

# The Worst Thing About Gay Marriage: It isn't going to work.

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There is a new consensus on gay marriage: not on whether it should be legalized but about the motives of those of us who oppose it. All agree that any and all opposition to gay marriage is explained either by biblical literalism or anti-homosexual bigotry. This consensus is brilliantly constructed to be so unflattering to those of us who will vote against gay marriage—if we are allowed to do so—that even biblical literalists and bigots are scrambling out of the trenches and throwing down their weapons.

But I think that the fundamental objection to gay marriage among most who oppose it has very little to do with one's feelings about the nature of homosexuality or what the Bible has to say about sodomy. The obstacle to wanting gay marriage is instead how we use and depend on marriage itself—and how little marriage, understood completely, affects or is relevant to gay people in love. Gay marriage is not so much wrong as unnecessary. But if it comes about, it will not be gay marriage that causes the harm I fear, as what will succeed its inevitable failure.

The embrace of homosexuality in Western culture has come about with unbelievable speed—far more rapidly than the feminist revolution or racial equality. Less than 50 years ago same-sex sexual intercourse was criminal. Now we are arguing about the term used to describe a committed relationship. Is the right to marry merely lagging behind the pace with which gays have attained the right to hold jobs—even as teachers and members of the clergy; to become elected officials, secret agents, and adoptive parents; and to live together in public, long-term relationships? And is the public, having accepted so rapidly all these rights that have made gays not just “free” but our neighbors, simply withholding this final right thanks to a stubborn residue of bigotry? I don't think so.

When a gay man becomes a professor or a gay woman becomes a police officer, he or she performs the same job as a heterosexual. But there is a difference between a married couple and a same-sex couple in a long-term relationship. The difference is not in the nature of their relationship, not in the fact that lovemaking between men and women is, as the Catholics say, open to life. The difference is between the duties that marriage imposes on married people—not rights, but rather onerous obligations—which do not apply to same-sex love.

The relationship between a same-sex couple, though it involves the enviable joy of living forever with one's soulmate, loyalty, fidelity, warmth, a happy home, shopping, and parenting, is not the same as marriage between a man and a woman, though they enjoy exactly the same cozy virtues. These qualities are awfully nice, but they are emphatically not what marriage fosters, and, even when they do exist, are only a small part of why marriage evolved and what it does.

The entity known as “gay marriage” only aspires to replicate a very limited, very modern, and very culture-bound version of marriage. Gay advocates have chosen wisely in this. They are replicating what we might call the “romantic marriage,” a kind of marriage that is chosen, determined, and defined by the couple that enters into it. Romantic marriage is now dominant in the West and is becoming slightly more frequent in other parts of the world. But it is a luxury and even here has only existed (except among a few elites) for a couple of centuries—and in only a few countries. The fact is that marriage is part of a much larger institution, which defines the particular shape and character of marriage: the kinship system.

The role that marriage plays in kinship encompasses far more than arranging a happy home in which two hearts may beat as one—in fact marriage is actually pretty indifferent to that particular aim. Nor has marriage historically concerned itself with compelling the particular male and female who have created a child to live together and care for that child. It is not the “right to marry” that creates an enduring relationship between heterosexual lovers or a stable home for a child, but the more far-reaching kinship system that assigns every one of the vast array of marriage rules a set of duties and obligations to enforce. These duties and obligations impinge even on romantic marriage, and not always to its advantage. The obligations of kinship imposed on traditional marriage have nothing to do with the romantic ideals expressed in gay marriage.

Consider four of the most profound effects of marriage within the kinship system.

