QUEERING MARRIAGE: AN INVESTIGATION OF SAME-GENDER CIVIL UNIONS IN CONTEMPORARY AMERICAN SOCIETY

By

GAY ELIZABETH PHILLIPS

Bachelor of Arts in Sociology/Social Work
Phillips University
Enid, Oklahoma
1977

Master of Science in Sociology
Oklahoma State University
Stillwater, Oklahoma
1991

Submitted to the Faculty of the
Graduate College of the
Oklahoma State University
in partial fulfillment of
the requirements for
the Degree of
DOCTOR OF PHILOSOPHY
July, 2008

QUEERING MARRIAGE: AN INVESTIGATION OF SAME-GENDER CIVIL UNIONS IN CONTEMPORARY AMERICAN SOCIETY

Dissertation Approved:

Dr. Jean VanDelinder

Dissertation Adviser

Dr. Patricia Bell

Dr. Brad Bays

Dr. Gary Webb

Dr. A. Gordon Emslie

Dean of the Graduate College

ACKNOWLEDGEMENTS

It is with great pleasure that I acknowledge the support and direction of so many people in my efforts to complete this research study and in my doctoral pursuit. First I would like to acknowledge the Oklahoma State University Department of Sociology faculty and staff, particularly Sue Barrymore and Barbie Teal who keep the Department running smoothly and are always quick to assist students with the greatest of kindness.

I wish to thank my dissertation committee chair, Dr. Jean VanDelinder, for her leadership, patience, and efforts on my behalf not only with my dissertation, but also in support of my future goals.

I want to thank the other members of my dissertation committee, Dr. Patricia Bell, Dr. Gary Webb, and Dr. Brad Bays. I appreciate your time, patience, and insight.

My interest in people came from a family of origin who enjoyed traveling, learning about the cultures of the world, and always asking the "why and how" questions. My parents, Nora M. and Howard M. Phillips live and lived a life of continuous learning. My mother continues the tradition of valuing education through her work in PEO. My father died two and a half years ago, but while he was with us he always had a curiosity of how things worked. As a chemical engineer he invented and developed products; in retirement he was an entrepreneur who developed a product to assist those with arthritis. They sparked my interest in people and set a standard of higher education in an exciting,

taken-for-granted kind of way, and made the means available for me to pursue a lifetime of formal and informal learning. I cannot begin to thank them enough.

Taking on the goal of an advanced degree takes the biggest toll on a person's immediate family. My family has sacrificed much over an extended period of time on behalf of my personal goals. My daughter and granddaughter have sometimes received too little attention from me as I have been in class or at the library. My partner of 23 years, Sue, has sacrificed the most. I am undyingly grateful to her. She has supported me emotionally, financially, and mentally in my education pursuits. She put up with my moods, my complaints, and my absences. I love her dearly and wish to thank her for sacrificing so much and loving me enough to put my interests above hers. Thanks, Sweetie.

My sisters have been a great support to me. Sylvia has edited my papers and listened as I agonized over some aspect of my dissertation. Susan has been my cheerleader and drill master even in the midst of her own life difficulties. Both have always believed in me in a way that only sisters can and I am eternally grateful to each of them for their unconditional love and support.

I am lucky to have a multitude of friends who have also put up with my moods, always asking how it is coming and wishing me well. In particular, I wish to thank Sharilyn for knowing how to assist me in thinking through a theoretical construct and for editing my chapters. I also wish to thank Marty for her encouragements and coaching, reminding me to hang in there, for the achievement is worth the labor.

I also wish to thank my Community of Hope companions. Their prayers, rainbow candles, teddy bears, and inspirational words have been a constant comfort to me.

I wish to acknowledge the staff at the Vermont Department of Vital Statistics for their patient assistance as I gathered civil union registry information. And, I wish to thank Justice Justine who officiated over our own civil union. These individuals are exemplary examples of public servants.

The person who has edited and formatted my dissertation is a tribute to professionalism. She has taken extra efforts to make sure my dissertation is presented well within my field's academic standards. She has watched my back with the most minute detail and overall scope. Thank you Deb Cochran for an outstanding job!

The participants in this study took the time and effort to provide me with personal information and understanding of their experiences relating to their civil unions. I am indebted to their candor, patience, and insights. Some of their personal stories included painful memories of rejection, self-doubt, and anger over a world who for the most part considers them deviant. I only wish their openness and honesty will be returned to them tenfold.

Finally, I want to thank the person who opened my eyes to the world of sociology when I was an undergraduate sophomore at Phillips University. Dr. Nancy J. Ogle is one of those once-in-a-lifetime professors who inspire students not only in their field of study, but to be a person of honor and justice in the world. She cares more than she can often express and she challenges you using an incredible sense of humor that leaves you begging for more. If I am one-tenth the professor she has been to hundreds of young, naive sophomores in the world, I will be grateful. Thank you, Ogle.

TABLE OF CONTENTS

Chapter Page

Chapter Page

LIST OF TABLES

SPECIAL TERMS

I wish to notify the reader of a term I use in this thesis and my reasoning for doing so. Throughout this thesis I use the term *same-gender* where other scholars conducting research with lesbian and gay male participants tend to use the term *same-sex.* I have chosen to use the term *same-gender* in recognition and honor of lesbian and gay male individuals who have attempted to educate themselves and the public to an identity that focuses not only on sexual orientation, sexuality, and sexual desire, but on non-sexualized aspects of one's identity. I believe the term *same-gender* is a less sexualized term and therefore use it throughout this thesis unless directly quoting from someone else.

CHAPTER I

INTRODUCTION

Statement of the Problem

This study examines the lived experiences of lesbian and gay men who have participated in a Vermont Civil Union. The issue of legalizing marriage for gay and lesbian couples is one of many contentious issues in contemporary marital and intimate relations in today's society. Same-gender relationships have been a controversial issue in society for several decades (Zicklin 1995; Patterson 2000). The notion of gay marriage has been characterized by many in society as a threat to the family, morality, and society as a whole. Some religious organizations, professionals, and many in the general public believe the current institutions of marriage and family are at risk of continuing if same-gender civil unions and gay marriage is legalized (Bolte 1998; Ettelbrick 2000). These individuals and groups oppose extending any form of civil marriage to lesbian and gay couples (*Focus on the Family* 2004; Sullivan 1997). Even some gays and lesbians do not desire, or support, extending legal marriage to same-gender couples because of perceived constraints, patriarchal and heterosexist structures, and failures of the current institution of marriage (Stiers 1999; Walters 2001).

Other gays and lesbians perceive gay marriage as a deserving civil right not granted to them under the law. Local, state, and federal legislatures and courts are and have been dealing with numerous issues concerning lesbians and gay men over the past several years, including issues of custody and adoption rights, sodomy laws, equal protection in housing and employment, and hate crimes protection (Zicklin, 1995; *Lambda Legal*, 2003). Gay marriage is another "cog" in these discourses. The *Harvard Law Review* stated that in the case of same-gender relationships, society is in "nothing less than a 'culture war'" (*Harvard Law Review* 2000:1421). The intent of this study is to explore this discourse from the perspective of the participants in one important legal event, a Vermont Civil Union.

The state of Vermont was the first state in the United States to create a legalized category for same-gender couples. Only Massachusetts has followed suit creating legal marriage for gay couples. More states have recently enacted laws to deny recognition of other states' civil unions or marriages of gay couples, and have taken steps to specifically define marriage as being between one women and one man. As the legal status of gay couples continues to be debated, little is known of gay intimate relations and the impact of legal status on the individuals involved, the impact on their relationship, and the impact on their family, friends, and communities. Less than a dozen studies have been conducted focusing on gay and lesbian participants in Massachusetts marriages or Vermont Civil Unions. Three of these studies look at family issues related to legal marital status and children. One of these studies looks at the religious implications of legal gay marriage. My study attempts to expand the literature of gay and lesbian intimate relations and legal status by focusing on individual, dyadic, and societal aspects of the lived

experiences of lesbian and gay male couples who participated in a Vermont Civil Union within the first four years of the new law.

Purpose of the Study

The purpose of this study is to investigate the lived experiences of gay men and lesbians who have obtained a Vermont Civil Union. This study provides an opportunity to focus on an understudied population, involved in a unique legal process at a time when society as a whole is in conflict over numerous aspects of intimate relationships, marriage, and the family, including those who identify as lesbian and gay. Civil Union participants are experiencing a new legal process that affects them personally, socially, and legally. This investigation has the potential to add to the literature in the sociology of marriage and intimate relations, the sociology of sexuality and gay studies, and the sociologies of culture and social protest.

My interest began in Vermont Civil Unions as a project of study as my partner of 17 years and I stood in the garden of a city judge in a small town in Vermont exchanging vows for a second time. We had had a small private commitment ceremony within the first year of our relationship. This time was different, however; not just in the timing of the event and not in our commitment to one another, but in our perceived place in the world. We were now "official" – at least somewhere. Obtaining our license at city hall was another reminder of internalized homophobia. I kept waiting for jeers from city hall staff or for them to say, "Sorry, no you really can't have a civil union license; we were just kidding about legalizing your relationship." None of that happened. I am still surprised that the citizens of Vermont allow their gay and lesbian citizens to obtain this

license and am particularly surprised they include couples from other states and countries to obtain a civil union. My experiences as a lesbian being excluded from various social institutional processes is too well embedded to so easily adjust to this publically legal acknowledgement. So why, I asked myself, did I and other couples travel half way around the country to obtain a legal status that does us no good in our home states? How do the Vermont gay men and lesbians obtaining a civil union "un-pack" the internalized homophobia enough to walk across the street in front of their neighbors and co-workers to apply for a civil union license? All these questions swirled around in my head as our kind judge said, "By the power given to me by the State of Vermont, I declare you partners in life."

Thus, this study involves my own personal involvement and built-in biases. I have a value of legalized gay marriage. My closeness to the topic and project may have created blindness in my research design or data collection? Or, my interpretations or analysis may be clouded? On the other hand, my participatory activity perhaps gave me added credibility and access to other civil union participants? I may also have added-insight in interpretations and impressions of the data and analysis as a result of my participation in a civil union? I have attempted to be diligent and scholarly in my research process through every step of this study. I have followed academic protocols, sought guidance from other scholars, and attempted to evaluate every aspect of research design before taking action. I will discuss this topic further and other potential limitations of this study in the Conclusion section.

In this study I explore why gay and lesbian couples chose to obtain a Vermont Civil Union. Solomon, Rothblum, and Balsam (2003) points out that for the first time

Civil Union participants provide us a way to focus on gay and lesbian couples having a legal status (p. 4). Zicklin (1995) argues that, "Through the licensing process and the wedding, society bestows a sense of specialness on the heterosexual couple and their future life together" (p. 56). A great number of studies have been propagated about why couples choose to establish legally sanctioned relationships, and how the reasoning for these relationships have changed over time (Macklin 1980; Teachman, Tedrow, and Crowder 2000; Martin, Martin, and Martin 2001). The reasoning of same-gender couples to seek legalized means of relationship "licensing" is important in understanding the social construction of relationships in non-heterosexual relationships.

Second, I explore the meaning(s) gays and lesbians give to their civil union. Blumer (1985) has shown us that the meanings people give to their lives encompass everything, occur or come out of social interaction(s) with others, and involve an interpretive (self-interaction) process. He argues that meanings stand on their own merit as social products, created in and through interactions with others and formed through a process of designation and interpretation (pp. 282-99). It is therefore important that in this study I go to the source of the meanings this population has concerning their civil union action. Silverman (1998) states that this endeavor is "an attempt to document the world from the point of view of the people studied" (p. 85). Recognizing that asking participants to ascertain the meanings they have, and have had, to one event in their lives has its limits; nonetheless, exploring the meanings reported by participants will provide insight into how their action is self-interpreted, maintained, and monitored in their everyday lives.

Third, I investigate the impact obtaining a civil union has had on the participating individuals, the couple's relationship, their perceptions of their relationships with family, friends, coworkers, and community in general, and their legal status. Relationship studies have focused on the effects of socially sanctioned and non-socially sanctioned relationships to individual's well-being (Brown and Booth 1996, Kurdek 1998). The opinions and responses to one's relationship from family, friends, coworkers, and community is of well-established importance to individuals and important to "conjugal adjustment" in relationships. Dyadic intimate relationships in our society, although varied and dynamic (Huston 2000; Teachman et al. 2000), are highly esteemed on a variety of levels (Tully 1994; Zicklin 1995). Understanding the impact of Civil Union participation on one's sense of Self, interpersonal dynamics, social and familial relationships and legal status (or lack) can provide valuable insight to the changing construction of relationships and self-experience in today's society.

Finally, in this study I update much of the Solomon et al. demographic and relationship information. I predict that the demographic profile identified by Solomon et al. has not significantly changed. With the (still) relative newness of the civil union legislation in Vermont, the necessary travel distance and expense for most couples to get to Vermont, and the mixed desire for access to legal processes recognizing gay and lesbian relationships within the gay community itself, I anticipate the participants in Vermont Civil Unions are demographically and relationally unchanged from the Solomon et al. study. However, verifying demographic and relational consistencies or variations will assist in establishing trends over time.

Research Questions

From survey, interview, registry, and aggregate data the following research questions are asked and discussed in this study:

1. Who is obtaining a Vermont civil union?
2. Why are these individuals obtaining a civil union?
3. What meaning(s) do these individuals give to their civil union action and relationship?
4. What impact has participating in a Vermont civil union had on each individual, the couple's relationship, and their perception of their relationships with family, friends, co-workers, and community, and, their legal status?

Significance of the Study

This study is significant because civil unions may have important personal, relational, cultural, and political implications as gay marriage is being debated across the country. By exploring same-gender civil unions at three levels: individual, dyadic, and societal/structural levels, the complex interactions and processes of individual experiences of self, relationship experiences and management, cultural practice, and structured protests can be examined. Huston argues that it important to study intimate relationships using a multi-level analysis in order to really understand how intimate relationships work. He states, "The historical, multi-layered, interdependent pathways that produce, maintain, and modify intimate relationship behavior . . . must be taken into account" (p. 298). Orleans (2008) also argues for a reflexive accounting of social phenomena "to make manifest the incessant tangle or reflexivity of action, situation, and

reality in the various modes of *being in the world*" (p. 2). A multiple-level analysis is utilized to better and more fully understand the reasons, meanings, and impact gay men and lesbians have of their lived experience in Civil Union participation.

An important feature of this research concerns its data population. As Solomon et al. states, "This research utilizes access to a whole population where most studies conducted with lesbian and gay participants have only utilized convenience samples" (p. 3). Vermont Civil Unions are recorded using a registry system that is a matter of public record. All (approximately 4,000) of the Civil Union participants receiving Vermont Civil Unions, from the first registrants in July 2000 through December 31, 2003, were included in this study's randomized probability sample. Three hundred Civil Union Registries were randomly picked to receive a letter of invitation to participate in this study. I also used the snowball technique to identify potential Civil Union participants. Fifty-two individuals representing 28 couples participated in the study. The random sample in this study enables the research findings to be better generalized to the whole study population and increases its external validity for representativeness (Nachmias and Frankfort-Nachmias 2000:101).

Methodology

I use a combined qualitative and quantitative methodology in this research project. This approach is useful because the data offers the opportunity to discover respondents' experiences and meanings of participation in a civil union, as well as to provide aggregate data on specific demographic, relationship, and inter-sectional characteristics of this under-investigated population. These methods combine to provide

an in-depth understanding of respondents' experiences, perceptions, and characteristics as they relate to individual, dyadic, and societal/structural aspects of gay relationships.

Three data sets were collected and used for analysis: (1) civil union registry and ceremonial information, (2) one-on-one interviews and, (3) mailed questionnaires. Information from one data set can often be used to verify and clarify information in another data set (Guba and Lincoln 1985:283). The first source of data is the public civil union registry information maintained by the Vermont Vital Statistics Division of the Vermont Department of Health. An aggregate report was also available providing basic demographic information including state of residence, age, gender, education level, and residency of civil union of participants. This information provides a demographic profile of Civil Union participants used for quantitative analysis. Quantitative methods are used to analyze and explain social events and human behavior (Andersen and Taylor 2002). Selected items of the demographic and relationship data are then compared to the Solomon et al. profiles. In this research, the goal of the quantitative analysis is to identify and update a demographic and relationship profile of Civil Union participants designed to answer the research question: "Who is obtaining a civil union?"

My research design mostly utilizes qualitative analysis. A qualitative analysis is grounded in naturalistic inquiry and allows for the interpretation of subjective meanings participants give to their civil unions. Naturalistic inquiry allows for a more in-depth analysis of complex social factors and interactions (Guba and Lincoln 1985). The goal of qualitative analysis is to "interpret the actions of individuals in the social world and the ways in which individuals give meaning to social phenomena" (p. 77). Those involved in

civil unions can best provide an understanding of themselves, their relationships, and their worldview concerning same-gender unions and their new legal status.

Qualitative analysis is used with the interview and survey data. Intra-categorical analysis of information comparing gender, income, age, race, political affiliation, religiosity, number of children, and years in relationship provides a more in-depth demographic picture of Civil Union participants than the Vermont's Aggregate report. McCall (2003) presents three types of intersectionality in analyzing categorical information, of which intra-categorical analysis is one. McCall defines "intersectionality" as the relationship between multiple dimensions of social relations and social identities. She argues that this methodological paradigm has been embraced most by feminist scholars concerned with what is perceived as a uni-dimensional domination of gender (and other variables) as a single analytical category (p. 3). Intra-categorical analysis, she states, reveals the complexity of lived experience *within* groups, particularly those which have been neglected and "cross the boundaries of traditionally constructed groups" (p. 6). Same-gender partners participating in Civil Unions qualify, I believe, as one of McCall's neglected or alternative groups.

Ethnographic qualitative analysis is also utilized in this study to locate potential trends and emergent themes of Civil Union participants' lived experiences. Questions which focused on self-narratives, cultural practice, relational commitment, and perceived social impacts of Civil Union participation, are presented and provide evidence of how individuals are "creative agents in the construction of their social worlds" (Orleans 2008: 3). Inter-categorical data and ethnographic qualitative data are used to answer the questions:

(1) Why are these individuals obtaining a civil union?

(2) What meaning(s) do these individuals give to their civil union action and relationship?

(3) What impact has participating in a Vermont Civil Union had on each individual, the couple's relationship, and their perception of their relationships with family, friends, co-workers, community, and their legal status?

Importance of the Findings

I use a social constructionist/deconstructionist perspective to analyze and understand the lived experiences of participants in a Vermont Civil Union. From this perspective I look at the meanings participants give to their civil unions and how they construct a sense of self and image; I look at the symbolic meanings of their commitment, civil union ritual(s), and legal status; and I look at the structural relationship between Civil Union participants and the society in which they live while asking about the reasons they give for participating in a civil union, and the impact that action has had on their partner relationship and relationships with family, friends, co-workers, and community-at-large. These questions allow for the interplay of individual, couple, and structural aspects of Civil Union participation to be explored. A social constructionist/deconstructionist perspective looks at how structured social arrangements are constructed, negotiated, and maintained.

Organization of the Study

In Chapter II of this research project I provide a historical review of how marital and intimate relations have been discussed and accounted for over time. This chapter is intended to provide understanding and more fully extrapolate the larger context of historical, cultural, social, interpersonal, and intra-personal aspects of marital and intimacy relations over time compared to the relevance of same-gender civil unions in today's contemporary society. I discuss issues of kinship arrangements, procreational expectations, sanctioned marital patterns, and the modern public-private marriage discourse in American society. I also provide a review and discussion on how same-gender relations have been thought of and dealt with over time. I present a brief look at gay identity and community development and the modern gay rights movement. Chapter II locates the research focus of this study within a larger context of today's discourses on marital and intimate relations and gay marriage.

A review of literature on the sociology of marriage and intimate relations is presented in Chapter III. Thousands of studies have been conducted within the field of sociology that explore various aspects of intimacy and marriage, including studies on gay and lesbian intimate relations. I organize my review of literature under four categorical themes which include exchange theories, relational adjustment theories, social and cultural practice, and social protest and legitimacy studies. My literature review is intended to provide an understanding of : (a) the numerous topics of interest and (b) the various perspectives and approaches that have been taken over the past several decades in the study of marital and intimate relations in western sociological academia. It also informed me of the theoretical perspectives most relevant to this research endeavor.

In Chapter IV, I present the theoretical framework used in this study. My theoretical framework comes from a Social Constructionist perspective where the lived experiences of gay and lesbian Civil Union participants will be analyzed. Several macro and micro level social constructionist and deconstructionist concepts are presented and applied to analyze the research topic and questions. The concepts include the construction of self, cultural practice and symbolic meanings of commitment, ritual, and legal status. I also incorporate societal/structure concepts out of identity and social politics, and social movement theories to analyze the inter-relational aspects of individual-couple-state interaction processes.

Chapter V presents the methodology used in this research project. Issues of research design, the units of analysis, data collection processes, and ethical considerations are discussed in this chapter. Both quantitative and qualitative approaches used in this study are specifically outlined.

The findings and discussion of research results are presented in Chapter VI. The findings include a demographic profile of Vermont Civil Union participants including gender, age, education and income levels, and race. Mostly Caucasian female couples with college degrees participate in civil unions. Also in the findings and discussion chapter I present additional quantitative date focused on ceremonial Civil Union participation and processes, as well as qualitative data describing the lived experiences of lesbian and gay couples who obtained a Vermont Civil Union sometime in the first four years of the new Vermont legislation. Issues of personal accounts of the licensing process; experiences with officiates and townspeople; and responses of family, friends, co-workers, and community to participants' civil unions are presented. I also discuss the

theoretical implications of the research findings at individual, dyadic, and societal/structural intersectionality related to the lived experiences of these lesbian and gay Civil Union participants. Finally, I discuss in this chapter the possible implications Civil Union participation and enactment on the overall issue of gay marriage in contemporary American society.

Chapter VII is the Conclusion chapter of this research project where I discuss the study's strengths and weaknesses, the implications of the study for the discipline, and future potential directions for research.

Finally, the Reference Pages and Appendices provide information relevant to the study including the list of references, the Institutional Review Board approval letter for this research project, the cover letter used to present the study to potential participants, and the consent form, questionnaire, and interview guide used with the research participants.

Conclusion

I present in this study the purpose, significance, and research design investigating understudied aspects of gay and lesbian relationships. This study has the potential to add to sociological literature at a time when lesbian and gay male individuals and their relationships are being contested in almost all social arena's be they familial, religious, legal, economic, and/or political. I discuss and utilize qualitative and quantitative methods to analyze the research data in order to provide a comprehensive and in-depth look at individual, dyadic/relational, and societal/structural level aspects contributing to the experiences of lesbian and gay men participating in a Vermont Civil Union. The

analysis of these complex interactions should provide important insights into the lives of gays and lesbians in today's society, as well as provide further discussion of the idea of gay marriage as a legal process in today's contested institutional structures.

CHAPTER II

HISTORICAL ANTECEDENTS OF SAME-GENDER UNIONS

Introduction

This chapter provides a historical background to same-gender unions. It is divided into two parts. Part 1 provides an overview of the historical understandings of intimate, marital and familial relations, and their significances in the development of marriage and family relations in contemporary, western culture. Section one, Part 1 focuses on kinship relations and procreation as methods of group interactions and survival in ancient societies. The second section discusses how gendered relations played a major role in pre-and modern familial arrangements. Section three discusses the idea of consent when applied to "authority-granting" in marital arrangements. Next, section four discusses the development of the private-public discourse of intimate, marital, and familial relations as nation-states were established. Nation-states were increasingly called upon to further the public's interest in this debate. Section five looks at how liberal democracy philosophy, moral philosophies, and modern social and institutional structures have influenced contemporary intimate, marital and familial relations and arrangements.

Part 2 of this chapter explores same-gender behavior and relationships. Section one of Part 2 looks at same-gender behavior in ancient tribal societies, including how multiple gender designations were defined and used for kinship relations. Section two explores

Greco-Roman patriarchal relations in which same-gender conduct occurred. The third section provides a discussion of church sponsored marriage ceremonies in the midst of a preferred celibacy message. These ceremonies included same-gender couples. Section four focuses on the dramatic shifts in socio-behavioral expectations during the Reformation period and what impact these shifts had on same-gender relations. It also looks at how same-gender conduct challenged societies' relational expectations. Section five traces the development of same-gender identity development, sub-cultural development and community acts, and social protest efforts over the past century. This look at same-gender desire has been occurring in the midst of growing discourses regarding sexuality in general and sexual orientation in particular.

It is impossible to present a complete understanding of ancient and pre-modern intimate, marital, and familial relations because of a lack of primary sources, the lack of "voice" from marginalized groups, translation and interpretations barriers, a history of cultural relativism viewpoints, and centuries of social change (Blumenfeld and Raymond 1988:185-6; Boswell 1994:4, 19, 28). There is also disagreement among Foucaultian Constructionists, historians, and other scholars as to whether we can glean any meaningful understanding of pre-modern sexual or familial intentions because "grand narratives" lack the variety and nuances of social life. These social constructionists therefore argue that we should avoid presuming understanding and instead discuss pre-modern sexuality as "a genealogy of modernity's discourse of sexuality" (Freccero 1999:188).

While it is difficult to precisely capture the nature of social relationships in ancient and pre-modern societies, and heeding the Constructionists' warning, we know opposite-

and same-gender behaviors occurred; and there is evidence that these "intimate" relations had meaning beyond animal sexual instinct (Boswell 1994:2). By "intimacy" I am referring to sexually- involved and/or personally dependent behavior between individuals. Intimacy as we think of it today is by no means what we can assume was experienced or expected for people in ancient or pre-modern societies. We draw what we think we know about intimate, marital, and familial relationships from letters, poetry, treatises, documented oral histories, art and artifacts, and other sources in an attempt to gain some meaningful understanding of social interactions and organization, and how these might relate to contemporary intimate relations and social structures (Boisvert 2004:11).

Also, it is important to note that a discussion of intimate, marital, and familial relations should occur at minimum in light of other social phenomena including gender, ideas of power relations, and cultural practices. The intersection of these and other social phenomena is at times evident, yet cannot be totally identified or dissected (Boswell 1994:14-27; Freccero 1999:186-188). Nevertheless, this chapter discusses intimate, marital and familial-type relations in ancient, pre-modern, and modern societies. This chapter further provides a stage for exploring contemporary issues and discourses regarding opposite- and same-gender behaviors, intimate relations, and marital/familial constructions.

Part 1

Intimate, Marital and Familial Relations in Ancient, Pre-Modern, and Modern Societies

Kinship Relations and Procreation

Familial configurations in ancient and pre-Modern societies took varied forms among tribal or "related" groups. Most configurations included multiple members who were related through blood or kinship arrangements (Rubin 1993:34). Some configurations also included slaves from conquered groups. The use of wives, slaves, and concubines by male tribal members dominated familial structures. Rarely did women have multiple husbands, concubines, or slave lovers. These practices were left for males based on mostly patriarchal social structures (Boswell 1994:30). Some form of matrimony or "joining" ritual that included a gift exchange was conducted and expected before the marriage was recognized and sanctioned by the tribal group. Marriage could take several forms including a monogamous relationship, or a polygamous situation where the male supported multiple wives. Kinship groups usually lived together in clan-type arrangements in order to support one another's survival. Both patriarchal and matriarchal lineage systems were utilized.

Most importantly, marriage was rarely considered outside the context of the tribal community. Throughout history, groups have urged their members to marry certain people who were defined as "desirable" and strongly discouraged marriage to others, defined by the group as "undesirable" (Graff 1999:147; Cott 2000:1). Kinship relations were a primary means to maintaining group existence by distributing and passing on goods, property, and power through the marital arrangement (Graff 1999:162). Most societies desired "in-group" marriages (endogamy). Hebrew tribes historically promoted

some of the strongest in-group marriage rules. Ancient Egyptian, Eurasiatic, African, Arabic, and Germanic clans discouraged "out-group" (exogamous) marriages to greater or lesser degrees. Rules about taboo relationships included specific norms, defining and prohibiting various constructions of incest and were and continue to be a part of kinship and family boundaries today. Violation of these rules and expectations resulted in ostracizing, expelling, and/or killing violators. This is particularly true for those groups with the largest accumulation of goods and power who wanted to protect their resources (Graff 1999:146).

Some societies used "between-group" or "out-marriages" (exogamy) to form new economic and political relationships (Graff 1999:4). Most large empires were able to be built because of between-group exchanges. Later, in Medieval societies we see this same pattern as monarchies were established based on between-group marriages, including the British, German, and Russian Empires.

Simple or elaborate social rules were established to indicate who one could and could not marry. The social rules reinforced the groups' economic and political arrangements. The use of dowries was a primary form of economic exchange for both in- and between-group marriages. Many families spent years saving a dowry or waited for property inheritance before moving forward to solidify the best marriage arrangement possible. Graff states: "Without the marriage exchange, most traditional economies would have ceased to turn" (p. 4). The proper establishment of certain kinship ties through marriage was considered a primary force in maintaining a group's viability. Unlike current perspectives on marriage, historically one's marriage was not simply a concern for the marrying individuals, but was of grave interest to one's community or

tribal group. It was considered one's duty to marry certain people to help the group survive into the future (Rubin 1993:34; Boswell 1994:33; Graff 1999:6). Not only was real property protected, but most early societies promoted the understanding that if and when a marriage occurred, it was the first step to a communal duty to secure the availability of children. Familial groups engaged in various endeavors to acquire children, including the use of sibling surrogates, the rape of female slaves and taking of their children, the use of concubine or harem child-bearing women, or monogamous child-bearing between a couple. Whichever process was used, the purpose of procreation was primarily for sustaining and guaranteeing the group's future (Graff 1999:57).

Due mostly to high death rates, procreation or some form of child acquisition was necessary and expected. Children were needed to: (1) do the work necessary to sustain the group, (2) enhance the group's potential for future kinship arrangements, and (3) ensure the best position for the group's survival. Graff states: ". . . children were the laborers . . . labor made the family" (1999:95).

Gendered Relations

Within Judaic, Roman, and Greek traditions as the primary contributors to modern western cultures, the nature of the marriage relationship was based on patriarchal power arrangements (Andersen 2000:155). In most agrarian societies, women, along with the entire household, which included children, slaves, and "foreigners" (those without citizenship but were not slaves), were owned by men. Women were seen as property and kept subordinate through social positioning, familial arrangements, and a sexual division of labor (Gough 1979:86, 102). Women as property were transferred from fathers to

husbands. If something happened to the husband, uncles or brothers transferred the widow into their household (p. 104). Marriage usually took one of two forms, polygamy or monogamy. Having multiple wives often guaranteed heirs and helped support familial members who were widowed, single, or orphaned. Women in polygamous arrangements were in similar situations to concubine-type arrangements in that both arrangements were based on all the women being economically dependent upon the male patriarchal arrangement (p. 31). Monogamous familial arrangements were also based on property exchange and/or maintenance for the survivorship of familial group (p. 32). Except for a few tribal societies, males held most of the economic and political power in pre-modern societies. Multiple explanations have been given for this patriarchal dominance including: (1) prolonged child rearing kept women tied to the local area and dependent on the food hunters; (2) religious explanations, particularly during Agrarian and Medieval Ages, espoused a supernatural order of life in which men were considered to be at the top of the social order; and (3) explanations during the Enlightenment Period that women had a biological or "natural" physical and mental inferiority. From Asian and Roman/Greco Dynasties to European and American Colonialism, women and everyone in the household were considered property and treated subordinately (Gough 1979:103; Boswell 1994:51). Marital relations were gendered, with males having most of the economic and political power. The gender of the child also played an important role in kinship arrangements. With few exceptions, male children were preferred in order to carry on the transfer of wealth and power in the male dominated society (Graff 1999:7).

Consent and Intimacy

Although male-dominated and often negotiated by one's family or group, marital arrangements usually required some level of consent on the part of the individuals involved (Gough 1979:99). Within Judaic societies, consent was not only important for the betrothal and marriage, but was also considered in the sexual relationship. Jewish men were to be concerned about their wives "pleasures" (Graff 1999:57). In Greco-Roman societies a male's faithfulness or sensitivity to the woman after marriage was much less of an expectation, however. For men, sexual relations outside the marital couple were practiced both with other men and other women, but usually involved relations with someone of less stature or power in society, such as a slave, concubine, or boy servant. Roman society assumed consent when a bargain had been reached between families, with both parties having some amount of veto power. Consent between potential husbands and wives grew in status with the establishment of large religious orders during the Medieval Era, relying less on arranged tribal or familial coercion (Graff 1999:60). Physical and emotional intimacy as we think of it today was shared between men in Roman, Greek, and other societies and only between equals. These relationships rarely involved a closeness with more than one or two persons. These male relationships were life-long and had greater meaning and devotion than did the marital relationship (Boswell 1994:74). Emotional intimacy occurred also between women, usually of the same household, and might include siblings, mothers, and concubine/harem members. Very little is written about whether these relationships included sexual intimacy. Because women were not considered equal to men, their relationships were more closely controlled but not considered important enough to document (p. 75). Physical, sexual,

and emotional intimacy as we think of it and act upon today looked very different in these ancient societies.

