



Archived at the Flinders Academic Commons:

<http://dspace.flinders.edu.au/dspace/>

This is the Publishers' version of an article published in *Australian Review of Public Affairs*. The original publication is freely available at:

<http://www.australianreview.net/digest/2014/03/brook.html>

Please cite this article as:

Brook, H. (2014). Relationship status? It's complicated. *Australian Review of Public Affairs*, March 2014 pp. 1.

Copyright (2014) ARPA, University of Sydney - School of Economics. Published version of the paper reproduced here with permission from the publisher.

March 2014

Relationship status? It's complicated.

Heather Brook, Flinders University

Emily R. Gill *An Argument for Same-Sex Marriage: Religious Freedom, Sexual Freedom, and Public Expressions of Civic Equality*, Washington DC, Georgetown University Press, 2012 (288 pp). ISBN 9-78158901-920-1 (paperback) RRP \$46.95.

Nicola Barker *Not the Marrying Kind: A Feminist Critique of Same-Sex Marriage*, Houndmills, Palgrave Macmillan, 2013 (248 pp). ISBN 9-78113734-803-6 (paperback) RRP \$31.96.

Michael Cobb *Single: Arguments for the Uncoupled*, New York & London, New York University Press 2012 (239 pp). ISBN 9-78081477-255-3 (paperback) RRP \$47.99.

Not since the radical reforms to divorce enacted in the heady 1970s has there been so much huffing and puffing and anxiety about the whole institution of marriage being blown down. At the centre of this anxiety is the relationship of marriage and sexuality: is marriage (always, necessarily, naturally) heterosexual? Should it be? These questions are being debated not just in Australia, but in many places around the world; including, of course, in the United States, where the Clinton administration's Defence of Marriage Act of 1996 established similar ends to the Howard Government's Marriage Act amendments of 2004: namely, to limit marriage to man/woman pairings (King 2007). Marriage has, for the most part, served heterosexuality (and its gendered foundations) in ways that normalise and endorse heterosexuality as 'natural'. At times marriage has carried heavily gendered weight, and arguably still does. (Does 'wife' mean the same thing as 'husband', and are both these terms interchangeable with 'spouse', or do they all have different connotations?) The issue for many is whether marriage should remain exclusively heterosexual, or whether marriage can and should be expanded to include same-sex as well as different-sex relationships. As a social institution, marriage is entangled in sex, religion and politics, and as such can inspire heated controversy. The three books reviewed here address various questions about marriage, relationships and politics.

SEX, POLITICS, RELIGION

In *An Argument for Same-Sex Marriage* Emily R. Gill brings mainstream American political science to the task. Gill argues, with painstaking attention to detail, that sexuality is akin to religious orientation and that both should be subject to similar treatment and protections. The mirror reflecting the likeness of sexual and religious orientation is the US constitution's First Amendment. Religious freedom is not the only right addressed by the First Amendment. The relevance of the amendment for Gill is that it prohibits any law that impedes the free exercise of religion, and thus guarantees Americans the right to worship as they see fit. Gill's starting point is the idea that when governments endorse one religion at the expense of others, they effectively marginalise and exclude those who follow a different religion. She contends that sexual and religious orientation are similar personal attributes with similar articulations to citizenship. Church and state are (properly) separate but judgments must be made about whether Christmas decorations in the public arena should be accommodated, and whether other, non-Christian decorations should be similarly permitted. Gill argues that such questions are generally subject to a kind of 'live and let live' approach in which differences are respected, and that sexuality should be treated in the same way. Marriage must be made available to same-sex and different-sex couples, and anything less amounts to a denial of civic equality—that is, because marriage is implicated in a whole range of laws and policies, being denied the right to marry results in gay and lesbian people being effectively excluded from full citizenship.

In the US context, Gill offers a thorough and well-researched argument. For those living outside the United States, however—particularly in places where religious interests play a less pivotal role in public affairs—the

book may be less useful. There is much for those interested in American society and politics to chew over, particularly for students of political theory: Gill's touchstones include Will Kymlicka, Nancy Fraser, Carole Pateman and Evan Gerstmann (among others). Gill offers small-L liberal thinkers some very solid ground from which to reason. The path she treads, however, is long and complicated, and its destination is probably one that only those already committed to similar ideals will find appealing. For those of us less enthralled by the intricacies of religious freedom in the United States, the argument—rigorous as it is—seems insufficient in several respects.

