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CRITICAL PERSPECTIVES ON GENDER AND POLITICS

Whatever Happened to Feminist Critiques of Marriage?

Introduction

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Recent passage of anti–gay marriage initiatives in California and Maine, combined with the legalization of same-sex marriage in Vermont, New Hampshire, and Connecticut (and, previously, in Maine!), present us with renewed opportunities for discussion and debate about the *politics* of gay marriage. Many of those supporting same-sex marriage have argued that gays and lesbians should have a right to marry because, in effect, they are "just like" heterosexual couples, and ought not be denied access to the same rights and benefits as those couples. But feminists have long criticized marriage as an institution; indeed, feminism and gay liberation used to be about *challenging* the centrality of marriage, rather than asking "in."

This symposium begins from a question: What happens to that critique in the face of current debates? If marriage is a product of patriarchal, class-based, and racist institutions, why argue to extend its reach? Further, at a time when health care, social security, and a variety of social supports are on the public agenda, why argue for marriage as *the* (or even *a*) primary way to access them? On the other hand, how could feminists *not* oppose efforts to deny rights to gays and lesbians? How do we navigate this terrain both politically and theoretically?

In the essays that follow, our contributors reflect on the increasingly complicated politics of gay marriage in the United States. The initial inspiration for this Critical Perspectives section was a panel at the 2008 meetings of the American Political Science Association entitled "Why NOT Marry?" (organized by Ann Robbart and including presentations by Martha Ackelsberg, Jyl Josephson, Angelia Wilson, Katherine Triantafillou, and Nancy Polikoff). The panelists offered a variety of perspectives about alternatives *to* marriage and some caveats about treating access to marriage as the preferred solution to the inequities of heterosexual privilege in the contemporary United States.

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Our contributors here begin from the awareness that in the context of the mainstream political debate, there has been relatively little questioning of the struggle for "marriage equality" as an appropriate goal, either for the lesbian/gay/queer rights movement, or for progressive activists more generally.

These essays encourage us to think about arguments for marriage in the context not only of rights to intimate association but also of debates about the politics of care, understandings of liberal freedoms, the place of religion, and the construction of frameworks for social provision more generally. Jyl Josephson takes issue with the ways in which supporters of gay marriage effectively reinforce binary oppositions, denying the diversity of actual family construction in the contemporary United States, while Lori J. Marso — drawing on the writings of Simone de Beauvoir — highlights the ways that struggles for gay marriage potentially reinforce exclusive notions of bourgeois respectability. Tamara Metz uses marriage to explore the ways in which care provision effectively denies the freedom and equality we purport to uphold; and Angelia R. Wilson draws on European examples to call for a rethinking of the relationship between marriage and care provision. Our hope is that these essays will spark further conversation and broaden the frame of the discussion about marriage and equality.

Demands of Care and Dilemmas of Freedom: What We Really Ought to Be Worried About

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So long as the state defines, confers, and uses marital status as a vehicle for protecting and supporting associations of intimate caregivers, also known as families, it must offer the status to same-sex intimate caregiving couples. A commitment to equal treatment before the law demands it. Period.[1]

That the state defines, confers, and relies upon marital status in this manner is, however, deeply problematic. This arrangement — the

1. In this piece, I draw substantially from my forthcoming book, *Untying the Knot: Marriage, the State, and the Case for Their Divorce*, Princeton University Press.

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