The earliest Christians focused more attention on celibacy than their counterparts. This doctrine was a way for Christian believers to rebel against Roman and Judaic expectations of arranged marriages. Celibacy also allowed a Christian to focus on the end of the world "revelation" with a hope to, therefore, go on to be with God (Graff 1999:57-9). As Christianity grew to its monumental status, however, the Church had to give in to "human desires" and began sanctioning marriage (p. 59). The Catholic Church, through Augustine, specifically outlined the purposes of marriage. Marriage was for procreation, avoiding fornication, and was a way of legitimizing children and establishing permanent kinship bonds (p. 68). Later, the Protestant Reformation reinterpreted Catholic celibacy. The Protestant Church through Luther and Calvin agreed that marriage was for procreation, but argued that sexual relationships should not occur between betrothal and marriage, or anywhere outside the marital relationship, and was not for pleasure (Boswell 1994:66). Luther postulated that marriage was "Holy matrimony" and couples were obligated to have sexual relations but for child-bearing purposes only. He argued that this was a sign of a moral civilization (p. 67).

Although marital and familial relationships and their corresponding customs varied greatly among early societies, the issues of (1) "particular" kinship arrangements, (2) expected procreation, (3) gendered marital relationships, (4) gender preferences of offspring, and (5) aspects of consent and intimacy were consistent discourses negotiated in everyday tribal or community life. These discourses were carried out not only through private interactions, but were largely influenced through group expectations and

sanctions. As pre modern societies developed into what we now consider to be modern societies, these discourses were brought forward and reshaped with the development of nation-states, industrial capitalism, the Protestant Reformation, and democratic philosophies. No longer were these familial issues discussed only within and between tribal groups or familial clans, but they were becoming negotiated within larger societal contexts (Graff 1999:67, 89; Hatheway 2003:20).

A Shift from Private-to-Public Discourse in Intimate/Marital/Familial Relations

The economic, political, and social changes that took place during what historians refer to as the Renaissance and Modern Industrial Eras occurred over the course of two to three centuries; but in the larger context of time, these massive changes occurred quite rapidly. Kinship ties, marriage arrangements, procreational expectations, and marital consent continued to be important issues during this period, and continue to today. However, how these relational components were constructed began to take significantly different forms, with new social meanings (Graff 1999:22, 201). With the growing free trade economy and merchant classes, the new political philosophy of individual determination in a democratic process, the rapid growth of religious Protestantism, and the building of large, structured nation-states, significant changes occurred on all levels of everyday life, including intimate social relationships. No longer were private marital arrangements between families or clans considered sufficient arrangements. The governance of marriage relationships slowly shifted from private tribal groups and communities to public nation-state regulators and judiciary. Nation-states were increasingly called upon to define and regulate marital and family arrangements (Graff

1999:252). Public marriage ceremonies with proper witnesses began to be required. England was the first nation to define by law(s) what a marriage was and how it was to occur. The laws of "Common" were established based on economic concerns over the continuance of free trade and the "circulation of capital" so that acquired resources could be protected (p. 24). The Laws of Common outlined how couples were to proceed with a marriage by registering through the Church of England. It wasn't until Protestantism that individual consent to marriage, even if coerced, became legally null and void. The English Common Law, the Church of England, and other sixteenth-century Protestants established parental consent requirements and outlawed secretly made marriages between individuals. In order to control their children's inheritances, most western societies adopted minimum-age requirements for marriage. In eighteenth century England, the age of marital consent was established as 21 years old (p. 243).

During early colonial settlement in North America, marital arrangements were still rather informal. "Common law" marriages were still frequent. Cott (2000) states, "Local communities tolerated even such aberrations as self-divorce and remarriage" (p. 37). But, as the nation grew and different cultural groups met and intermingled, more laws were developed to govern territories and states. Marriage, too, became governed more explicitly. Exogamous marriages had long been a concern among many groups who made or avoided marital decisions based on economic status and power. During early Colonialism, new inter-group taboos began, particularly in North America where relationship restrictions began to be enforced along racial lines. Inter-racial marriages in locations where colonialism was prominent became illegal and monitored by governments. Slaves were not allowed to marry even among themselves; and where it

was allowed the slave owner could break up the marriage and/or family at his discretion, usually by selling off one of the marital partners (p. 17).

Slowly over the course of several centuries, the Protestant puritan ethic taught a one woman, one man marital relationship as a means to control sexual desires and fight marriage-based "dynasty-building" (Graff 1999:170). A strong preference for monogamous relationships was pronounced when polygamy was outlawed in the United States during the nineteenth century. The kin-based power system of polygamy went against the development of western society's ideals of moral responsibility, sexual role responsibilities, and a democratic system of legislative representation (Graff 1999:176). Utah was not allowed to join the Union in the 1880s until it denounced polygamy. The nation-state not only began registering and tracking marriages, but developed marriage taxes, enacted judicial systems to deal with marital and family disputes, and strongly influenced the "economy" of marriage (Graff 1999:207). Particularly in North America, the nation-state:

> . . . aimed to perpetuate nationally a *particular* marriage model: lifelong, faithful monogamy, formed by mutual consent [of certain age] of a man and a woman, bearing the impress of the Christian religion and the English common law in its expectations for the husband to be the family head and economic provider, his wife the dependent partner. (Cott 2000:3)

Marriage became a contract not only between two parties, but the belief developed that if the marital contract was threatened, it potentially "offended the larger community, the law, and the state" (p. 11). Consent for marriage and for governmental involvement in private familial relationships went hand-in-hand in this developing democracy. Cott states, "The marriage bond resembled the social contract that produced government" (2000:19). The wife was to give up authority to the husband and stay at home, but if the

husband left home, he gave up authority to the nation-state. Private patriarchy shifted to state sanctioned and monitored patriarchy (Andersen 2000:157).

Private patriarchy within Ancient and Middle Age societies transferred to the new market economy in the form of new male and female expectations. Males had always been considered the "head of the household," which was often seen as a sign of their arrival to full adulthood and citizenship. Now the family's daily experiences were intimately tied to with the new market economy (Graff 1999:16). Women were not only subordinate to men, they were now estranged geographically and economically from society at large. Through the nation-state "marital unity was called coverture" (Cott 2000:11), wherein the husband agreed to support and protect his wife while the wife had few legal avenues for grievances, could not own property or institute contracts without her husband's cooperation. Only other men, through the courts (the state), could step in on behalf of a wife if the husband was default on "his" responsibilities. Through this new wage-labor market women's work in the home became separated from the family economy and was devalued because wage-labor was considered more important. A wider gender division of labor became the norm in western culture (Gough 1979:104; Andersen 2000:67, 109).

Marriage as a public institution became the method by which the state shaped gender order (Cott 2000:3). Religion helped reinforce this order. As Protestantism flourished along with the development of the nation-state, each reinforced the other and still today are considered different sides of the same coin. Christian doctrine viewed the marital contract as "holy matrimony," arguing that the purpose of marriage was for procreation. Monogamy was emphasized as the only way to uphold the holy union and

supported the new division of gender roles and labor. Marriage was a private act, but grounded in public democracy and reinforced by religious pressures. A new, more narrowly focused social identity for women was forged based on procreation. "Motherhood" was elevated as the female's primary contribution, not only to the family, but to society, thus greatly enlarging the pressure of conformity for both males and females (Graff 1999:107). Stable marriages, based on differential gender roles, allowed the new market economy to flourish. It was believed that a strong nation-state, which monitored social/sexual relationships supported by religious institutions, guaranteed social order so that economic growth and prosperity could occur. By the end of the nineteenth century, marriage within western societies was no longer based on dynastic arrangements, but on a nation-state *social contract* (Graff 1999:193; Cott 2000:3). This was a dramatic change in the social order as it meant that, ". . . [f]or the first time in history, individuals and families no longer had the power to say who was married . . . and the real winners in this marriage battle were the nation-states" (Graff 1999:201). The reasons for, and outcomes of, tensions between the individual and the group's domain of marriage in pre-modern communities varied historically; however, nation-states now had the power to define marriage and familial relationships, including marriage based on the proposition of interest in the survival of the society through "proper, moral matrimony" (Graff 1999:76; Hatheway 2003:20, 43). Up to the late nineteenth century, marital matrimony had often meant unchecked abuse of female mates (Graff 1999:71). With the development of nation-state regulation of marital and familial affairs, people within western cultures, through the growing influence of liberal democracy philosophies, began to challenge gendered relations and marital restrictions. Social philosophers proposed that

governments be increasingly involved in advancing citizen rights. With a growing middle class and market economy, citizen-based social reform messages grew in influence on how social relationships should be improved. Some of these groups began challenging Protestant "Holy Matrimony." Rejecting Puritan notions of sexuality as only procreative duty, "Free Love" societies argued that the sexual union between married (and non-married couples) should be founded on mutual affection, not duty, and a woman should be free to *not* participate in sexual intimacy if she so desired. These social revolutionaries promoted social and sexual relations based on individual human will, striving for more equality within the relationship, and gave out contraception information in attempts to free couples from the "burden" of childbearing in sexual relations (Graff 1999:72). The Free Love Societies' past efforts are partly credited with shifting the way in which couples today are encouraged to provide not only physical safety and economy in the marital relationship, but also provide emotional and psychological comfort and support. They encouraged an equality-based relationship of shared love and respect, not just an economic convenience. This set the stage for a growing demand of what we today call "romantic love." These groups called for the nation-state to ensure choice in the marital relationship as well as promote other individual liberties (p. 83).

While social reformers were calling for more equality in marital relationships, other citizens were demanding the nation-state not only maintain "moral expectations," but strengthen them (Rubin 1993:4; Hatheway 2003). Legislators and courts during the nineteenth century argued for decades on what should be the government's involvement in intimate, marital, and familial affairs. The federal government enacted the Morrill Act of 1862 outlawing polygamy and promoting monogamous-only legal unions. The 1873

Comstock Law was enacted, outlawing the use of contraception and sexually explicit materials based on an argument that it was a form of pornography. The enforcement of this law was far reaching however, as people's private diaries and letters were confiscated, school materials were banned, clothing was scrutinized, and individuals were arrested for a variety of behaviors that were perceived as "suspiciously lewd." Eventually, portions of the Act were overturned, but not until well into the twentieth century; and several of the portions that dealt with "obscene behavior" have remained on the books. And, in 1887, the Edmunds-Tucker Act passed and included statutes particularly directed at the Mormon Church in Utah. This law required all marriages be publicly recorded; it revised the court system to exclude local probate judges who were distributing familial wealth in polygamist marriages, and enabled the nation-state to monitor marriages. Numerous state and federal laws were passed that were focused on managing the social relationships and wealth of an explosively growing nation (Hatheway 2003:62). Hatheway suggests that this period was wrought with attempts to "… develop an American national ethic that would inform citizens as to how they should behave in both private and public life . . . ." (p. 19). Rubin (1993) argues that the moral-immoral discourses of this period remain a part of today's public concerns regarding sexuality, medical practice, and socio-sexual norms, expectations, and laws (p. 4).

By the twentieth century, the Women's Suffragettes and Progressive movements added to discourses on gender roles and responsibilities (Graff 1999:76-81). Children became more valued with greater emotional intimacy toward them than in ancient or pre-modern societies. Higher levels of emotional intimacy were expected between couples and by parents toward their children. The demand for the nation-state to involve all social

institutions in the every day maneuverings of intimate, marital, and familial relations increased dramatically during the nineteenth and early twentieth centuries. Among other things, these public-private discourses contribute to today's pluralistic society (Blumenfeld and Raymond 1988:40; Halle 2001:380). The role of the nation-state in these discourses is now a taken-for-granted result.

Contemporary Intimate, Marital and Familial Arrangements and Issues

In contemporary marital and familial relationships only a few commonalties with Ancient, Medieval, and early Modern familial structures still exist. There remains a reliance on kinship connections for establishing and maintaining heirs, individual consent for marriage, and still having, albeit different, certain gender role differentiations and other patriarchal social arrangements. This being said, the nation-state's involvement in everyday life has been well established. Public-private discourses are solidly entrenched in societies' social and political institutions (Graff 1999:201). In the midst of these debates, marital and familial relations and expectations have changed significantly over the last 100 years. With much more emphasis over the past several decades on individualism and equality, greater variations of intimate, marital, and familial arrangements exist today. Although some social arrangements come with varying levels of social stigma or illegality, couples have greater choices. They may choose to cohabitate, marry, divorce and/or re-marry, and do any of these more than once. Women's roles and legal status' have changed. They are now breadwinners and heads of households. Health technologies such as accessible birth control methods, sexual enhancement drugs, and fertility interventions have opened up new options in intimate

sexual relations that did not exist prior to their development. Many of these options eliminate a concern for procreation. Some people opt to be childbearing parents but remain unmarried, some have children through surrogacy or artificial insemination, and some have selective abortion. Children are able to divorce their parents. We have nuclear families, blended families, single parent families, childless families, inter-racial families, and gay and lesbian families. Families have created greater levels of gender and parent-child equality in domestic life. There are more individual rights and diverse role identities for all familial members. Marital dissolution is also much easier to obtain and socially acceptable through No Fault divorce statutes (Graff 1999:76-81; 206-208). The courts have also been involved in re-structuring of social relationships through rulings in such cases as Loving v. Virginia, which made it illegal for states to prevent inter-racial marriage. Roe v. Wade allowed abortions. Most recently, the legislature enacted the Family and Medical Leave Act allowing either or both parents to stay home with newborns without the threat of losing their jobs.

These *liberalization* efforts in marital and familial relations have not only been directed at opposite-gender couples, but same-gender couples have likewise utilized the courts and legislations to discuss and re-shape their relationships and positions in society (Eskridge 2002:114). In Bowers v. Hardwick in 1986, the Supreme Court upheld state anti-sodomy laws only for it to be overturned more recently in James v. Texas. The result of this ruling is that same-gender relations between consenting adults are no longer criminal (p. 17). In light of more open-minded sexuality norms in general and other gay right's victories in particular, lesbian and gay couples have entered the marital and familial world. They are petitioning for the right to make health and legal decisions for

one another, adopt children as a couple, and share in the rights and responsibilities of legal marriage. The efforts by gays and lesbians to gain civil equality has resulted in counter-liberalization efforts on the part of social conservative advocates who argue for returning to what they define as "the moral life" (Hatheway 2003:20). The conservative voices are calling on the nation-state to, among other things, define marriage as being between one man and one woman; end abortion; to overturn no-fault divorce; stop the distribution of sexually explicit material; and offer Creation theory as juxtaposition to Evolution theory. Graff argues these conservative propositions mimic nineteenth century efforts for "a moral society," but currently lack support for widespread adoption (p. 251). Modern societies have developed complex structures that mediate discourses at all levels of interactions from the federal, nation-state level to private, individual considerations. Multiple stakeholders continue to vie for power and control of intimacy, marital and familial interactions, definitions, and responsibilities. The involvement of same-gender interested persons in these discourses is explored in the next section of this chapter.

Part 2

Same-Gender Conduct and Relationships in Ancient, Pre-Modern, and Modern Societies

Multiple Genders and Kinships Relations

Anthropological accounts of ancient tribes provide evidence of genders that do not correspond with the binary female/male ideas of gender in contemporary life. Particularly in nomadic and simple agrarian tribes in Northern Eurasia and the Americas, up to three to six genders were expressed (Brown 1997:2; Roscoe 2004:119). In particular, shamans were considered gender transformers; and three branches of special

Chukchi shamans were believed to be able to embody different genders in order to: (1) help provide healing to both men and women by disguising the gender of the ill; (2) call on the power of the other gender by adopting the clothing of the opposite gender; or (3) encompass a total transformation of living as a person of the opposite gender, the word for this person is translated as "soft man" (regarding men) or "similar to a man" (regarding women) (Roscoe 2004:119). It was this last branch of shamans who participated in same-gender sexual behaviors. They lived totally as the opposite gender. Roscoe describes the Chukchi norms:

> Gender was not regarded as fixed or immutable…when it came to gender assignments among Chukchi, social and supernatural factors often outweighed anatomical sex. Gender, to use the current jargon, was constructed, and could be reconstructed. (P. 119)

We find additional accounts where indigenous tribes in the Americas describe open sexual interplay and expressions among and between males and females, males, and females. Accounts of third, fourth, fifth, and sixth genders, known as "Berdache," translated as "not men/not women," were found in many American native tribes. Similar to the Chukchi, Navajo tradition describes "changers" who consistently moved between male and female genders and not men/not women genders. They formed same-gender sexual relations, "but rarely with each other" (Roscoe 2004:139). Among these and other tribes, the third to sixth genders, "not men" and "not women," were rare, but occupied accepted social positions (Brown 1997:9 Roscoe 2004:139).

Patriarchal Relations

In Greco-Roman societies, same-gender conduct was well reported and not considered a threat to the social order because it was based on dominant-subordinate

power relations where as long as the "subordinate" continued in that role, the relationship fell within the social norm. We do not know the nature of these relationships themselves, however. In other words, it is not clear as to what "remaining subordinate" meant (Boswell 1994:55-6). We do know Roman-Greco male citizens believed themselves to be superior to all others, while being equal to one another. Occasionally they would financially support a younger, subordinate male (boy) in an almost friendly sibling or parent-type relationship which could include sexual relations. Once the young subordinate became an adult he not longer was subordinate to anyone. There were no institutionalized roles for women, children, slaves, or non-citizens and all were considered "other." If you were not a city-citizen, you were considered "not a man" (female) and were, therefore, subordinate to whomever was your master. These were highly hierarchical, patriarchal societies (Boswell 1994:38-9; Roscoe 1999:137-8). Other accounts of same-gender sexual relations during the Greco-Roman Era included the rape of conquered males by the male conquerors, the use of homosexual concubines by Roman citizens to satisfy sexual desires before marriage, and "lovers." Lovers were two men or two women who were united in affection, desire, and passion often over the course of their lifetime. Boswell (1994) identifies three types of "homo-unions." The first was reported among the Cretans where an adult male would abduct another male who was considered "worthy," meaning one who was beautiful in physical attributes and character. The abduction was announced several days before and might last a few months where ceremonial hunting and feasting occurred among friends and witnesses. Once the feasting was over, the "abducted" reported publicly upon the experience and could seek regress if the experience was undesired (pp. 88-9). The second type of same-gender union

occurred among Greek Scythian males who established intensely intimate relationships with one another over their lifetime, some of whom sacrificed their wife and children for the relationship. These men lived together and participated in sexual relations. In this society, they could not make more than three of these relationships over their lifetime or they would be seen as a promiscuous woman. Being considered a woman was intolerably degrading (pp. 94-5). Boswell describes the third type of same-gender homo-union to be the practice of legally adopting another. Men adopted an equivalent male as their heir. Where adoptions were common in Roman life basically through marriage, taking on the "ownership" of a female, of children, or other family member, male-to-male adoptions between equals was more like establishing a partnership among the men, as the adoptee did not move under the control of the adopter. These types of homo-adoption-unions might or might not include sexual relations, although they were always considered a fraternal relationship. These same-gender relationships were well integrated into the everyday life of Greek and Roman society and included same-gender sexual conduct (pp. 97-9).

Celibacy and Same-Gender Ceremonial Blessings

By 400 CE, the Roman Empire was widely spread across the Middle East and Western Europe. Its new Christian religion was growing rapidly. The Romans had developed numerous military brotherhood "Orders." These military fraternities conducted activities and ceremonies commemorating their military prowess as well as their devotion to one another (Boswell 1994:150). Military "saints" were elevated and adored for their legendary passion and success in battles. It was not uncommon for there to be same-

gender sexual relations between men in these Orders, and some of the "saints" were paired and known for their lifelong devotion. Some of these relationships included sexual relations (p. 158). Female "saintly" pairings were not unheard of either, particularly when it came to establishing religious orders and martyrdom for the new Christian "cause." Boswell states this period saw ascetic eroticism being replaced by "the noble cause" (p. 224). Followers were strongly encouraged to participate in "priestly celibacy, voluntary virginity, and monastic community," and avoid marriage (p. 111). Marriage was argued by early Christian believers as a waste of precious energy needed for more desired spiritual pursuits. Non-Christian groups rejected these notions altogether, but had little influence outside their own communities. Although there was great devotion to the new religion, most believers found it difficult or undesirable to live the celibacy ideal and continued to marry, use concubines, and the privileged were able to divorce when desired. Marriage continued to be an economic arrangement, and although strongly discouraged, priests would conduct blessing and prayer ceremonies for those who did marry (pp. 177-9). Such ceremonies were also conducted for same-gender couples throughout both eastern and western Christiandom. Boswell (p.186) argues that, based only on translated manuscripts, it is difficult to automatically presume that these ceremonies were conducted with people who were sexually involved because "the words for eroticism, friendship, sexuality, and love devotion were less rigidly distinguished." Boswell goes on to say, however, that these ceremonies were considered marriages and sexual conduct between at least some of these couples can be presumed.

Although the Roman Empire fell by the fifth century, Christianity was well established and thriving. The Church had great influence. Christian priests eventually

adjusted their demand for celibacy, but replaced it with a "procreative only" message. This spiritual design resulted in fewer blatant displays of sexual exploits than in earlier Greco-Roman erotic life, and there were growing pressures to curtail sexual conduct occurring outside the marital relationship (Graff 1999:50-2). Taboos against "sodomite fornication" were established in many Medieval societies which included opposite-gender sodomy. Even with these restrictions, known accounts of same-gender sexual conduct and marriage ceremonies continued through the thirteenth century (Boswell 1994:246).

Reforming Society

The Protestant Reformation brought a halt to the same-gender ceremonies in Western Europe. As the east/west Christiandom schism played out, Reformers in the west called for highly restrictive behavioral codes, including condemnation of any form of same-gender sexual activity. Restraint and purity were idealized and adopted among the new Reformers. A branch of the Reformation, the Puritan movement found mostly in England and transported to the American colonies, placed a particularly strict taboo on same-gender sexual conduct. Although occasionally observed and recorded, same-gender sexual acts were condemned as being "against God's natural order" (Hatheway 2003:50). A Massachusetts woman was sentenced by a court for same-gender conduct with "another maid." Two other women were condemned for "lewd behaviors with each other upon a bed" (p. 52). A few colonial women and women from within indigenous tribes in the Americas were known to "pass" as men to escape the drudgery of a male dominated colonial world. Some of these women were known to participate in same-gender conduct.

These women were persecuted for challenging male privilege in this starkly patriarchal New World (p. 53). Also, colonialists wrote of the indigenous native Berdache as being "savages and barbarians" for representing alternative gender expressions contrary to Puritan gender expectations (Brown 1997:7; Hatheway 2003:50).

In the New World, a big "hush" had fallen over many forms of sexual expression and conduct, particularly if it involved persons of the same gender. Society began supporting only opposite-gender matrimony for the purpose of procreation. Thomas Jefferson in fact called for harsh treatment for anyone who "committed rape, polygamy, or sodomy." A certain amount of tolerance existed for "lustful acts" by males with prostitutes who couldn't seem to "contain their sexual drives," but there were great pressures and expectations that *proper and moral* members of society maintain a strict Puritan-based code of conduct. If same-gender conduct did occur, it was hidden from public sight (Hatheway 2003:53).

While there remained widespread conservative social and sexual expectations in intimate relations, in the wake of the Industrial Revolution came opportunities for large numbers of people to come in contact with one another through massive urbanization. People with interests in same-gender sexual contact were able to find other "like-minded" people. Access to printed material also provided stories, poetry, and other literature with same-gender themes and images. By mostly subtle means, people with same-gender interests began to meet in saloons, designated public areas, and private homes (Hatheway 2003:55). Known cases of same gender conduct included the 1870's account of a woman-to-woman murder between lovers. A German scientist also studied a large male-to-male involved community in which he used the descriptive word "homosexual" for the first

time to identify same-gender involved persons. This word caught on and became one of the primary identifying words still used in what is considered the binary homo/hetero-sexual discourse still occurring today. And finally, in 1892, Oscar Wilde's infamous trial took place in which he was charged with violations of British criminal sexual acts between men. This famous trial fueled continued curiosity and debate about acceptable sexual desire and conduct within society. All of these examples show situations in which the majority of people in society responded negatively to same-gender conduct and indicated a desire for the nation-state to intervene on behalf of promoting more conservative intimate and sexual limitations (Hennegan 2002:881).

While same-gender behavior was still considered taboo and reprehensible in most western cultures, both men and women who were interested in same-gender "intimate" relations were finding each other in urban subcultures. Hatheway states, "As the Gilded Age progressed, therefore, homosexuals were both silent and heard, private and public, unseen and seen" (2003:59). What was occurring among those interested in same-gender intimate contact in rural areas was predominately still hidden, not discussed, and not written about; however, urban areas saw an increase in same-gender activity. D'Emilio (1993) argues that homosexual contact and behavior has existed in many forms and in many societies over the course of time, but it was the Industrial Revolution and capitalism's effect that allowed for the growing social construction of same-gender collectivity and identities. He states:

> As wage labor spread and production became socialized, then, it became possible to release sexuality from the "imperative" to procreate. Ideologically, heterosexual expression came to be a means of establishing intimacy, promoting happiness, and experiencing pleasure. In divesting the household of its economic independence and fostering the separation of sexuality from procreation, capitalism has created conditions that

> allow some men and women to organize a personal life around their erotic/emotional attraction to their own sex. It has made possible the formation of urban communities of lesbians and gay men and, more recently, of a politics based on a sexual identity. (P. 470)

Likewise, the new sciences and medical fields were attempting to make sense of the mass changes occurring during this period, particularly those changes in social and intimacy behaviors. These new science and medical participants were also attempting to establish their own credibility as an important asset to society. Within society there was widespread speculation and concern about the "insane" and others who were perceived as being depraved or "possessed of the devil." Those who participated in same-gender conduct or had same-gender sexual thoughts were thought to be persons who fell into one or both of these socially unacceptable categories (Hatheway 2003:87). Several Western European and American neurologists, psychiatrists, and criminal anthropologists studied same-gender behavior and came to different conclusions as to its cause and solution. The general public, including some of those who had these tendencies, believed there needed to be "a solution" as a matter of moral and/or natural correction (pp. 88-89; 129). In general, there were varying positions scientists and doctors took on same-gender conduct and fantasy. Several neurologists believed same-gender behavior resulted from "congenital malfunction of the brain," and those afflicted should therefore be treated with compassion for their biological affliction (p. 97). Criminal anthropologists tended to believe these people had developed a depravity that was influenced by the current chaos occurring in the new Industrial society. Based in Evolution theory, they argued that if left unchecked, these conditions could be passed to the next generation and, therefore, called for sterilization of the "degenerates" (p. 87). Alienists, who were doctors working with

the mentally ill, believed people with same-gender interests had inherited this "mental illness" and should be treated in either an insane asylum or through a clinic. One scientist, Krafft-Ebring, believed that same-gender desires were naturally developed, but were aberrations of sexual instinct (D'Emilio 2002:162;Hatheway 2003:108). Karl Ulrich was the only known scientist of the day who believed same-gender desires were naturally occurring and not a matter of moral depravity, mental illness, or society-based degeneration. He stated, "How and why nature has called such intermixed beings into existence is a riddle not yet solved. On the other hand, that it does act this way, that it is nature which gives the Urning his sexual love, is now beyond dispute." (Hatheway 2003:162).

Those with same-gender interests were not the only ones being targeted for scientific and medical explanations of their bizarre and dangerous behavior. There was growing public debate about what was wrong with and what should be done about people who did not meet many of the social and physical expectations of the day. Hatheway argues that this was the beginning of the "medicalization" of people and their "woes" (p. 102). This was the period in which the "nature vs. nurture" debate developed. The *nature* supporters had two camps. One camp included people who believed that those with behavioral aberrations were freaks of nature and should be, at minimum, kept away from the rest of society. A smaller minority believed most people with behavioral differences were "naturally" the way they were and should be left alone or treated with care and compassion. Those supporting the nurture side of the debate assigned various causes to the afflictions, including a sick society that was changing too quickly and was experiencing multiple problems or had succumbed to the animalistic desires of passion

and instinct, or moral corruption. Nevertheless, the new homosexual was now a member of the socio-scientific debate. Freccero states, "The sodomite had been a temporary aberration; the homosexual was now a species" (1999:187).

These debates were based on the use of "rational, scientific reasoning," or "moral/religious reasoning," or a combination to explain human behavior, particularly any behavior that challenged contemporary norms. Same-gender desire challenged sexuality norms. All of these competing explanations fell within the context of overall discussions of sexuality, human nature, and behavior that are still a part of public discourses today. Until recently, same-gender desire was considered by most of society to be the most dangerous of all human aberrations because it was thought to threaten the very existence of humankind. With these new "explanations," anti-same-gender sentiments grew (Richardson and Seidman, 2002:1). Hatheway suggests that this is the period where we not only saw the nature vs. nurture discourse develop, but it is also where we saw "the beginning of widespread homophobia." While more people with same-gender interests began socializing with one another in mostly urban settings, public debate and fears increased among others in society (2003:128-9).

Same-Gender Community and Identity Development, and Social Protest

Early twentieth century participants interested in same-gender encounters continued to keep a relatively low or semi-private profile by congregating in speakeasies, private residences, or secluded park areas. Prior to and after Prohibition, many entertainment venues started where eclectic populations came to either patron or "gaze" at whoever they considered to be very different from themselves (Boyd 2001:13). Some

of the bars that catered to people with same-gender interests experienced this cultural renaissance experiment; but for the most part people interested in same-gender encounters continued to gather one-on-one, or in small group subcultures. After World War II, urban areas began to again see an influx of people and McCarthyism was in full swing. During the post World War II period there was a strong anti-homosexual sentiment fueled by negative science and medical rhetoric. These sentiments were also fueled by the paranoia of McCarthyism. Rubin (1993) states that, from the late 1940s through the mid-1960s, "erotic communities whose activities did not fit the postwar American dream drew intense persecution….homosexuals were, along with communists, the objects of federal witch hunts and purges" (p. 5). D'Emilio (2002) also states that "the danger involved in being gay rose even as the possibilities of being gay were enhanced" during this period (p. 473). People with same-gender interests were targets of censure, firing from employment, and trials for sodomy violations (D'Emilio 2002:26). A post-war veterans' group with same-gender members lasted about 10 years and then folded under the pressure of anti-homosexualism in 1955 (Nownes 2004:49).