The cynic in me wonders whether Gill's logic might, in any case, be wasted in a political environment that is—sometimes even proudly—impervious to rational argument. Indeed, Gill's argument is so tight that its shape resembles a snow dome: a perfectly crafted and thoroughly attractive scene that exists only in its own, entirely self-contained space. Gill may be right to suggest that sexuality and religion are comparable orientations, for example, but avoids thinking through the implications these orientations bring to how people understand themselves and others. Processes of religious and sexual orientation invoke our sense of self in direct but not always rational ways. I am reminded of Helen Keane's astute observation that 'in love as in shoes, the sensible is rarely the most appealing' (2002, p. 139). I wonder whether the same might be true for sexual and religious identities. If their appeal and operations are other than rational, Gill's argument loses much of its traction.

I wonder, too, about precisely who Gill means to persuade. Moderate folks amenable to the idea of same-sex marriage are unlikely to need complex political arguments to be convinced of the justice of equal marriage rights, while those hetero-conservatives on the loonier edge of the Christian right are unlikely to walk with Gill beyond the first step of the argument—if they even get that far. Advocates for the religious right are likely to reject the idea that sexuality and religion are at all similar, let alone that they should be subject to the same political treatment. Someone like Robert Knight, for example, (one of the drafters of the Defence of Marriage Act mentioned earlier) would position sexuality and religion as polar opposites; with religious belief at the height of human consciousness, full of faith and soul and praise, and sexual behaviour as the basest, most brute human instinct. For Knight, marriage—*heterosexual* marriage—is the elevating framework that redeems sexual behaviour and prevents 'moral meltdown' (Knight 2011). Objections might also arise in relation to choice: do people choose sexualities? Can one 'convert' from one sexual orientation to another, just as people convert from one faith to another? Are atheism and asexuality similar in any meaningful way? Even if one accepts Gill's premise that there is some political likeness between the two, treating sexuality and religion as similar orientations doesn't necessarily further the argument for same-sex marriage. For homophobes, gay and lesbian orientations are human sexualities only in the same way that Satanism might be said to be a religion. Perhaps the roots of civic inequality around sexuality are more strongly informed by religious traditions than Gill suggests—making her focus on civil marriage and civic equality at risk of redundancy. Perhaps, too, these limits speak to the overall usefulness—or otherwise—of same-sex marriage as an avenue to broader equality.

WHY (NOT) MARRIAGE?

These limits are taken up and developed in Nicola Barker's *Not the Marrying Kind*. Barker is a lecturer in Law working in the United Kingdom, and her book is part of a series in socio-legal studies. Hers is, in my view, the best of the three texts under review here, not least because she develops important, enduring, and well-informed critiques of (heterosexual) marriage and considers these in the light of contemporary calls for marriage equality and rights. Barker argues that feminist criticisms of marriage aired in the 1970s and 80s have continuing relevance to the political interests of gay, lesbian, and other queer people, and are ignored at their peril. Indeed, in Barker's view, gay and lesbian marriage advocates' failure to consider feminist arguments against marriage constitutes a fatal flaw in their thinking. Historically, marriage has offered spouses (and especially husbands) a range of privileges, protections and responsibilities—tax breaks, housing benefits, 'next of kin' decision-making, and superannuation benefits, for example. Marriage has also worked as a kind of privacy screen, shielding the exploitation and assault of spouses (usually wives) from scrutiny. Barker argues that such privileges are unfairly attached to marriage, and operate to elevate only one kind of relationship (and sometimes only one partner to

that relationship) at the expense of others. Why, for example, should elderly sisters who have lived together for 30 years and wish to bequeath their shared home to each other have to pay an inheritance tax they would avoid if they were a married couple? For Barker, broadening the scope of marriage to include same-sex couples perpetuates its social elevation in ways that are inconsistent with a broader agenda of social justice in which rules should apply to people in similar situations in similar ways, regardless of their relationship status. Barker's vision is of a social order in which material benefits are not attached to spuriously respectable, state-sanctioned monogamy, but instead exist in a range of diverse and meaningful forms.

One of the significant strengths of this book is its international scope. Unlike the other books reviewed here, Barker considers marriage laws in jurisdictions beyond those most immediately relevant to herself, and this very much enhances her discussion. Similarly enriching is Barker's willingness to advance an unpopular view. At a time when supporting same-sex marriage has come to symbolise sexual equality more generally, arguments pointing to historical and continuing problems with marriage's institutional reign must be put carefully. And, in *Not the Marrying Kind*, they are. There are no straw houses, here: Barker counters different points of view respectfully and rigorously. Her materials and scholarship are law-based, drawing on legislation, judgments, appeals, reports, and jurisprudence informed by feminist and queer theory. There is, unavoidably perhaps, some legal jargon used, but Barker nonetheless manages to maintain a more grounded, human perspective than Gill's snow dome does. Barker confidently demonstrates how a critical view of marriage might be consistent with gay and lesbian liberation and equality. Like those ancient 'wise women', Barker warns gay and lesbian marriage advocates to be careful what they wish for. As a legal scholar, Barker does not address the cultural weight of marriage or weddings in any systematic or profound way. When she talks about the 'symbolic recognition' attached to marriage, she gauges this from legal texts and testimony, not from cultural practices and artefacts (like weddings, popular movies and television shows like *The Bachelor*). Perhaps this reduces her book's breadth of appeal, but in marriage scholarship, as in marriage itself, one can't have everything.

