

## THE ETHICS OF SAME-SEX MARRIAGE

By Tony Pitman  
March 2012

*Tony Pitman is a Melbourne-based LGBT rights activist and broadcaster at radio station JOY 94.9. He is a former Lionel Murphy scholar and is about to begin a PhD at the Centre for Applied Philosophy and Public Ethics at the University of Melbourne.*

Whether we get same-sex marriage this year or whether we have to wait a while longer, one thing is certain; same-sex marriage in Australia is inevitable. And the reason it's inevitable is quite simply because it's the ethical thing to do. A few moments of reflection based on almost any ethical system in the world must inevitably lead to this conclusion. Why? Because it all comes down to this: same-sex civil marriage has no effect on anyone except those same-sex couples who choose to get married. Ultimately, it's this simple realization that explains why laws to allow same-sex marriage are spreading throughout the world.

Almost all ethical systems are based on some variation of the 'Golden Rule'. Simply put, this means putting yourself in the position of another person to try to understand how your actions will affect them. Basically, if you wouldn't like people to do that to you, it is unethical for you to do it to them. In Christianity, it's often cited as, 'Do unto others as you would have them do unto you'.

So what happens when you apply this fundamental principle to the issue of same-sex marriage? How are people both within a same-sex couple and also outside of that couple affected by allowing or preventing the marriage of that couple? Marriage in our society carries enormous social and legal significance. So if you were a member of a same-sex couple who wanted to get married, but were denied that right, you would suffer a real detriment. Many of your family members and friends are getting married. But you are prevented by law from marrying the person you love. You would most likely feel distress, anxiety and frustration.

But what about the other side of the ethical equation? Continuing to apply the golden rule, how would a person outside the same-sex couple be affected if that couple were to get married? This is the point at which the ethics of the debate becomes clear. Because it doesn't matter whose position you take; the civil marriage of a same-sex couple has no effect on anyone else whatsoever. "Do unto others" hardly applies because a same-sex wedding simply doesn't 'do' anything to anyone outside the marrying couple.

So from an ethical point of view, the question is easily resolved. Preventing same-sex marriage causes suffering and distress to those same-sex couples who want to get married but can't. If they were to get married, those marriages would affect no one outside the couples themselves. Therefore, the only possible ethical answer is that same-sex marriage must be allowed.

Which is almost the end of the story. Except that there is, in fact, one group of people outside the same-sex couple who can be affected by the marriage. But affected in a good way. These are the children of same-sex couples.

It is unarguable that children benefit from a stable family environment. It is also unarguable that marriage tends to strengthen the bonds of the two people who marry and thus create a more stable family unit. Therefore, it is unarguable that, for children being raised by a same-sex couple, allowing their parents to get married will benefit those children by strengthening the family unit. This only adds to the ethical reasons in favor of same-sex marriage. Not only is it unethical to prevent a same-sex couple from marrying, it is also unethical to deny children the benefit of having married parents. Especially when that benefit will bring no detriment to anyone else.

Ironically, in Australia, it's conservative, right-wing, Christian groups that form the main organized opposition to same-sex marriage; the same Christian groups that uphold the 'Golden Rule' as a fundamental ethical principle. Of course, the real reason that these groups oppose same-sex marriage is because they believe that sexual relations between people of the same sex is a sin and they cannot tolerate behavior they see as sinful. However, they can't use this reason in their public arguments against same-sex marriage because, rightly, no one would accept the denial of civil rights to a certain class of people based on purely religious arguments.

Which puts those religious groups in quite a bind. They can't argue based on what they see as sin. And yet their own ethical principles actually support allowing same-sex civil marriage. This is why the arguments they do come up with are generally based on logical fallacies (slippery slopes, red herrings, confusing civil with religious marriage, etc.) designed to avoid the central question. And this is also why those groups will ultimately lose the argument and why we will see same-sex marriage in Australia within the next few years. It's clearly what ethics demands, and consequently, it's what an increasing number of Australians also demand.