Some people with same-gender interests began organizing in order to counter the anti-homosexual sentiment. They established organizations and published materials that stated their discourses publicly and invited others to join their cause. The Mattachine Society and Daughters of Bilitis were the first organizations in the United States to fight for social equality for those with same-gender interests (Richardson and Seidman 2002). They became political and struggled to become public. Because of physical and social threats, they often had to rely on supportive friends and colleagues to speak publicly on their behalf (D'Emilio 2002:27). As others in society began to organize around social

justice issues concerning racial segregation, nuclear proliferation, and other social issues, many people from the homophile organizations involved themselves with these causes as well. They learned valuable lessons in social protest. Eskridge (2002) states that this "early homophile movement was largely limited to a *politics of protection*: the state engaged in episodic campaigns to protect children and public spaces from homosexuals, who in turn fought to protect their private spaces and sub-cultural institutions (bars, clubs, publications) from state intrusion" (p. 1). D'Emilio states that before the end of the 1960s, homosexual activists were participating in formal protests against how they were being treated. They also were "following the lead of other social movements of the left in an effort to create 'alternative institutions' to replace what were seen as the corrupt oppressive institutions of liberal capitalism" (2002:29). A major shift occurred during this period for persons with same-gender interests who were involved in the homophile movement. They shifted from experiencing their private desires and sub-culture to public, organized political protest. They fought back against the public's disdain and the institutional harm they felt (pp. 9, 28-30). They also gained wider community space and identity during the mid-1960s when the censuring of the creative arts so prevalent during McCarthyism was dismantled by the courts through the overturning of some of the obscenity laws. This dismantling resulted in same-gender based art, literature, theater, and film becoming easier to produce, distribute, and access across the country. Although not welcomed by the general public, the interests of persons with same-gender desire as a better organized, expanded, politicized, and accessible subculture set the stage for what is considered the beginning of the gay liberation movement. The Greenwich Village Stonewall bar incident, where gay drag queens and their patrons fought police

during a raid, resulted in three days of street riots and ignited an angry and oppressed population of persons with same-gender interests from across the nation (p. 30). D'Emilio states, "Gay liberation was born at the time when issues of identity were moving to the forefront of social consciousness" (p. 58). Persons with same-gender interests began to relate to others in their same plight in unprecedented numbers. Personal level same-gender desire came together with community building and developed a common social protest, with the means and opportunities for organizing and sustaining the social protest and community. D'Emilio (2002) and Freccero (1999) argue that, over this period, persons with same-gender interests constructed new self identities in what is now called *identity politics*. The coming together of new self identities and social protest marked a major shift for persons with same-gender interests as political participants. They shifted from being persons with same-gender interests and concern for self protection to being "gay" people, "homosexual" people, and "an oppressed minority" with broader social concerns (Freccero 1999:54-56). Influenced by the social protests against racism, sexism, war, and "establishment government," these social reformers not only wanted the police and public to stop harassing them; they shared concerns for other social discourses of the day and wanted major social change. They saw sexism and materialism as particular social ills that needed to be eliminated (p. 54). Like others involved in social protests, they called for revolutionary action. They worked long and hard at developing their political agenda and in that process delineated a more clear personal and social agenda. They fought over what the agenda should be and how it should be forwarded, and ran straight into many of the social ills they were protesting such as racism, classism, and sexism not only from the outside, but from within their own ranks. Struggling to

reconcile these issues, many of the new "homosexuals" began to separate themselves into sub-groups as gay men, lesbians, black gays, urban gays, rural lesbians, and so on. They constructed new political, personal, and cultural identities while also experiencing in-group ethnocentrism, internalized homophobia, and xenophobia (p. 55). They were able to have some successes with a decrease in police harassments and arrests, and, in 1972, with the mental health profession reversing their stance that homosexuality was a mental illness. Other benefits reported by gay liberationists included reports of newfound emotional freedom from identifying as lesbian/gay, "coming out of the closet" to friends and family, and increased support and opportunities for social and sexual relations in their new social, political, and cultural space (pp. 56-61). Although successful in establishing a recognizable social "place" in the public domain, not unlike other social movement experiences, it was difficult to maintain their broad revolutionary agenda when internal group interests conflicted. Many people left the social protest effort or splintered off to promote different agendas. Some of these social reformers also began dying (D'Emilio 2002:227).

By the mid-1980s, the AIDS virus was killing hundreds of men who were gay. Over the course of the 80s and 90s, this public health crisis not only killed thousands of gay men, but also mended some of the fences put up after the 70's gay liberation conflicts. Many in the gay community united or re-united to fight the AIDS disease, care for one another, attempt to prevent the virus that causes AIDS, and fight for health services and public acceptance for persons with same-gender desire and interests. Public recognition and support began occurring at unprecedented levels within American society. Friends and families ignored their personal beliefs about homosexuality in order

to care for their dying loved ones; and most of them came to love and accept their relative/friend and the subculture in which s/he was living. New social discourses developed as a result of the onslaught of this disease, and new members from within and outside the gay community came forward to support them. Organizations such as Parents and Friends of Lesbians and Gays (PFLAG) joined the gay liberations movement and supported their gay children caring for their own and other gay men who had been rejected by their families and communities. Celebrities raised money for AIDS research and advocated for federal AIDS care and research. Federal funding was provided because of the pressure put on by these groups in the form of the Ryan White HIV/AIDS Act which continues today. This funding, along with many other efforts, helped to challenge anti-homosexual sentiments – challenging society to acknowledge and accept gay-identified individuals with and without the disease of AIDS, as people deserving to be legitimate members of the social fabric. The gay liberation movement soon developed into what is currently known as the Gay Rights movement. Gays and lesbians over the past two decades have continued their social protest efforts based in "sameness" and "equal" rhetoric. Although at times reluctantly, they have expanded the cause to include bisexual, transgender, and "queer" persons. The right to health care, to keep a job, serve in the military, have and keep children, marry, and so on, were and continue to be based in part on *equality* politics (Freccero 1999:229; D'Emilio 2002).

Over the course of the last five decades, private same-gender interests, experienced in a sub-cultural setting, shifted to identity politics and broad, universal social liberation protests among persons with same-gender desire. Further efforts for the humane treatment of physically ill and ostracized people with defined gay and lesbian

identities have been made in order to promote broader equal rights interests. Gays and lesbians today are fighting to be equally acknowledged and provided access to social and material resources afforded heterosexual people, including marriage rights. The current Gay Rights movement focuses on social acceptance and equal access in all social, economic, and political forums from a widely diverse group of same-gender interested persons that has now been expanded to include bisexual and gender variant individuals. Lesbian, gay, and bisexual advocates have gained a number of civil liberties such as hate crime protections, domestic partner benefits, and adoption rights in a number of jurisdictions throughout the United States and other western cultures (Eskridge 2002:8, 17, 32-39).

Not all people with same-gender interests have involved themselves with gay community activities or gay rights efforts. There are gays and lesbians who have never participated in the public sphere or gay politics, remaining in their private domain. Other individuals with same-gender interests do not self-identify as gay or lesbian although they participate in same-gender sexual conduct, nor do they participate in gay politics. While others who personally claim a gay or lesbian identity question whether being "the same as non-gays" and wanting equal rights, is the agenda to promote. This particular discourse centers upon old gay liberation rhetoric of de-constructing and re-constructing social order and institutions in an attempt to produce more self-accepting and less oppressive social processes for everyone, not just wanting equal access to defective social processes and institutions (D'Emilio 2002:222-3). These persons (and others) reflect a diversity Oswald (2003) argues exists among same-gender interested persons. Oswald

contends there is great diversity in and among same-gender interested persons and it is therefore wise to avoid broad-sweeping categorizations of same-gender interests.

As the "gay" experience and gay rights protests have gone public and become embedded in American society, equally public responses of confusion, disagreement, and hostility have emerged. Anti-gay sentiments once again have increased particularly over the past 25 years. Some people with same-gender interests have denounced their same-gender desires altogether and live a heterosexual or celibate lifestyle, claiming the nineteenth century "same-gender desire as unnatural or unclean" rhetoric. Conservative voices claim other nineteenth century science, medical, and religious positions that homosexuality is an unnatural desire, a moral or mental defect, or a choice of behavior based in some *nurtured* aberration such as early child abuse or lack of proper parenting. The current discourses between those who support homosexuality and homosexuals and those who do not have reflected loud, public, and ferocious battles. Many scholars have dubbed these battles a part of the current "culture wars" (*Harvard Law Review* 2000:1421). Haider-Markel and Meier (1996) state:

> Although gay and lesbian organizations seek to portray their objectives as civil rights issues rather than moral issues, their opponents frame these issues as moral issues and frequently cite biblical literature and its prohibitions against homosexuality. (P. 333)

Not only are these discourses continuing, but proponents of each side attempt to again use social, economic, and political institutions and governments (the nation-state) to support their particular position. While same-gender interested and identified people have gained understanding and support, their efforts have also added to larger discourses in society. Private human intimacy and desire, sexuality, familial arrangements, and individual liberties vs. social and state-mandated interventions are contentious themes in

contemporary society. Persons with same-gender desire and conduct are represented in these contentious contemporary social debates (D'Emilio 2002:228).

Summary

This chapter has explored intimate, marital and familial arrangements, and same-gender desire, conduct, and interests in different social structures in ancient, pre-, modern, and postmodern societies. Part I of this chapter looked at kinship and procreation expectations, gender differentiation, marital consent practices, private-to-public discourse development within a nation-state context, and contemporary issues in intimate, marital and familial relationships. Part 1 of this chapter also provided examples of how societies, at different points in time, defined and experienced intimate social relationships, including those with same-gender interests. Part 2 of this chapter examined evidence of same-gender intimacy experiences in almost all societies from ancient tribal groups to today's complex social structures. This chapter explored same-gender desire, conduct, constructed identity and culture, and social politics and protest over the past 150 years. And lastly, public discourses over the causes, value, and meaning of same-gender desire and conduct were introduced, including the binary homo-heterosexual debate. Same-gender desire and conduct has been a particularly discursive issue in contemporary society.

Conclusion

This chapter provided historical antecedents of intimate and marital arrangements, and same-gender desire and conduct in ancient and modern societies. These antecedents

provide a context in which intimate and marital arrangements and same-gender desire, conduct, and relations in contemporary society can be further explored. The review of literature in the next chapter examines the sociology of marriage and intimate relations, as well as the sociology of same-gender relations and social protest. The focus of the next chapter is on the sociological study of intimate, marital and same-gender relations in contemporary, western culture. Sociologists have conducted hundreds of studies exploring hetero- and homosexual relationships and coupling, along with the societal arrangements these relationships represent. These studies inform us of the variety of theories associated with both hetero- and homosexual relations and marital arrangements in contemporary society. Intimate and marital relations in contemporary society are varied and complex, and as already stated, represent contentious social arrangements. The review of literature demonstrates how the field of sociological inquiry has attempted to understand and explain intimate and marital relations, including same-gender relations. The literature review also provides a context for discussing this research study.

CHAPTER III

LITERATURE REVIEW

Introduction

The current literature in marriage and intimacy relations is varied and spans a number of interdisciplinary interests and theoretical perspectives. This chapter explores relevant sociological research identifying key interactions and social arrangements in marriage and intimacy relations. Rising divorce rates, blended family arrangements, trends in a growing wedding industry, and lesbians and gays interested in marriage have spawned a wide interest in these topics. Likewise, because marriage is considered a basic component of family functioning, sociologists have been particularly interested in this topic of study (Benokraitis 1993:6).

The marriage and intimacy literature in this chapter is organized under four categories: Exchange, Adjustment, Social and Cultural Practice, and Social Protest and Legitimacy. Each of these sections holds particular theoretical attributes or approaches to the study of marriage and intimate relations. Each section will reflect these theoretical concerns. In the last section of this chapter there is a brief discussion of research focused solely on gay and lesbian persons involved in legal marriage (Massachusetts) and civil unions (Vermont). Since its inception seven years ago, several studies have been conducted exploring the unique lesbian and gay male population and their legal processes

as Vermont and Massachusetts represent the only states in the United States allowing legal unions among gay and lesbian couples. Because this research study focuses specifically on Vermont Civil Union participants, all the research conducted on Vermont Civil Unions to-date are presented and discussed in the last section of this chapter. Relevant Massachusetts gay and lesbian marriage studies are also discussed.

Marriage as Exchange

Marriage has been conceptualized as an economic transaction. Drawing on Simmels' social exchange theory, studies using this perspective focus on the costs and benefits of marital and intimate relations for the individuals involved, as well as for society in general. This perspective looks on the benefits and costs people gain or lose through the process of their social interactions (Emerson 1981:30).

Marital relationships have been considered an essential way of maintaining group existence and validity over time (Graff 1999:8; Cott 2000:1). Marriage has historically been considered a primary method of guaranteeing the secure passage of property from one generation to the next. However, with the rise of modern society and a codified system of laws and regulations guaranteeing more secure passage of property rights, the importance of marriage as an economic transaction has diminished while its emotional and psychological benefits have increased (Benokraitis 1993:6).

Whether through the exchange of resources, marital commitment, or simple social recognition, people gain or lose "valued" commodities. This exchange perspective is based on three core assumptions. First, people "exchange" through rational or "reasoned" means. This is not to say that exchange behaviors are necessarily intended, sane, or

always occur consciously; but that they are not outside the realm of each individual's production, occurring mysteriously or haphazardly. In other words, people act and interact in ways that produce or attempt to produce valued ends through reasoned processes (Benokraitis 1993:31). Second, classes of valued events follow a principle of satiation, value adaptation, or diminishing marginal utility. Emerson (1981:32) states, "Two events are members of the same class if each satiates the actor for the other." This second exchange assumption shows how classes of valued events are delineated, such as monetary, material goods, or social bonding categories. The third assumption in the exchange perspective is that each person in an exchange provides benefits to the other, contingent upon benefits from the other. An exchange does not occur if the parties are not transferring valued items through social processes (Emerson 1981:33).

Social anthropologist Levi-Strauss used the notion of exchange when he looked at marriage arrangements in matrilateral vs. patrilateral patterns. He argued that matrilateral patterns (generalized exchange) are more prevalent because they better support social solidarity than patrilateral patterns (direct exchange). His work supports the theoretical posit that marriages are based on a resource exchange process where decisions are made in mate selection based on weighed costs and rewards (Emerson 1981:54).

In his study on commitment and dependency in marriage, Nock (1995) discusses how commitment varies based on an individual's perception of the costs of terminating the relationship. Among many factors, Nock discusses that the longer the spousal relationship lasts and the more "marital-specific capital" is accumulated, the more difficult it becomes for the relationship to be dissolved. Dependency thus tends to increase because of perceived potential losses. What is considered "marital capital" varies

among and between couples, but includes such things as having children, material items, social networks, and domestic labor (Nock 1995:504).

Parkman (1995:77) uses exchange theory to identify and discuss the increase in divorce rates. Incentives within marriage have shifted over the past 20 years. Parkman argues that as society has increased opportunities for both men and women, both partners focus more on individual as opposed to familial goals. Also, no-fault divorce has eliminated much of the difficulty people experience in leaving a marriage (a de-incentive). Parkman suggests that there is a place in society for no-fault, mutual consent, and fault divorce. He argues that having these three alternatives would better serve familial goals than potentially serving only one person's interests as no-fault divorce tends to do today.

Maureen Sullivan (1996) looked at the division of labor among lesbian couples and concluded that their labor is not stratified by gender. She argues that no one has a disproportionate amount of the total work-family load, and no one is "rendered dependent on the other partner" (p. 764). She argues that within this non-traditional relationship, everyday tasks are negotiated; they are not simply based on cloned heterosexual models.

In a critique of exchange theory, Dolan and Stum (2001:1-2) argue that the assumed interdependence of married couples, particularly financial interdependence, has not been applied to unmarried same-gender couples. They suggest the issues and strategies used among same-gender couples concerning their economic status are different from opposite-gender couples because of the lack of their legal status. They also argue that because all family unit forms are presumed to meet the essential needs of one another and because the economic and financial arrangements in same-gender couple

exchanges are different, family policy makers, scholars and practitioners should revisit this assumption and discuss the adjustments gay couples have or have not made in meeting one another's needs.

Glenn (1990:818) also criticizes the utility of exchange theories in providing a rationale for marital quality that he believes has been theoretically weak and empirically spasmodic. He argues that most of the early studies focusing on marital quality that uses the exchange perspective have offered only incidental explanations, and that too much confusion has existed over measurement. Glenn discusses how, with few exceptions, quantitative research approaches looking at issues such as how spouses report feelings about their marriage and having children, have failed to provide "coherent theoretical positions" when attempting to explain marital quality (Glenn 1990:819). Others have criticized the exchange perspective for focusing too heavily on rational processes while ignoring more complex social processes such as jealousy, love, and infidelity (Emerson 1981:30; Benokraitis 1993). Benokraitis (1993:43) states, "Exchange theory does not explain how rewards and costs come to be defined as such or how their values are determined." Until recently, studies of marriage and intimate relationships have primarily fallen within either exchange or adjustment perspectives (Glenn 1990:818; Huston 2000:310).

Adjustment Theories in Marital and Intimate Relations

Though not emphasizing the self-interested aspect of exchange theory, adjustment theories examine relational aspects of marriage in the adjustments individuals make over time as being a characteristic of the relationship between spouses, not just based on the feelings of individuals. This approach examines issues of relationship satisfaction, integrating social networks, attachment, communication, and sources of conflict. The primary unit of analysis in these studies has been the couple or network groups associated with the couple (Glenn 1990:819). Using marital adjustment scales to measure such characteristics as conflict, communication, and the quality of interaction between individuals, the relational aspect of marriage is considered the basic source of marital quality.

Vaillant and Vaillant (1993:230) measured marital satisfaction over the life course by testing a U-curve pattern of relationship satisfaction where decreasing satisfaction tends to occur during the middle years of marriage. The U-curve pattern has been a recognized concept for many years in marital studies as it relates to the family life cycle. However, Vaillant and Vaillant's study challenges the middle-years "slump" (primary child-bearing years), and found that the ability to resolve disagreements was the only significant satisfaction difference between spouses over time.

Marital status and happiness was the focus of a cross-cultural study conducted by Stack and Eshleman (1998:534) in a 17-nation comparison. They found that 16 out of the 17 nations studied showed that marital satisfaction was significantly related to happiness among couples.

Others have debated causal explanations when looking at marital status and personal well being. Ross (1995:120) makes the point, "Marriage is a legal category that may or may not reflect underlying social attachments, however, the positive effect of marriage on well-being is strong and consistent." She suggests that marital status is relevant to well-being because it indicates attachment to a significant other. She argues that re-conceptualizing marital status as social attachment, rather than looking at marital status as a factor of well being, helps explain the effect of marital status on well-being (p.131). She argues, "It is the underlying social attachments, not the status of being married, that is important to well-being" (p. 137). Ross's argument challenges many of the studies in the field of marriage and family research that suggest the state of being married (status) in itself positively affects the well-being of persons in comparison to those who are single, widowed, divorced or separated. Although Ross is not arguing against the positive effects of marriage over non-marriage, she is suggesting that it is a function of social attachment, not the status of being married itself. She also points out in her study, however, that it is considered better to have no relationship at all than to be in a bad relationship. Therefore, negative social attachments create a reverse effect to well being (Ross 1995:139).

Arnett (1995:618) looked at the impact of socialization on developing relationship attachments and argued that socialization, particularly family socialization, should be understood within its cultural context. He discussed *between* and *within* culture variations focusing on such issues as gender differences and "places of attachments" (p. 617). Attachment boundaries, he believed, are often taught early in life by socializers and are based on how motivated we are to comply with their expectations for behavior and

thought (p. 625). He indicated three goals as central to the socialization process: (1) role preparation and performance, including roles associated with institutions such as marriage and parenthood; (2) impulse control; and, (3) the cultivation of sources of meaning – what is important and is to be valued.

Kurdek (1998:554) explored aspects of socialization of males and females when analyzing gender-linked and institutional forces relating to relationship outcomes within and between heterosexual married, gay cohabiting and lesbian cohabiting couples. She identified five dimensions of relationship quality across these different attachment forms: intimacy, autonomy, equality, constructive problem solving within the relationship, and barriers to leaving the relationship. The first four dimensions are the "internal" forces, while the fifth dimension, structural barriers to leaving the relationship, Kurdek suggests, is an external factor. Kurdek concludes that relationship quality across couple types (heterosexual married, gay cohabiting and lesbian cohabiting couples) is not distinguishable. The relationship dimensions represent a mix of forces for each partner that are not distinctive by gender, but are based in each partner's view of their connection to the relationship or separation from it (p. 566).

Julien, Chartrand, and Begin (1999:527) compared the social networks of heterosexual, gay, and lesbian couples as they may or may not effect conjugal adjustment. They found that both the separate and joint networks were more similar than different between heterosexual and same-sex couples and that social networks were not more determinant of conjugal adjustment for heterosexual versus gay or lesbian couples.

Attitudes toward cohabitation and marriage were studied by Clarkberg, Stolzenberg, and Waite (1995) when they conducted a longitudinal study of respondents

starting when they were in high school and running over a 15-year period. Clarkberg et al. argue that the choice between marriage and cohabitation is affected by attitudes and values toward work, family, use of leisure time, money, and sex roles, as well as attitudes toward marriage itself. They conclude that for some young adults traditional marriage fits well. For others marriage is seen as constraining and cohabitation, even if temporary, is preferred. Although this study does not discuss how attitudes toward intimate relationships are developed, it does show that attitudes can vary by individual toward different intimate or family forms (Clarkberg et al. 1995:603). Trent and South (1992:437) also support this viewpoint in their study on the effects of individual characteristics, parental background, and childhood living arrangements on adult's attitudes toward marriage, divorce and non-marital childbearing. Higher parental socioeconomic status, maternal employment, and to a lesser degree, nontraditional family arrangements in childhood "liberalize" attitudes toward marriage, divorce and non-marital fertility. In the Trent and South study we see the influence and effects of parental conditions on children and adolescent attitude development.

Studies which fall within the "adjustment" category have been slightly influenced by the Symbolic Interactionist perspective in that they tend to focus on micro-level relationships and gain understanding of individual meanings. The husband-wife or partners as individuals, or the couple itself is the unit of study. The Interactionist's perspective emphasizes the subjective meanings individuals give to their everyday lives, including their relationships. Further, "the meanings people construct emerge from social interaction, and meanings are modified and dealt with through an interpretive process used by persons when responding to things encountered" (Emerson 1981:15). Where

many of the adjustment theories differ from some of the Interactionists' perspective is in the conceptual approach and methodology. Emerson points out that Herbert Blumer, one of the primary contributors to the Interactionist perspective, argued against the prescriptive use of variables such as satisfaction, attachment, or autonomy. Emerson (1981:9) states Blumer's position on this point when he writes, "that analysis in terms of variables, leads one to ignore the processes of interpretation and definition… the relationships among 'variables' have no intrinsic fixity and interpretations cannot be given the qualitative constancy required of a variable." Glenn (1990:819) also chimes in when he argues that Blumer's position against what scholars have specifically criticized adjustment theories for, the use of adjustment scales, fails the variables prescriptive test. The argument suggests the variables used in most adjustment scales have tended to include too many variables that have not proven to be related, and causal attributions are questionable or at least empirically inconclusive. Scholars have also suggested that marital adjustment is a process rather than a condition studied at discrete points in time (Glenn 1990:828). Although significant criticisms are launched at the conceptual approach in adjustment-type theories, attempts at understanding the relationship dynamics and patterns of intimate partnering have produced meaningful knowledge, particularly in the areas of couple communication and conflict (Glenn 1990:819).

Marriage and Intimate Relations as Social and Cultural Practice

The idea of marriage and intimate relations as social and cultural practice is based in the Symbolic Interactionist perspective discussed above, but using more Postmodern methodologies, particularly Postmodern Social Constructionism, Relational, and Cultural

theories. The basic tenets of these perspectives and theories rest in the following commonalities: (1) subjective meaning and interpretive processes of marital and intimate relations and sense of self occurs through social interactions and is acted out through symbolic rituals and events (Symbolic Interactionism) (Emerson 1981); (2) Berger and Luckmann argue that social life is created and sustained through social practices (including intimate and marital relations) and we are therefore *creating our social reality* (Social Constuctionism) (Burr 2003); (3) Donati's Relational theory (2006) in which marital and intimacy meanings are created in the relationship itself and transform to the individual, not the opposite; and in what Koggel (1998:8) describes as personhood based in a "relational concept of self as situated in a network of complex and ever changing relationships providing a richer account of moral agents and agency than is not evident in liberal theory;" and (4) cultural studies that focus on exploring social practices within their cultural context; incorporating cultural analysis into the subjects' interpretations of their social life; and understanding how culture is constructed and deconstructed. Ang (2006) states cultural studies can be viewed "as a practice situated within its distinct social, economic, and institutional contexts and shaped by the outcomes of particular cultural negotiations involving multiple agents and interest" (p. 187). Cultural scholars recognize their part in constructing and creating the human subject and research topic of which they are studying.

Applied here, these theoretical perspectives and theories provide particular presumptions including identifying and describing marital and intimate relations as constructed in and practiced through everyday life; where shared symbolic meanings are created and interpreted by people through their social and cultural interactions. The ideas

of love and commitment, marriage, intimacy, the marriage institution, and all social aspects, expectations and interactions that go with them are constructed, but "at the same time experienced as if the nature of their world is pre-given and fixed" (Burr 2003:13). Reviews of studies that are grounded in the four epistemological perspectives/theories described above include the following.

Boxer and Gritsenko (2005) conducted a cross-national study looking at the surnames chosen by women when marrying. The study attempted to gain insight into how naming choices affected one's individual, social, and professional identities; and how such naming choices reflected and/or perpetuated gendered power hierarchies in society. They interviewed both American and Russian subjects where "the comparison across two societies reflects differing political and social contexts for the changing nature of women's positions in their communities" (Boxer and Gritsenko 2005:1). This study also looked at *self-in-relation* to naming and the couple relationship itself.

For those living in dual-career marriages, Fischer-Davidson (2000) explored the decision-making process of women's retirement. She interviewed women in the process of retirement decisions and who were married or in lifelong committed relationships. To what extent do women make the decision based on their own needs and desires, and to what extent do they accommodate their partner's needs or wishes? Using Relational Theory, this scholar identified six factors in the women's retirement decision-making process including circumstances of the retirement, the women's attitudes toward work and retirement, their sense of autonomy; the cultural context of their retirement decision; the influence of their partner's needs; and the conflicts/constraints in their decision making. Fischer-Davidson (2000:3) found that women do not accommodate their

partner's needs in a way that leads to their own loss of self, but rather provides a mutuality that indicates relational growth.

Bohannon and Blanton (1999:177) suggested that attitudes, values, and beliefs about intimate relationships are first acquired through the socialization process, but are dynamic and change over time. They studied gender role attitudes toward marriage, children, and careers between mothers and their daughters. They concluded that the intergenerational transmission of attitudes is not only a good predictor of the daughter's attitudes being similar on three variables, but that over time attitudes change and mothers are influenced by their daughters as well; thus indicating a more fluid, cross-generational, and created relational influence.

Over the course of the last decade, several scholars have explored the changing meanings and processes of weddings in American contemporary culture. Both Freeman (2002), and Otnes and Pleck (2003) have studied the growing wedding industry and extravagant wedding ceremonies being conducted most recently. Freeman provides a historical account of how the wedding ceremony has changed from patrilineal based events to sacramental weddings in the Middle Ages; from sacramental civil weddings in early modernity to more complicated "queer" weddings of today. Queer weddings, because they do not focus on supporting the long-standing, monogamous, state-sanctioned weddings of modern times. Postmodern weddings, Freeman (2002:27) argues, are now tied to an "economic dialectic" like never before with both "privatizing and collectivizing functions." These extravagant weddings, with super consumerism spending, cannot be so easily connected to past Anglo-American marriages. Freeman believes that discontinuities exist out of the shopping and consumerism that competes

with the values and support of the nuclear family. By placing the wedding ceremony as a colossal "performance based event like a romantic fairytale," the ritual is now experienced within a larger social framework. The wedding separates a couple's previous ties and obligations connected to three key social institutions; namely religion, the state, and the institution of marriage, and places it instead in new social intimacy realms. The marriage itself takes a back seat to public forms of attachment, ceremony, pageantry, and celebration. This consumerism, performance, and "perfect display" seeking "queers" the marriage. Weddings have become a new means to re-imagine belonging, attachment, public performance, and social intimacy (Freeman 2002:147).

Otnes and Pleck (2003:4) delve into today's wedding pageantry showing the connection of desires for romantic love with excessive consumerism. These scholars argue that today's Anglo weddings (Anglo meaning "white" weddings as considered in dominant Western society regardless of the participants race or ethnicity) have lost their strength as a rite for couples moving from adolescence to adulthood, and have now become "rights" of lavishness. They state that lavish weddings are no longer the purview of the wealthy, but working and middle class families use them as a display of their own social prestige. They argue that there are also four additional reasons for today's lavish weddings:

> (1) couples attempt to enact romantic love through extravagant consumerism;
> (2) the shopping, ceremonies, and honeymoon offer 'magical transformation';
> (3) they provide memories of a sacred, singular event (assumed to be for a lifetime), and;
> (4) legitimate lavish consumption through the *ethic of perfection* – flawless beauty and perfect performance. (Otnes and Pleck 2003:15)

The wedding event is still considered one, if not the most important social event in one's life, but today it is as important a means for reproducing popular consumer culture and

personal desires. Studies focusing on the wedding industry, ceremonies, and events surrounding these cultural activities will continue to be of interest to scholars as new trends and meanings emerge.

Using Relational theory, Ringer (2001) deconstructs heterosexual monogamy while exploring different forms of gay male relationships, their communication styles, and behavior expectations. He argues that different gay male couples define and act upon their relationships differently and there is no "universal, essentialist explanation of gay male couple experience" (p. 143). Ringer further posits that some couples create monogamous arrangements, while others create situational promiscuous arrangements intended as celebrating gay life, and yet others create what he called "sex-positive radicals" where promiscuity is considered essential to gay being. He suggests that monogamy is neither natural nor necessary in relationships, but a choice sometimes chosen (p. 148). He further suggests that these varying intimacy arrangements are also being played out in heterosexual relationships, albeit different, but nonetheless may be altering relationship expectations and societal tolerances overall.

Relational commitment is the subject of the Rostosky, Riggle, Dudley, and Wright (2006) study of same-sex couples. She looked into how these couples constructed the meaning of commitment of which seven commitment domains were identified including intra-couple differences, costs, comparisons, personal and relationship values and ideals, rewards, and sexual boundaries. Through in-depth interviews, these couples "described their lived experiences in defining and creating a committed relationship" (p. 199).

Cave (1999) looked at the social construction and process of a lesbian couple's relationship over time. In this ethnographic case study, Cave suggests that lesbian relationships parallel heterosexual relationships in many ways, yet are also quite different because of the stigma and struggles of maintaining a marginalized, "un-legal" intimate relationship. She provides a look at early discovery and disclosure experiences of the couple; within-relationship role expectations; dealing with and the meaning given to interpersonal disputes; constructed parenting; and how the couple negotiated their relationship and sexual orientation with their own and each other's family and friends. Cave argues that in spite of a society that rejects the validity of their relationship, this couple was able to develop and *assume* marital and familial permanence (p. 9).

These studies explored numerous and varying issues in marital and intimate relationships from postmodern perspectives. The interpretive design and approach of *meaning* gathering while accounting for the cultural contexts and relational ontology of the research subjects' practices, provides us with individual, dyadic, and societal level connections that modern classical philosophies can not account (Donati 2006:36).

Social Protest and Legitimacy Politics of Marital and Intimate Relations

The following studies explore varying sorts of protests focused on societys' marital and intimate relation arrangements. These studies look at discourses that have been generated mostly by persons living on the margins of society who represent minority and/or disenfranchised interests. These studies are grounded in social movement perspectives, social legitimacy politics, and minority *positionalities* speaking to what society in general proclaims as needed corrective measures in marital and intimate

relations. The first set of studies discusses feminist perspectives. I have included a rather lengthy discussion of these perspectives to offer a more in-depth analysis in part because of their far-reaching influence on the other discourses presented here. I wrap up the feminist section by discussing feminist perspectives that relate to gay and lesbian marital and intimate relations. I next review sociological literature of gay and lesbian identity and cultural politics where individual level legitimacy issues are discussed, and lastly explore gay and lesbian social movement perspectives relating to marital and intimate relations.

Feminist Perspectives

Only recently have studies in the sociology of marriage specifically dealt with or included feminist theories. Gender differences between partners have been discussed greatly, however, an overall use of feminist perspectives in discussing marriage has been lacking. Much of what has been written about marriage from feminist perspectives has come from feminist-supportive writers representing fields of study or literature outside of sociology. Within sociology, early scholars focused most on the overall status of women, the division of labor within the home and between the home and work, and what epistemological and methodological approaches had been used in the past or should be used in the future (Smith 1987; Jansen 1990). Irrespective of a lack of scholarly effort within the sociology of marriage, the "traditions" of feminist theory have provided numerous discussions concerning marital relations and the family, in particular.

Feminist theories have broadened the scope of study in intimate relations, challenging patriarchal social structures, gender differentiation, and sexuality norms. Only recently have feminist theories been particularly progressive in examining same-

gender intimate relations. In the past 20 years, an explosion of research studies focusing on persons in same-gender relations has been conducted. Many of these studies are grounded in radical feminist theory, but first liberal feminism will be discussed as this perspective was applied in the earliest feminist critiques of marriage as a patriarchal institution.

First Wave, Liberal Feminism Tradition. In liberal feminism we see the emergence of writers and activists from varying backgrounds during the nineteenth and twentieth centuries who were responding to the unequal treatment of women and other problems of the day such as slavery, poor living and working conditions, and poverty.

Ortiz (1995) suggests that what we saw from these and other liberal feminists was: "(1) a response to nation-state "status quo" inequalities found in social institutions; and, (2) a call for equality in both the public and private spheres" (p. 254). In the nineteenth and twentieth centuries, the focus was on women's right to vote, earn wages, form contracts, and sue their husbands in court. After suffrage, the focus shifted to the private sphere with an emphasis on changing traditional roles and norms. Feminists fought for equal treatment by contributing to the family income, educating themselves, and being treated more humanely in the home. Most of the activism occurred among the upper and middle classes. Ortiz states, "Liberal feminism claims for women the same values that men have traditionally claimed for themselves in the public sphere – values like autonomy, impersonality, objectivity, and universalism" (p. 253). Ortiz explains that liberal feminism called for women to be treated the same as men, and thus attempted to rid society of the rigid roles of "working father and nurturing mother." The family would

lose its refuge status with the nation-state and members would be protected equally under the law (p. 254).

