

The Radical Potential of Gay Marriage

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While visiting Portland, Oregon in March 2004, my pregnant wife, our two-year old boy, and I took a bus to the Multnomah County government building, where they give out marriage licenses. About fifty couples were standing in line. When the doors opened a loud cheer went out and the couples filed in. We were cheering, too. A few minutes later, a newly wed couple asked my wife to sign their certificate as a witness. She proudly agreed.

What was the big deal? The Multnomah County Recorder had just agreed to grant marriage licenses to same-sex couples. Every couple in line was gay or lesbian. The certificate my wife signed was for a lesbian couple who had been together for years. It was an amazing and important historical moment, and we were proud to have brought our son to it.

Wait a minute. Why would a heterosexual (het) married couple give a damn about two lesbians getting hitched? Further, why should I in particular think this moment was significant, given that I'm a revolutionary anarchist who believes the state is an oppressive institution that should be abolished, not recognizing unions between people. What made this an important moment—a radical moment?

Because at this point in time, gay marriage is radical. It is radical not just because it grants gays and lesbians the same opportunity to have their relationships publicly recognized—which hasn't happened in the West at least since the ancient Greeks. It is radical because it has the potential to challenge existing ideas of what counts as a "normal" relationship. It opens up new possibilities of how humans can engage in personal relationships (which I'll call "unions"), and it puts pressure on the state and society to recognize these new unions. Further, it's also an issue that could put people in the streets against the state and Christian fundamentalists if the struggle over gay marriage heats up. For these reasons, radicals—including happily married het radicals like me—should support gay marriage and be willing to hit the streets to defend it.

Yet for reasons I explain below, fulfilling the radical potential of gay marriage depends on a successful struggle against whiteness. This might seem surprising, although it shouldn't be, given how whiteness—defined as a position of racial privilege in a society that claims to be democratic—manages to insert itself in nearly every issue in American politics. If gay marriage is to open up space for public recognition of new sorts of unions, the movement for it has to confront its white problem.

The struggle for gay marriage

Gay marriage is not an entirely new issue, but its entry into the public consciousness began in 2003, when the Massachusetts Supreme Court ruled that prohibitions against it violated the state's constitution and gave the legislature until May 2004 to change the law to allow same-sex marriages. On May 17, 2004, gay marriage became legal in Massachusetts. This set off struggles for same-sex or gay marriage throughout the nation, as officials in Multnomah County; San Francisco; New Paltz, New York; and Sandoval County, New Mexico briefly issued marriage licenses to same-sex couples in defiance of state or local laws. The granting of such licenses was eventually stopped in these locales, but several city officials (including some mayors) still face investigations or charges for committing civil disobedience in granting the licenses.

The push for gay marriage set off a ferocious backlash among Christian fundamentalists. Since May 2004, fourteen states have amended their constitutions to ban gay marriage, and California may be the fifteenth if a ballot initiative recently launched is successful. A total of 38 states have

laws that define marriage as existing strictly between a man and a woman. Further, fundamentalists, supported by President Bush, are trying to pass an amendment to the U.S. Constitution that would define marriage as strictly between a man and a woman.

In the meantime, quietly, more than 6,000 gay and lesbian couples have married in Massachusetts in the first year that gay marriage has been legal. Two-thirds of those couples have been lesbian relationships. In addition to Massachusetts, Vermont grants “civil unions,” which guarantees most of the legal rights of marriage but without the name or status of marriage. (It’s also legal in Spain and the Netherlands.

The radical debate over gay marriage

Marriage of any kind has always been a difficult issue for anarchists, feminists, and radical queers. The radical critique of marriage goes back to Emma Goldman, who argued that marriage is a patriarchal institution that oppresses women and limits the ways in which humans relate to each other sexually and emotionally. Others criticize gay marriage for attempting to make homosexuality “normal,” which inevitably requires isolating fairies, bears, butch dykes, and others who can’t (or won’t) fit the “model” same-sex family with 2.2 in vitro kids, a middle class income, a Volvo in the garage, and TiVo in the living room.

These critiques of marriage are important and need to be kept in mind by anyone thinking of getting married—homo, het, or other. The feminist/anarchist ideal of no state involvement whatsoever in any sort of union among people is obviously the ideal. But as with many struggles, the path to this goal is not always the most direct one. We need to seize the opportunities history provides. In the short term, this may require embracing a practice (marriage) we would otherwise like to see ended rather than extended.

