Wedding Crashers

Do same-sex marriages cut the risk of HIV transmission? And is that question offensive?

September 1, 2008 By Lucile Scott

This May, same-sex marriage had a bit of a honeymoon. First, California's Supreme Court struck down the state's ban against such unions, becoming the second state high court, after that of Massachusetts, to do so. Thousands of California couples—from Ellen DeGeneres and Portia de Rossi to 85-year-olds who'd been living in non-legally recognized bliss for decades—rushed out for double-bride and double-groom cake toppers.

Then New York's governor, David Paterson, decreed that all state agencies would follow a court ruling that ordered them to recognize out-of-state and international gay marriages performed in locations where they're already legal, such as California, Canada, South Africa and Massachusetts. But should advocates of HIV prevention join gay-rights advocates in throwing rice?

The link between stereotypical, demonizing notions of gay sexual compulsivity, particularly gay male sexual compulsivity, and HIV transmission has long been noted and debated. It is a stereotype that gay advocates have often rebutted by arguing that marriage would ordain and encourage pure, old-fashioned fidelity, giving gay people a legally sanctioned reason to swear off the temptation of extracurricular, unprotected sex.

A Boston College study found that the opportunity to marry encourages gay couples to view their relationships as more "real," increasing their commitment and the desire for a long-term mate. Yet this defense of marriage, which presumes that it could solve the "problem" of gay promiscuity, may reinforce the very stigma it means to combat.

It seems to us, the real debate over the link between gay marriage and the presumed lower risk of HIV transmission is this: If, as the no condoms/abstinence-only conventional wisdom seems to espouse, marriage is some kind of institutional prophylactic, then why deny same-sex couples the right to enter into it, when homosexual men have a higher HIV risk than heterosexuals?

And what, moreover, actually happens in terms of that HIV risk when same-sex partners do get the right to marry? (Not to mention that heterosexual marriage, especially in the developing world, has been shown to increase HIV transmission risk, due to infidelity and the fact that married couples often do not use condoms.)

Why can’t the playing field, so to speak, be leveled regardless of orientation and risk?

Some gay-marriage advocates and opponents have contended that the recognition has more to do with winning legal benefits—such as health insurance and advancement from “second class citizen” status—than with restructuring the emotional terrain of commitment and “acceptable” sexual behavior and risk.

Yet it is the low self-esteem that springs from inequality that can spur people toward behaviors—sexual and otherwise—that can compromise their health and well-being. “[Banning gay marriage] is not an attempt to put others down,” says William J. Bennett on the Catholic Education Resource Center website. “It is simply an acknowledgement and celebration of our most precious social act.” Hmm, so gays would suck the preciousness out of it, huh?

Gay or straight, the key to not spreading HIV in any relationship is honesty and communication about sexual behavior and risk.

Studies in the locations where same-sex civil unions and marriages are legal hint that predefined gender norms and expectations in straight couples can disrupt a household. They report that same-sex couples are often more egalitarian than their straight counterparts—with work split more equally and the notion of a dominant partner de-emphasized. The studies indicate same-sex married partners are more likely to use humor and affection to keep arguments from exploding, whether discussing HIV or extramarital interests.

While it’s too early to tell exactly what, if anything, gay marriage will mean for HIV rates, all signs point to a positive effect.

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