

— AS SAME-SEX  
MARRIAGE BECOMES  
PERMITTED IN MORE AND  
MORE PLACES AROUND  
THE WORLD, COUPLES  
WAKE UP TO THE FACT  
THAT FAIRYTALES DON'T  
ALWAYS COME TRUE  
— WHAT HAPPENS WHEN  
THE PINK WEDDING CAKE  
TASTES BAD? —

D.I.V.  R.C.E



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# AROUND 1% OF THE TOTAL NUMBER OF CURRENTLY MARRIED OR REGISTERED SAME-SEX COUPLES GET DIVORCED EACH YEAR

Back track to 1932 and oh my, how things have changed! At that time, *Gay Divorce* was Fred Astaire's last Broadway musical; fast forward nearly a century and gay divorce is now an ugly reality gaining power worldwide. But as they say what goes up, must come down.

On May 9, 2012, President *Barack Obama* announced, "I think same-sex couples should be able to get married". He was talking about marriage but by implication he was also saying that same-sex couples should be able to divorce. Even so, the naysayers (even if they are satirists like Lewis Black) will still spew forth a lash on the whole system of tying and then untying the knot: "Divorce is a sacred institution between a man and a woman who hate each other. God wanted Adam to pay alimony to Eve, not Steve".

If in doubt, just look at the statistics. At present they show a relatively small number, but as more people around the world become legally able to get married then it stands to reason that the divorce numbers will also multiply. According to Marriage Equality USA, a volunteer-driven, national grassroots organization, around 1% of the total number of currently married or registered same-sex couples get divorced each year. By comparison, the figure is around 2% for the total number of married straight couples. They also note that the percentage of couples that get divorced eventually is close to 50%, but only 1% or 2% of them get divorced in any particular year. In this specific instance, the numbers unfortunately cannot lie.

## DOWN THE AISLE OF HISTORY

As modern as it seems, gay marriage has been around for centuries. But recent media interest, the vehement backing of stars such as *Madonna* and *Lady Gaga*, and the attempt at full support by the most powerful nation in the world have ensu-

red gay marriage is the hot topic of the year. Not only has New Zealand joined the ranks as the latest country to allow same sex couples to marry, but England will also have its ducks in a tight row by early next year.

Looking further back to ancient times, the gays were marrying right across the continents. As early as the Zhou dynasty period of China there are recorded stories, including that of Pan Zhang and Wang Zhongxia, of male domestic partnerships. During the Romans' reign as an empire, Emperor Elagabalus referred to his very blonde chariot driver and slave, Hierocles, as his husband and was said to later have married an athlete, Zoticus, in a lavish public ceremony. But the Romans didn't stop there: Nero reportedly married twice, with two extravagant public ceremonies. Whether the Romans were drunk or high (as they so often were), or whether they got married in a "Vegas-I-Was-Drunk" stunt or not, will keep us guessing forever.

Furthermore, in Medieval times as far back as 1061, two men were married in Spain in a small chapel by a priest. Pedro Diaz and Muno Vandilaz, of the Galician municipality, even had the documents to prove it. More recently, women could marry each other as a "Boston Marriage", a situation in which two women lived together, independent of financial support from a man.

In modern times, gay weddings have taken place right across the globe, from the tackiest white swan extravaganzas to the more low-key and elegant courtroom standings. But with so many marriages taking place over the centuries, surely divorce must also date back across history?

On March 4, 2013, the cover of *New York magazine* featured two men leaning in to kiss each other, only to have their "photo" torn up as part of the cover's "Divorce Equality" feature. The piece, a lengthy feature about couple Kevin Muir and Sam Ritchie, details the love bells, gay-marriage pioneer phase and the demise of the whole situation, including how ghastly it all became. Some of the details are just too grim to share.

As gay marriage's modern take, or infusion, is still so new and painfully fresh in our history, the legality and practicality of it all may not yet have been sorted out. The matrimonial courts are just getting around granting permission as well as their blessing, while the banks and investment brokers are just beginning to get their heads around all the taxes that have now changed. Not to mention property ownership and bonds that are now no longer owned in singularity. A whole lot of chaos could be just down the line.

## THE DIVORCE EXPLOSION

As more people than ever (read: millions) can now get married it is surely inevitable

**EUROSTAT STATISTICAL OFFICE'S REVIEWS SHOW THAT THE NUMBER OF DIVORCES THROUGHOUT THE EU IS ON THE INCREASE; AN AVERAGE OF 1.8 DIVORCES FOR EVERY 1,000 PEOPLE**

that the option to opt out of marriage is now also available to more people. The first-to-market marriage pioneers, in sync with the freshness of the opportunity, have ensured the idea is now a welcome possibility and so for those seeking to separate, the world is their oyster. In the New York magazine piece the author quotes UCLA's Williams Institute, which released figures stating that of the 640,000 gay couples in the U.S. in 2011, 50,000 were married. And so an industry is created: the marriage paraphernalia, the *Sex and The City* dreams, and then the unravelling of it all – that is, if it does in the end.