Context is all. What is an oppressive practice in one context can be liberating in another. Just as revolutionary civil rights workers like James Forman recognized that a Black Southerner voting was not buying into the system but threatening it, so is gay marriage a potential threat to marriage and the traditional family. It is a threat because it undermines the assumption that an intimate union consists of one man and one woman. Radicals need to challenge this “heteronormativity,” as academics call it, and the best means to do so today is by embracing the struggle to legalize same-sex marriages, whatever one’s opinion of marriage itself. All the radical critiques of marriage combined don’t pose one-tenth the threat to patriarchal and heterosexist institutions that the simple marriage between the two middle-class white lesbians whose marriage my wife legally witnessed does.

Radical feminist and queer activists and scholars, many of whom used to be critics of gay marriage, are already making this point. In the early nineties, for example, National Gay and Lesbian Task Force policy director Paula Ettelbrick opposed making legal marriage a priority for the gay rights movement because, she argued, gay marriage would encourage assimilation rather than acceptance of queer difference. But Ettelbrick now supports gay marriage. This may seem like a reversal in position, but not necessarily. The basic principle Ettelbrick holds to is that the basic notion of the “traditional family” needs to be transformed. “Being queer,” she writes, “means pushing the parameters of sex and family, and in the process transforming the very fabric of society.” In the current situation, she sees gay marriage as an opening toward transforming the family and subverting state interference in unions among people.

Gay marriage in the streets?

There are several important reasons to support gay marriage. The first is just straight-up fairness. As a het guy, my right to marry gives me a social status above all gay, lesbian, bisexual, or transgender (GLBT) persons in some respects, because society recognizes my union while refusing to recognize theirs. Anti-gay policies are among the last legal forms of discrimination in the United States. Granting the right of a person to marry whoever she wants is important if only to end this last legal form of inequality. I can't see why any radical would support the current status quo. After all, the right to marry is not an obligation to marry. Even if you oppose the institution of marriage, you should support the right of GLBT folks to marry as long as hets have that right.

Another reason to defend gay marriage is that it has become the frontline struggle in the battle against Christian fundamentalism. Same-sex marriage is a polarizing issue. It divides society into those for it and those against it, with little or no middle ground. (Civil unions is an attempt to create a middle ground, but it has no constituency.) "Moderates" fear polarizing issues. Radicals, however, are attracted to them because they raise the profile of radical positions, isolate the moderates, and draw clear lines between radicals and fundamentalists. These lines are typically drawn in the streets, which is where the struggle over same-sex marriage is headed if fundamentalists succeed in taking their constitutional amendment to state legislatures. Direct action over gay marriage could be the biggest protest movement against the religious right since the battles to defend abortion clinics in the 1980s and 90s. Get ready.

The real significance of gay marriage, however, lies in its ability to shake up and potentially transform our understanding of social relationships. Rather than "normalize" gay and lesbian relationships so that they simply imitate het unions, gay marriage could expand the number and kind of intimate relations that are publicly recognized. This is the secret of gay marriage that petrifies the fundamentalists. They fear (correctly) that gay marriage will not confirm traditional notions of marriage and unions but challenge them. This could legitimate all sorts of alternative unions, from gay monogamy to group parenthood to polyamory (loving more than one person). Rather than shrinking from this possibility, as much of the mainstream pro-gay marriage lobby does, radicals should embrace it.

Gay marriage can be a step toward the subversion of the traditional family, not the normalization of gay and lesbian monogamy. As Richard Goldstein of the Village Voice notes, "It's understandable that advocates for gay marriage would portray it as a tribute to normalcy, and in the short term it probably will look like that. But as gay people grow accustomed to this option they will shape it to suit their particular needs. You'll see leather weddings, boi-on-boi unions between queers of the opposite sex, trans matches that defy the boundaries of gender—all in cahoots with rice-throwing, trip-to-Niagara realness. Queers won't stop being queer just because they can get hitched. The tradition of open relationships won't cease to exist, nor will the boundless exploration of identity and desire."