The first is the most important: It is that marriage is concerned above all with female sexuality. The very existence of kinship depends on the protection of females from rape, degradation, and concubinage. This is why marriage between men and women has been necessary in virtually every society ever known. Marriage, whatever its particular manifestation in a particular culture or epoch, is essentially about who may and who may not have sexual access to a woman when she becomes an adult, and is also about how her adulthood—and sexual accessibility—is defined. Again, until quite recently, the woman herself had little or nothing to say about this, while her parents and the community to which they answered had total control. The guardians of a female child or young woman had a duty to protect her virginity until the time came when marriage was permitted or, more frequently, insisted upon. This may seem a grim thing for the young woman—if you think of how the teenaged Natalie Wood was not permitted to go too far with Warren Beatty in *Splendor in the Grass*. But the duty of virginity can seem like a privilege, even a luxury, if you contrast it with the fate of child-prostitutes in brothels around the world. No wonder that weddings tend to be regarded as religious ceremonies in almost every culture: They celebrate the completion of a difficult task for the community as a whole.

This most profound aspect of marriage—protecting and controlling the sexuality of the child-bearing sex—is its only true reason for being, and it has no equivalent in same-sex marriage. Virginity until marriage, arranged marriages, the special status of the sexuality of one partner but not the other (and her protection from the other sex)—these motivating forces for marriage do not apply to same-sex lovers.

Second, kinship modifies marriage by imposing a set of rules that determines not only whom one may marry (someone from the right clan or family, of the right age, with proper abilities, wealth, or an adjoining vineyard), but, more important, whom one may not marry. Incest prohibition and other kinship rules that dictate one’s few permissible and many impermissible sweethearts are part of traditional marriage. Gay marriage is blissfully free of these constraints. There is no particular reason to ban sexual intercourse between brothers, a father and a son of consenting age, or mother and daughter. There are no questions of ritual pollution: Will a hip Rabbi refuse to marry a Jewish man—even a Cohen—to a Gentile man? Do Irish women avoid Italian women? A same-sex marriage fails utterly to create forbidden relationships. If Tommy marries Bill, and they divorce, and Bill later marries a woman and has a daughter, no incest prohibition prevents Bill’s daughter from marrying Tommy. The relationship between Bill and Tommy is a romantic fact, but it can’t be fitted into the kinship system.

Third, marriage changes the nature of sexual relations between a man and a woman. Sexual intercourse between a married couple is licit; sexual intercourse before marriage, or adulterous sex during marriage, is not. Illicit sex is not necessarily a crime, but licit sexual intercourse enjoys a sanction in the moral universe, however we understand it, from which premarital and extramarital copulation is excluded. More important, the illicit or licit nature of heterosexual copulation is transmitted to the child, who is deemed legitimate or illegitimate based on the metaphysical category of its parents’ coition.

Now to live in such a system, in which sexual intercourse can be illicit, is a great nuisance. Many of us feel that licit sexuality loses, moreover, a bit of its oomph. Gay lovers live merrily free of this system. Can we imagine Frank's family and friends warning him that "If Joe were serious, he would put a ring on your finger"? Do we ask Vera to stop stringing Sally along? Gay sexual practice is not sortable into these categories—licit-if-married but illicit-if-not (children adopted by a gay man or hygienically conceived by a lesbian mom can never be regarded as illegitimate). Neither does gay copulation become in any way more permissible, more noble after marriage. It is a scandal that homosexual intercourse should ever have been illegal, but having become legal, there remains no extra sanction—the kind which fathers with shotguns enforce upon heterosexual lovers. I am not aware of any gay marriage activist who suggests that gay men and women should create a new category of disapproval for their own sexual relationships, after so recently having been freed from the onerous and bigoted legal blight on homosexual acts. But without social disapproval of unmarried sex—what kind of madman would seek marriage?