Eurostat statistical office's reviews show that the number of divorces in the EU is on the increase: an average of 1.8 divorces for every 1,000 people. And so this is the new industry. From the lawyers to represent, to the insurance to prevent and the *Hallmark* card to send when it's all over. Then there are those who will help you move on – the various therapists for the emotional journey and, inevitably, the gay-friendly removal guys who will collect everything that you own (including those *Blu-rays* you hated but are going to take anyway) and help you with the physical trip.

Enter *Start Over Smart*, a support expo, which has arrived at the perfect time. Divorce used to have a negative connotation, dictated, presumably, by religion, but it is now seen as a way towards one's happiness. What *Start Over Smart* provides is a central gathering place for women and men who are navigating the icky divorce process and who want to start their lives over. There are webinars, support groups and ways to connect the divorced and divorcee to the best resources. All that (and some) together with a smile on everyone's faces. Divorce isn't dirty anymore; in fact nowadays you're dirty for staying in a bad situation, it seems. Self-help books taught that exact lesson in the 90s when Barnes and Noble were still full of customers. The gays apparently just heard the news and they're self-helping their way through it.

The first taster of self-help books, *The Essential Guide to Gay and Lesbian Weddings* by Tess Ayers and Paul Brown, has arrived. It includes a section, albeit a very short one, on what to do in case the marriage doesn't quite last. Their wish for newly-marriage doves is that they never have to deal with "Splitville" and their sound advice includes discussing key questions pre-marriage, such as, "What are the deal breakers?" and "How would a dissolution occur?"

And then, of course, there are the inevi-

table costs. According to a CNBC report this August: "For gay couples, divorce comes with extra costs". In fact, for gay couples the costs can be more than double those experienced by heterosexuals when it comes to divorce in the U.S. With the uncertainty in legalities as well as the snags (including extra documentation and confused courtrooms all across the country), the costs can drastically and depressingly be driven right up. Suddenly, lawyer's fees need to be paid instead of Equinox gym memberships, and that's just the tip of the iceberg.

Something borrowed, something blue, something to give back.

Whether it means the system is programmed in a way that complicates dissolution, or whether the system just isn't geared to understand the data, the hitches experienced by gays in their marriage slash divorce situation still need to be ironed out. As always, there are trailblazers who have helped ease the process, but the real work is still to come.

Divorce comes with a set of rules and regulations: the dos and the don'ts of what to do when your marriage is no longer working. The American Defense of Marriage Act (DOMA) deals with taxes, pensions and inheritances, but it does so very differently from state to state. Some states allow same-sex marriage (New York) while others grant privileges similar to marriage (New Jersey).

According to a *Huffington Post* article from August this year, "Tips on Avoiding Same-Sex Divorce Complications", what will happen to gay couples going through a divorce is that "significant assets of any kind will, most likely, be transferred upon divorce". The piece goes on to say that the house will be acquired by one of the spouses, retirement accounts are to be split, and financial assets will be allocated based upon the marital law of the state of residence of the spouses.

However, there are two classes of same-sex couples whose fate remains uncertain, according to the *Huffington Post*. Firstly, couples that live in states that do not recognize their marriage will face certain tax implications when they move from one state to another; the second involves







couples in civil unions who are subject to federal tax and retirement fund burdens in their home states.

In “Bound in a Gay Union by a State Denying It”, a desperate and heart breaking, but well written, piece in the *New York Times* in 2011, Karen Hartman discusses her dismay with the system. She may be what she calls a “hasbian” but her situation is familiar to gay men across the States:

*Nope, I would blurt brightly, you can't undo a civil union in Vermont unless you live there For a year There's a residency requirement, and they're very strict. I had confirmed this through repeated calls to the Vermont attorney general, a pleasant man who answers his phone.*

And that is pretty much where America is stuck right now.

In Europe the situation is also very different. Countries such as Germany, Finland and Hungary, for instance, offer legal benefits matching that of different-sex couples, in the form of a civil partnership

or civil union. However according to a *all Street Journal* piece in May this year, the statistics are not available. Iceland, Greenland, Hungary and Austria all say that they don't look at divorce rates for gays vs. straights – they just record divorce rates. It seems the divorce rate amongst the gays is just not clear. And so with no clear statistics available, can we really say that the correct support or funding for a certain segment of the population is in place? Just like divorce itself, it's never entirely clear cut.

