

# How gay marriage fell victim to Labor's Stockholm Syndrome

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A referendum on same-sex marriage would be a bad idea, writes *Peter Brent*. But the fact that the issue has got to this point says a lot about the Labor Party

Howard's battlers: prime minister Julia Gillard with Bill Shorten (right) in 2010. *Gary Ramage/News Ltd Pool/AAP Image*

Tony Abbott says Australia doesn't need a referendum on same-sex marriage. In the wake of Ireland's huge 62 per cent "yes" vote on the weekend, the prime minister maintained that "questions of marriage are the preserve of the Commonwealth Parliament."

He's technically correct of course – it's not a constitutional matter here like it is in Ireland – but he seems to be saying more than that: that a referendum is not desirable.

Australian nomenclature tends to differentiate between "referendums" and "plebiscites," but really the two things are the same. A referendum/plebiscite can be either constitutional (we've had forty-four of those, of which eight were successful) or non-constitutional (two, on conscription, in 1916 and 1917; both failed). And there was a national vote in 1977 to choose one of four songs for our national anthem.

Until two decades ago Australia was often at the forefront of social change, but these days we lag way behind comparable countries, even the United States, and we're now behind conservative Ireland on same-sex marriage.

The chief reason the Australian political bubble is reacting with puzzlement to being left behind by popular opinion lies in the troubled psyche of one side of politics. At parliamentary level, such an evolution in social policy would naturally be substantially driven, or at least supported, by the centre-left. As happened in Britain, the centre-right would then scramble aboard, or at least not stand in the way, to avoid being on the wrong side of history.

But our Labor Party has been too scared of the voters.

Labor didn't take its long period in opposition between 1996 and 2007 – particularly the last two losses in 2001 and 2004 – at all well. By the end it had become so demoralised it internalised the opinion-page account of politics that had prime minister John Howard holding the electorate in the palm of his hand. Convinced he was just too good, that he understood middle Australia like none before him, Labor clung in its misery to its polling gurus, who reinforced that worldview.

In 2004 the Howard government introduced the Marriage Amendment Act to specifically outlaw same-sex marriage, and the Labor Party, led by Mark Latham, voted in favour. Rather than seeing an opportunity for differentiation, Labor viewed it as yet another trap set by the evil genius, a "wedge" to be avoided.

"I regret the fact that in 2004 I didn't tell the churches to go get nicked and [have] a policy of allowing gay

marriages,” Latham said six years later. But it was probably his own political instincts he was following, along with the disproportionate influence of factional heavy Joe de Bruyn. (Last week Latham [listed](#) being “obsessed with gay marriage” as one of modern Labor’s many sins. He does chop and change.)

After that awful 2004 result, Julia Gillard, a key Latham lieutenant, let loose her inner strategist and storyteller. In a comprehensive misreading of the political climate, she warned of the battleground of the next election, due in 2007:

*We need to be anticipating the new dominant issue and getting ready for it.*

*I suspect that we are seeing the hard heads of the Howard government turning to the next page in the Republican Party campaign manual and the next page is all about the so-called values debate, about issues like gay marriage and abortion, issues with an endless capacity to divide.*

Only someone seriously out of touch with electoral reality could believe the Coalition would win a fight against Labor on abortion. Yet ideas like this held sway across the political class and they continued into Labor’s time in government.

Karl Bitar, Labor’s national secretary from 2008 to 2011, devised what he called the “Lindsay Test,” named after the swinging outer-western Sydney electorate that has been a “bellwether” since its creation in 1984. All policy had to be something the people of Lindsay – overloaded with young families, middle-income, culturally homogeneous and socially conservative – would approve of.

This is how a political party ties itself in knots. And this was while Labor was in government. If Kevin Rudd’s flaw as prime minister was a lack of political courage, Gillard’s was worse: a total capitulation to the nostrums of apparatchiks like Bitar. She, like them, really believed all that values guff; since leaving politics she still refers to the “Howard test.”

It is this twisted political version of the Stockholm Syndrome that has left this nation where it is today on gay marriage.

A properly functioning political class would have brought in this change ahead of the popular curve, as it did in ending White Australia, giving Indigenous people full voting rights and decriminalising homosexuality. On none of these was a referendum held first (1967 was not about voting rights). Nor were any held before those economic reforms of the past three decades that are widely celebrated today. Nor do we vote for or against sending soldiers to war.

A same-sex marriage referendum is a terrible idea for several reasons. It would achieve nothing in itself; legislation would still need to get through parliament. Unless it was held with a general election it would be disruptive and costly for the voter and taxpayer. The “no” argument would get very ugly. (If you doubt that, here are three words to consider: Senator Cory Bernardi.) And most importantly, there is a very good chance it would fail.

It’s all very well to quote the high percentage of people surveys find in favour. A recent Essential poll found 59 per cent for and 28 against. But this nation has a proud history of registering high levels of support for referendum questions that peel away as voting day approaches. It happened in 1988 when 63 per cent eventually said “no” to a constitutional amendment to ensure one vote, one value at elections.

Referendums in this country easily turn into national by-elections, or a chance to give a kicking to “elites.” Or, as happened when we voted on the republic in 1999, it can be a case of “no to this model, perhaps another one?”

I don’t have to tell you that a failed referendum would be a severe setback for gay marriage in this country. It would stop it in its tracks for many years. In fact, a referendum is the opponents’ best chance of killing gay marriage for the foreseeable future. Which is why Abbott’s opposition is interesting.

In preparation for his 2013 comeback, Rudd claimed to have had a conversion on same-sex marriage; he was now in favour. He explained that in his family he had been “the last of the Mohicans on this.” Similarly, Abbott indicated that in continuing to oppose the reform he was in a minority of one against his wife and children.

It’s possible that the prime minister, in his heart of hearts, also believes it’s time to get this change done and dusted. But saying so would alienate many of his supporters.

And it can be difficult for political leaders to publicly state a change of mind. Gillard probably often wished she could. •