Fourth, marriage defines the end of childhood, sets a boundary between generations within the same family and between families, and establishes the rules in any given society for crossing those boundaries. Marriage usually takes place at the beginning of adulthood; it changes the status of bride and groom from child in the birth family to adult in a new family. In many societies, such as village India and Jewish Chicagoland, a new bride becomes no more than an unpaid servant to her mother- and sisters-in-law. Even in modern romantic marriages, a groom becomes the hunting or business partner of his father-in-law and a member of his clubs; a bride becomes an ally of her mother-in-law in controlling her husband. There can, of course, be warm relations between families and their children's same-sex partners, but these come about because of liking, sympathy, and the inherent kindness of many people. A wedding between same-sex lovers does not create the fact (or even the feeling) of kinship between a man and his husband's family; a woman and her wife's kin. It will be nothing like the new kinship structure that a marriage imposes willy-nilly on two families who would otherwise loathe each other.

Marriage is also an initiation rite. Before World War II, high school graduation was accompanied by a burst of engagements; nowadays college graduation begins a season of weddings that go on every weekend for some years. In contrast, gay weddings are rather middle-aged affairs. My impression is borne out by the one available statistic, from the province of British Columbia, showing that the participants in first-time same-sex weddings are 13 years older, on average, than first-time brides-and-grooms. This feels about right. After all, declaring gay marriage legal will not produce the habit of saving oneself for marriage or create a culture which places a value on virginity or chastity (concepts that are frequently mocked in gay culture precisely because they are so irrelevant to gay romantic life). But virginity and chastity before marriage, license after—these are the burdens of real marriage, honored in spirit if not in letter, creating for women (women as modern as Beyoncé) the right to demand a tangible sacrifice from the men who would adore them.

These four aspects of marriage are not rights, but obligations. They are marriage's "a priori" because marriage is a part of the kinship system, and kinship depends on the protection, organization, and often the exploitation of female sexuality vis--vis males. None of these facts apply at all to love between people of the same sex, however solemn and profound that love may be. In gay marriage there are no virgins (actual or honorary), no incest, no illicit or licit sex, no merging of families, no creation of a new lineage. There's just my honey and me, and (in a rapidly increasing number of U.S. states) baby makes three.

What's wrong with this? In one sense, nothing at all. Gays who marry can be congratulated or regarded as foolish based on their individual choices, just as I might covet or lament the women my straight friends espouse. In fact, gay couples who marry enter into a relationship that married people might envy. Gay marriage may reside outside the kinship system, but it has all the wedding-planning, nest-building fun of marriage but none of its rules or obligations (except the duties that all lovers have toward one another). Gay spouses have none of our guilt about sex-before-marriage. They have no tedious obligations towards in-laws, need never worry about Oedipus or Electra, won't

have to face a menacing set of brothers or aunts should they betray their spouse. But without these obligations—why marry? Gay marriage is as good as no marriage at all.

Sooner rather than later, the substantial differences between marriage and gay marriage will cause gay marriage, as a meaningful and popular institution, to fail on its own terms. Since gay relationships exist perfectly well outside the kinship system, to assume the burdens of marriage—the legal formalities, the duty of fidelity (which is no easier for gays than it is for straights), the slavishly imitative wedding ritual—will come to seem a nuisance. People in gay marriages will discover that mimicking the cozy bits of romantic heterosexual marriage does not make relationships stronger; romantic partners more loving, faithful, or sexy; domestic life more serene or exciting. They will discover that it is not the wedding vow that maintains marriages, but the force of the kinship system. Kinship imposes duties, penalties, and retribution that champagne toasts, self-designed wedding rings, and thousands of dollars worth of flowers are powerless to effect.

Few men would ever bother to enter into a romantic heterosexual marriage—much less three, as I have done—were it not for the iron grip of necessity that falls upon us when we are unwise enough to fall in love with a woman other than our mom. There would be very few flowerings of domestic ecstasy were it not for the granite underpinnings of marriage. Gay couples who marry are bound to be disappointed in marriage's impotence without these ghosts of past authority. Marriage has a lineage more ancient than any divine revelation, and before any system of law existed, kinship crushed our ancestors with complex and pitiless rules about incest, family, tribe, and totem. Gay marriage, which can be created by any passel of state supreme court justices with degrees from middling law schools, lacking the authority and majesty of the kinship system, will be a letdown.