Early reformers are criticized for focusing mostly on white, upper, and middle income citizens although some reformers called for action across sex, race, ethnicity, and class (Okin1989:16). Threads of liberal feminism are still evident today. Equity through equal consideration is still a concern among contemporary feminists. Although this perspective is criticized for rationalistic and universalistic thinking, and its "same-as-men" stance is often rejected, liberal feminists embrace the core motivations behind this perspective which dissolves gender differentiation in social realms.

Second/Third Wave Feminist Tradition. Ideas about marriage and family life shifted after World War II to what is often referred to as the "Ozzie and Harriett" age. Writers such as de Beauvoir, Firestone, Freidan, and Mitchell began to identify deeper complexities of women's experiences during this time period (Nicholson 1997:7). Betty Freidan and Juliet Mitchell focused on the exploitative nature of women's labor in the household. Freidan called upon women to take up professional careers and Mitchell compared the exploitation of women's work in the home with worker's exploitation in capitalism (Okin 1989:16). Simone de Beauvoir was a strong advocate for abortion rights and, in addition to being considered the mother of modern feminism, wrote an impressive thesis on women being made "*Other*" through biologically deterministic, reproductive-based oppression (Nicholson 1997:8; Shildrick and Price 1999:207). Shulamith Firestone in *The Dialectic of Sex* (1979) supported de Beauvior's notion of a historical power imbalance based in childbearing responsibilities. Firestone argued that with modern reproductive technologies women should then be free from the burden of expected

procreation, and the power imbalance between men and women be dissolved. Firestone and de Beauvoir were considered evil radicals by most religious institutions for their support of abortion and birth control.

The second feminist tradition has focused more attention on equity rights. They expanded the discourse by challenging Western traditions of biological determinism, scientific objectivity, and rationality. They attempted to reclaim woman as *Other*, by first reclaiming their own bodies. They proclaimed a trust in their own feelings and experiences rather than relying on patriarchal-based social and educational "authorities" (Shildrick and Price 1999:108).

In her study on marriage in France, Francois de Singly (1996) provided a neo-Marxist cost-benefit analysis out of a conflict-exchange perspective focusing on familial arrangements. She compared family life in France and the United States during the 1970s focusing on how men and women dealt with their social and cultural interest within the marriage. She concluded that marriage costs women more in labor market investment than it does men and men generally have been less affected by marriage instabilities. In other words, involvement in the work place is harder on women and divorce is less costly to men (p. 209). She also contended that in spite of the higher costs of marriage for women in contemporary times "marriage gives each partner the social benefits that come from being loved and wanted" (p. 207). She followed up this study with a look at marriage in the 1990s and notes that marriage is an increasingly emotional relationship and not just the simple joining of two kinship families. She argued that we see in the division of labor, an imbalance in favor of men creating greater poverty for women and children. She posited that "separation between the sexes has changed forms," but still

exists and calls feminists to revisit the issue (p. 212). Through de Singly, we see liberal feminism being coupled with neo-Marxist perspectives to further the current discourse of marital and familial arrangements.

Ortiz (1995) and Nicholson (1997) refer to postmodern feminist works as "difference" feminism. These feminists opposed the liberal feminists' "sameness" argument. They proposed instead that there is a multiplicity of diversity among women and often between men and women. They believed oppression came from attempting to treat women and men alike because it discounted women's knowledge and experiences, especially of themselves (1995:253). This "women-based knowledge" perspective is also referred to as cultural feminism (Taylor and Rupp 1993:32; Alcoff 1997:331). Cultural feminism suggests women's oppression will only be eliminated when a women's culture is defined and established by women.

Ortiz identified a second faction in "difference" feminism and calls this perspective "relational" feminism. This faction sees women and men as fundamentally different, especially in how they see or experience themselves in the world, with men being more individualistic and taking-for-granted "rights," while women are more communally-connected in their thoughts and relationships. Ortiz states, women "think of themselves as bearers of responsibility" (p. 254). This perspective encompasses an "ethic of care," wherein men and women would be expected to act responsibly both within and outside of the family. In other words, this stance adopts a liberal feminist position of family members being equal, but relational feminists take this a step further to suggest all family members should be equal in their responsibilities of care. Relational feminism also extends this obligation to society at large, proposing to change norms, politics, and

economics to a communally-focused and egalitarian model. Marriage would be connected to a public obligation and the nation-state would be "interventionist" (p. 255). Kathleen Gough supports this position when she takes up Firestone's argument that there is no longer a need to subordinate women and tie them to the home because technology and science are poised to free women from the home and free workers from a class-based society (1979:105). Unfortunately, Gough does not specify how technology and science are prepared to "open the birdcage doors."

What *difference* and *relational* feminists argue in postmodern feminism is a more expansive subject matter. They call for a recognition of families as diverse in membership and structures; that a women's place in society is pluralistic and should be de-gendered; and women need to gain control of social institutions that effect them by insisting that their experiences be considered valid and worthy of a listening audience.

Radical Feminist Tradition. Within the last 20 or so years, a strongly postmodern feminist tradition has started which is still being debated based on whether it is an extension of third wave feminism or a newly forming fourth wave. Some academics suggest this falls within the third tradition and is not fundamentally different from past feminist traditions. Others in academia perceive the work being done from this tradition as different in their foundational assumptions of scientific determinism, rejecting "natural" social processes, and the universality of experience. Ortiz calls this new tradition *dominance* feminism (1995:254). Others refer to this set of perspectives as *radical* feminism, while others refer to *deconstructionist* feminism. Regardless of the terminology, the common stance of this feminist tradition is that any definitional efforts coming out of a patriarchal value system is suspect.

Ortiz suggests that like *relational* feminism, dominance feminism rejects the liberal notion of men and women as the same. On the other hand, like liberal feminism, dominance feminism distrusts traditional claims of women's difference, concerned that differences will likely deny women's equality. They are concerned that the relational feminists' belief of an ethic of care only serves to give women a "false consciousness." They argue that women are continuing to care for the world under duress and as subjects. Dominance feminism claims both versions of women's identity is essentialist and must be rejected. They argue that women must be free to discover their own identities, define for themselves who they are, and that "every social practice has to be looked at separately" in order to recognize and/or avoid oppression. They argue "all politics are local" (p. 255). Both difference and sameness assumptions can oppress women, yet can also potentially be used to set women free. Solutions will surface, they suggest, once women have the opportunity to "truly understand themselves" (p. 256).

Wolkomir's (2004) study of conservative Christian women married to ex-gay men supports this transformational idea of Ortiz's when these women examined, renegotiated, and re-allied their feminine identities within the context of their marital situation. Traditional gender roles and marital expectations were altered within the context of their husbands' sexual identities. Through reflective strategies and a camaraderie-style support group, these women re-defined themselves, their religious beliefs, and their feminine identities in order to cope with a "non-traditional" marriage. Wolkomir states, "They constructed new ideological safety nets . . . that may be understood as one reaction to the larger crisis tendencies in the gender order, a way of muting challenges to the existing system of gender relations" (p. 753).

Both Ortiz (1995) and Cacoullos (2001) discuss a discourse within current day feminism. Cacoullos gives a detailed account of what she believes is occurring. In brief, the 1980s and 1990s saw a grappling, if you will, among American feminists discussing the theory or theories of feminism. With the focus of so much feminist inquiry on "reflexive" efforts, skepticism of feminist theorizing began to surface. Arguments focused on whether universalistic explanations of any kind concerning women's experiences were even possible and were believed incompatible with the diversity of women and their "multiple historic conditions" (p. 105). These debates have centered on women as "subjects," their identities, and notions of gender. Feminist essentialism and universalism have been severely criticized. Generalizations have been debunked by one or more group of scholars, particularly minority scholars because the *generalized ideal* does not fit all women, particularly women of racial and ethnic minorities. This has presented problems of how to discuss "women" (p. 108). Rosemary Pringle (1997) forges this same debate when she argues that the individual subject has no single identity, but is made of many "partial identifications" that are in a constant flow of dissolution and redefinition (p. 77).

Cacoullos (2001) says that Linda Alcoff (1997) offers a possible solution to this dilemma of "subject" by suggesting that women be defined by a particular "position," or "positionality." A person is identified from the external context in which she finds herself situated. Alcoff states, "Therefore, the subject is non-essentialist and emergent from historical experience" (p. 112). The context is changeable and gender politics can be forthcoming. This stance "shows how women use their positional perspectives as a place from which values are interpreted and constructed rather than as a locus of an already

determined set of values" (p.113). Cacoullos believes that healthy scholarship has occurred from these recent debates and that in spite of these conflicting discourses, American feminists have still been quite diligent in "examining, understanding, and changing the situation of women" (p. 78).

When applied to marital relations and marriage we see this same interpretive-reconstructive perspective among deconstructionists. They generally view marriage as an institution and practice that is potentially oppressive to women; and reform in families cannot occur until women explore their own identities (subjectivity), based on their own understandings of themselves (Ortiz 1995:265). In other words, it is believed by deconstructionist feminists that marriage relationships and the family will be altered and/or created based on individual self-knowledge.

Alcoff appears to support this stance when she argues that marriage offers each family member, women particularly, an opportunity to choose what each would make of their historically-based position and alter the context as desired. Everyone could indicate their interests and form their own politics based on their own viewpoints so that no person's identity or desires are presumed. All members of the family would define and construct themselves. This self-definitional base opposes determinist theories of marriage and familial roles, and could re-define the institution of marriage occurring in current day social structures (1997:350).

Same-Gender Intimate Relations, Marriage, and Feminist Perspectives

Much of the research on same-gender relationships, marriage, and feminist perspectives has come out of postmodern, second, and third wave feminism. Liberal

feminism rarely broached the topic of homosexual orientation, much less looked at long-term same-gender relationships or marriage (Rich 1980:632-3). For most liberal and modern feminists, non-heterosexual relationships were outside their realm of awareness or concern; or they were threatened by society's general admonishments of same-gender behavior and relations; or felt their own anti-patriarchal discourses would be in jeopardy if they discussed this topic. Postmodern and deconstruction feminist theorists began discussing same-gender topics after the modern gay rights movement was well underway and into the 1980s.

Adrienne Rich (1980) wrote a scathing critic of feminist studies where she admonished feminist scholars for the lack of attention to non-heterosexual female discourses and subjects. Rich states her concerns when she wrote: "How and why women's choice of women as passionate comrades, life partners, co-workers, lovers, or tribe has been crushed, invalidated, forced into hiding and disguise" and scholarship lacks the lesbian experience (p. 632). In particular, when civil rights feminism was at its peak in the 1970s, Rich asks why the lesbian experience was ignored in feminist protest. She goes on to critique what she refers to as "compulsory heterosexuality" in almost every area of feminist concern including economics, politics, health, and domestic life. She argues that lesbian exclusion hurts all women and it is different from heterosexuality and the gay male experience (p. 647). Rich argues that the greatest problem with compulsory heterosexuality falls in the absence of choice which renders females impotent to "determine the meaning and place of sexuality in their lives" (p. 659).

Inspired by Rich's critique of compulsory heterosexuality, Richardson (2003) extends Rich's assertions to include race when she presents what she believes is the

already tainted history of black sexuality that also ignored black lesbian relationships. She believes multiple historical omissions created a hidden society within a marginalized society. Richardson discusses how and why she thinks this occurred throughout the late nineteenth and twentieth centuries as black men in general and black women's clubs in particular were vying for a political voice in a white dominant culture. Richardson contends that sexuality in general was played down and any variation other than married, monogamous coupling was denounced and hidden. As a black lesbian and historian, she calls on black historians and feminists in particular, to set the record straight. (p. 73)

Like Richardson, Garber (2005) critiques early Japanese scholars and today's feminist and queer scholarship for the lack of discussion of lesbian life within the world of homosexual conduct in the late nineteenth century up to today's postmodern scholarship. She states,

> Left out of histories of homosexuality because of lack of evidence, excluded from cultural constructions of sexual agency because of gender stereotypes, unnamed because of scholarly prohibitions against imposing anachronistic or culturally inappropriate terms, women who love women face an uphill battle for scholarly recognition, which in turn leads to their underrepresentation in queer studies curriculum…if we don't interrogate the Foucauldian Orthodoxy, how will we know what is possible to know about women who loved women in the past or who do so around the world today…queer studies in the U.S. benefits from drawing on an international constellation of sources. (P. 54)

Cheshire Calhoun (2000) offers a *difference* feministic perspective in her essay on how the "family outlaw" archetype of gay and lesbian relationships has been an anti-thesis for heterosexual relationships. She argues this outlaw status is historically constructed and is connected to "social anxiety about the stability of the heterosexual nuclear family" (p. 137). She suggests that times of high anxiety about the nuclear family have been relieved by targeting groups who are ideologically constructed as family

outsiders, focusing on their behaviors as threatening the family; and thereby stigmatizing, in this case, gay and lesbian families (p. 138).

While Ettlebrick (1997) and others have argued for social and legal recognition of same-gender relationships, including the right to marry, other scholars, including feminists, have argued against gay men and lesbians participating in heterosexual relational models. Several scholars grounded in radical or deconstruction feminist perspective discount marriage as a heterosexual institution not worthy of consideration (Sherman 1992; Polikoff 1993; Wilson 1996; Walters 2001; Howley 2003). Polikoff makes this argument when she states:

> I came out as a lesbian feminist in the early 1970s and my lesbian identity was intertwined with a radical feminist perspective. At the time, many heterosexual feminists chose not to marry in order to make a statement against marriage, which they believed to be an oppressive, patriarchal institution. I believe that the desire to marry in the lesbian and gay community is an attempt to mimic the worst of mainstream society, an effort to fit into an inherently problematic institution that betrays the promise of both lesbian and gay liberation and radical feminism. (P.1536)

These feminist scholars argue that gay and lesbian individuals are better off creating their own definitions, customs, and cultural practices within their relationships. This debate among feminists and non-feminists continues today through equality vs. deconstructionist discourses, politics, and scholarship. In the next set of studies, same-gender identity and cultural politics and social protest is discussed as a social legitimacy issue. Much of the scholarship discussed below is grounded in the feminist perspectives discussed here.

Same-Gender and Queer Identity and Cultural Politics and Social Movements

Based on notions similar to racial and ethnic minority identity development (Cain 1991; DeCecco and Elia 1993; Wilson 1996), identity formation, identity, and cultural politics among gay men and lesbians have been thought to be generated out of both an internal sexual identity process, as well as a group identity development as one acknowledges membership in the gay and/or lesbian minority (McCarn 1991:1). Just how identity develops or how much it is an internal vs. an external collective process continues to be debated among postmodern scholars. However, gay and lesbian identity and cultural politics remains today a robust area of study among social science scholars (Taylor and Raeburn 1997; Trask 1996; Gamson 2001). With this collective identity development and twentieth century community-building, gays and lesbians have mobilized as a social movement, claiming public space for their own cultural practices, and challenging the dominant gender and sexual system (Taylor, Kaminski, and Dugan 2002). Over the past 30 years the Modern Gay Rights Movement has put forth a public discourse focused on equal treatment and protection in hiring, law enforcement, housing, family law, and marriage, among other claims. *The Harvard Law Review* stated that in the case of same-gender relationships, society is in "nothing less than a 'culture war'" (2000:1421). The following studies explore identity and cultural politics, gay and lesbian marital and intimate relations research grounded in deconstructionist queer theories, and social movement research concerning gay and lesbian civil rights issues including marital and intimate relations validation and legalities.

Stiers (1999) argues that in the processes of creating meaning in gay and lesbian relations, both resistance to traditional, heterosexual marriage and norms are enacted by

ceremony participants; and accommodation is made by those same persons because the ceremony is considered a highly valued cultural tradition (p. 6). As acts of resistance, same-gender ceremonies say that marriage is not necessarily between one man and one woman, that traditional gender roles cannot be assumed, that it is not necessary to have children to be "family" and, "a desire to marry is a 'normal' aspiration for any two adults regardless of sexual identity" (p. 110). Often through these acts of resistance, gay and lesbian couples reconstruct cultural values relating to homosexuality and gender. As acts of accommodation, Stiers argues, same-gender ceremonies often reinforce traditional marriage expectations such as assuming relational monogamy or taking on kinship ties. Participation in these rituals can also assist gays and lesbians in negotiating their stigmatized status by claiming similarities in their relationships compared to heterosexual relationships. This accommodation is considered an attempt at becoming "insiders" (p. 109).

Hull uses a multi-level analysis in her study on the cultural politics of same-gender marriage (2001). She argues that same-gender couples draw on cultural forms, like legal marriage, to "affirm the reality and seriousness of their relationships, assert the similarity and equality of their relationships to heterosexual marriages, and establish greater permanence and stability in their relationships" (p. 2). Cultural and legal dimensions of marriage are significantly connected for same-gender couples, and are used to "enact" legality when official law is absent. In this study, Hull drew on the meanings individuals gave to public ceremonies of commitment, how same-gender couples used rituals and symbols as cultural objects, how identities were developed of the couple by the couple themselves, the officiates, and social network members, and, finally

what social legitimacy activities were used as "outward-focused" processes in "gay communities, culture and politics" (pp. 90; 100; 123). Hull uses an ecological approach to her study and challenges other researchers to consider multiple level analysis and the intersections therein.

Graff (1999) deconstructs the arguments used against gay marriage. She posits that society is already ready for same-sex marriage because these relationships support the primary aspects of marriage historically valued in heterosexual marriage such as private consent, the development of kinship ties, interest and ability to raise children focusing on their concerns and needs, and the "right use of the body" which is just as prevalent in gay relationships as it is in heterosexual ones. Unlike what many conservatives claim, Graff argues that social order would be undisturbed and perhaps enhanced by allowing same-sex marriage, and society is already accepting gay relationships including legal marriage (p. 251). It is her contention that gay relationships reinforce choice in relationships and support the individual spirit, which are highly valued beliefs in society. She also argues that anti-gay rhetoric is simply an "echo" to what is already occurring and "the bouncing of it [rhetoric] off the canyon walls of our social processes is merely wasted sound in light of the current social reality." She contends that "every commitment . . . must be invented from the inside out, tested and confirmed as we go . . . and gay marriage is already here" (p. 252-3).

Several legal treatises of civil unions and gay marriage have been provided in the sociology of law. Gilbert Zicklin's work (1995) deconstructs the legal rationality that is used in U.S. courts regarding gay and lesbian couples and families. He shows that the courts have been both supportive and unsupportive toward gay relationships and he

expects this to continue to be the case for some time. He notes that "everywhere the morality and politics of sexuality enter into legal deliberations" (p. 72.) He argues that judges are just as susceptible to public discourse influence as anyone else and therefore legal processes are neither rational nor necessarily reflective of social reality (p. 72). Several other scholars have explored the ramifications of legalizing and not legalizing same-gender marriage or partnerships including Chambers (2001), who compares the legal consequences and the legal needs of gay couples in today's legislative and court battles. Chambers argues that state sovereignty has grown because of the gay marriage opposition and it is unclear as to what further repercussions may result. He also cautions that the benefits of marriage where offered to same-gender couples may be distributed unequally among gay couples, similarly to varying distributions for heterosexual couples where income, access, and marriage practice also varies (p. 327). Goldberg-Hiller (2005) argues that gay and lesbian marriage deconstructs American ideals of law, democracy, citizenship, civil rights, and governance in which the "privilege of citizenship is enacting a new common sense" (p. 221). He notes the efforts being made to return society to the status quo. All of these authors focusing on legal processes argue that several social dimensions are being shaped and re-shaped in the same-gender marriage discourse.

Lewis (1988) looks at the equal protection clause in the U.S. Constitution when applied to gay marriage and argues that equal protection must be approached from a feminist ethic of care where the human need for intimate connections be recognized and honored. She argues that it does not matter that the location of connection be in gay and lesbian relationships, and that the freedom of choice of spouses constitutes a "moral commitment to justice and care" (p. 1803). She further argues that recognizing and

honoring gay marriages will not tear down "the fabric of society," but instead would add a more rich texture to the marriage institution.

In two different studies, Lewin (1996:130) and Oswald (2003:5) both argue that marriage is not in the exclusive purview of heterosexuality. They contend that heterosexuality and patriarchy do not naturally or exclusively own marriage. They contend that first, marriage need not institutionalize gender; and second, many gays and lesbians are claiming their experience of commitment and desire for marital commitments. Oswald goes on to debunk several taken-for-granted, essentialist propositions by arguing that: (1) not all gay, lesbian, bisexual, and transgender people (sexual minorities) are necessarily alike; (2) identities are produced through their very enactment including same-gender identities; (3) there is not one "gay community" representing a homogenous group; (4) families are neither straight or gay but have members of both, and; (5) rituals can be transformative and revolutionary as well as meaningless and oppressive. In these points, Oswald argues that lesbians include heterosexual and patriarchal constructs into their rituals and social relations; however, they often re-shape them into new meanings. She states, "It is a matter of *bricolage*, a term used by Levi Strauss to mean the combining and incorporating in our rituals and life narratives fragments of meaning from many sources" (p. 6). Both Oswald and Lewin argue that lesbian and gay men who participate in commitment ceremonies and weddings are claiming their place in a wider community and not just mimicking heterosexual models (p. 127; p. 130).

Social movement research of same-gender marital and intimate relations includes Sherman's 1992 study where she interviewed couples from the 1950s and 60s Homophile

movement who had "private commitments." She also interviewed 1970s and 80s couples who were interested in having public ceremonies, although they also felt such ceremonies were unnecessary to solidify their commitment. Sherman reports that "gay marriages that took place in the 1970s and early 80s were often drag; at that time, straights were the only role models for marriage, and butch/femme role playing was more in fashion than it has been since" (p. 6). Most of the efforts among gay couples during both these periods were focused on sub-cultural activities, coming out challenges, and fighting for safety as individuals and as couples in a hostile world. Those couples who did participate in public ceremonies did so knowing that their unions were not legally recognized, but their public "display" was important in sharing who they were within their communities (p. 3).

Nownes (2004) looked at gay and lesbian interest group formations between 1950 and 1998 in order to test the theory of density dependence. He was able to conclude that interest group formations were closely tied to population density of homosexual rights groups. He states,

> This finding supports the general argument that legitimation, which dominates at low densities, works to increase the number of groups founded within an organizational population, while competition, which dominates at high densities, constrains the number of groups founded and thus the total number of groups founded within a given interest group population. The theory simply calls upon us to recognize that the behavior of interest group entrepreneurs and supporters is profoundly conditioned by the context in which they operate, part and parcel to the context are population dynamics, therefore suggesting that organizational selection is a key factor in determining when and how interest groups form and survive….being affected by ecological constraints and downplaying the affect of Political Opportunity Structure. (Pp. 66-67)

Although not focusing on gay and lesbian marital and intimate relations, this study does focus on Gay Rights groups and their efforts to claim legitimacy in the social and political fabric of American society over the past 50 years.

Sarah Schulman (2004), in her article "What Became of Freedom Summer?", articulates a need for gay rights activists to work on more grassroots movement organizing. She suggests they even move together across the country to "join communities together" to support gay rights activism in small towns and rural areas, as well as large cities. She argues that visibility alone is not enough and allows for continued stigmatization. She also argues that family and friends of gays and lesbians have failed to mobilize their support and should offer vocal support and action for Gay Rights as they enjoy many of the civil liberties not afforded their loved ones. She argues that the only way to counter the "pathologized and dismissed" gay or lesbian individual is to collectively, publicly, and politically fight for gay rights justice (p.22).

State and local policies protecting gays and lesbians from discrimination is the focus of Haider-Markel and Meier's (1996) study where they considered two models of social and political change. These scholars first explored the meaning and history of *morality politics*, suggesting that "everyone is an expert on morality" (p. 333). They argue that morality politics as one model of change focuses on political party competition, religious forces, partnership, high salience, education, and to what degree citizen values are distributed on the morality issue. The other model they looked at was the interest group model where success is based in the salience of group organizers, resources, supportive elite attitudes, prior public policies, and education. They suggest that Gay Rights is not dissimilar from other political areas. They showed that when the issue is narrowly focused on a specific policy like domestic partnerships, more gains are made. However, when the opposition is able to expand the "scope of the conflict" where laws are proposed and placed on an election ballot, the political pattern "resembled

morality politics (p. 346). They suggest that the change of scope does or does not guarantee who might win, but does indicate the type of resources that may be needed to increase the likelihood of winning.

Festle (2005) compares the GLBT (gay, lesbian, bisexual and transgender) Rights Movement to the 1950s through 1960s Civil Rights Movement, focusing on their direct action campaigns. She suggests that gays and lesbians are in a similar historical period as that of African Americans in the 1950s where northern blacks had gained some civil liberties and gains economically, but the south remained terribly oppressive. She discusses that a broader mass movement was required in order to fully implement legal social justice for African Americans. Festle goes on to discuss the lessons of that movement that might be helpful to today's Gay Rights' activists including being aware of "special moments of opportunity" (timing); not taking court victories for granted as other courts may overturn favorable decisions, so protecting the gains will be necessary; carefully fashioning and supporting legislation that furthers Gay Rights; and employing creative direct action strategies and visibly participating in every aspect of society. She further argues that only relying on large, national organizations will not result in the desired changes; that only mass numbers of individual actions in all the nooks and crannies of American society will more likely bring the success desired. She suggests that GLBT participants create their own social justice methods effective in today's society and move with both impatience and patience toward social change (p. 16).

Taylor and Raeburn (1997) consider the impact of social and political activism for gay, lesbian and bisexual sociologists in their micro-level social movements study. Grounded in social constructionist new social movements theory, Taylor and Raeburn

looked at how sociologists, particularly in the 1970s and 80s, who openly identified as gay, lesbian, or bisexual, negotiated their presence in sociology and explored the challenges experienced in academic life. They argue that identity-based strategies are not a "retreat from politics into lifestyle, the self, and representation," as some would claim, but is instead a form of high-risk political activism where both personal and professional costs (and some benefits) are paid. These scholars use a social constructionist perspective to show that: (1) the formation, use, and impact of identity politics was a viable strategy to contest oppressive identity models of a dominant society and at times the academic institution, by mobilizing to counter the stigmatization of same-gender desires, and; (2) like other social movements, the personal involvement in identity politics at a high level activism has had a lasting impact on those who participated including an overall lower income rate than that of their colleagues which can often be attributed to their attending to politics over career, or to discriminatory institutional practices. These scholars do also indicate that improvements have been seen in academia over the past several years with the inclusion of queer studies, and some activist sociologists have found professional success and recognition. They suggest that both positive and negative outcomes for individuals involved in social protest continue to be a scholarship focus in social movement research, particularly at different times in the movement's history (p. 479).

In another study, Taylor et al. (2002) first provide an overview of the development and rise of distinct lesbian and gay neighborhoods in the mid-twentieth century showing the role these neighborhoods played in establishing companionship and solidarity for participants (p. 103). They also discuss how these neighborhoods provided the social networks, shared culture, identities, and territories for growing political

activism. Next, these scholars demonstrate how these early groups laid the foundation for growing multiple gay and lesbian interest group organizations in multiple communities among persons with varied identities which included anti-stereotypical images such as "macho" gay men and "lipstick" lesbians (p. 107). Their study indicates that more complex and specialized social movements such as the gay rights, feminist, fundamentalist, and environmental movements have created important community, meaning, and identity sources that are replacing larger, national-level and class identified societies. Taylor et al. finally indicate that it is still unclear exactly what impact the gay and lesbian social movement has made on mainstream politics and culture and they encourage future researchers to study the effects (p. 111).

The studies discussed above show a plethora of scholarship focused on exploring gay and lesbian life, identity and cultural politics, and social movement experiences and protest efforts. Much of this scholarship has surfaced over just the past 15 years as gays and lesbians have both pushed their way onto the contemporary American landscape as well as being supported within American society and opposed for doing so. Just as other groups identified as a minority group and developed interest areas and aspects of a unique but varied culture, so too have gay men and lesbians in the U.S. Particular interest has grown concerning marital and family arrangements. These studies have explored marital and intimate relations specifically. The next section of this literature review looks at studies that have been conducted regarding lesbians and gay men participating in Vermont Civil Unions and marriage in the state of Massachusetts since 2000.

Vermont Civil Union and Massachusetts Gay and Lesbian Marriage Studies

With Vermont as the first state to enact a same-gender legal status, both scholars and the public have been very interested in civil union occurrences and their potential consequences in the current homo-heterosexual discourse (Eskridge 2002:3; Moats 2004:81). State-sanctioned civil unions began July 1, 2000, in Vermont and were open to couples living within and outside the state. Approximately ten studies have been conducted over the course the past seven years examining Vermont's civil union law, its participants, and those who are associated with both.

The first study was conducted by the end of the first year of Vermont's civil union law enactment. Solomon, Rothblum, and Balsam (2003) began research with the first year's cohort of civil union participants where they developed a demographic and relationship characteristics profile. They provided a comparative analysis of same-gender couples who obtained a civil union with married heterosexual couples and gay couples who had not had a civil union (p. 564). Rothblum (2004) also conducted a cross-cultural study comparing civil union couples with couples in other countries who had participated in similar legal acts. She explored both individual and couple explanations for "participating in civil-type unions" (p. 14). Since 2000, Rothblum has collaborated with several researchers focusing on a variety of topics relating to those who participate in civil unions. One of these studies looked at relationship satisfaction, affectivity, and gay-specific stressors (Todosijevich, Rothblum, and Solomon 2005:158). Another Vermont civil union study by Solomon et al. (2005) is an adjustment-type and first within-group factors' study of gay couples who had a Vermont civil union whom they compared with married heterosexual couples and gay couples not having had a Vermont civil union

regarding issues of the household division of labor, sex frequency, monogamy, communication styles, and relationship satisfaction (p. 561). This research lent interesting results including, (1) gay and lesbian couples as more egalitarian than heterosexual couples, with sexual orientation being a more equalizing factor than having similar incomes; (2) contrary to what was predicted, married heterosexual couples did not report any more conflict about money, styles of communication, or household work than did gay male and lesbian couples, despite differences in divisions of housework, finances, and relationship maintenance behaviors; (3) lesbians did have less sex frequency than married heterosexual women; (4) gay men were less monogamous than married heterosexual men; and (5) gay men having a civil union were more egalitarian in their relationships than married heterosexual men and gay men not having had a civil union. The researchers plan to study these groups over time in order to compare their differences and similarities (pp. 572-4).

Two other studies looked at legal aspects of Vermont civil unions. Thomas (2005) and Eskridge (2002) explored potential consequences of this state-level legislation in relation to other state and federal laws. Thomas argues that the Vermont same-gender law, instead of providing legal relief to gay and lesbian couples, only serves to keep an imbalance of power between same and opposite gender people because of a separate-but-not-equal approach to civil relationships (p. 27). Eskridge provides a historic look at same-gender lawsuits over the past several decades (p. 3). He also discusses the Vermont law in relation to overall gay civil rights and sexuality politics. He uses the Vermont case to discuss “equality practice” as a postmodern cultural form where parties with conflicting discourses might slowly move toward acceptable social change without

feeling so threatened that they respond with retaliatory actions (p. 224). The remaining two studies focusing on Vermont civil unions involve religion. Saucler (2004) traces the political fallout for legislators and the governor after the famous legislation was passed and enacted. Saucler looked at the influence of religious fundamentalism, social dominance orientation, sexual prejudice, and support for the civil union law in the upcoming election. He suggested that those who supported the civil union law were especially interested in getting out the vote in order to counter the civil union opposers whom he hypothesized were motivated by religious views and prejudices regarding sexuality which he grounded in social dominance theory. The results of his study supported his hypotheses. He reported that sexual prejudice was particularly salient in "determining whom voters elect to represent them in government" (p. 2).

Baptiste Coulmont (2005) looked at the churches' responses to the civil union law. Coulmont discusses that while prior to the law being enacted there was "intense cultural conflict," the local clergy and churches began making quick adjustments in practice and preparations to accommodate the expected high number of same-gender unions (p. 226). Religious consumption for ceremonial commitments was anticipated which, Coulmont suggests, was swiftly made available for two possible reasons: (1) financial gain with an onslaught of civil unions when a religious-based ceremony is wanted, therefore, the explanation is based in economic gain; and/or (2) many religious leaders in Vermont communities work hard in a variety of contentious discourses where they are interested in finding ways to accommodate opposing sides. Coulmont argues that often religious leaders choose to negotiate discourses between people because they feel called to do it as a part of their beliefs to accept differences (p. 229).