Further, Goldstein notes that gay marriage could open the door for public recognition of other types of unions, such as among elderly persons who live together but don't want to "sully" the memory of their deceased spouses by formally marrying again, siblings who want to honor their bond (and legally join their assets), or group custody of kids. The fundies, for once, are right: There's no limit to the sorts of unions that gay marriage could help make possible, simply by challenging the current notion that a "legitimate" union consists only of one man and one woman.

The threat of respectability

Mainstream GLBT organizations know they face an uphill battle in legalizing gay marriage. Their approach has been to make gay marriage seem as moderate and respectable as possible. The Human Rights Campaign (HRC) website, for example, writes, “One thing that both sides of the marriage issue can agree upon is that marriage strengthens families. Children are more secure if they are raised in homes with two loving parents who have a legal relationship with them and can share the responsibility of parenthood.” HRC also argues that “GLBT people deserve equal access to the American dream. Gay, lesbian, bisexual and transgender people grow up dreaming of falling in love, getting married and growing old together. Just as much as the next person, same-sex couples should be able to fulfill that dream.” Clearly, their strategy is to make gay marriage seem like the functional equivalent of het marriage, implying no far-reaching consequences for American society.

We should expect this line from liberals—it’s what makes them liberals, after all. Radicals must avoid the temptation to adopt this strategy for gay marriage (which is likely to fail, anyway). But we also need to avoid succumbing to the temptation to dismiss gay marriage itself because of this strategy. The strategy is liberal but the goal is not. We must push the subversive potential of gay marriage. This will provide a new context in which to debate the issue publicly. It will be an aggressive stance that frightens the fundies. Further, it will put pressure on liberals to adopt more radical positions as the struggle develops.

Liberals typically fail to win the majority of people over to their “respectable” ideas because they provide no critique of this society and no vision of a new one that people could embrace. That’s why when it comes to seeking change, they run to the courts and away from the streets. The task, however, is to change public opinion, not cater to it or dodge it by running to the courts. The ultimate goal is to build a constituency with a new conception of human unions, not win a legal or legislative battle (although of course we’ll need a few of those, too). You can’t create a new political consciousness while trying to be moderate and respectable. You also can’t do it by criticizing gay marriage as “liberal” from the sidelines.

Whiteness and gay marriage

Like almost every significant issue in this country, gay marriage is loaded with racial politics. Race affects the struggle for gay marriage in at least three ways. First, mainstream gay rights organizations frequently equate the campaign for gay marriage with the issues, language, and ideology of the civil rights movement in a way that can only be regarded as disrespectful and white chauvinist. One pro-gay marriage group calls marriage bureaus “the new lunch counters” for gay and lesbian people, referring to Black-led struggles against segregation. HRC’s website writes, “It is an American tradition to abandon discriminatory laws, even if they are popular—as were bans on interracial marriage and Jim Crow laws segregating the races in everyday life.” In explaining its critique of civil unions it goes on to say, “Civil unions are not separate but equal – they are separate and unequal. And our society has tried separate before. It just doesn’t work.”

As Kenyon Farrow makes clear in his important article, “Is Gay Marriage Anti-Black?”, the analogy is disrespectful because white supremacy and homophobia have functioned very differently in American history. “Blacks of all sexualities experience the reality that many white gays

and lesbians think that because they're gay, they 'understand' oppression, and therefore could not be racist like their heterosexual counterparts," he writes. "Bullshit. America is first built on the privilege of whiteness, and as long as you have white skin, you have a level of agency and access above and beyond people of color, period. White women and white non-heteros included."

Although prejudice, exclusion, and discrimination are consequences of both racial oppression and homophobia, they have functioned quite differently in the U.S., a society whose state and economy depended on slavery, segregation, and other forms of racial oppression. As Black gay activist and same-sex marriage supporter Matt Foreman puts it, "The problem is that people in the gay and lesbian movement have frequently tried to cloak themselves in the civil rights movement for African Americans without recognizing the differences, and that has quite rightly been seen as offensive. Gay people have been persecuted throughout history, but there is nothing to compare to state-sanctioned centuries of oppression." This is not to say that white supremacy is "worse" than homophobia, only that it functions differently and that equating them is neither historically accurate nor politically sensitive.