In Holland, where gay marriage has been legal since 2001, the government has also given their gay citizens adoption rights but sadly not without complications. In *When Gay People Get Married: What Happens When Societies Legalize Same-Sex Marriage*, a book by M. V. Lee Badgett (2010), the author travels to Holland to investigate the impact of same sex marriage, divorce and how the Dutch government protect their citizens regardless of sexuality. But everything isn't always happiness and roses there either.

In a *Euroneews* article earlier this year, “Reflecting on 12 years of gay marriage in the Netherlands”, the story of a row between Turkey and the Netherlands was revealed. According to the article, “Turkish media and officials, including Prime Minister Recep Tayyip Erdogan, complained that a baby, born in the Netherlands to a Turkish family, had been placed in foster care at a lesbian couple's home by social services”. Turkey had then asked for the boy to be returned to his biological family (even though they were allegedly abusive). Members of the Dutch government came to the defense of the country's child foster care system and gay rights values by stating: “The interest of the child comes first”, adding, “No distinction is made in the Netherlands on the basis of sexual orientation or religion”. So even though this situation was born out of a complication, how can the rest of the world learn from this great example?

So what to do... what to do?

For now, read. Wedding books are all over the shelves and another bridal wedding

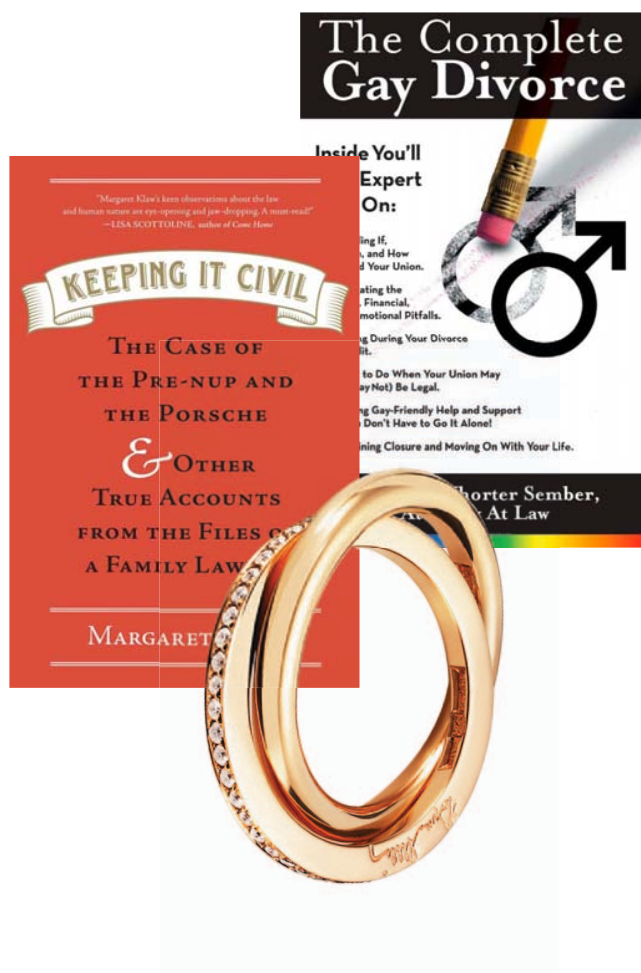
magazine launches annually, but soon the shelves will also feature books (and non-fiction) about divorce. One such book, *The Complete Gay Divorce* by Brette McWhorter Sember, has got the ball rolling. It starts with an admittance that just as straight couples break up, so do gay couples. The book goes on to explain, in an easy to understand language, how to end a marriage or civil union and what your rights are, as well as throwing in some custody and child support lessons, too. It delivers a very practical journey of what to actually do if it happens to you, and even pays attention to the inevitable emotional drama and personal drain that accompany such a situation.

In Margaret Klaw's book, *Keeping It Civil: The Case of the Pre-nup and the Porsche & Other True Accounts from the Files of a Family Lawyer* (published this month), she discusses her firsthand experience of clients dealing with gay divorce. Her blog, *FamilyLawUnraveled.com*, also goes into details on same sex marriage and its cessation. Books like Klaw's are the next frontier of gay marriage and divorce; an easy to read expose of real-life situations for normal people to learn how to go on their path to divorce is what will become more prevalent.

Perhaps a gay celebrity will divorce next (*Ricky Martin? Marc Jacobs?*) and the reve-

lation of the whole saga will be published. And inevitably, the literary world will spin out more books about a very contemporary situation and everyone will learn how this whole rigmarole will play out. This is just the beginning of a very big industry (let's call it a trend), and its thorns and rainbows will still need careful handling before the gays, or the straights, understand it all. But that, as with everything else, will take time and a perhaps a few more pioneers.

And then the gays will possibly wake up to the realities of divorce; the candy and the brussel sprouts. ♥



BOOKS ON GAY DIVORCE  
EFVA ATTLLING TWOSOME STAR