In May 2004, Massachusetts became the first state to legally sanction marriage for gay and lesbian couples. Three studies exploring these Massachusetts marriages are similar in nature to the Vermont Civil Union studies. Purvin, Porche, and Waddell (2005) collected data from 50 gay and lesbian couples who were married in the first year of the statute which focused on the couples' experiences with legalized marriage. These couples were comfortable being out in their communities and with their families, had been in long-term relationships with one another, and indicated high satisfaction in their relationship. These couples, on the one hand, expressed a wide range of views on the importance of their marriage on the choices within their own relationship, while all supporting access to legal marriage for gay and lesbian couples in general. They also stressed the legitimacy of who they are and their relationship that legal marriage has provided, while dealing with once private relationships being now in the public spotlight.

Hall (2006) looked at the impact of legal marriage on children of lesbian and gay couples in Massachusetts. The couples reported their belief that their children would enjoy a greater feeling of pride, belonging, and permanence by having parents who are legally married. The children reported feeling "ordinary" at having grown up in a family with same-gender parents, and believed all same-gender families should have the right to legal marriage for their parents. Hall further argues that "understanding the impact of legitimacy that a legal union confers on same-sex couples is an important contribution of furthering our knowledge of marriage and family in general, and in particular the well-being of children affected by this change" (p. 2).

In their study of couples participating in same-gender marriage in Massachusetts, Schecter, Tracy, Page, and Luong (2005) explored the impact of legal marriage on the

development of same-gender relationships. Schecter et al. looked at many of the same issues that Hull (2001) and Solomon et al. (2003) studied of gay and lesbian relationships including whether and how legalization of their relationship impacted the couples commitment to one another, presentation of the couple to others, and treatment by others of the couple. Three-quarters of the study participants had conducted a non-legal ceremony, a legal wedding, or both, and reported unforeseen implications for self, family, friends, and society with multiple meanings (p. 1).

Finally, Noonan and Senghas (2006) explored if and how same-gender couples see legalized marriage through spiritual and/or religious viewpoints. Findings in this study indicate that multiple levels of religion/spirituality were a factor for individuals and the couple to the institutional and cultural religion. Likewise, religion/spirituality influenced legalization experiences in their ceremonies and in their beliefs about the social and cultural institution of marriage. Both positive and negative influences were identified with several of the participants discussing the lack of access to and support of faith traditions that were open to their same-gender identity and relationship (p. 2).

Summary

This chapter explored a number of theories focused on intimate relations and marriage. The sociology of intimate relations and marriage includes several opposing theoretical epistemologies and methodological debates. The first two sections of this chapter described exchange and adjustment theories which have dominated marriage and family studies in academia until the last two decades. Exchange theories are grounded in an economic-based transfer of emotional, physical, intellectual, and social resources

between partners. Exchange theories are criticized for being deterministic, based primarily on improvable internal needs or drives, and as being too rationalistic (Emerson 1981:30; Glenn 1990:43). Adjustment theories are not founded in any particular overriding theoretical perspective(s), but focus more on micro-level dyadic processes of couple adjustment, negotiation, and motivations within the marriage and intimacy relationship. Adjustment theories focus on internal needs of individuals, the meaning individuals give to their relationship, and the reasons why the couple or individuals behave the ways in which they do. Adjustment theories are criticized for a lack of provability specifically in relation to the use of adjustment scale variables which are seen as potentially describing how individuals perceive aspects of their relations, but do not show cause and effect. Critics argue that Adjustment theories' promotion of the idea of "conditions" in marital and intimate relations as explanatory is inconclusive. They further argue that the methodological approach in most adjustment studies ignore more complex social processes occurring in the marital and intimate relationship (Emerson 1981:9; Glenn 1990:819).

Section three of this chapter looked at how social and cultural practices are created and reflected in intimate and marital arrangements. These studies argue that individuals construct their relationships based in external influences through social processes. These studies attempted to answer questions of how and why individuals and couples construct their relationships; how they change over time; the use of and what meanings they give to their relationships and ceremonial commitment rituals; and how other social influences such as culture, socialization, social networks, and self identity impacts what and how couples act and play out their relationships. These theories are

sometimes criticized for ignoring potential internal processes and motivations for marital and intimate behavior.

In section four of this chapter, marriage and intimate relationships were explored within social protest and legitimacy discourses. Feminist traditions, queer theory, and other postmodern-grounded studies challenge the modernity empirical methodology of marriage and family studies, as well as challenge many of the theoretical assumptions regarding social arrangements and forms, gendered relations, heterosexual bias, and patriarchal-based assumptions of intimate and marital relations studies as being based in pre-deterministic and fixed propositions. A discussion of social protest and social movements was also explored particularly focusing on political activism among participants in the Gay Rights movement. Topics included legal and social issues in the public and private discourse of same-gender marriage, and deconstructing heterosexual social arrangements in gay male and lesbian relationships. Post-modern constructionist, deconstructionist, and post-structural theories are sometimes criticized for criticizing modernity-based theories without providing substantive ontological alternatives.

The last section of this literature review looked specifically at Vermont Civil Unions and marriages in Massachusetts among gay and lesbian couples over the past seven years. They relate specifically to this research endeavor by providing similar and dissimilar enquires into intimate relations and legal status among lesbians and gay men who have participated in the only two states that provide a legal marital-type status in the U.S. These studies provide an example of gay and lesbian studies of marital and intimate relations as an important "place" of study because of the potential personal, legal,

cultural, relational, and political ramifications on all sides of the homo-heterosexual marriage discourse.

Conclusion

The studies presented in this chapter inform me of the: (1) tremendous interest and contentiousness concerning intimate relations and marriage that is prevalent in contemporary American society and academia; (2) vast and varied topics, and theoretical perspectives employed to study marital and intimate relations in contemporary American society; and (3) epistemological and methodological variation associated with marital and intimate relations studies within social scientific fields, both past and present. These perspectives and theories provide a foundation for discussing the theoretical framework for this study. In the next chapter, I present the theoretical framework of my research on lesbian and gay male Civil Union participation in Vermont.

CHAPTER IV

THEORETICAL FRAMEWORK

Introduction

I present in this chapter a theoretical framework for exploring and analyzing the lived experiences of lesbian and gay male participants in their Vermont Civil Union. My overall theoretical frame is based in a Social Constructionist/Deconstructionist orientation. Social constructionism is a postmodern perspective that challenges what is considered traditional scientific assumptions of essentialism, determinism, and empiricism (Burr 2003). In contrast to these assumptions, social constructionism does not assume "the nature of the world can be revealed by observation, and that what exists is what we perceive to exist" (p. 3). Instead, social constructionism supports an epistemology where the ways in which we see and define the world, and the classifications we use to categorize people, are historically and culturally situated and socially constructed. Human behavior, thought, and motivations are constructed in everyday interactions and through social processes (p. 4). The focus of much social constructionist research is often on how certain social phenomena are socially constructed and maintained, or how these constructs are used to form the values, behaviors, and beliefs of a particular individual, group, or society at large. Social constructionism has focused at both micro and macro levels of analysis and many

scholars utilize both levels of analysis in their research endeavor (p. 21). Micro constructionism sees human "reality" or experience occurring within the everyday discourses of people's social interactions, a relational process (Gergen 1997:12). Macro constructionism focuses on how human "reality" or experience is bore out of and wielded through social relations, social structures, and institutionalized practices. Macro constructionism, therefore, includes the concept of *power* and how power is used or distributed between and among people and social structures (Burr 2003:22-23). Burr suggests that micro and macro constructionism not be seen as "mutually exclusive," stating that "we need to take account of both the situated nature of accounts as well as the institutional practices and social structures within which they are constructed" (p. 23). This position, of embracing both micro and macro social constructionist analysis, is particularly suited for addressing my research subject and approach. In the case of this research, I look at constituted individual, dyadic, and societal/structural aspects of the lived experience of lesbian and gay male participants in civil unions. I focus on the intersectionality of six particular social constructionist concepts which I believe better inform us of these lived experiences, accounting for the complex interplay and nature of individual, dyadic, and societal level phenomena. Each of the six concepts and multi-level analysis are described and discussed below in their relation to my proposed understandings of the research participants' experiences, meanings, and actions in Vermont Civil Unions. I also discuss my comparison of the first study of Vermont Civil Union participants from the Solomon et al. (2003) study with my results. Solomon et al. focused on identifying "who" is participating in Vermont Civil Unions to establish a demographic profile, and secondly to then compare this cohort to married couples and to

gay and lesbian couples not seeking a civil union. My research focused on civil union participants only. However, I will compare my demographic results with theirs and discuss participants' reports on children, social network interactions, and length of relationship reported in both studies to analyze the accuracy of representativeness of overall Civil Union participants. This study builds on existing research of same-gender relations and their legal status.

The Social Construction of Self and Image

Established as the symbolic interactionist tradition, our experience of Self is socially established and negotiated (Blumer 1969:3). This Meadian view posits that we develop our identity(s) and image(s) of who we are from those around us through their attitudes and actions toward us. Goffman (1959) extends this Meadian idea to argue that:

> Rather the individual must rely on others to complete the picture of him of which he himself is allowed to paint only certain parts. While the individual has a unique sense of self all his own, evidence of this possession is thoroughly a product of joint ceremonial labor, the part expressed through the individual's demeanor being no more than the part conveyed by others through their deferential behavior toward him. The self is in part a ceremonial thing, a sacred object which must be treated with proper ritual care and in turn must be presented in a proper light to others. The ceremonial grounds of selfhood can be taken away….we can obtain information from history about the conditions that must be satisfied if individuals are to have selves. An act that is subject to a rule of conduct is, then, a communication, for it represents a way in which selves are confirmed (or not)….an act that does not conform is also a communication, …. infractions that often make news. Whether the individual abides by the rules or breaks them, something significant is likely to be communicated. (Pp. 218-232)

By participating in a Vermont Civil Union, I propose participants are communicating an image of themselves in part as a "corrective" measure to what they believe the public has generally considered them as *Other*. Lawrence Cahoone (2003) explains *Other*:

> What appear to be cultural units—human beings, words, meanings, ideas,

> philosophical systems, social organizations—are maintained in their apparent unity only through an active process of exclusion, opposition, and hierarchization. Other phenomena or units must be represented as foreign or 'other' through representing a hierarchical dualism in which the unit is 'privileged' or favored, and the other is devalued in some way. (P. 46)

I propose Civil Union participants are arguing for no longer being considered a devalued or excluded member of society (*Other*) as individuals and as a couple. Instead, I propose these participants are enacting a self as "already married" in their eyes, but to this point acted upon without the social and legal sanctifications that come with a state-sponsored license. Goffman points out (above) that the self is negotiated through social interactions and ceremonial processes. Valocchi (2005) also discusses the self by quoting Judith Butler's stance that a person's self as subject is "constituted in and through the meaning systems, normative structures, and culturally prescribed taxonomies that circulate in society . . . are internalized by the individual . . .and thus the individual becomes a self-regulating subject" (Valocchi 2005:756). Participation in a Vermont Civil Union may be a way to enact an experienced self that is similar to non-gay married couples and to "correct" the image of lesbians and gays as "deviant non-monogamous sex players" or other norm-breaking images. Understanding the complex interplay between an individual's experience of self, the self in relation to intimate relationships, and the self in relation to potential legal accolades can assist us in better understanding the individual's experience of what Goffman referred to: both the internal self and the social self. I examine in this study what individuals report experiencing of self from having participated in a civil union, from the perceived reactions of and interactions with others for having done so, and any legal benefits or accesses bestowed from Civil Union licensure.

Symbolic Meaning of Commitment, Ritual, and Legal Status

The importance of establishing on-going intimate relationships is an enduring social process in our society and of society's past (Graff 1999:xii). Evidenced in the literature review, researchers have focused great attention on the dynamics, constructions, and meanings of marital and intimate relations over the course of two centuries. Studies focused on the psychological, social, and legal benefits (and costs) afforded those in intimate unions, both legally and non-legally defined unions, were discussed under the general category the "exchange theories" (Emerson 1981; Glenn 1990; Benokraitis 1993; Clarkberg et al. 1995; Ross 1995; Huston 2000;). Happiness and quality-of-relationship studies categorized under the general area of "adjustment theories" have measured the quality of intimate relationships, among other things, in those who were dating, cohabitating, and/or are married, including those in gay and lesbian relationships (Glenn, 1990; Vailant and Vailant, 1993; Stack and Eshleman, 1998; Huston, 2000). Social and cultural practice studies have focused on how intimate and marital relationships are defined, constructed, practiced, and sustained (Graff 1999; Ringer 1999; Hull 2001; Otnes and Pleck 2003). And lastly, issues of egalitarianism, societal constraint, and changing structural processes relating to intimate relationships have been topics of social protest and legitimacy studies (Ortiz 1995; Stiers 1999; Oswald 2003; Nownes 2004). Although theoretically quite different, the commonality of these studies is the emphasis on and enduring curiosity of intimacy, commitment, and relationship management in socially sanctioned and non-sanctioned relationships. Marital and intimate relationships continue to be an important social arrangement and thus a valued topic of study.

The Solomon et al. (2003) study was the first to look at Vermont Civil Union participants concerning relationship issues of length of relationship, the relationship and children, and social network support. Their primary question was to understand who was participating in these civil unions, and secondly to compare civil union couples with their married siblings and with non-civil union gay and lesbian couples. I compare the Solomon et al. results on who participates in civil unions and the length of relationships, number of children, and social network support to my study results. I anticipate my results are not significantly different from the Solomon et al. findings. My study can, however, act as confirmation of the Solomon et al. results on the common research variables and questions mentioned above. I also look to extend the Solomon et al. results by looking at the meanings participants give to their relationships from participating in a Vermont Civil Union, the impact participants report of their civil union participation from their co-workers and communities, and the meanings individuals give to their experience of self (discussed above), none of which were the focus of the Solomon et al. study.

Two social constructionist concepts, I believe, address the dyadic/relational aspects of same-gender intimate relationships in Civil Union participation. The first is secular symbolism in the analysis of experience, which I will discuss now; and the second is the idea of cultural practice, which I discuss in the next section of this chapter.

Gusfield and Michalowicz (1984) present a discussion on the sociological analysis of symbolic actions in modern life. They first define secular symbolism and distinguish between studies of institutions of politics, law, and social control; studies of ceremonial events such as festivals, sports, and what they term *life-cycle* rituals like

funerals and weddings; and studies of everyday life which includes popular culture and consumer goods (p. 417). They acknowledge a growing interest in sociology of using symbolic analysis particularly when applied to the meanings of power, organizations, and social control (p. 421). They distinguish between levels of meanings as: (1) Exegetical structure where meaning is derived from individuals' accounts, (2) Operational structure where meaning is equated with use and inferences of the action; and (3) Positional structure where meaning is derived by observing how one symbol relates to other symbols. They also suggest that there can be more than one meaning attached to any event or object for the same audience. Gusfield and Machalowicz state, "The symbolic process involves the observer, the actor and the activity or object, distinguishing between literal meaning and symbolic meaning, as meaning may be literal to one audience but symbolic to another based on the cultures of the audience or the observer" (p. 422). The three distinctions these scholars discuss (between studies of institutional order, studies of secular ritual, and symbolism in everyday life) speak directly to the multi-level analysis I propose in this study by looking at the lived experiences of Civil Union participants. I will be utilizing the Exegetical symbolic analysis methodology and discuss the three types of studies, relating them to theoretical concepts in the three levels of analysis in this study:

(A) In institutional order, symbolic statuses of legislative acts, for example, may be considered more important than the instrumental value of the law itself (p. 425). In the case of state-sanctioned civil unions, I propose that the status of legal civil unions are important to these participants and are seen as social legitimacy enactment.

(B) Life-cycle rituals can be viewed as important rites of passage; or by making certain rituals politicized, like civil unions, acts are considered potentially important in bringing individual meaning and group meaning together to foster collective identities. Or, how certain court actions, ceremonies, or legal decisions attempt to "create a moral order… where a presentational element of human behavior in which drama, symbol, and ritual are significant factors in the consciousness of social life….thus the power differences in the society must form part of any analysis of symbolic actions and political or legal rituals. . . and be focused on the communication occurring rather than as a means to achieve a goal or goals" (p. 428). In this study, I propose that civil union action is part of the participants' perceived collective identity as participants in same-gender relationships and perhaps the gay community. I further anticipate that they are involved in some way in the political discourse over the legalization of gay marriage, and that their civil union action is a response to the political and moral discourse as an attempt to counter perceived immoral accusations regarding their sexual orientation and intimate relationship.

(C) The symbolic process in the use of goods, such as rings, licenses, gifts, wedding showers and receptions, are seen as status symbols where individual self and cultural meanings indicate a relationship between consumer and object, and provides "latent meanings of objects rather than the manifest characteristics or instrumental uses of objects" (p.431). These objects, or wedding activities such as receptions and showers, are emergent and embedded in cultural or linguistic categories of participants (p. 431). I propose that participants in civil union ceremonies utilize objects as symbols of commitment, possibly monogamy, and are similar to other objects used by non-gay

couples involved in marriage or commitment ceremonies, and that these symbols are shaped by the culture(s) of the civil union participants. These three symbolic locations (institutional order, secular ritual, and symbolism in everyday life) offer a theoretical conception of exploring the meanings of lived experiences. In this study I will apply these levels of symbolic analysis and meaning development in analyzing the reported experiences of Civil Union participants.

Hull (2001) also discusses gay and lesbian commitment ceremonies as rituals of cultural practice and legal consciousness. She argues that rituals are a particular form of cultural practice; and that, for the out-of-state Vermont Civil Union participants, "entering into a civil union is a purely symbolic act, since the legal benefits and protections do not apply outside of Vermont" (p. 7). Hull looks at the discourse within the sociology of culture to explore the debate of culture-as-meaning-system or culture-as-practice. This debate is grounded in the structure-agency binary where Sewell (1999) suggests schemas are generalizable and transposable, and resources are polysemic, meaning they can be read in different ways; and participants in rituals (such as a civil union) are participating in coherent and satisfying meaning systems. Hull deconstructs same-sex commitment rituals and argues for the culture-as-practice side of the argument, concluding that "same-sex couples using ritual to enact commitment are in fact engaging in a form of strategic action" (p. 21). I would not argue with Hull on this matter, but find Sewell's position, also discussed by Hull, an interesting posit that culture can be both meaning-system and practical activity, both structural reproduction and structural transformation. I hope to glean further understanding of this structure-agency culture-as-meaning-system and culture-as-practice debate in this study.

Civil Union Participation as Sexuality-State Interface

Exploring the first state-sanctioned legal recognition of same-gender relationships may provide important understandings to current individual-couple-state interactions in today's marriage discourse. The issue of gay relationships has been a controversial one in this society over the past several decades (Zicklin1995; Patterson 2000). Particularly the notion of gay marriage has been characterized by many in society as a threat to the family, morality, and society as a whole (Bolte 1998; Ettelbrick 2000). As discussed in the literature review, Chambers (2001:327) and others point out that the interplay of individual, couple, and social structural processes of intimacy relations, marital and familial arrangements, sexuality, and the state have a long history of discursive tugs-of-war (Mencher 1967; Lewis 1988; Graff 1999; Caron and Ulin 2001). Hull (2001) states, and my literature bears out, that much of gay and lesbian studies to-date have either focused on cultural aspects of gay and lesbian experiences such as commitment ceremonies (Sherman 1992; Steirs 1999), ritual enactments (Oswald 2003), aspects of raising children (Walters 2001), and gay community activity (Wakeford 2002); or have focused on legal and political actions such as court and legislative positioning (Murdoch and Price 2001), political organizing (Halle 2001), collective identity development (Taylor and Raeburn 1997), or social movement efforts (Frank and McEneaney 1999). In each of these two areas of lesbian and gay studies, scholars have focused on how social, cultural, and political frames and actions are constructed, negotiated, and maintained. Taylor and Raeburn (1997) argue, from a new social movement perspective, that social and political actions not only occur through group strategies such as organized rallies, membership development, or boycotts, but collective identities get enacted "more as

empowered individuals than as members of a formal group." This process, they argue, "occurs through three interrelated processes: (1) loosely connected and *submerged* network of activists; (2) collective self-understanding; and (3) personalized political resistance" (p. 465). This idea suggests a constitutive nature of individual-couple-state interactions, and not simply an organized formal group structure.

Cooper (2002), as well as others (Butler 1993; Seidman 1997; Valocchi 2005) takes a deconstructionist stance in the individual-couple-state discourse in which they argue that over the past several decades sexuality in general has taken a front and center position "as a social organizing principle constituted around the hetero/homosexuality binary divide" (p. 242). Cooper further argues that gay and lesbian activists and communities participate in solidifying this binary organizing process through their experience and identity politics positions. He is taking a queer theory position critiquing the current liberalized, western tradition where themes of political forces, governance, national identity, territory, and institutionalized policy-making are intertwined to regulate (or free) sexual desire and behavior. He recognizes that other structural arrangements contribute to this "sexuality-state interface," but his focus is on the *state* realm (p. 232). Cooper's position is that current lesbian and gay efforts toward equal rights comes out of a constituted structure of the modern liberal western tradition, thus actively shaping the subjectivity of society's members, both gay and non-gay, while also confronting or challenging the gay and lesbian marginalized position. This process illuminates a power-based relationship in which both dominant and marginalized participants participate (p. 243). Cooper does not discount the value of collective identity and egalitarian efforts, but argues that these positions offer risks of continued exclusion of persons who do not fit

sexuality binaries, both gay and non-gay; and this current discourse does not provide for true *transformatory* politics. Instead, Cooper suggests that gay and lesbian forces "engage with state bodies and state technologies" in ways that reject a sexual politics and state welfare mentality (p. 248).

Although I do not specifically look into gay and lesbian collective identity development or socio-political protest involvement as Taylor and Raeburn describe in their study, I do propose that the research participants in this study participate in a Vermont Civil Union under Taylor and Raeburns' *empowered individuals* social/political action category. I further suspect that Civil Union participation is reflective of Cooper's queer theory position of a hetero/homo binary organizing principle processes. The research questions I ask, (including the reasons for Civil Union participation; what legal gains and liabilities may be present as a result of your Civil Union; and the impact of participating in a Civil Union on your relationships with family, friends, co-workers, and community), may lend some insight into each persons lived experience regarding collective identity and/or aspects of gay-couple-state processes discussed here.

Conclusion

I discuss in this chapter the theoretical underpinnings of my research study, which is based in a social constructionist perspective. I also include deconstructionist ideas with regard to macro-level state/structural/societal factors of Vermont Civil Union action among my research participants. I introduce three primary concepts: the social construction of self and image; symbolic meanings and cultural practices of commitment, ritual, and legal status; and Civil Union participation as sexuality-state interface. These

concepts, I believe, speak to the lived experiences of lesbian and gay male participants in Vermont Civil Unions at individual, dyadic, and societal/structural levels encompassing a multi-level analysis. The social construction of self and image speaks to the individual, intra-and interpersonal experiences of participation in a Vermont Civil Union. The symbolic meanings and cultural practices of commitment, ritual, and legal status speak to the relational aspects of the couples' actions. The Civil Union participation as sexuality-state interface concept speaks to the individual-couple-state constituted nature of civil union experience. Where each of the multi-level experiences pick up and leave off are impossible to identify, nor is it my intent to try to do so. The purpose of offering a multi-level analysis regarding the lived experiences of Vermont Civil Union participants lies in the point that our experiences of intimate relations, relationship with self, and actions, thoughts, and interactions of structural arrangements in society are intertwined, mutually constructed, and dynamic. The theoretical propositions discussed in this chapter, and how they relate to my research questions, are offered and intended to provide insight into the Vermont Civil Union experience and what it might tell us about gay marriage discourse in today's society.

The next chapter of this study outlines the methodology used in this research project. Specifically, the process and approach to my research is outlined, including the quantitative and qualitative measures, how participants were identified and secured, how issues of validity and representativeness are dealt with, and what the potential research design strengths and weaknesses are discussed.

CHAPTER V

METHODOLOGY

Introduction

In this chapter I discuss the methodology used to collect and analyze my research data. This is a combined qualitative and quantitative study exploring the meanings for and impact of Vermont Civil Union participation by gays and lesbians in America. A qualitative and quantitative approach is useful because the data offers the opportunity to discover respondents' often complex experiences and meanings of participation in this type of ceremony and legal process, as well as to provide aggregate data on specific demographic and relationship characteristics of this rarely investigated population.

In this chapter, I identify how research participants were contacted and secured for the study. I present the three data collection methods used in this study and the reasoning for these methods. A multi-level unit of analysis is used in this study to look at individual, relational, and societal level factors. I discuss the reasoning for this level of analysis and outlined what was analyzed at each level. Data administration and ethical considerations are provided in this chapter as human research subjects must be informed and dealt with, with the utmost care, following approved institutional research guidelines. I discuss the procedures that were followed to ensure the confidentiality and care of the research participants and the information that was obtained through written records, tape-

interviews, and written questionnaires.

The data analysis procedures used in this study are outlined and include both quantitative and qualitative measures; and lastly, I discuss the validity and reliability concerns of my research design and how they were dealt with in research process. The methods used in this study combine to provide an in-depth understanding of respondents' characteristics, experiences, and perceptions as they relate to individual, relational, and societal aspects of gay relations and civil union participation.

Participants

A total of 52 individuals participated in this study representing 26 couples. A random probability sample of 200 couples was taken from the approximate 6,700 potential number of couples who had obtained a civil union from its inception (July 1, 2000) through June 30, 2005. Letters were mailed to the 200 selected couples asking them to participate in the research study. Twenty couples responded. Of those 20 couples, 18 couples participated in the study.

Through acquaintances in the gay and lesbian community, four additional Civil Union couples were contacted and agreed to participate in the study. Through these couples I used the snowball sampling technique to identify additional civil union respondents willing to participate in this study. Four additional couples agreed to participate in the study from snowball sampling. Babbie (1998:195) states that the snowball technique is an effective procedure for gaining access to willing, but hard to identify respondents. Individuals who identify as gay or lesbian are considered a minority population which has been stigmatized by society and, therefore, may be difficult to

contact; thus, the snowball technique was used to gain additional willing research participants.

Again, in all, 26 couples participated in the study (52 individuals). Of the 52 participants, 40 were interviewed; 50 completed a written questionnaire; and partial Civil Union Registry information was collected on all 52 participants. Sixteen of the interviews were conducted in person and 24 of the interviews were conducted over the phone. Based on the participants' preferences or time convenience, 8 couples were interviewed together (16 individuals), while 12 couples were interviewed separately (24 individuals).

Data Collection Methods

As mentioned above, three data sets were collected and used for analysis: (1) Civil Union Registry information from Vermont Civil Union Annual Reports, (2) one-on-one interviews with Civil Union couples, and (3) questionnaires filled out by the same Civil Union participants. Guba and Lincoln (1985:283) argue that the triangulation of data allows for a more accurate and precise analysis. Information from one data set can often be used to verify and clarify information in another data set. I was able to verify information with the research participants as the data collection process progressed.

The first source of data I obtained was an aggregate Civil Union data set based on the first three and a half years of data published by the Vermont Vital Statistics Division of the Vermont Department of Health. This data set included data from July 1, 2000, through December 31, 2003. Records from 2004 to the present have not been collated. The Civil Union Annual Reports provide basic demographic information on each civil union couple including state of residence; date of civil union; age, gender, education level

of participants; religious or civil ceremony; and location of civil union. Information such as income, address, and state of residence is collected, but not included in the Annual Reports. The aggregate report information was added to survey and interview data, and quantitatively analyzed for the purpose of developing a demographic profile of Civil Union participants. Quantitative methods are used to analyze and explain social events and human behavior (Andersen and Taylor 2002). In this research, the goal of the quantitative analysis was to identify a demographic profile of Civil Union participants designed to answer the research questions:

1. Who is obtaining a civil union?
2. How do race, class, gender, socio-economic status, political affiliation, and religious affiliation affect the decision to participate in a civil union?

This information was also used to compare this Civil Union sample with the first year's Civil Union cohort sample provided in the Solomon et al. (2003) research study.

The second source of data in this study was obtained through face-to-face or phone interviews of Civil Union participants. Interviews were conducted and qualitatively analyzed in order to investigate multi-level aspects of gay civil unions. Qualitative analysis is grounded in naturalistic inquiry and allowed for the interpretation of subjective meanings participants give to their experiences, in this case, their experience of participating in a Vermont Civil Union. Naturalistic inquiry allows for a more in-depth analysis of complex social factors and interactions (Guba and Lincoln 1985). The goal of qualitative analysis is to "interpret the actions of individuals in the social world and the ways in which individuals give meaning to social phenomena" (p. 77). Those involved in a Vermont Civil Union are best at providing an understanding of

their experience, their relationships, and worldview concerning same-gender unions. Besides gathering additional demographic information, the interview questions were designed to obtain perceptions and experiences from participants to answer the research questions:

1. Why are participants obtaining Vermont Civil Unions?
2. What meaning do participants give to their civil union?
3. What meaning do participants give to their relationship?
4. What impact has participating in a Vermont Civil Union had on each individual, the couple's relationship, their perception of their relationships with family, friends, co-workers, community, and their legal status?

The interview questions included semi-structured questions, allowing for levels of both consistency and flexibility. This approach allowed for a purposeful conversation that was focused toward the research questions, at the same time allowing for an exploratory process in which the interviewee could interject issues and information they believed pertinent to their situation (Guba and Lincoln 1985:286). In addition to answering the research questions, the interview process was used to add, delete, and/or revise the third data collection source, a questionnaire. Insight by respondents in the interview process is helpful in creating a more appropriate and precise survey questionnaire (Fowler 2002:71).

The third data set was derived from a questionnaire. The questionnaire included both open-ended and forced choice questions. Questionnaires were completed by participants individually and mailed to me. Questions regarding the reasons and circumstances of the participants' union; characteristics of the relationship; activities and elements used in the ceremony; and the nature of familial, friend, co-worker and

community relationships were asked and quantitatively and qualitatively analyzed. This information was designed to answer the research questions:

1. Why are participants obtaining a civil union?
2. What meaning(s) do participants give to their union and relationship?
3. What impact has participating in a Vermont Civil Union had on each individual, the couple's relationship, their perception of their relationships with family, friends, co-workers, community, and their legal status?

The three data sets were analyzed together and used to answer three additional research questions:

1. If at all, how do civil union participants compare or relate their experience or relationships to heterosexual couples and/or marriage?
2. If anything, what do civil unions tell us about gay marriage?
3. If anything, what do civil unions tell us about the institution of marriage?

Further, the registry, interview, and questionnaire data allowed for a close look at individual, relational, and societal factors concerning issues of self-identity and management; commitment; social connectedness; socialization; intimacy management; cultural practice; and social acceptance and approval (legitimacy) for persons experiencing a same-gender relationship. These individual, relational, and societal factors are discussed in the next section.

Unit of Analysis

I used a multi-level analysis design discussed earlier in the Theoretical Framework chapter in order to look at individual, relational, and societal factors

contributing to the experiences of gay and lesbian Civil Union participants. Multi-level analysis allows for the complexities and interplay of research participants' experiences and the meanings of their experiences to be better identified. At the individual level of analysis I was concerned with the social construction of meaning, Self identity and Self management in light of the civil union experience. I also looked at issues of socialization in relation to participating in a legally binding, social ceremony. At the relational level I was concerned with the social construction of commitment, connectedness, and intimacy management for and within the couple relationship as they relate to civil union enactment. And lastly, I looked at societal level factors of cultural practice, social acceptance and approval (legitimacy), and social politics of these gay and lesbian couples participating in Vermont Civil Unions. Focusing on micro-, meso-, and macro-level factors of Civil Union participation allowed for a more in-depth look at the interplay and complexities of personal experience, structured social relations, and interactions with the social institutions of marriage (civil unions) and law.

Validity and Reliability

Validity of and reliability in the process of data collection is a potential bias and the greatest methodological problem facing this research effort. Self-selected participants and self-report interviews and questionnaires always face validity and reliability concerns including participant bias, question understanding, accuracy of answers, inadvertent influence of question wording, and inadvertent influence of other research participants. Research design experts suggest multiple data collection methods be used whenever possible in order to increase the potential for accuracy and consistency of the collected

data (Guba and Lincoln 1985:283; Babbie 1998:274; Nachmias and Frankfort-Nachmias 2000:189). Therefore, this research study used three data collection methods described earlier in this chapter. Reliability of the survey instrument (questionnaire) and interview process may also be enhanced by well-designed questions, interviewer preparation, pre-testing the questionnaire, and member-checking (Fowler 2002:112). The questionnaire was pre-tested with four gay and lesbian couples who had had public commitment ceremonies, but not Vermont Civil Unions. Their insights helped me rewrite questions for understanding and accuracy, put questions in a more effective order, and check how long it took to complete the survey instrument. Also, as the interview process went along, the interview questions were revised for wording and accuracy with assistance from the interviewees as part of the interview process. The interviewees also offered additional questions that were incorporated into the interview guide. Verification of information directly from the data source is another suggested practice in qualitative methodology (Fowler 2002:113). Interpretations of interview data was verified by a sample of interview participants and two participants were re-contacted with specific questions for clarifying question responses.

