and lesbians still oppose same-sex marriage.

Gallagher agrees that marriage has many purposes but she argues that the primary function is to bind moms and dads with their biological children. The institution of marriage is a response to the societal need for stable families. She contends that the institutional premise of marriage is being replaced with a "soul mate" understanding of marriage. Liberal divorce laws and the rise in the number of cohabiting couples have contributed to changing views on marriage. Gallagher understands same-sex marriage as another vestige of the soul mate understanding of marriage. Unlike Corvino, she believes same-sex marriage is a fundamental change to the institution marriage that will establish new norms. While advocates for same-sex marriage argue that their position is a natural evolution of marriage, Gallagher views the debate as a government takeover of an institution that the state did not create.

The body of research on same-sex headed families is still developing. Gallagher's point is that the state's interest in marriage and the institutional function of marriage is the protection of children raised in the union that created them, even if this is not why individuals choose to marry. She argues that this reason for sanctioning marriage holds true even though individual marriages may not produce children. In Canada, the government bill redefining marriage also redefined the legal definition of a parent.

Gallagher address the repercussions of the marriage debate in the United States. She predicts that should same-sex marriage carry the day in the United States, those holding to the traditional view of marriage, even privately, will be stigmatized morally and perhaps legally. In her rebuttal essay, she challenges same-sex marriage activists to clearly articulate their intention that passing same-sex marriage will result in the traditional view of marriage being denounced as bigotry.

Corvino addresses the issue diplomatically over several pages but ultimately argues that those who oppose same-sex marriage are at the very least discriminatory, if not blindly or willfully bigoted. He argues that anyone can promote child welfare, but when that promotion means the exclusion of gays and lesbians from marriage, it is bigotry. The stance is a conversation ender.

Corvino's conclusion is unfortunate, because the heart of the debate is the larger question concerning the meaning and function of marriage in society. The tension between two very different views of marriage is apparent throughout the book. Corvino and Gallagher are to be commended for engaging each other in this project, even as the larger public discourse is dominated by pithy slogans and slurs on both sides contributing to muted debate. This book points to the broader need to discuss and debate the function and purpose of marriage. It's a conversation worth having, and one Canada could engage in, perhaps even more thoroughly given the issue is no longer before us in the legislature.

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