When, in spite of current enthusiasm, gay marriage turns out to disappoint or bore the couples now so eager for its creation, its failure will be utterly irrelevant for gay people. The happiness of gay relationships up to now has had nothing to do with being married or unmarried; nor will they in the future. I suspect that the gay marriage movement will be remembered as a faintly humorous, even embarrassing stage in the liberation saga of the gay minority. The archetypal gay wedding portrait—a pair of middle-aged women or paunchy men looking uncomfortable in rented outfits worn at the wrong time of day—is destined to be hung in the same gallery of dated images of social progress alongside snapshots of flappers defiantly puffing cigarettes and Kodachromes of African Americans wearing dashikis. The freedom of gays to live openly as they please will easily survive the death of gay marriage.

So if the failure of gay marriage will not affect gay people, who will it hurt? Only everybody else.

As kinship fails to be relevant to gays, it will become fashionable to discredit it for everyone. The irrelevance of marriage to gay people will create a series of perfectly reasonable, perfectly unanswerable questions: If gays can aim at marriage, yet do without it equally well, who are we to demand it of one another? Who are women to demand it of men? Who are parents to demand it of their children's lovers—or to prohibit their children from taking lovers until parents decide arbitrarily they are "mature" or "ready"? By what right can government demand that citizens obey arbitrary and culturally specific kinship rules—rules about incest and the age of consent, rules that limit marriage to twosomes? Mediocre lawyers can create a fiction called gay marriage, but their idealism can't compel gay lovers to find it useful. But talented lawyers will be very efficient at challenging the complicated, incoherent, culturally relative survival from our most primitive social organization we call kinship. The whole set of fundamental, irrational assumptions that make marriage such a burden and such a civilizing force can easily be undone.

There is no doubt that women and children have suffered throughout human history from being over-protected and controlled. The consequences of under-protection and indifference will be immeasurably worse. In a world without kinship, women will lose their hard-earned status as sexual beings with personal autonomy and physical security. Children will lose their status as nonsexual beings.

Kinship creates these protections by adding the dimension of time, space, and thought to our sense of ourselves as food-eating, sex-having, child-rearing creatures. It makes us conscious not only of our parents and siblings but of their parents and siblings—our ancestors and our group identity. The family relations kinship creates—parents, godparents, uncles and sisters-in-law, cousins, clan,

tribe, kingdom, nation—expand our sense of where we live and how we live. In our thought, kinship forces us to move beyond thoughtless obedience to instinct: It gives us a morality based on custom, “always adaptable and susceptible to the nuance of the situation.” It makes past experience relevant to current behavior (I quote Michael Oakeshott and paraphrase Peter Winch) and gives us the ability to choose one way of conduct rather than another—the ability which Oakeshott says brings the moral life into being. The commonality of incest prohibitions and marriage rules from one community to another is a sign that we have moved from unselfconscious instinct-obedience (which works well enough to avoid parent-child incest in other species) to the elaboration of human kinship relationships in all their mutations and varieties—all of which have the same core (the organization of female sexuality, the avoidance of incest) but exist in glorious variety. Like the other great human determinant, language, kinship is infinitely variable in form but exists in some form everywhere.

Can gay men and women be as generous as we straight men are? Will you consider us as men who love, just as you do, and not merely as homophobes or Baptists? Every day thousands of ordinary heterosexual men surrender the dream of gratifying our immediate erotic desires. Instead, heroically, resignedly, we march up the aisle with our new brides, starting out upon what that cad poet Shelley called the longest journey, attired in the chains of the kinship system—a system from which you have been spared. Imitate our self-surrender. If gay men and women could see the price that humanity—particularly the women and children among us—will pay, simply in order that a gay person can say of someone she already loves with perfect competence, “Hey, meet the missus!”—no doubt they will think again. If not, we’re about to see how well humanity will do without something as basic to our existence as gravity.

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