Analysis Procedures

Once all the research data was collected, coded, and cleaned, both quantitative and qualitative analysis measures were used and are identified below. Because three data sets were collected, I have broken out how this data was analyzed in the following four sections:

(A) An analysis was conducted of the demographic data comparing gender, socio-economic status, age, race, religious affiliation and political affiliation of civil union participants using *within* group means, medians, and modes. These variables were then compared with the same demographic data provided in the Solomon et al. (2003) study conducted on the first year's participants in Vermont Civil Unions. These comparisons will measure differences and similarities between the two groups of samples in both studies.

(B) Frequency measures were run to measure additional variables including education level, state of residence, number of children, level of income, sexual orientation identity, years of the relationship, persons present at the ceremony, participant name change as a result of the civil union, religious service attendance, types of ceremonial activities, exclusivity of the couple relationship, reasons for obtaining the civil union, and access to benefits and direct liabilities as a result of the civil union. Frequency comparisons on variables of education, state of residence, race, gender, and age are used to show similarities and differences between research participants and the total number of Civil Union participants from the Vermont Vital Statistics aggregate reports for the period of July 1, 2000 to December 31, 2003.

(C) Averages on four Lichert scale questions were calculated and used to assess the value of marriage growing up and now; how important religion was to the participant growing up and now; quality of the relationship: justice/minister/rabbi officiate and city official's attitudes toward the couple and union; supportiveness of family, friends, co-workers, and their community; and the impact of the civil union on the couple's relationships with family, friends, co-workers, and their community.

(D) Participant interviews were transcribed, analyzed, and used to identify discrete similarities, differences, and patterns of research participant experiences. Using qualitative methods, I grouped the data by common emergent themes on questions of how the couples met; their perceived responses of licensing officials, ceremony officials, and townspeople of their union registration and ceremony; perceived impact of the union on the couples relationship, their family members, friends, community, co-workers, and on Self; the reasons for and meanings of participating in a Vermont Civil Union; and lastly, what they wanted others to know about them, their relationship, and/or civil union. In giving them an opportunity to add additional information, I incorporated their answers into the interview analysis under an "Other Responses" category. Interpretation of the meanings participants gave to their civil union was then constructed and assessed. The findings are presented, grounded in theory, and discussed in the next chapter.

Data Administration and Ethical Considerations

Civil Union Registry information is available from the Vermont Department of Health Vital Statistics Division on an annual basis. I obtained copies of all civil union certificates conducted between July 1, 2000 and June 30, 2005, under the Freedom of Information Act. These registries were used to extrapolate the random probability sample to which potential research participants were contacted. Additional aggregate civil union data is available from the Vermont Department of Health. I acquired aggregate data directly from the Department of Health for the period July 1, 2000 through December 31, 2003, and used it, along with participant responses, to develop a demographic profile of civil union participants. This profile was used to compare participants to the Solomon et

al. (2003) study profile and answer the research questions mentioned above. All registry, aggregate, interview, and questionnaire data was kept confidential and followed University Institutional Review Board guidelines and approval. A research summary was provided to and written informed consent was acquired from all 52 study participants. Interviews were tape-recorded and transcribed. The transcriptions were identified using a coding system so they could not be tied to individual participants. Pseudonyms are used when the research results are presented to protect individual participant identities. The questionnaires were coded, collated, and imputed into a Statistical Package for the Social Sciences (SPSS) data program, or added to the interview transcriptions when the questionnaire had the same question asked during the interview. All original individual data has been destroyed at the conclusion of this research study.

Conclusion

This chapter presented the methodology of this research study. I discussed what and how data was collected through the use of three data sets. I identified how participants were contacted and secured, and how they were informed and protected during the study. Multiple-level units of analysis were identified and discussed which provides a more complex analysis of research data. How the data was analyzed for both quantitative and qualitative measurements were presented with the intention of providing an in-depth understanding of the participants' experience of a civil union. Last, validity and reliability issues were outlined and discussed in relation to the research design with the intention of maximizing the research effectiveness.

Little is known about gay relationships regarding gaining legal status through Vermont Civil Unions, or its effect on the individuals, their relationships, and their world. I investigated this status using both quantitative and qualitative methodology in order to better understand who was participating in Vermont Civil Unions and the issues, meanings, and effects of this legal status on an understudied, unique population. In the next chapter, the findings of this research study are presented and discussed.

CHAPTER VI

FINDINGS AND DISCUSSION

Introduction

In this chapter I present the findings of my research with Vermont Civil Union (VCU) participants. Both quantitative and qualitative methods were used to collect and analyze the research results. I present the results of the quantitative data in the first section of this chapter, presenting a demographic overview of my study and compare my results with the Vermont Department of Vital Statistics (VDVS), the Solomon et al. (2003) study, and the Hull (2001) study. The quantitative data results focus first on the demographic profile of the Civil Union participants including the number of civil unions by state and the state of residency for participants, the number of civil union dissolutions to date, gender, age, income, years of education, occupation, race, number of children, religious affiliation, and political affiliation. I also provide frequencies and qualitative data results to questions regarding the number of years of the participants' relationships and the value of marriage and their civil unions.

In the second section of this chapter I incorporate the remaining quantitative data regarding who attended the couples' ceremonies, what types of elements were included in the ceremonies, their reasons for obtaining a Vermont Civil Union, the concrete benefits or liabilities of obtaining their civil unions, and the impact of their civil unions on

relationships with family, friends, co-workers, and community with the qualitative data of this study. The qualitative data results focus on the trends and emergent themes from participants regarding their civil union experience. This data serves to provide additional insight to the quantitative data, as well as to provide deeper understandings of the lived experience of participants in a Vermont Civil Union.

Who is Participating in Vermont Civil Unions – Demographic Overview

The majority of participants obtaining civil unions in Vermont are middle-aged, white lesbians of middle- to upper middle-class standing with college degrees. In a comparison of the Vermont Department of Vital Statistics (which holds the whole population data for July 1, 2000, through December 31, 2003), the Solomon et al. (2003) study of first year Vermont Civil Union participants, and my research findings, a similar pattern of who is participating in this process is indicated. Not surprisingly, there are no significant differences between these three data sets.

Participants in these unions average in the early forties in age, have four-plus years of education, come from out of the State of Vermont to participate, are primarily women, and, as indicated in Table 2 (below) in the Solomon et al. and my study comparison, are predominately Caucasian. Hull (2001) also shows this similar profile of participants in her study of gay couples participating in non-legal commitment ceremonies. Middle-aged white lesbians appear to have the means and desire to participate in both legal and non-legal marriage-type rituals more so than gay men or gays and lesbians of color. Hull's study varied only on the class variable where middle-

Table 1: Comparison of VDVS, Solomon, & Phillips Demographic Data of Vermont Civil Union Participants (July 1, 2000 – December 31, 2004)

Demographic Category	*VDVS*[1] *N = 6,689*	*Solomon*[2] *N = 335*	*Phillips*[3] *N = 52*
Place of Residence (%) In/out of Vermont	Vermont – 15% Other State/ Country – 85%	*n/a	Vermont – 2% Other State/ Country – 98%
Highest # of Civil Unions by State	Vermont – 940 New York – 805 Massachusetts –616 Florida – 399 California – 339	Large City[4] - 84 (25%)	Oklahoma – 8 New York – 4
Lowest # of Civil Unions by State	Hawaii – 8 S. Dakota – 4 Montana – 2 Wyoming – 2 N. Dakota – 0	n/a	Alaska – 1 Alabama – 3 California – 1 Colorado – 1 Vermont – 1 Idaho – 1 New Mexico – 1 Wisconsin – 1 Nevada – 1 S. Carolina – 1 Wyoming – 1 Ohio – 1 Texas - 1
Outside U.S.	Canada – 37 Other – 39	n/a	0
Number of Dissolutions	27 (4%)	n/a	2 (4%)
Gender			
Female	69%	63%	58%
Male	31%	37%	42%
Transgender/Other	0%	0%	0%
Education (Avg. of Yrs.)	16.1	15.9	16.5
Age (Mean)	50% between 32-45 years old	43.2	45.8

[1] (VDVS) Vermont Department of Vital Statistics – July 1, 2000 to Dec. 31, 2003
[2] Solomon et al. Study – July 1, 2000 to June 30, 2001
[3] Phillips Study – July 1, 2000 to Dec. 31, 2004
[*] Not available
[4] Solomon et al. reports place of residence as % living in large city only.

to lower- or working-class white lesbians appeared more interested in participating in commitment ceremonies than middle- or upper-class couples. Hull argues that the couples with lower-class standing in her study "appeared very interested in enjoying the symbolic benefits of a commitment ritual more so than middle- or upper-class gay couples" (p. 255). The higher number of mid-to-upper middle-class participants in my and Solomon's study may reflect participants having more "means" or ability to afford the costs of traveling to another state; or, in the case of the Vermont couples, they may be more motivated by the direct benefits they receive than exists a significant class difference among those participating in non-legal commitment rituals and Vermont Civil Unions. Other than a class difference, the characteristics of age, education, gender, race, and out-of-state access of civil union or commitment ceremony participants in the Solomon and Hull studies are generally the same as I found in my research. More women being involved in these rituals can perhaps be explained as a combination of gender and class factors as many of these women are socialized to value marriage and have the means to obtain it. Males are socialized less on this value compared to women, and gay men in particular have historically been stigmatized and often construct an identity to think of themselves as sexual *players* and less involved in traditional committed partnerships. Clark (1997) argues this point when he states, "In collusion with the larger heterosexist culture that surrounds us, our ghettoized subculture [gay male] has too often worked against us, conditioning us either to avoid making relational commitments altogether or to prepare ourselves for their inevitable failure" (p. 193). Certainly participants in Vermont Civil Unions are not exclusively lesbian couples; however, the higher numbers of female couples compared to male couples could reflect both dominant

group values regarding marriage, as well as stereotypic expectations of both gay male and lesbian couples toward participation in commitment rituals such as marriage or civil unions.

The average age of participants being in their early forties is certainly not representative of the general public where heterosexual couples tend to marry in their twenties and early thirties, but is more reflective of this unique opportunity and growing interest of gay and lesbian couples to participate in legally recognized and committed relationships. Couples in the Solomon et al. study, the Hull study, and in this study have been together for several years and, at least in the Solomon study and in this study, appear interested in taking advantage of a legal civil union. The average length of the couples' relationships in the Hull study was eight years with the ceremony occurring around the fourth year. In the Solomon et al. study the couples' length of relationships was 9.75 years; and in this study the average length was 5.36 years. I believe the lack of access to legal means of marriage, along with the longevity of the relationships in all three studies, helps explain the mean ages of Civil Union participants of the early forties. Couples who are older never had an opportunity of legal marriage. With the Vermont Civil Union law, they are now taking advantage of the opportunity to gain legal and social access to marriage-type legitimation of their relationship.

Table 2: Comparison of Solomon and Phillips
Data of Civil Union Participants

Item	*Solomon (N = 335)*		*Phillips (N = 52)*	
Income (annual average per person)	$61,000		$49,000	
Race (percentage)				
African American	1.0%		2.0%	
Amer. Indian/AK Native	1.0%		5.8%	
Asian/Pacific Islander	2.5%		3.8%	
European American/Caucasian	92.7%		84.6%	
Latino/Hispanic	.7%		2.0%	
Bi-Racial/Other	1.5%		1.0%	
Relationship (Avg. # of Yrs.)				
Known each other	12.00		6.00	
Dated	.75		1.36	
Living together	9.00		4.00	
Children (percentage)				
Percent of individuals w/children	29%		8.5%	
Percent of children living fulltime with CU Parent	47%		75%	
Religious Affiliation				
Buddhist	1.8%		0%	
Catholic	6.3%		3.8%	
Jewish	9.7%		3.8%	
Protestant	31.0%		32.8%	
Spiritual Beliefs (do not fit formal/organized religion)	29.0%		44.2%	
Other	2.1%		5.9%	
None	20.1%		9.5%	
	% Growing Up	*% Now*	*% Growing Up*	*% Now*
[*] *Religious Importance*	n/a	2.85	3.69[1]	3.17[2]
[*] *Marriage Importance*	n/a	n/a	4.30[3]	4.60[4]

[*] Based on a 5-point scale: 1= not at all; 3 = moderately; 5 = very important.
[1] *Religious Importance* Standard Deviation = 1.31
[2] *Religious Importance* Standard Deviation = 1.41
[3] *Marriage Importance* Standard Deviation = .944
[4] *Marriage Importance* Standard Deviation = .799

Income, Education, Occupation and Political Affiliation

Income and education levels in the Solomon et al. (2003) and my study reflect a higher than average income and education level of both male and female couples compared to heterosexual and gay individuals in general. The national income average for persons who have completed four-plus years of education is $45,221 per year (2006 American Community Survey). Hull (2001) states, "Well educated and prosperous lesbians and gay men are most interested in marriage and the most likely to benefit" (p. 158). Vermont Civil Union participants have higher income and education levels.

The occupational breakdown of VCU participants shows a majority of participants as professionals, with the second largest occupational type being the service industries. Persons involved in social change-type action such as a civil union in general have tended to be persons with higher education and income levels (Oliver 1997:209). With almost half of my respondents being professionals, this certainly offers them the means to participate in an event that for most of them requires at least a minimal level of disposable income in order to participate. The second highest ranked reason respondents gave for participating in a Vermont Civil Union was to make a political statement or stance in support of gay marriage. I suggest that Vermont Civil Union participants had the desire and the means to participate in a civil union for political as well as other reasons, tending to have higher incomes than the average American. Although participants in Hull's (2001) study did not indicate specific political reasons for having commitment ceremonies, Hull argues that their enactment in itself is political although not reported as such (p. 159). Respondents in my study specifically cited political

motivations for Civil Union participation. And, the political affiliations in the Hull study (Democrat/Liberal/Radical – 66 percent; Independent/Moderate – 19 percent) and in this study (See Table 3) are almost the same, reflecting a more liberal political alignment that falls in line with a majority of gay men and lesbians in the general public (Egan 2008:1). I will discuss the other reasons respondents gave to their Civil Union participation in greater depth later on in this chapter.

Table 3: Additional Demographic/Descriptive Results of
Vermont Civil Union Participants
July 1, 2000 – December 31, 2004
N = 52

Item	*Frequency*	*Percentage*
Occupation Type		
Industrial/Manufacturing	2	3.8
Professional	24	46.2
Service	12	23.1
Education/Training	3	5.8
Medical	5	9.6
Student	1	1.9
Retired	3	5.8
Unknown	2	3.8
Total	52	100.0
Sexual Orientation		
Bi	5	10.0
Gay male	22	42.0
Heterosexual	0	0
Lesbian	25	48.0
Other	0	100.0
Political Affiliation		
Independent	5	9.6
Democrat	37	71.2
Republican	1	1.9
Libertarian	0	0
Green Party	1	1.9
None	6	11.5
Other	2	3.8

Race/Ethnicity

Participation in a civil union is also obtained by those whom are predominately Caucasian. Gay men and lesbians of color deal with multiple minority statuses including racial and ethnic marginalizations within dominant society, as well as an intimacy/sexual orientation that is stigmatized and strongly discounted within their racial or ethnic subculture (Greene 1994:244). Experiencing historical distrust toward state-sponsored processes that have often been used for racial and ethnic oppression can provide constraining forces for persons of color participation in Vermont Civil Unions. Conjuring a willingness to participate in an institutional process in a region of the country that is predominantly representative of the dominant culture (Caucasian), along with cultural constraints for many gays and lesbians of color regarding their sexual orientation in their racial or ethnic communities, I believe at least partially accounts for the significantly lower participation of lesbians and gay men of color in Vermont Civil Unions. Gay and lesbians of color have to contend with social and cultural constraints within the culture of origin, as well as within the gay community (Morales 1990:220) This may deter a desire for a Vermont Civil Union.

Children

Most of the Civil Union participants in both the Solomon et al. (2003) study and in my findings did not have children. One-third of participants in the Solomon study had children, but half of those with children did not live with them full time. Fewer than ten percent of respondents in my study had children and of those, 75 percent lived with them

full time. It is difficult to know the reasons for the differences between the Solomon results and mine in the living circumstances of participants with children. It may only be a factor of sample size or the varying living arrangements may exist for other reasons? Nonetheless, the circumstance of having children was a contributing factor for two of the Civil Union couples with children as a legal confirmation of their relationship and for family benefits such as health insurance. One participant stated, "I want to role model legal family relationships for my children. I want my kids to see that I love my partner and we have a normal relationship just like I had when I was married to their dad." She saw her civil union as a moral issue for and with her children. One of the other couples said they could get family-covered health insurance through their company with a civil union and felt it was important to have access to health coverage for their whole family. Further study of gay and lesbian couples with children and the circumstances of their custody or living situations with their children may be warranted.

Religion/Spirituality Importance

Religious affiliation and the influence of religion or spiritual motivations were almost identical in the Solomon study to mine. Participants were mostly Protestant, but many identified their religious or spiritual beliefs as not in alignment with formal, organized religions or they had no religious beliefs or connections. This pattern was evident in both the Solomon et al. study and in my findings. With most mainstream denominations being historically critical of "non-traditional" family and intimate relationship arrangements, many lesbians and gay men have been marginalized in religious settings and institutions (D'Emilio 2002:228; Hatheway 2003:12;Yip 2008:11).

Some participants reported that they have shifted their religious affiliations or rejected formal religious institutions. One respondent stated, “Religion was stuffed down my throat. I believe that there is a higher power, but I’m not into formal religion.” Another participant said, “I am strong spiritually, but I have learned to value no religion.” While another person stated, “People who call themselves Christian are very warped in their thinking regarding the rights of others.” And, another respondent said, “Our ceremony was spiritual, not religious.”

For some participants, religious affiliations and denominational beliefs are still relevant, although only 2 percent indicated in my study that these beliefs were a contributing factor to their reasons for Civil Union participation, and only 11.5 percent indicated that religion was a factor in how they conducted their civil union ceremony. One person stated, “I grew up Nazarene. Marriage is important in that faith and that is what I grew up with. Part of my wanting to marry and do the civil union was because of the faith in which I grew up.” Another participant said, “I wanted a female Rabbi, but couldn’t find one to do the service.” A third respondent said, “God helped me find her.” While another stated, “My dad is a Baptist minister. I still believe in God and that he loves me even though I have a same-sex partner.” As religious and/or spiritual concerns are a dominant aspect of life for a majority of people in this country, these same issues and concerns are both contentious and relative for some gay men and lesbians (Yip 2008:11). This discourse was evident among many of the respondents.

Marriage Importance

Respondents reported marriage as *quite important* both as they grew up and now. The mean score on marriage importance "while growing up" was 4.30 and important "now" was 4.60. (See Table 2). Socialized to importance of marriage (Graff 1999:250), along with legal access to *all-but marriage* in a Vermont Civil Union, the respondents appear to place additional importance to marriage because of their historical position in society as marginalized citizens and from their previous lack of access to legal recognition of their relationships. I suggest that this high level of importance of marriage may be partly due to cultural socialization in favor of marriage, partly due to new access availability, and partially due to socio-political actions in response to a dominant society which previously banned access. Certainly Civil Union participants would be expected to significantly value marriage because of their special efforts to participate in this activity. Regarding the importance of marriage and their civil union, participants said:

- "Our civil union is important and marriage would be better recognition so we're not second class citizens."
- "It has given us a small sampling of legal recognition which empowers us to stand up and be counted."
- "This felt bigger and better than expected. To know that somewhere our relationship is legal."
- "To be counted in the number of lesbian and gay couples wanting civil unions or marriage is important."

Certainly marriage is still considered important among the general public, although its importance may not be generally as high as the respondents in this study reflect. This high level of importance toward marriage may also not be in line with other gay men and lesbians. As discussed in the literature review, the issue of marriage among many gay men and lesbians is contentious. Regardless, a high level of importance of marriage in this study cohort is not unexpected.

The Symbolic Meaning of Commitment: Relational Peaks and Pains

The majority of participants in Vermont Civil Unions reported that their most important reason for participating in a Civil Union was to confirm their commitment to their partner. The third highest ranked reason for their Civil Union was to confirm the value of their relationship.

Because the Civil Union process is a couple-based event, it is not surprising that participants focused on the dyadic aspect of the civil union enactment. The symbolic meanings of these civil union commitments speak to a variety of issues including intimacy and bonding, relationship management, a sense of permanency, and quality of relationship. Participants reported on the impact of having obtained a civil union on their relationships in the following statements:

- "It was a beautiful moment of intimate solidarity for our love and commitment."
- "Once I knew this relationship was it, I looked for ways to demonstrate it and a Vermont Civil Union was it."

Table 4: Reasons for Civil Union and Results & Impact of Civil Union Participation on Direct Benefits/Liabilities and Relationships
N = 52

	Ranking		
Criteria (Reasons) for Obtaining a Civil Union (percentage)	#1	#2	#3
Commitment	52%	14%	8%
Political stance	17%	15%	27%
Value committed relationship	4%	31%	21%
Gain legal recognition	12%	15%	10%
Gain benefits	12%	8%	2%
Participate in historical event	0%	12%	17%
Confirm religious beliefs	2%	0%	0%
Make partner happy	.5%	.5%	8%
Gain social approval	.5%	.5%	2%
Other	0%	0%	5%

Results of Civil Union	*Frequency*	*Percentage*
Direct Benefits		
Health insurance	6	12%
Medical authority	1	2%
Legal authority	0	0%
Other	2	4%
Direct Liabilities		
Tax cost	1	2%
Alimony	0	0%
Other	0	0%

[*]*Impact of Civil Union on Relationships*	*Mean*	[**]*SD*
Family	2.65	1.94
Friends	3.08	1.70
Co-workers	2.40	2.10
Community	2.77	1.84

[*] Based on a 5-point scale: 1 = very negative, 3 = moderately positive, 5 = very positive
[**] Standard Deviation

- "The depth of our commitment is evident with the Civil Union to one another and to those who know us."
- "Our relationship has gotten better. We fight differently, not as much."
- "I was married to a man before. The quality of our relationship is so much better."

- "We live in two separate houses because of family. With everyday life I think we were at greater risk of wandering off from one another. With the Civil Union, it has kept us from doing that."
- "We take our relationship more seriously now. There's more permanence."
- "Our Civil Union provides a long lasting base for continuing to build trust and truly intimate friendship through thick and thin."
- "It helped us to better understand our commitment to one another and caused us to discuss some long-term relationship issues."
- "The legality added a lot of importance and responsibility to our relationship."
- "Our bond is sacred. Our CU was a way for us to show how seriously we take our relationship."
- "We live a conventional life and marriage is a part of that."
- "Made our relationship more special."

The focus of these statements provides evidence that participants see their civil union as a symbol of a serious relational intimacy and a means to greater relationship bonding. Having a Civil Union Certificate, ritualized through a ceremony, provided additional depth and closeness of their relationship for these participants. An interesting aspect of relationship management came to light when three Civil Union participants reported that they hadn't given much thought to commitment ceremonies or participating in a civil union until their partner brought it up. They reported that they agreed to participate in order to prove to their partner that they were serious about the relationship. This act of "proving oneself" is not unlike non-gay couples who sometimes marry in order for one to prove to the other or both prove to one another the seriousness of their commitment.

Gusfield and Michalowicz (1984) suggest that life cycle events such as weddings, and in this case civil unions, are a form of rites of passage for the couple and they gain meaning as individuals and as a couple in their relationship. They state, "The conception of rites of passage is transferable to other parts of social existence…these ceremonies, which follow a course of study, unite aspects of the sense of individuality and of collective membership" (p. 428). The impact of these couples' civil unions on other relationships speaks to the collective membership I believe Gusfield and Michalowicz are talking about. This can occur in both positive and negative ways in relationships as Civil Union participants indicate mixed responses from family, friends, co-workers, and their communities to their civil union. Based on the previous mention of this type of legal enactment showing the seriousness of intent by one partner toward another or both partners, five individuals reported their "in-laws" changed their minds about their relationships. One of them stated, "This changed how I was perceived by my partner's family. They took our relationship more seriously." The other person said, "My family would be disappointed if we broke up. They love my partner even more now." Another reported, "They see that I'm committed to their son and not going anywhere." The fifth individual said, "My partner's dad at first wanted nothing to do with me. Over time and with this union, he has come around and now I'm his favorite in-law." Other participants reported supportive reactions from family in these statements:

- "It made our relationship more real to my family."
- "My family was taken back. They were not happy that they weren't invited."
- "We're fully integrated in both families now."

- "We have a family website and my brother announced it there, so everyone knows now. He was pleased for us."
- "My mom gave us a gift."
- "My family is happy for me."
- "My grandfather sent a note and a wedding gift to both of us."
- "A family member brought us a cake at a family reunion after our CU."
- "Total validation. They gave us kitchenware, pots and pans, stuff like that."
- "My cousin's presence at our CU really added to our experience. She still sends anniversary cards."

Besides having favorable responses from some family members, participants indicated, as you see in the statements above, that some family members responded to the couples' civil union in traditional ways similar to non-gay married couples by giving gifts, sponsoring receptions, or sending anniversary cards. The symbolic meanings of relationship commitment appear to not only affect the individuals involved in the event, but to also trigger symbolic responses from others, the *collective membership* mentioned by Gusfield and Michalowicz. Several participants reported positive outcomes for having obtained a Vermont Civil Union in their relationships with family members, although the mean score on the Likert scale showing the impact on familial relationships averaged only 2.65 on a 5-point scale (See Table 4). The majority of participants reported a very negative to a moderately positive impact on the scale, but few specifically negative responses were mentioned. Most participants reported either no change in their relationships with family (which was already negative prior to their civil union), or they

had not disclosed the civil union to family members. Participants reported these less positive familial responses with the following statements:

- "My parents don't know, but my kids do."
- "My sister has been supportive although she's Mormon, her husband is a different story."
- "My grandmothers were accepting, but the rest of the family freaked. There are a lot of dynamics in my family, so it's taken over two years for them to calm down."
- "Don't feel a need to announce it to my family. They sort of put their heads in the sand."
- "My parents pretty much ignored it…passed it over."

Friends, co-workers, and their communities also appeared to have mixed responses to these participants' civil unions. Friends had the most positive responses on the Likert scale with a mean score of 3.08, co-workers had the least positive response with a mean score of 2.40, and their communities in general were reported with a somewhat negative response with a score of 2.77 (See Table 4). Respondents stated that about their friends:

- "We received gifts from my parent's friends."
- "Our straight friends were getting married in a nearby state and it was a tremendous experience as our friends stood up for us at our ceremony and we, in turn, stood up for them."
- "A lot of people wanted to see our CU certificate to see if it was real, or an official document."

- "Our friends now know our relationship is a certainty. They know we're married and others seem to respect and value our relationship because of our CU."
- "Some friends thought our commitment ceremony was enough, while others thought our Civil Union wasn't good enough."
- "At first people were interested in our CU because it was a novelty, but now most people don't think it's a big deal."
- "Gay friends don't understand why we want to marry. Straight friends seem to be supportive, but I'm not sure they get it either."

Co-workers were reported to have the most negative or ambivalent responses to the participants' civil unions, although no specifically negative responses from co-workers were reported by participants. What was reported were co-workers with positive responses. The co-worker statements reported were:

- "My boss was impressed with our commitment."
- "I can't openly discuss our relationship or CU at work, but in general they are supportive."
- "A 40-year-old mom at my work recently figured out I'm gay and we had a civil union. We are her token lesbian couple now. I noticed that other straight women are not running from us anymore."

Responses from the participants' communities were the most varied of the responses reported. Interestingly, the respondents' reactions to their gay community responses to their civil unions brought the most emotion, mostly anger, from the respondents. They said about the gay community:

- "Other gays don't congratulate us on our anniversary."

- "Many in the gay community don't get it either [like straight people]."
- "Most gays we know don't care. Some don't respect the commitment either. Some of them have flirted with us and act like our relationship won't last."
- "Some people in the gay community have said our CU is not enough, that we have sold out."
- "For the most part the gay community has been supportive."

The Civil Union participants said about their community in general:

- "From a societal perspective it does carry some weight. Many people have thought it was neat. We got validation."
- "People are beginning to see us as just plain old folk, not as stereotypes."

Most of the verbal accounts of the impact of the couples' civil union on family, friends, co-workers, and their communities were generally positive. Their responses on the written Likert scales to these questions indicated a more negative impact compared to their verbal accounts. This discrepancy may be related to the presence or verbal interaction of the respondent with me? Perhaps respondents felt compelled to downplay the negative reactions of others? Or perhaps there was not enough time given to this area of questioning during the interview to fully explore the variety of impacts on these relationships? This is an area that certainly could warrant more clarity in future studies. Nonetheless, the respondents reported a mixed accounting of responses from others, but verbalized mostly positive responses. Perhaps from living in a world where their stigmatized status tends to bring more negative than positive responses, the respondents wanted to discuss the more positive responses they had received?

The mixed responses the respondents did discuss reflect the continued contentiousness and discourse of same-gender intimate relations in American society. The symbolic meanings of lifecycle rituals such as weddings, and now civil unions, speak to the changing views in America about intimate relationships and what it means to be married, particularly for and among lesbians and gay men. The accounts discussed by these Civil Union participants included many highpoints when others responded positively, and painful experiences as some significant others responded with indifference or negativity. These accounts show at least in part the on-going relationship dynamics and re-constructing of self and couple *meanings* of who each person perceives themselves to be and how their relationships are experienced, defined, negotiated, and discussed. I suggest, for these participants, that their civil union action implies perceived collective identities as members of a gay community and also as new members of a legally-sanctioned *relationship club* among other legally-sanctioned couples. This "almost the same, but not quite the same" position of these same-gender couples now places them in a special membership club that extends their identities, some would argue, toward a married heterosexual world or at least toward a historically heterosexual social institution. Cooper (2002) discussed this collective identity process mentioned in the theoretical chapter when he proposed that many gay couples utilize the hetero/homo binary as an organizing principle process (p. 242). Cooper would likely argue that Civil Union participants are enacting a gay/lesbian individual-couple-state organizing process through their Civil Union participation. It appears in this study that Cooper's theoretical idea may be correct and helpful in understanding the multi-faceted dynamics and aspects of same-gender intimate relationships experienced in part through a state-sanctioned legal

process. This organizing process is a part of the institutional order Gusfield and Michalowicz (1984:429) identify, where the civil union acts as symbols of a individual-couple-nation authoritative relationship in modern American society. This institutional order appears to have social validation and legitimacy meanings for participants of Civil Unions as evidenced in some of the statements listed above where social legitimacy and validation were mentioned. Some Civil Union participants mentioned feeling validated and receiving social legitimacy through the comments of family, friends, co-workers and community members. Other participants mentioned the support and "kudos" they received after obtaining their civil union. These appear to all be examples of this institutional order of symbolic meanings located in the individual-couple-state/nation relationship of civil union enactment. I will re-visit this notion later in this chapter when I present the societal/structural aspects of Civil Union participation. In the meantime, I will next present a discussion on the meaning associated with civil union ceremonial enactment.

The Symbolic Meanings of Rituals and Ceremonial Culture: Surprising Emotionality

I asked participants in this study specifically about their ceremonies. All the participants in this study said that they had some form of ceremonial process that sanctioned their relationship and provided important ritualizing processes through their actions. I asked questions regarding who attended the ceremony, what ceremonial elements were included, who officiated in their ceremony, and what their perceived responses were from city officials and officiates. The quantitative data of guests and officiate attendance, and ceremonial elements is listed in the following table.

Table 5: Civil Union Ceremony Elements
N = 52

Guests/Officiates Present at C.U. Ceremony	*Frequency # Couples / # Attended*		*Percentage*
# Family	4	28	8%
# Friends	11	21	12%
# Co-Workers	1	5	2%
Justice Only	23	1	54%
Minister/Rabbi Only	4	1	8%
# Others	6	3	12%
Unknown	3	unk	4%
C.U. Ceremony Symbols (#/%)			
Flowers		5	10%
Prayer		8	15%
Reading		12	23%
Singing		1	2%
Dancing		0	0%
Vows		22	43%
Ring Exchange		24	46%
Reception		4	8%
Other		10	20%

In over half of the civil union ceremonies, the officiate-justice was the only person present other than the couple. Most participants indicated that this was due to the traveling distance and costs it would take to include significant others, and that this was probably the most disappointing aspect of the civil union process. All the couples having a Justice as officiate reported positive interactions and feelings toward the Justice. Their comments include:

- "The Justice was very respectful of the relationship. No negative undertones."
- "She was incredible. Very sincere and respectful. We were the first lesbian couple she had done. And her husband was great too."
- "Our justice was thrilled to have us coming from out-of-state."