The Christian Right is attempting to capitalize on the whiteness within the gay marriage movement. It is aggressively recruiting African American clergy against gay marriage, using the civil rights movement analogy as a weapon. Genevieve Wood, a white organizer for the conservative Family Research Council, told a group of Black evangelicals that same-sex marriage supporters "are wrapping themselves in the flag of civil rights." She continued, "I can make arguments against that. But not nearly like you all can." Wood and the Christian Right are opportunistically pretending to be Black folks' best friend on this issue, only to abandon them when other issues affecting the Black community (affirmative action, civil rights, welfare programs) come up. But the mainstream gay marriage groups are guilty of opportunism, too. Many Black people sense this, and resist gay marriage as a result. "There has always been this undercurrent, from the women's movement through other movements, that the history of black people and their struggle was being opportunistically appropriated by an assortment of groups when it was convenient," says the Reverend Gene Rivers. "This movement [gay marriage] is particularly offensive because it hits at the Book, the Bible, and the painful history of black people all at once."

The result is that gay marriage appears to be a "white thing" when it shouldn't be. Farrow, in fact, concludes that gay marriage is anti-Black because it opportunistically steals from Black freedom movements, fails to undermine "christian capitalist patriarchy," and distracts from more significant issues that confront GLBT persons of color. I disagree with Farrow's rejection of gay marriage but his critique is very important because it exposes the white trap the gay marriage movement is falling into as it seeks to become "respectable." Throughout U.S. history, "respectability" has always been colored white.

The second way in which race impacts the struggle for gay marriage is in the crucial but largely unrecognized role of the Black community, particularly Black politicians in the Democratic Party, as one of the primary bulwarks against more draconian anti-gay legislation being passed in state legislatures and elsewhere. For example, Black members of the Georgia state legislature (including many church deacons and ministers) recently tried to block the legislature from endorsing a constitutional amendment banning gay marriage, even though many of them are personally uncomfortable with gay marriage. As Representative Georganna Sinkfield of Atlanta says, "What I see in this is hate. I'm a Christian, but if we put this in the Constitution, what's next? People with dark hair? You're opening the floodgates for people to promote their own prejudice." Black legislators have been the main constituency blocking such legislation in several other Southern

states, too, while white Democrats have caved in and sided with Republicans. Whatever their personal convictions and even at a potential political cost, Black folk are holding up the dam against anti-gay legislation. Yet their central role in defending gay rights is ignored.

The third way that race is central to gay marriage regards the paradox it raises in regards to the “traditional family.” I have argued that the true function of gay marriage is to undermine the traditional family, which is a bulwark of patriarchy and capitalism. Yet Black people have been denied the ability to create traditional families since they arrived in the Americas. From the slaveholders’ ability to break apart slave families to the welfare system’s requirements that women who receive AFDC be single, the American state has actively sought to disrupt, destabilize, and destroy the Black family. (Then an army of sociologists and social workers come in, insisting that Black folk themselves are at fault for their “dysfunction.”) In the face of such oppression, the struggle to create and maintain “traditional” Black families is in a way quite radical.

The resistance to gay marriage by many Black people needs to be understood in this light. Our society today is trying to prevent the official recognition of gay families, but white supremacy has tried to destroy the Black family for over 300 years. The question is how do we promote gay marriage as a radical attempt to redefine human unions while recognizing the Black struggle to create “traditional” families as a radical effort, too?

The answer, I believe, is to defend marriage (het or gay) as one viable option among many for a person, not attack it as an inherently heterosexist and patriarchal institution. Context is all. Typically marriage and the traditional family has been patriarchal and heterosexist—but not necessarily in the Black community, and not necessarily for GLBT relationships, either. Thus, marriage and the traditional family can be subversive in the right context. Radicals should encourage this subversion by defending the right of people to freely engage in unions of their choice, including marriage.

Gay marriage: the radical choice

Gay marriage is not inherently revolutionary, of course. It could be co-opted, particularly if the movement for continues to seek “respectability.” Further, polls show that support for gay marriage is much greater among folks ages 18–29 (55% in favor) than those who are older. So perhaps gay marriage will be won by generational turnover, not radical struggle.

But anyone who believes that progress is inevitable hasn’t lived in the twentieth century. Progress requires struggle. Gay marriage is progress because it has the potential to mushroom the number and kind of publicly recognized human unions. We should seize on the instability gay marriage will cause to push for greater sexual freedom. Rejecting gay marriage because it is a patriarchal or authoritarian institution ignores the context of the times we live in. Such rejection may be a radical posture, but there’s a big difference between a radical posture and a radical politics.

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