ALONE AT LAST?

I wondered, pondering the title and cover image of Michael Cobb's *Single: Arguments for the Uncoupled*, whether this text might be usefully teamed with Barker's and Gill's as the art to their science. Cobb is a cultural theorist, a literary scholar from Toronto whose book forms part of a 'sexual cultures' series. As an interdisciplinary academic, I am often intrigued by the way that different scholarly traditions speak, or fail to speak, to each other. When I saw that Cobb's previous book is entitled *God Hates Fags: The Rhetorics of Religious Violence* (2006) I wondered how Emily Gill could have avoided considering it in her *Argument*. But then I read *Single*. And, if it is anything like its predecessor, I can't be surprised that Gill considered it outside her scope.

Single is a convoluted and unclear polemic, revolving around the idea that to *be* single is to live in a state of more or less permanent resistance to social disparagement. Despite its cultural derogation, for Cobb, the single state seems to bring with it quite literal visions (or delusions) of grandeur. This is a work of cultural studies, so its objects, references, and frameworks are thoroughly interpretative. Cobb draws on sources as diverse as Beyonce, *Big Love* and *Bridget Jones*, Morrisey, Freud, Virginia Woolf, and Lauren Berlant. Cobb's argument is that singleness is socially reviled, and that it is wrongly assumed that everyone who is single is also lonely. But is this a bold or original idea? Is it really news that not everyone wants to be in a relationship? Is culture really saturated with anxious coupling, and can the figure of the single really offer something more creative and beautiful?

Cobb's starting point is that being intimately partnered is so central to most people's lives that those who remain single—whether by choice, accident, or otherwise—are pitied and loathed. The cultural importance attached to being part of a love-pair is so grave as to be oppressive, creating fear that the partner-love that is supposed to last forever may *not* last. People change, circumstances change, the beloved betrays, love sputters out. At the heart of the experience of being coupled, for Cobb, are feelings of anxiety over anticipated loss. This 'deathly' fear—this worry that the couple might be undone—is projected, according to Cobb, onto the figure of the single. In this way, single people become feared, hated, 'the avatar of the lonely crowd' (p. 15, 22).

In some ways, this is an interesting argument. It speaks, perhaps, to many people's experience of moving from singleness to coupledness and back again. But the idea that being single is decried, derogated, and impermissible seems to me to be at best only partly true. It is certainly gendered: the first cultural products Cobb introduces are the *Sex and the City* series, the *Bridget Jones* books and movies, and Beyoncé's 'All the Single Ladies'. These are heavily feminised products, but gender and sexualities do not figure in any sustained way in Cobb's book. Nor does he consider other embodied differences, even when these can be seen to have a very different relation to singleness than the literary and cultural forms he interprets. Disabled people and their partners, for example, are likely to be subject to all sorts of pitying social responses—because they *are* coupled—and are almost never the subject of popular cultural representations of coupledness (Rozengarten 2014). Cobb's query 'How many movies have you gone to recently where a single person has been featured, happily, strongly, without any kind of lurking sadness or loss?' (Ledger 2012) is thus somewhat disingenuous. After all, action heroes are nearly always 'single' (Morrison & Halton 2009). They are admired and loved in their singularity. If they are imperfect, their flaws do not inhere in their singleness. Can we even imagine Mrs James Bond? Mrs Rambo? In contrast, the heroines of (heteronormative, mainstream) romantic comedy are typically inadequate or excessive as single people, but their 'soul-mate' is almost always idealised: indeed, part of his 'perfection' is invested in his (thrillingly, perhaps temporary) singleness. Single men and single women are treated—in the movies as in life—quite differently, and in avoiding dealing with this, Cobb's argument is muddled.

I take Cobb's point that it is too often assumed that most people want to be coupled. However, the assumption may not be so unfair: perhaps most people *do* want to be coupled. Is that really such a dangerous or oppressive thing? Perhaps many of us too readily interpret single people as pre-coupled or post-coupled rather than simply, happily single. What I am less sure about is the impact of this assumption. Being partnered does not necessarily mean having to negotiate (or displace) anxiety about loss—at least, no more than simply caring about any other person means having to consider and experience loss.