- "I felt very validated by the Justice and the State of Vermont residents as opposed to the hate I feel from the people and legislators in my home state."
- "The Justice of the Peace was caring and appropriate."
- "We had a glass of wine at her house."
- "The Rabbi and the Cantor had to stretch a little with the wording, but they were great."
- "She told us that she liked doing civil unions because it was so apparent how important the civil union was to gay and lesbian couples. She said doing these brought her a breath of fresh air because there was less skepticism and rote to these ceremonies compared to straight marriages."

The responses given by participants about their officiate were some of the most animated and enthusiastic expressions during the interviews. I believe this is first an indication of the marginalized relationship many lesbians and gay men experience in their everyday life in contact with the general public and through various social institutions. Because these officiates represented a state-sanctioned process that had been fought in the courts, refined by the legislature, and carried out by Vermont citizens, contact with these officiates changed the messages they had been getting regarding who they are and what their relationship meant to others, which has been a mostly discounting and devaluing message. The respondents were very appreciative of their officiates' presentations and attitudes towards them. Several of the officiates appeared to also have a sense of special meaning to these civil unions, evidenced by the one Justice who spoke of her current enjoyment in doing civil unions over heterosexual marriages. This new and unique relationship between Civil Union participants and officiates of a contested ritual,

but state-sanction process may warrant further study. These officiates are a part of the institutional order mentioned earlier, and indicates that *group membership* may also include the state's representative in civil union enactment.

Other Ceremonial Attendees

Friends and the category of *Others* represent the highest number of attendees in civil union ceremonies. The category of *Others* included a maintenance man that took pictures for the couple, a couple's dog, a Justice's husband, and both mothers of the couple on two cell phones held by the couple. *Family members* and *Minister/Rabbi* were the next highest category of attendees at 8 percent of the attendees. I already mentioned responses from family members regarding the couples' civil unions. Only four couples used a Minister or Rabbi as their officiate instead of a Justice. A committee of the church where one of these Ministers or Rabbis works and where the couple was holding their ceremony, met with the couple to discuss the plans for the ceremony and approved their ceremonial process. This was a couple from out-of-state who contacted the church because it was a part of the same denomination that the couple belonged to in their home state. This situation provides an example of how institutional order is often extended to non-gay couples through Ministerial/Rabbi/Priest's and other sanctioned officiates of the state. There is a long history of this church-state matrimonial relationship regarding heterosexual marriage in western, industrialized countries and among those religious leaders who go against common beliefs of marriage. Coulmont (2005) looks deeper into this relationship in a recent study mentioned in the literature review of Vermont clergy and churches who were conducting civil unions. Coulmont points out that several clergy and churches are opening their doors to civil union enactment for two key issues. One

issue as they perceive it as a potential money-maker; and secondly, many of these clergy see it as their job to involve themselves in discursive religious situations in order to provide leadership and reconciliation wherever possible (p. 220.) Further inquiry of this church-state relationship and civil unions may be warranted if legal unions or marriage for gay and lesbian couples continue to occur and be debated in American society. Some questions of interest might include if and which religious institutions will engage gay couples in legalized marriages or ceremonies. Some religious denominations conduct non-legal ceremonies now. Will these ceremonies become less meaningful as more and more individuals and denominations open their doors to gay couples or other alternative intimate gay relationships, or will the discourse of intimate relations and religious sanctioning continue for some time? Will attempts continue by some religious leaders and organizations to bar gay and lesbian involvement in religious leadership, ceremonies, and policy decisions, including whether their church will allow validation of gay relationships? What is the impact of this discourse on lesbians and gay men who embrace a religious faith, and what impact will this have on religious or denominational politics? These are a few questions of possible importance.

Ceremonial Elements

Hull (2001) suggests that those lesbians and gay men who participate in commitment ceremonies use these rituals and the ritual elements therein as cultural objects of cultural practice (p. 75). She reported that most of the couples she interviewed did not appear very concerned about whether they mimicked “straight” weddings; the events were very clearly wedding-like, and in fact some couples emphasized that their

ceremony was a wedding in their eyes (p. 80). Civil Union participants reported similar sentiments regarding what kinds of elements they included in their union ceremony, how they felt about the ceremony, and how they defined the civil union ceremony experience.

The elements used in these ceremonies are listed in Table 5. Over half of the couples did not use the elements listed, but included other elements of ritual symbolism such as: candle lighting, blessing the rings, hand fastening, the Shevva blessing and breaking of the glass cup, not wearing shoes or wearing special shoes like golf shoes, picture taking, and so on. Some couples planned and prepared for the union ceremony in great depth, while others relied totally on the officiate to simply and quickly say the required ceremonial statement, hand them the license, and were on their way. Just under half of the participants used two primary symbols: speaking vows and an exchange of rings. Participant's who did use symbolic elements in their ceremony still did not offer in-depth discussions or descriptions of the elements they used or their meanings. These couples spent more time discussing the officiates, the townspeople or city officials, or their emotional reactions to the ceremonial enactment. Because Civil Union participants were discussing their ceremonial elements after the fact, their approach or lackadaisical attitude toward the ceremonial elements indicates more importance on social interactions and their meanings than on the consumerist assumption of modern-day weddings and ceremonies discussed by Otnes and Pleck (2003) in which she discusses weddings as big business and self-perpetuating enactments. Until gay and lesbian couples are socially validated and legitimized, the ceremony itself, or elements therein, are minimized by comparison. On the other hand, with 85 percent of people participating in Vermont Civil Unions living outside of the state, elaborate ceremonies may be unrealistic at least at this

time in the young life of state-sanctioned, same-gender civil unions in Vermont. Hull (2001) argues that consumerism among gays and lesbians is likely to increase not only if the number of states that allow same-gender legal processes increase, but ceremonial products targeting gay couples interested in marriage or commitment ceremonies are increasing significantly. What elements were used in Vermont Civil Unions appeared to be simple, but included both personalized items such as golf shoes and standard wedding elements such as vows and ring exchanges. On several points my study findings indicate very similar patterns and themes when focused on ceremonial enactment. Both studies reflect the ideas of improved quality of relationship because of the ceremony, the use of both traditional and personalized ceremonial symbols and activities while conducting the ceremony, the attempt at providing a sense of permanence for the couple, their family and friends, and a sense of future orientation. These are all issues discussed in the Hull study (2001:78-86) and found in my study as well, suggesting that these ceremonial enactments, whether legal or non-legal acts, are cultural practice and include numerous cultural objects not unlike heterosexual marriage ceremonies that have special meanings to those involved in these ceremonies. Because of the marginalized relationship between gays and lesbians, the state, and for some the religious institution some of these couples also attempted to avoid cultural symbols that might be found in heterosexual union ceremonies. I suggest that Civil Union participation at this time in history provides a much more personalized emotional impact on gay and lesbian couples because access to these types of ceremonies and social validation of their intimate relationships have historically been withheld from gay and lesbian couples, and these couple for the most

part live everyday in a stigmatized world. The strong emotionality described below by participates regarding their civil union ceremony is seen in the following accounts:

- "The emotional experience of our CU is incredible. I felt so empowered when we walked out with a certificate. I didn't realize the emotional impact it was going to have. I sat on the steps afterwards and cried. I had chains on and had no idea they could be lifted. No idea of the freedom from societal bondage and pressure to marry someone of the opposite gender. All that is gone now."
- "Happy and grateful to do that much legally."
- "To my surprise, I had a very positive emotional reaction to hearing our minister say, 'By the power invested in me, I now pronounce you partner's in life.' It was such a joyful moment we started crying."
- "I hadn't expected the ceremony to be emotional because we'd been together for so long. I realized what it would be like to have society and our government accept our relationship."
- "The happiest day of my life."
- "It was very meaningful. Words can't really express what I felt."
- "In many ways, for the first time I felt a sense of normalcy, sameness, and equality. It felt good and at the same time it pisses me off that this is not offered where I live. To feel this sense of freedom and acceptance, it's hard to go back to the oppression, and I'm damn angry about it!"

I suggest that these reflections indicate deep-level meaning associated with civil union enactment for several of these respondents. The struggles with feelings of anger and joy at participating in a civil union seem to symbolize the tug of war that simmers

under the surface of their everyday lives, and touches on deep-seated struggles they have experienced in their social world over time. The symbolic meaning of the civil union has multiple meanings that come with a past which includes experiences of self-doubt, social stigmatization, prejudice, and lack of accessibility to many social resources, both emotional and practical. Social constructions of self, relational connections, and impressions of positionality in the world carry loaded aspects of a situated self for many of these Civil Union participants. Other stigmatized individuals, including gay men and lesbians not involved in state-sanctioned activities, may experience many of these same emotions. Based on their marginalized positions, some stigmatized individuals, however, appear to not take on their stigmatized position in society. In these cases, I would think their emotional susceptibility to prejudice would be reduced or perhaps nonexistent based on their lack of response or identification with the social projections. Valocchi's (2005:756) argument of Foucualt's concept that humans are self-regulating subjects likely applies here, therefore, any attempts at subjectifying an individual to a stigmatized position has to first be internalized by the subjected target. It appears that several of the participants of civil unions have internalized a stigmatized gay and lesbian identity(s) and experience internalized homophobia. This display is evident in the many comments showing the importance of what others said described the actions of others toward the Civil Union participant. Comments of validation, indifference, or rejection all had great meaning to these Civil Union participants. I will speak more to the issue of subjectification later in this chapter when I discuss the social construction of self.

Taking a Stand: Contentious Responses to Private/Public Discourse

Only a very small percentage of Civil Union participants have gained concrete direct benefits from obtaining a civil union. The results of direct benefits and liabilities from their civil union are listed in Table 4. Less than 15 percent of all participants have received health care insurance, medical authority, legal authority, or other tangible benefits. Having 98 percent of the research respondents living outside of the State of Vermont and not in locations where their civil union is legally recognized has contributed to this lack of direct benefits. One participant did report that she was able to change her name to her partner's last name and obtain a new drivers license after she showed her Civil Union Certificate. Most couples reported more symbolic results of their civil unions than direct or practical results which is in line with the Hull (2001) study which focused on non-legal commitments of gay couples.

Vermont Civil Union participants reported political reasons for obtaining a civil union as their second highest motivation for their union (See Table 4). Participants said:

- "It is meaningful to our relationship for us to make a political statement in favor of legal access of marriage for lesbians and gays."
- "My reason for a civil union besides a commitment to my partner is to be counted in the number of couples wanting civil unions or marriage."
- "Civil unions are important and marriage would be a better recognition so we are not second class citizens."
- "Because we are a same-sex couple, we have more to deal with politically."

- "It gets down to an issue of church and state. More people are aware now and common sense will hopefully prevail."
- "I came because it is important to stand up and be counted as a gay couple."
- "I wanted to support the idea of same-sex civil unions/action to support justice."
- "I wanted to do it because I saw it as an act of survival. With the recognition of the government and the people of Vermont, it felt so powerfully normal. To be able to walk into a city office and be embraced felt like they were saying, 'you're one of us.'"
- "My company offered health coverage and other domestic partner benefits to heterosexual employees and customers whether they are married or not.
- Several of us petitioned to get the company to extend benefits to gay couples. They said we had to have a marriage or Civil Union Certificate, so we went to Vermont for the civil union. We were the first gay couple in the company to receive the benefits and they copied our Civil Union Certificate for all the human relations departments to use as a verification template. While I am excited about having domestic partner benefits, I can't believe the hoops you have to go through that straight couples don't have to deal with. It's quite unreal. I worry about other gay people who don't have domestic partner health coverage at their jobs."
- "Although not recognized in our state, I found the process very affirming and liberating although temporary. I can only imagine the freedom there must be in the acceptance of one's relationship by society. The experience of leaving the courthouse with legal rights to a union moved me so much, I stood on the steps and cried uncontrollably."

- "I will always have a special place in my heart for Vermont."

These participants express a variety of sentiments regarding their individual-couple-state relationships which includes hopefulness for future benefits and recognition, gratitude toward the people of Vermont for establishing same-gender civil unions, frustration over the lack of recognition of their relationship outside of Vermont, a call for justice, and having a sense of personal or social survival. It is apparent that for Civil Union participants, the lack of social validity and access to tangible benefits based upon their committed relationship is a source of irritation and consternation for the majority of participants because of a lack of state-sponsored recognition or assistance.

There are two constructionist approaches which help explain these participants' responses to the structural constraints they experience in their everyday lives. These constraints are found in the public-private hetero/homo binary discourse in American society, in their experiences of participating in a Vermont Civil Union, and are reflected in their comments about their civil union experience discussed above.

The first constructionist approach or viewpoint is based in the ideas of Hull (2001) regarding cultural politics and legal consciousness of gay and lesbian commitment ceremonies, and the ideas of Taylor and Raeburn (1997) who use New Social Movements theory to argue for a theoretical understanding of gay, lesbian and bisexual identity politics and high risk activism. These scholars focus on how social, cultural, and political actions and frames get constructed, negotiated, and maintained. Participants in the case of Vermont Civil Unions construct ceremonies with the help of the state that promote an arrangement with their partner while attendees and the states representative oversee the process. Couples construct personalized meanings of their ceremonial rituals by utilizing

symbols considered during the ceremony as *sacred* items or *special* activities like a ring, prayer, or breaking a glass. Participants discuss these ceremonies for years to come as a particularly special time in their relationship and for themselves. They celebrate their civil union anniversary date. Taylor and Raeburn (1997) provide a helpful concept from this perspective that I believe is relevant here, the idea that collective ideas are carried out by *empowered individuals* more than as motivation from members of a formal group (p. 465). In the literature review I discuss this idea. Based on the comments listed above, I suggest the majority of these Civil Union participants appear to have a sense of self-understanding and believe themselves to be empowered individuals who have participated in what Taylor and Raeburn identify as *personalized political resistance* through their Civil Union participation. These participants describe their efforts at political resistance in their reasons for pursuing a Vermont Civil Union.

The state is now accommodating the couple and the public by providing an easily accessible civil union certification process and officiates who serve as the state's representative in civil union enactment. The state keeps a copy of each certificate as proof of this special arrangement. The state also restricts the dissolution of civil unions by time and place. Anyone wanting a dissolution must reside in the state for at least six months (at least one member of the dyad). Table 1 shows the number of dissolutions between July 1, 2000, and December 31, 2004. Each entity of the individual-couple-state has an expected role to play in a civil union enactment as clerk licenser, religious officiate if they are certified from the state, the justices, the state and city departments including the Department of Vital Statistics that tracks the civil unions, and the attendees. Each may have additional roles beyond simply attending, such as photographer or

witness. The absence of a significant other can be just as meaningful as those who are present. This circumstance is not unlike some heterosexual couples who experience social rejection by significant members of their social network. Of course the Civil Union couple has the role of licensee.

Participants construct meanings of their relationship, their self, and a relationship with the state through Vermont Civil Union enactment that perpetuates, on the one hand, a gratitude for an opportunity to legally be recognized both individually and in relationship. On the other hand, Vermont Civil Unions are also a symbolic representation of not totally getting the "real deal" marriage, leaving some participants feeling like second class citizens, only momentarily validated, or "free" from other state-supported constraints because of having a state-issued certificate. This public-private entanglement is an interesting drama of position-juxtaposition movement and leads us to the second constructionist viewpoint.

This second constructionist viewpoint is a deconstructionist queer analysis where the agency-structure, public-private, hetero/homosexuality binaries are contested. Scholars such as Halle (2001), Cooper (2002), and Valocchi (2005) call for transformative relations with the state, where current constructs of power, meaning, order, and political processes are transformed. Cooper (2002:242) argues that gay men and lesbians need to stop buying into the hetero/homosexual binary altogether and stop trying to participate in or gain state-sponsored marriage. Valocchi (2005) agrees with Cooper and suggests everyone broaden their understandings of state structures to include, among other things, issues of "performativity of identity and the non-normative alignments of sex, gender, and sexuality." By critiquing the hetero/homosexual binary,

Valocchi suggests a "queer analysis deepens the analysis of power by calling attention to both sides of power: the material power of the state and the discursive power of the movement that responds to the state" (p. 762).

Most of the Civil Union participants expressed great excitement and joy from having obtained a Vermont Civil Union. Their lived experiences are likely still considered important and valued by those who have participated. The current individual-couple-state power dynamics remain intact, however, and even with a state-sanctioned civil union differential treatment is being experienced by these couples. I believe at least some of the participants experienced disappointment based on current individual-state power relations and differential during their civil union experience even though they had gained this new status. Several participants indicated displeasure at the temporariness of relationship recognition when they left to return to their state of residency, or felt they had to restrict or re-chain themselves to a stigmatized existence in a location without same-gender unions or marriage. Only one couple in this study had lived in Vermont at the time of their civil union and has since moved to Canada. They reported more tangible benefits such as health care coverage and medical authority, along with social recognition of their relationship among neighbors, co-workers, and the general public at least while in Vermont. The vast majority of VCU participants gained no direct or practical benefits, nor the *taken-for-granted* position of relationship validation and legitimacy that most non-gay married couples enjoy. Social change is slow and some of these Civil Union participants express great anger at their continuing discursive individual-couple-state relationship within society.

The state designers of the same-gender civil union process in Vermont mimicked the Vermont marriage process. They were responsible for implementing the new law whereby same-gender couples were allowed to gain state-sanctioned recognition of their relationship equal to heterosexual married couples. These designers decided on simply duplicating the opposite-gender marriage category and attaching a different name, civil unions. According to our deconstructionist queer scholars this could have been an opportunity to not only create an included gay and lesbian category, but could have been an opportunity to deconstruct and transform the institution of opposite-gender marriage toward more equitable structures. Without a complete overhaul of opposite-gender marriage, and gender and sexuality ideas in general, many deconstructionist theorists argue that differential power politics and cultural practices within intimate relations will simply continue (Walters 2001:354; Cooper 2002:248; Valocchi 2005:767).

The one criticism I have of Valocchi and other deconstructionist queer theorists is a question of what comes after marital and marriage institution deconstruction? Deconstructionist queer analysis appears to fall short once the deconstruction has occurred. Implementing transformative individual-couple-state relational processes is problematic and this perspective has been criticized for this shortcoming. Although I understand the call to reformulate current individual-couple-state relations, it appears however, that we have yet to figure out exactly what the transformative processes should be, and how this transformative work will work? Deconstructionist queer analysis should begin to wrestle with the content of these new transformative alternatives. I understand this action could risk simply duplicating current processes under a new name, much like I suggest civil unions are a nontotally-inclusive pantomime of heterosexual marriage in

Vermont. Real change verses avoiding a utopian idealism, or duplicating current inequitable structures in individual-couple-state relational processes, is a tricky endeavor. I propose that at least part of the difficulty deconstructionists experience in offering transformative content is based in a lack of new language and constructs to think far enough "outside our own box." Transformative constructs simply don't yet exist. In my opinion, postmodern society has yet to create the language and social processes to truly signal significant enough transformative changes this deconstructionist perspective calls for. This is an epistemological dilemma with no immediate solution. Agger (2002) argues this same point and proposes a postmodern discourse theory that revisits neo-Marxist's ideas of a contemporary dialogical democracy (p.197). I would suggest we at least attempt having conversations of individual-couple-state relational content transformations that are inclusive of all critical theories in order to pursue possible directions.

In the meantime, Civil Union participation is both a personally transformative experience while also being a less-than-perfect public-state acknowledgement of these couples' relationship and personal identities. In the next section I discuss the individual construction of self and personal identities in more depth.

The Proud, the Few, the *Not-so-Normal* Normal

When asked what impact their civil union has had on their sense of self, participants had several things to say. Participant comments regarding self are divided into three categories below: sense of self, the impact of their Civil Union participation on self, and corrective measures to their sense of *Other* self. The ideas and notions of one's

self is bound in social interactions (Goffman 1985:218). After having participated in a civil union and all the activities that went along with obtaining a civil union, some participants appeared to have a transformative experience of their sense of self. Others talked about how it had changed their view of themselves, while others expressed sentiments about their positionality in the world. Participants responded to the questions of how they felt about themselves and the impact of having participated in a civil union on their sense of self with the following comments:

Sense of Self

- "I surprised myself by committing to someone that I figure wouldn't drive me crazy. That's not always been the case in past relationships."
- "Makes me proud of myself. Other people cheat on their partners. Marriage holds you to a higher standard."
- "It makes it easier for me to refer to myself as a spouse."
- "I feel proud of myself for taking a stand for something I believe in. I was pretty scared when I went into that city hall. But the people there acted like it was no big deal… just like I had come to get a fishing license. They gave us the paperwork, showed us where we could sit to fill out the forms, asked us if we had a Justice in mind, and gave us the names of three to four Justices to contact and we went from there. I'm not sure what I was expecting them to do? This was just a small town in Vermont and I wasn't sure how they felt about civil unions."
- "When you're growing up you think you're going to get married like other people. When you figure out that who you love isn't okay in the world, you then

think you'll never get married. After our ceremony I had mixed feelings. I was so happy we had done it and wanted to tell everyone who would listen, but then still didn't feel totally accepted because I knew not everyone would think it was great. It's a 'Catch 22.' I still feel like damaged goods in the eyes of half the world. The ceremony was great though and I'm glad we did it because we at least have each other. It's brought us closer."

Impact on Self/Image

- "The minute the ceremony was over, I changed. I had a sense of responsibility to another person."
- "Having a civil union makes a difference in your mind and heart, even if our civil union is not recognized in our own state."
- "This has taught me to be bolder, expect more from myself. I now have a greater sense of responsibility for another person, having someone else to consider."
- "It makes me think more futuristically. To work on issues because we've made a commitment for the long haul."
- "Civil unions for any gay person would give them peace of mind. Knowing our partners are going to be considered next of kin in the event of a death or serious illness."
- "I feel like I'm a more legitimate part of society. I have gotten married in my eyes even though they call it a civil union, and that's something I've always wanted to do. We also hope to start a family soon."

Sense of "*Other*" Self

- "We're normal. We go to work, school, raise our kids; want to set a good example for them. Our kid's friends hang out here at our house 'cause we are involved in what they are doing and make it a safe place with little stress for them. I don't understand why society doesn't get that."
- "That is what people do when they get married. They take responsibility and care for one another. We're just like everyone else."
- "Marriage is taking the good with the bad. Placing each other first and being with them forever. Gay people are just as capable of this as straight people."
- "I'm from the Bible belt, so after we'd done our civil union I wanted to go find Jerry Falwell or Pat Robertson, stick our certificate in their faces, and say, 'See, some people in the world appreciate us.'"
- "It has been a weird deal. I feel married. We act married. Our friends and families treat us as if we are married. But, we don't live in Vermont and when I go to the doctor or fill out insurance papers or whatever and they ask me if I'm married or single I don't know what to check. Yes, no, well I have a civil union, I guess I'm not married according to this state, but I am in Vermont? My insides just go bonkers. I feel like I'm having to justify or explain myself all the time. It gets very tiring and I just wish it'd all go away."

All of the participants expressed satisfaction in having obtained a civil union. Most of them talked about what a pleasant experience obtaining a civil union was from interactions with city officials and townspeople, to being emotionally moved at the

feelings of intimacy and responsibility they feel toward their partner, to the impact their civil union has had on many of their relationships with family, friends, and others. For several of the participants their feelings and impressions of themselves have been positive, seeing themselves doing something they were not sure about, or feeling good to be doing something that they thought had social and political importance. Feelings of pride, pleasure with themselves and their partner, gratitude toward the citizens and laws of Vermont, feeling bolder, and taking on a new role as "spouse" suggest that these participants constructed new aspects of who they are to themselves and others.

At the same time participants also expressed discontent and justifications for who they are in the world as gay men and lesbians. It is apparent that several of the participants also had ambiguous feelings about what their civil union meant to them, to their families, and to society as a whole. This ambiguousness appears to be centered in their *positionality* in the world. Cahoone (2003) discusses the idea of *Other* in which people experience someone and construct a devalued taxonomy of that person or group of people. Lesbians and gay men constitute an *Other* in today's society. This position in society is a source of pain and struggle for many of the participants in this study. Participating in a civil union was an action of this *Other* self in which participants were quite aware before, during, and after the civil union event. The comments described above indicate the experiences participants had and may continue to have of *Other* in relation to being gay or lesbian at the individual level – their personhood. The references to normalcy, what married people do, the comparison of themselves to straight people (the non*Other*), words of desire to strike back at people they see as antagonists, seeing themselves as "damaged goods," and expressions of tiredness and anxiety over whether

they truly occupy a position of *married* as defined by society; all reflect this discourse of Other-Non*Other* in who they believe themselves to be and how society interacts with them. I suggest their words are indicative of what Valocchi (2001:756) describe as *corrective measures*. These expressions are examples of how several of these people are attempting to cope with, correct, and/or change a position of *Other* in which they find themselves, as lesbian or gay man. Having a legal civil union license symbolizes a counter position, or desire to move from *Othe*r to non*Other*. I also suggest that these comments reflect attempts at redefining what Gusfield and Michalowicz (1984) describe as a societal power struggle of creating or re-creating *moral order*. These couples' civil union action is a "presentational element of human behavior in which drama, symbol, and ritual are significant" (p. 428) and indicates the discursive communication occurring between *Other* and non*Other*. The sentiments expressed are an attempt to re-constitute these individuals and couples in relation to structural aspects of society as legitimate members, citizens, and human subjects. Their civil union action was what Hull (2001) described as a form of *strategic action* and their license is a symbol of a newly constituted status, both as structural reproduction and structural transformation. However, without their civil union being recognized throughout their families, communities and states, this new positionality, moral order, or transformative image is left hanging in the proverbial wind in their eyes. This ambiguous place appears to continue to support an individual (self)-couple-state discourse in the everyday lives of these VCU participants.

Conclusion

In the demographic profile of Vermont Civil Union participants presented in this study, 52 gay men or lesbian individuals, representing 27 couples living in a number of different states all across the United States, represent a predominantly Caucasian group of mostly well educated, middle- to upper-middle class people, who are mostly in their early- to mid-forties. The majority of these participants are also female. This demographic profile is indicative and representative of the first four population of the Vermont Civil Union participants verified through the Vermont Department of Vital Statistics registry and in comparison with the Solomon et al. (2003) study of the same population. During the first four years of civil unions in Vermont, only four percent had obtained dissolutions of their civil union which is significantly lower than the U.S. divorce rate among heterosexual married couples. Very few of these couples have children and most of them reside with their children. They were, on average, dating or living together for at least four years before they obtained or were able to obtain their civil union. This demographic profile provides a picture of who is participating in Vermont Civil Unions.

These research participants offered a number of reasons for their participation in a Vermont Civil Union with commitment enactment, making a political statement, and confirming the value of their relationship being the top reasons for their actions. This information provides a glimpse into the everyday lives of lesbian and gay men who are living in committed relationships as marginalized members of society, and why they desire a legal recognition of their relationship. I suggest this legal recognition is a social validation and legitimacy action and an attempt at re-positioning themselves in society as

"normal loving individuals, living in a normal committed relationship." A sense of *normalcy* and acceptance are desired states-of-being for these participants.

The impact of these couples' civil union action is reflected in their relationships with their partner, families, and other members of their social network. Most of this impact has been interpreted by these participants as positive in their view of themselves, their sense of who they are, and in the management of their intimate relationship. They report a mostly positive response of their action from others including those in whom they came in contact with while obtaining their civil union in Vermont including city officials, townspeople, and attendees of their ceremony. They report mixed responses from family, friends, co-workers and their community at large. Their interpretations of these responses to their civil union include a great deal of emotionality, which was surprising to them. Their surprise appears to be a result of buried or unrecognized feelings and thoughts, a taken-for-granted position as a marginalized person of *Other* in society which when countered with non-marginalized responses from others created reactions and responses in which they did not foresee. I suggest this surprise comes from internalized homophobia which provides a state-of-marginalized being that when "released" or confronted with non-stigmatized social interactions is then made apparent in the form of *surprise*.

These participants expressed a number of different interpretations of their experiences with this civil union action. The meanings they attached to their actions and the actions of those around them during this event varied and also represented their experiences at the individual-couple-state/structural levels. Overall, their meanings were interpreted as important, impactful, serious, broad-reaching, and significant to their sense

of self, in their intimate relationship, in relationships with their social networks, and in their place in society. Their relationships with some members of their social network were experienced and reported as negative. Their place in society was the most contested aspect of their Civil Union participation. They want to be accepted in society and not seen, nor do they want to experience themselves, as *Other*.

The insight and information provided by these participants offers us a glimpse into how people who desire to be non*Other* and desire for their relationships to be validated in the social and political arena's of society, construct, interpret, negotiate, maintain their place in the world by participating in a culturally significant action such as a Civil Union or as they see it, as marriage enactment. This topic offers valuable insight into our society from the viewpoint of lesbian and gay men who desire a legal status. This topic is worthy of additional study and consideration. This topic and research project also provides implications into the general issue of gay marriage. Having full access to and inclusivity of their relationship as *married* remains a desire for these participants. Their civil union position remains a contentious issue for them and impacts their experience of self, the relationship, and experience of society in general. As these participants, as well I would assume participants of Massachusetts' gay and lesbian married couples, and those gaining domestic partnership rights in some states and members of their social networks who know and accept them migrate to new locations in the United States without same-gender partnership recognition or rights, additional contentiousness may occur and demand for inclusivity make gain strength. Counter-reactions from those opposing gay and lesbian inclusion in relationship rights may also increase as well, or gay and lesbian marriage will slowly be absorbed into mainstream American marriage constructions and

social institutions taking on a taken-for-granted position until total transformation of gay and lesbian relationships in society is achieved. It is quite difficult to assume a new taken-for-granted positionality for and among lesbian and gay men will be created any time soon. The possible directions within this discourse render support for continuing to explore the lived experiences of lesbians and gay men in American contemporary society and society's construction and response to them.

In the next chapter, the Conclusion, I discuss the potential issues and ideas for further study of this topic. I also discuss the limitations, strengths and weaknesses, and further implications for the discipline.

CHAPTER VII

CONCLUSION

Introduction

In this chapter, I summarize the implications of this research study. I discuss the limitations of the study and the study's strengths and weaknesses. I discuss the application of this study in the discipline of sociology and provide suggestions for future directions of research in gay male and lesbians studies, gay marriage, and legal relational actions in American contemporary society. Aspects of the lived experiences of gay male and lesbian participants in Vermont Civil Union activity is the focus of this study. Specifically, I explore how participating in a Vermont Civil Union contributes to the individuals' understanding of their intimate relationship with their partner, their constructions of self, and their positionality in society at a time when the topic of gay marriage is contested in American society. I identify who these participants are and provide their basic demographic information. I investigate understudied aspects of gay male and lesbian relationships concerning why these couples seek a legal status, what impact their enactment has had on their relationships and sense of self, and what meanings they attribute to this public action.

A representative sample of the 2000 to 2004 population of gay men and lesbian

Vermont Civil Union participants was used in this study. Qualitative and quantitative methods were combined to collect and analyze the research data in order to provide a comprehensive and in-depth look at individual, dyadic, and societal level aspects contributing to the experiences of those participating in a Vermont Civil Union. The analysis of these complex interactions provide important insights into the lives of gays and lesbians who seek a legal status of their relationship, as well as offer potential insights into the changing construction of marriage in contemporary American society.

I first provided an overview of marital and intimate relations throughout history as we understand it today. I discussed both opposite-gender arrangements and same-gender arrangements. I discussed the historical and cultural development of gay and lesbian identity and community actions. A summary of the development of the modern Gay Rights Movement was also presented. In my literature review I presented four significant areas of marital and intimate relations studies within the field of sociology. Those included exchange-based theories, relational adjustment theories, social and cultural practice theories, and social protest/legitimacy theories. These theories informed me to the theoretical possibilities and probabilities most appropriate to this research topic. I outlined a multi-level research approach and theoretical analysis of social constructionism. This perspective offers an opportunity to examine research subjects' lived experiences at the individual, dyadic, and societal/structural levels. I incorporated constructionist and deconstructionist theories of self and image; symbolic meaning processes relating to commitment, ritual, and legal status; and a sexuality-state interface where individual-couple-state civil union processes were analyzed. My research findings recognize that lesbian and gay male Vermont Civil Union experiences are complex. They

represent individual, relational, and societal interactions that include internally problematic constructions, are laden with relational management maneuverings, and provide several societal/structural discourses relating to moral order, power, and political processes for gay and lesbian couples seeking a legal status of their relationship in today's world. Vermont Civil Union participants were glad they had sought a civil union license. The lack of prejudice and discrimination in the process of obtaining their license and in conducting their ceremony was a pleasant, yet discursive experience. Many participants felt a new-found freedom and construction of self and their relationship from participating in a civil union. At the same time, because most of the respondents in this study were from outside the State of Vermont, that freedom and civil union legal status appeared short-lived as they returned to communities who still considered them as *Other* and their relationship deviant. The respondents in this study graciously offer a glimpse into their world as the first state-sanctioned Civil Union participants in the United States.