Cobb writes in a self-consciously idiosyncratic style (p. 33). The couple is, for example 'steely' (p. 26, p. 30, and elsewhere), and Cobb says, at one point, 'families terrify me' (p. 70) even as he opens the book with a somewhat cheesy anecdote concerning his much-loved 'grandma Jewell'. There are epigraphs by Baudelaire (in French, with English translation) and Roland Barthes, Emily Dickinson and William Faulkner. It is eclectically, densely, abstract and 'chatty' in turn. Ultimately, I cannot quite fathom *Single*. Too much of what Cobb says is contradictory, or at least inconsistent. For example, he says, parenthetically, as if to underline his own insouciance, 'one doesn't have to be single literally to have the sensations of the single life' (p. 38). But what does it mean, then, to be *literally* single? If someone who is married nevertheless dines out alone, or attends social occasions without a partner, are they having 'the sensations of the single life', or of being partnered? What of couples who live apart—in different homes, cities, or countries? Are they single or coupled? Consider, say, the 85-year old woman living alone, widowed at the death of her husband of 60 years, who lives with the objects and effects of their shared life, and who speaks to her dead husband every day: is such a woman really 'single'? If we extend this formulation, hardly anyone could be said to be single in any but the most fleeting way. If this is Cobb's point—that we persist in drawing out peoples' connections to each other, when we could profitably reimagine being human in more singular or atomised ways—I'm not convinced that he offers anything more than a risky endorsement of bald neo-liberal individualism. Cobb acknowledges early in the book that being single is not the same as being lonely. I have no quibble with him on this: being single is certainly not of a piece with being unhappy, nor even merely alone. But I wonder if, more often than not, Cobb is not challenging the centrality of couple-stories and their effects so much as championing the pleasures and potential of aloneness. If he is, I endorse his effort, and join him in celebrating solitude and its undervalued gifts, even if I wish he could have made his point clearer.

LOVED UP FUTURES?

Although each of these books approaches the topic of marriage and its alternatives in very different ways, they by no means cover every aspect of what is now a prolific debate. The religious aspects of marriage, for example,

are omitted almost entirely: marriage is considered only as a *civil* institution, (even by Gill). Each author figures marriage and the people involved in it in different ways. For Emily Gill, marriage is a fundamental 'good' that intersects with identity, sexuality and the state in meaningful ways, and remains a privileged civil institution with couples at its core. Michael Cobb contests not just the privileged place that marriage occupies, but also the cultural domination of couple-stories. His is an effort to recuperate what he sees as the maligned and despised figure of the single. Cobb's 'single' stands in direct confrontation with the norm of coupledness, yet does not (exactly) criticise marriage as such. Rather, Cobb's target is the *desire* for a shared-paired life. I am not as convinced as Cobb that the line dividing couples and singles is always so clear, let alone that its effect is always to devalue singles. My view is more consistent with Barker's, which is peopled not by single individuals, but by people in various degrees of relatedness.

Writing about singleness in contrast to coupledness redraws the line that divides them, when in fact that division is anything but straightforward. While I would not suggest for a second that people—regardless of sexual orientation—ought or ought not to marry, I am all for more love, for love that is respected in its many incarnations, and for love that is mutually rewarding for those who find it, wherever they find it. Whether such love is more likely to be found in marriage, outside it, or even in singleness, is anyone's guess.

REFERENCES

Cobb, M. 2006, *God Hates Fags: The Rhetorics of Religious Violence*, New York University Press, New York.

Keane, H. 2002, *What's Wrong With Addiction?* Melbourne, Melbourne University Press.

King, K.A. 2007, 'The Marriage Amendment Act: Can Australia prohibit same-sex marriage?', *Pacific Rim Law & Policy Journal*, vol. 16, no. 1, pp. 137–165.

Knight, R. 2011, 'Obama to God and America: You're wrong about marriage', *The Washington Times*, 25 February [Online], Available: <http://www.washingtontimes.com/news/2011/feb/25/obama-to-god-and-america-youre-wrong-about-marriage/?page=all> [2014, Mar 7].

Ledger, B. 2012, 'The single life' (Interview with Michael Cobb), *U of T Magazine*, Autumn [Online], Available: <http://www.magazine.utoronto.ca/leading-edge/the-single-life-michael-cobb/> [2014, Mar 7].

Morrison, T.G. & Halton, M. 2009, 'Buff, tough, and rough: Representations of muscularity in action motion pictures', *The Journal of Men's Studies*, vol. 17, no. 1, pp. 57–74.

Rozengarten, T. Forthcoming, 2014, Unpublished honours thesis in Women's Studies, School of Social & Policy Studies, Flinders University, Adelaide, South Australia.

Heather Brook is senior lecturer in the School of Social and Policy Studies at Flinders University. She is author of *Conjugal Rites* (Palgrave 2007) and *Conjugalities* (Palgrave, forthcoming 2014).