Implications For the Discipline

Social Construction of Self

Vermont Civil Union participants appear to experience a construction of self that includes both normalizing and stigmatizing aspects. There appears to be an on-going dynamic of dealing with internalized homophobia on the one hand, and feeling "just like everyone else" on the other hand. This contentious boxing match appears to indicate a discursive process occurring both within the lesbian or gay male individual, while also occurring external to her/him by experiencing a contentious *Other* position. I would suggest that future research be conducted to better explore this self-experienced process

by lesbian and gay male individuals in relation to their stigmatized position in society. This dichotomous position poses important understandings in the way in which these individuals experience their world, shape their world, and negotiate who they are in the world.

Symbolic Meanings and Cultural Processes

Sewell (1992:47) argues that both culture-as-meaning and culture-as-practice are theoretically possible and acceptable. I too propose that at least in the lived experiences of gays and lesbians of their civil union enactments, that this is the case. These enactments have meanings to self, situation, and social structural relational processes. They also show culture-practiced through ceremonial ritual enactment (religious ceremonies, civil ceremonies); symbolic representations (license, vows, rings); and the influence of cultural elements such in religious practice, familial involvement and responses (gift giving, receptions), and in expectations the civil union couple have of their community to respect their relationship. I propose that Sewell's ideas of culture-as-meaning and culture-as-practice be explored further in order to better understand when both of these theoretical constructs apply and when they do not.

Societal/Structural Processes

The last area this study may offer implications for the discipline is in relation to social structural processes. Gustfield and Michalowicz (1984) discuss institutional order, life cycle rituals, and object symbolism through everyday consumerism which are all reflected in civil union enactment. Also, Cooper's (2002:242) ideas regarding

transformative structural processes and Taylor and Raeburns' (1997) ideas of identity politics and activism are also worthy of consideration when investigating structural processes. I have already discussed the implications of Gusfield and Michalowicz's civil union consumerism and Cooper's transformative processes in the Findings and Discussion chapter. However, life cycle rituals, institutional order, and issues of social movement political action will be discussed below.

Gusfield and Michalowicz (1984) suggest that life cycle rituals, such as civil unions, provide transitional movement from one social structure to another through highly emotional dramatizing and symbolizing activities (p. 428). They discuss how transitional movement occurs through these types of rituals when one role (single) is abandoned for another role (married or legal partner). Certainly Civil Union participants reported surprising emotionality from experiencing their union. The high level of emotionality of Civil Union participation can be confirmed in this study. However, the role transition was quite contentious for this population. I suggest that when applied to marginalized or stigmatized groups, role transitions may not occur fully or according to expected ends. This discursive positionality, I believe, deserves further consideration.

Gusfield and Michalowicz indicate that there are two sets of studies that look at how symbolism and ritual relate to social structure and instrumental behavior (1984:427). One perspective is grounded in functionalist theories which propose symbolic meanings and ritual action provide continuity within in current social structures and reinforces existing consensus sources or corrects areas of conflict. The other perspective is grounded in presentational or dramaturgical perspectives where cultural meanings are emphasized. I incorporated this perspective by discussing cultural meanings and practices

in my research approach which has already been discussed, so I will address the functional theories Gusfield and Michalowicz discuss. They argue that functional approaches to institutional order focus on how society corrects itself through conflict resolution processes or through functional processes that reflect current consensus sources. They also argue that functional approaches ignore class and power differences which are grounded in the conflict perspective accounting for the "political symbolism" within society (p. 427). I would agree with Gusfield and Michalowicz and suggest Civil Union participation and enactment provides an example of how symbolic and political rituals are wrapped in not only power and class differences as they describe, but are embedded in gender, race, and sexuality differences as well. Taylor and Raeburn's (1997:465) ideas of collective political activism is helpful here also. Political activism occurs on many levels: personal and collective. These Civil Union participants appear to be influenced by social movement activism likely in and through their gay and lesbian communities, but also appear to take it on themselves to engage in personalized political resistance without the direct involvement of social movement leadership or prompting. There also appears to be lesbian and gay in-group conflicts regarding those who participate in gay civil unions and those have not. As more couples take advantage of legal recognition of their relationships, the issues of gay marriage and social movement activism may take unexpected shapes when looking at in-group dynamics. These topics deserve further review by political activists and social movement theorists regarding lesbian and gay socio-political involvement.

The discursive position of gay men and lesbians in society continues to be an important area of sociological concern. As stated previously, the socio-political aspects of

individual-couple-state are quite complex and are changing. Gay and lesbian family structures are expanding our notions of the most primary social institution in our society. Marital and intimate relations are shifting, and gay and lesbian relationships are helping to move these relational compositions in new directions. Therefore, it is important to continue to explore the discursive positions, and general public discourse regarding gays and lesbians specifically, but also regarding intimacy, sexuality and gender in general in today's society.

Strengths and Weaknesses of the Study

Weaknesses

One of the first weaknesses of this study is that only one couple participated in the study who resided in Vermont. Their experiences living in a state with legal recognition of their relationship may be significantly different than those participants who reside outside the State of Vermont. The couple's reports of reasons for participating and the positive responses they experienced from the townspeople and other social network members did not appear all that different from the other non-Vermont participants. However, for issues of direct benefits, a sense of continued positionality as *Other*, and internal experiences of homophobia living in a community where their acceptance is potentially greater could present significant differences between resident and non-resident Civil Union participants. Studies focusing on resident and non-resident experiences comparing the two groups may leverage new insights into issues of gay and lesbian civil union experience.

The second weakness I present is the potential bias of data based on the self-selection methodology used in this study. Individuals voluntarily selected themselves to participate. There may be built-in biases from a group who self-selects particularly in the areas of the reasons they choose to obtain a Vermont Civil Union and the impact their civil union had on relationships with their partner and social network. This self-selected group may not be as representative of the total number of Vermont Civil Union participants. The research question of who participates in these unions is reliably confirmed, I believe, based on the demographic comparison with the Solomon et al. (2003) and the Hull (2001) studies; however, a follow-up study with a larger representative sample of Civil Union participants may help confirm or adjust the research results of this study. Also, some of the couples I interviewed together and others I interviewed individually. The presence of their partner may have skewed the responses of the couples interviewed together. Again, a follow-up study with individual interviews may lend itself to new discoveries.

A third weakness of this study may be in the personal involvement of the researcher in the target activity of study. My personal involvement in Vermont Civil Union enactment may have biased the design, implementation, or analysis of the research results. The Grace, Cavanagh, Ennis-Williams, and Wells (2006) autoethnographical study looks at the positionality and subjectivity of researcher involvement as participants in lesbian, gay, bisexual, and transgender studies. They state, “Here, reflexivity becomes a political and conscientizing process in which researchers grapple with their self-locations (in terms of relationships of power) and their vested interests as they deal with matters of context, disposition and ethics in making sense of their experiences” (p. 356).

They suggest that an "uncomfortable reflexivity" exists where the researcher "seeks to know while at the same time situates this knowing as tenuous [and disruptive]" (p. 357). They identify the weaknesses of this positionality and also discuss the advantages, much of which I discussed in the Introduction of this study. Certainly I must "own" my own situated self and the potential biases that may have resulted in the research process.

Strengths

Because I was able to take a representative sample of the population for this research project and the majority of Vermont Civil Union participants (85 percent) come from out-of-state, I believe I was able to show that the findings in this study are representative of the Vermont Civil Union population which makes generalizing the findings of this study more reliable. My sample of the population compared easily with the Solomon et al. (2003) study population and I believe confirms their findings. Those participating in lesbian and gay commitment ceremonies and rituals, be they legally (Rothblum et al. 2003) or non-legally recognized (Hull 2001), appear to present a significantly similar demographic profile. Even the qualitative qualities of these research studies such as reasons for the enactment are similar. I would suggest that our profiles are probably similar to those couples who have participated thus far in the Massachusetts gay marriage process. It would be interesting to see if this is the case, as well as watch to see if other states enact gay and lesbian legal means for their relationships in the future. I would suggest that if legal marriage is granted to gay couples nationwide, that only then will the demographic profile begin to move toward a more representative accounting of

the diversity within the lesbian and gay community(s). This would be a potential area of study in the future.

I propose that an additional strength of this study can be found in the multi-level theoretical and methodological approach that was taken to identify and explore the lived experiences of Vermont Civil Union participants. The intersectionality of individual, couple, and state/societal/structure approach provides a more holistic analysis of civil union enactment experienced by the research subjects, and provides a sound epistemology to the social constructionist theoretical framework. Burr (2003) argues that both macro and micro social constructionist approaches, when combined, can offer a more thorough understanding of the situated self, social interaction processes, and social structural processes (p. 22). I believe I have accomplished this goal through the intersectionality described above, thus providing a thorough understanding of the lived experiences of Vermont Civil Union participation and enactment.

Suggestions for Future Study

I have already made several suggestions for further topics of study exploring specific theoretical concepts relating to Civil Union participation, gay and lesbian self experience, and political and cultural process issues. I would also like to suggest new topics of study which may prove relevant to further understanding of gay and lesbian couples, families, individuals, and those associated with them.

When asking about participants' children, several varieties of family constellations were discussed. The combinations of single/multiple parents, joint custody/no custody, blended families/no children families, and, recently, a female-to-

male transgender person having a baby with his female partner present all kinds of issues regarding what is a family in contemporary American society. Most of the couples in this study did not have or want children. Two or three couples were starting families. The Solomon et al. study (2003) had a significant number of individuals who had children but shared less than half of their custody. Issues of parenting and being a parent in a discursive position in society is an area deserving of further inquiry. Many more of our families throughout society have what are considered nontraditional family constellations. In fact, nontraditional models occur more often now than alternative models. These trends have important implications for the lives of individuals in this society. I recommend continuing research of gay and lesbian families as well as other families in discursive positions.

Because "confirming my commitment to my partner" was the number-one answer for why participants sought a Vermont Civil Union, along with comments by several participants regarding proving their commitment to their partner, relational dynamics of lesbian and gay couples may deserve additional study. If more gay and lesbian couples are granted legal status of their relationships, the changing status of these individuals and couples in society may impact the dyadic dynamics in gay and lesbian relationships. Issues of relationship management in a changing socio-political climate may warrant continued scrutiny.

Conclusion

I have reviewed the intent of this study and discussed implications for the discipline that this study may pose. I have also discussed the weaknesses and strengths of

this study including participant self-selection, researcher bias, population representativeness, and intersectionality methodology used in this study yielding comprehensive understandings of situated individuals and couples in civil union enactment. I have lastly discussed potential topics of inquiry for the discipline of sociology and other socio-political and cultural studies regarding lesbian and gay men in their pursuit of legal recognition and social reconciliation. I hope and believe it to be so that I was able to capture a glimpse into the lived experiences of individuals and couples in their acquisition of a Vermont Civil Union and what that legal status means in their everyday lives.

REFERENCES

Agger, Ben. 2002. *Postponing the Postmodern :Sociological Practices, Selves, and Theories.* New York: Rowman & Littlefield.

Alcoff, Linda. (1997). "Cultural Feminism versus Post-Structuralism." *The Second Wave: A Reader in Feminist Theory,* edited by Linda Nicholson. New York: Routledge.

Andersen, Margaret L. (2000). *Thinking about Women: Sociological Perspectives on Sex and Gender.* Boston, MA: Allyn and Bacon.

Andersen, Margaret and Howard Taylor. 2002. *Sociology: The Essentials*. 2nd ed. Belmont, CA: Thomson Wadsworth Publishing Company.

Ang, Ien. 2006. "From Cultural Studies to Cultural Research: Engaged Scholarship in the 21st Century." *Cultural Studies Review* 12(2):183-197.

Arnett, Jeffrey J. 1995. "Broad and Narrow Socialization: The Family in the Context of a Cultural Theory." *Journal of Marriage and the Family* 57:617-628.

Babbie, Earl. 1998. *The Practice of Social Research*, 8th ed. New York: Wadsworth Publishing Company.

Benokraitis, Nijole V. 1993. *Marriages and Families: Changes, Choices, and Constraints*. New Jersey: Prentice Hall.

Berger, Peter L. and Thomas Luckmann. 1966. *The Social Construction of Reality: A Treatise in the Sociology of Knowledge.* New York: Anchor Books.

Blumenfeld, Warren and Diane Raymond. 1988. *Looking at Gay and Lesbian Life*. Boston, MA: Beacon Press.

Blumer, Herbert. 1969. *Symbolic Interactionism: Perspective and Method*. Englewood Cliffs NJ: Prentice-Hall, Inc.

------. 1985. "Symbolic Interactionism." Pp. 282-299 in *Three Sociological Traditions*, edited by Randall Collins. New York: Oxford University Press.

Boisvert, Donald L. (2004). *Sanctity and Male Desire: A Gay Reading of Saints.* Cleveland, OH: The Pilgrim Press.

Bohannon, Judy Rollins and Priscilla White Blanton. 1999. "Gender Role Attitudes of American Mothers and Daughters Over Time." *The Journal of Social Psychology* 139(2):173-179.

Bolte, Angela. 1998. "Do Wedding Dresses Come in Lavender? The Prospects and Implications of Same-Sex Marriage." *Social Theory and Practice* 24(1):111-131.

Boxer, Diana and Elena Gritsenko. 2005. "Women and Surnames Across Cultures: Reconstituting Identity in Marriage." *Women and Language* 28(2):1-11.

Boswell, John. 1994. *Same-Sex Unions in Pre-Modern Europe.* New York: Villard Books.

Boyd, Nan Alamilla. 2001. "Same-Sex Sexuality in Western Women's History." *Frontiers* 22(3):13-22.

Brown, Lester, ed. 1997. *Two Spirit People: American Indian Lesbian Women and Gay Men.* New York: Harrington Park Press.

Brown, Susan L. and Alan Booth. 1996. "Cohabitation versus Marriage: A Comparison of Relationship Quality." *Journal of Marriage and the Family* 58(3):668-678.

Burr, Vivien. 2003. *Social Constructionism.* 2nd ed. New York: Routledge.

Butler, Judith. 1993. "Imitation and Gender Insubordination." Pp.307-320 in *The Lesbian and Gay Studies Reader."* New York: Routledge.

Calhoun, Cheshire. 2000. *Feminism, the Family, and the Politics of the Closet: Lesbian and Gay Displacement.* Oxford, England: Oxford University Press.

Cacoullos, Ann R. 2001. "American Feminist Theory." *American Studies International* 39(1):72-118.

Cahoone, Lawrence. 2003. *From Modernism to Postmodernism: An Anthology*. Expanded 2nd ed. Cambridge MA: Blackwell.

Cain, Roy. 1991. "Stigma Management and Gay Identity Development." *Social Work* 36(1):67-74.

Caron, Sandra L. and Marjorie Ulin. 2001. "Closeting and the Quality of Lesbian Relationships." Pp. 239-250 in *The Gay & Lesbian Marriage & Family Reader: Analyses of Problems and Prospects for the 21st Century*, edited by Jennifer M. Lehmann. Lincoln NE: University of Nebraska Press.

Cave, Sylvia. 1999. “Process of a Lesbian Relationship: Just Another Couple.” School of Social Work, University of Texas at Arlington, Arlington, TX. Unpublished manuscript.

Chambers, David L. 2001. “‘What if?’ The Legal Consequences of Marriage and the Legal Needs of Lesbian and Gay Male Couples.” Pp. 306-337 in *Queer Families, Queer Politics: Challenging Culture and the State,* edited by Mary Bernstein and Renate Reimann. New York*:* Columbia University Press.

Clark, Michael J. 1997. “Men as Couples: Doing Our Homework, Creating Justice.” *Journal of Men’s Studies* 5(3):193-212. (Retrieved from ProQuest on March 9, 2008.)

Clarkberg, Marin, Ross M. Stolzenberg, and Linda J. Waite. 1995. “Attitudes, Values, and Entrance into Cohabitational versus Marital Unions.” *Social Forces* 74(2):609-634.

Cooper, Davina, 2002. “Imagining the Place of the State: Where Governance and Social Power Meet.” Pp. 231-252 in *Handbook of Lesbian and Gay Studies*, edited by Diane Richardson and Steven Seidman. Thousand Oaks CA: SAGE Publications.

Cott, Nancy F. ed. 2000. *Public Vows: A History of Marriage and the Nation*. London, England: Harvard University Press.

Coulmont, Baptiste. 2005. “Do the Rite Thing: Religious Civil Unions in Vermont.” *Social Compass* 52(2):225. (Retrieved from ProQuest on September 30, 2007.)

De Singly, Francois. (1996). *Modern Marriage and Its Cost to Women.* Newark, NJ: University of Delaware Press.

De Cecco, John and John Elia, eds. 1993. *If You Seduce a Straight Person, Can You Make Them Gay? Issues in Biological Essentialism versus Social Constructionism in Gay and Lesbian Identities*. New York: Harrington Park Press.

D’Emilio, John. 1993. “Capitalism and Gay Identity.” Pp. 467-478 in *The Lesbian and Gay Studies Reader* edited by Henry Abelove, Michele A. Barale, and David M. Halperin. New York: Routledge.

------. 2002. *The World Turned: Essays on Gay History, Politics and Culture.* London, England: Duke University Press.

Dolan, Elizabeth M. and Marlene S. Stum. 2001. Economic Security and Financial Management Issues Facing Same-Sex Couples.” Pp. 1-24 in *The Gay and Lesbian Marriage & Family Reader*. Lincoln, NE: University of Nebraska Press.

Donati, P. 2006. "Understanding the Human Person from the Standpoint of the Relational Sociology." *Memorandum* 11:35-42. Retrieved December 12, 2007 (http://www.fafich.ufmg.br/~memorandum/a11/donati01.pdf).

Egan, Patrick J. 2008. "Explaining the Distinctiveness of Lesbians, Gays, and Bisexuals in American Politics." (Retrieved from SSRN on April 2, 2008.)

Eskridge, William N. Jr. 2002. *Equality Practice: Civil Unions and the Future of Gay Rights*. London, England: Routledge.

Ettelbrick, Paula. (1997). "Since When is Marriage a Path to Liberation?" *Same-Sex Marriage: Pro and Con*, edited by Andrew Sullivan. New York: Vintage Books.

------. 2000. "Stabilizing Family through Civil Union Laws." *Insight on the News*, June, 19, Monday Symposium. Retrieved November 27, 2001 (http://www.ngltf.org/library/unions.htm).

Ettelbrick, Paula L. and Don Feder. 2000. "Would Vermont's Civil Union Law be Good for Other States?" *Insight on the News* (16(23):40-44. (Retrieved from ProQuest on March 12, 2008).

Festle, Mary Jo. 2005. "Listening to the Civil Rights Movement." *The Gay & Lesbian Review Worldwide* XII(6): 10-17. (Retrieved from ProQuest on August 6, 2007.)

Firestone, Shulamith. 1979. *The Dialectic of Sex: The Case for Feminist Revolution.* London, England: The Women's Press.

Fischer-Davidson, Irene. 2000. "The Decision-Making Process of Women's Retirement in Dual-Career Couples." PhD dissertation, Department of Philosophy, Portland State University, Portland, OR. (Retrieved from ProQuest on January 25, 2008.)

Focus on the Family. 2004. (http://www.family.org).

Foucault, Michel. 1969. "Foucault re`pond a` Sartre." *La Quinzainelitte'raire* 1 Mars:200-22.

Fowler, Floyd J., Jr. 2002. *Survey Research Methods.* 3rd ed. Thousand Oaks, CA: Sage Publications.

Frank, David J. and Elizabeth H. McEneaney. 1999. "The Individualization of Society and the Liberalization of State Policies on Same-Sex Sexual Relations, 1984-1995." *Social Forces* 77(3):911-44.

Freccero, Carla. 1999. "Acts, Identities, & Sexuality's (Pre) Modern Regimes." *Journal of Women's History 2(*2):186-190.

Freeman, Elizabeth. 2002. *The Wedding Complex: Forms of Belonging in Modern American Culture*. Durham, NC: Duke University Press.

Funk and Wagnalls Standard College Dictionary. 1980. Pleasantville, New York: Simon and Shuster.

Gamson, Joshua. 2001. "Talking Freaks: Lesbian, Gay, Bisexual, and Transgender Families on Daytime Talk TV." Pp. 68-86 in *Queer Families, Queer Politics: Challenging Culture and the State*, edited by Mary Bernstein and Renate Reiman. New York: Columbia University Press.

Garber, Linda. 2005. "Where in the World Are the Lesbians?" *Journal of the History of Sexuality* 14(1/2):28-50,236. (Retrieved from ProQuest September 14, 2007.)

Gergen, Kenneth J. 1997. "Social Theory in Context: Relational Humanism." Forthcoming in *The Mark of the Social,* ed. By J. Greenwood. New York: rowman and Littlefield. (Retrieved January 24, 2008 from http://www.swarthmore.edu /SociSci/kgergen1/web/page.phtml?id=manu9).

Glenn, Norval D. 1990. "Quantitative Research on Marital Quality in the 1980's: A Critical Review." *Journal of Marriage and the Family* 52:818-831.

Goffman, Erving. 1959. *The Presentation of Self in Everyday Life.* New York: Doubleday.

------. 1985. "The Nature of Deference and Demeanor." Pp. 215-232 in *Three Sociological Traditions*, edited by Randall Collins. New York: Oxford University Press.

Goldberg-Hiller, Jonathan. 2005. *The Limits to Union: Same-Sex Marriage and the Politics of Civil Rights."* Ann Arbor, MI: University of Michigan Press.

Gough, Kathleen. 1979. "The Origin of the Family." Pp. 83-105 in *Women: A Feminist Perspective*, edited by Jo Freeman. Palo Alto, CA: Mayfield Publishing.

Grace, Andre` P., Fiona Cavanagh, Candice Ennis-Williams, and Kristopher Wells. 2006. "Researchers' Positionalities and Experiences Mediating Lesbian, Gay, Bisexual, Trans-identified and Queer Research as a Personal and Cultural Practice." *Auto/Biography* 14:339-358. (Available at http://www.AutoBiographyJournal.com.)

Graff, E.J. 1999. *What is Marriage For?* Boston, MA: Beacon Press.

Greene, B. 1994. "Ethnic-minority Lesbians and Gay Men: Mental Health and Treatment Issues." *Journal of Consulting and Clinical Psychology*, 62(2):243-251.

Guba, Egon and Yvonne Lincoln. 1985. *Naturalistic Inquiry*. London, England: Sage Publications.

Gusfield, Joseph R. and Jerzy Michalowicz. 1984. "Secular Symbolism: Studies of Ritual, Ceremony, and the Symbolic Order in Modern Life." *Annual Review of Sociology* 10:417-35. (Retrieved from JSTOR on September 1, 2003.)

Haider-Markel, Donald P. and Kenneth J. Meier. 1996. "The Politics of Gay and Lesbian Rights: Expanding the Scope of the Conflict." *The Journal of Politics* 58(2):332-349.

Hall, Georgia. 2005. "'These are my Parents:' The Experiences of Children in Same-Sex-Parented Families During the First Year of Marriage Legalization in Massachusetts." (Retrieved from Wellesley Centers for Women, www.wcwonline.org, on January 24, 2008.)

Halle, Randall. 2001. "Gender Transgressions and Queer Family Law." Pp. 379-396 in *Queer Families, Queer Politics: Challenging Culture and the State, edited by M. Bernstein and R. Reimann.* New York: Columbia University Press.

Hatheway, Jay. 2003. *The Guilded Age: Construction of Modern American Homophobia.* New York: Palgrave MacMillan.

Harvard Law Review. 2000. "Domestic Relation – Same Sex Couples – Vermont Creates System of Civil Unions." 114(4):1421-26.

Hennegan, Alison. 2002. "Hea[r]th and Home: Wilde Domestic Space." *Signs* 27:3.

Howley, Kerry. 2003. "Marriage Just Lets the State Back In." *The Gay & Lesbian Review Worldwide* X(6):28-31. (Retrieved from ProQuest on October 26, 2007.)

Hull, Kathleen E. 2001. "Wedding Rites/Marriage Rights: The Cultural Politics of Same-Sex Marriage." PhD dissertation, Department of Sociology, Northwestern University, Evanston: IL.

Huston, Ted L. 2000. "The Social Ecology of Marriage and Other Intimate Unions." *Journal of Marriage and the Family* 62:298-320.

Jansen, Sue Curry. 1990. "Is Science a Man? New Feminist Epistemologies and Reconstructions of Knowledge." *Theory and Society*, 19:235-246.

Julien, Danielle, Elise Chartrand, and Jean Begin. 1999. "Social Networks, Structural Interdependence, and Conjugal Adjustment in Heterosexual, Gay, and Lesbian Couples." *Journal of Marriage and the Family*, 61(2):516-530.

Koggel, Christine M. 1998. *Perspectives on Equality: Constructing a Relational Theory*. U.S.: Rowman & Littlefield.

Kurdek, Lawrence A. 1998. "Relationship Outcomes and Their Predictors: Longitudal Evidence from Heterosexual Married, Gay Cohabiting, and Lesbian Cohabiting Couples." *Journal of Marriage and the Family* 60:553-568.

Lambda Legal. 2003. A New Era. Edited by Kemda Johnson. 4-5.

Lewin, Ellen, ed. 1996. *Inventing Lesbian Cultures in America.* Boston, MA: Beacon Press.

Lewis, Claudia A. 1988. "From This Day Forward: A Feminine Moral Discourse on Homosexual Marriage." *The Yale Law Journal* 97:1783-1803.

Loftin, Craig M. 2007. "Unacceptable Mannerisms: Gender Anxieties, Homosexual Activism, and Swish in the United States, 1945-1965." *Journal of Social History* 40(3):577-598. (Retrieved from ProQuest on August 6, 2007.)

Macklin, Eleanor D. 1980. "Nontraditional Family Forms: A Decade of Research." *Journal of Marriage and the Family* 42(4):905-922.

Martin, Paige D., Don Martin, and Maggie Martin. 2001. "Adolescent Premarital Sexual Activity, Cohabitation, and Attitudes Toward Marriage." *Adolescene*, 36(143)601-609.

McCall, Leslie. 2003. "Managing the Complexity of Intersectionality." *Signs: Journal of Women in Culture and Society*, forthcoming. (Also available at http://www.rci.rutgers.edu/~lmccall/signs1f-ext.pdf.)

McCarn, Susan Ruth. 1991. "Validation of a Model of Sexual Minority (Lesbian) Identity Development." Master's thesis, Department of Counseling and Personnel Services, University of Maryland, College Park, MD.

Mencher, Samuel. 1967. "Social Authority and the Family." *Journal of Marriage and the Family* 29(1):164-192.

Morales, E. S. 1990. "Ethnic Minority Families and Minority Gays and Lesbians." *Marriage and Family Review*, 14(3/4)217-239.

Murdoch, Joyce and Deb Price. 2001. *Courting Justice: Gay Men and Lesbians v. The Supreme Court.* New York: Basic Books.

Nachmias, David, Chava Frankfort-Nachmias. 2000. *Research Methods in the Social Sciences*, 6th ed. New York: Worth Publishers.

Nicholson, Linda. (1997). *The Second Wave: A Reader in Feminist Theory*. New York: Routledge.

Nock, Steven L. 1995. "Commitment and Dependency in Marriage." *Journal of Marriage and the Family* 57(2):503-514.

Noonan, Anne E. and Catherine Senghas. 2006. "'Goin' to the Chapel?': Same-Sex Couples' Religious/Spiritual Perspectives on Legalized Marriage." (Retrieved from Wellesley Centers for Women, www.wcwonline.org, on January 24, 2008.)

Nownes, Anthony J. 2004. "The Population Ecology of Interest Group Formation: Mobilizing for Gay and Lesbian Rights in the U.S., 1950 – 98." *British Journal of Political Science* 34(1):49-67.

Okin, Susan. 1989. *Justice, Gender and the Family*. New York: Basic Books.

Oliver, Pamela E. 1997. "'If You Don't Do It, Nobody Else Will': Active and Token Contributors to Local Collective Action." Pp. 207-215 in *Social Movements: Readings on Their Emergence, Mobilization, and Dynamics*, edited by Doug McAdam and David Snow. Los Angeles, CA: Roxbury Publishing.

Orleans, Myron. 2008. "Phenomenology. Retrieved March 6, 2008 (http://hss.fullerton.edu/sociology/orleans/phenomenology.htm).

Ortiz, Daniel. R. 1995. "Feminisms and the Family." *Harvard Journal of Law & Public Policy*, 18(2):523-531.

Oswald, Ramona Faith, ed. 2003. *Lesbian Rites: Symbolic Acts and Power of Community*. Urbana, IL: University of Illinois Press.

Otnes, Cele and Elizabeth Hafkin Pleck. 2003. *Cinderella Dreams: The Allure of the Lavish Wedding*. Berkeley, CA: University of California Press.

Patterson, Charlotte. 2000. "Family Relationships of Lesbians and Gay Men." *Journal of Marriage and the Family* 62:1052-1069.

Purvin, Diane M., Michelle V. Porche, and Jasmine M. Waddell. 2005. "'Tying the Knot': The Context of Social Change in Massachusetts." (Retrieved from Wellesley Centers for Women, www.wcwonline.org, on January 24, 2008.)

Polikiof, Nancy D. 1993. "We Will Get What We Ask For: Why Legalizing Gay and Lesbian Marriage Will Not 'Dismantle the Legal Structure of Gender in Every Marriage.'" *Virginia Law Review* 79(7):1535-1550. (Retrieved from JSTOR on June 3, 2005.)

Pringle, Rosemary. 1997. "Feminist Theory and the World of the Social." *Current Sociology* 45(2):75-89.

Rich, Adrienne. 1980. “Compulsory Heterosexuality and Lesbian Existence.” *Signs: Journal of Women in Culture and Society* 5(4):631-660.

Richardson, Diane and Steven Seidman. 2002. “Introduction.” Pp. 1-12 in *Handbook of Lesbian and Gay Studies*. Thousand Oaks, CA: Sage Publications.

Richardson, Mattie Udora. 2003. “No More Secrets, No More Lies: African American History and Compulsory Heterosexuality.” *Journal of Women’s History* 15(3):63-76.

Ringer, R. Jeffrey. 2001. “Constituting Nonmonogamies.” Pp. 137-151 in *Queer Families, Queer Politics: Challenging Culture and the State,* edited by Mary Bernstein and Renate Reimann. New York*:* Columbia University Press.

Rosco, Will. 2004. *Jesus and the Shamanic Tradition of Same-Sex Love.* San Francisco, CA: Suspect Thoughts Press.

Ross, Catherine E. 1995. “Reconceptualizing Marital Status as a Continuum of Social Attachment.” *Journal of Marriage and the Family* 57:129-140.

Rostosky, Sharon Scales, Ellen D.B Riggle, Michael G. Dudley, Margaret Laruie Comer Wright. 2006. “Commitment in Same-Sex Relationships: A Qualitative Analysis of Couples’ Conversations.” *Journal of Homosexuality* 51(3):199.

Rothblum, Esther. 2004. “Same-Sex marriage and Legalized Relationships: I Do, or Do I?” Department of Psychology, University of Vermont, Burlington, VT. Unpublished manuscript.

Rubin, Gayle S. 1993. “Thinking Sex: Notes for a Radical Theory of the Politics of Sexuality.” Pp. 3-44 in *The Lesbian and Gay Studies Reader.* New York: Routledge.

Saucier, Donald A. and Audrey J. Cawman. 2004. “Civil Unions in Vermont: Political Attitudes, Religious Fundamentalism, and Sexual Prejudice.” *Journal of Homosexuality* 48(1):1-18. (Retrieved from ProQuest on September 30, 2007).

Schecter, Ellen, Allison J. Tracy, Konjit V. Page, and Gloria Luong. 2005. “‘Doing Marriage’: Same-Sex Relationship Dynamics in the Post-Legalization Period.” (Retrieved from Wellesley Centers for Women, www.wcwonline.org, on January 24, 2008.)

Schulman, Sarah. 2004. “What Became of ‘Freedom Summer’?” *The Gay & Lesbian Review Worldwide* XI(1):20-23. (Retrieved from ProQuest on November 1, 2007.)

Seidman. S. 1997. *Difference Troubles: Queering Social Theory and Sexual Politics.* Cambridge MA: Cambridge University Press.

Sewell, William H., Jr. 1992. "A Theory of Structure: Duality, Agency, and Transformation." *Journal of Sociology* 98:1-29.

------. 1999. "The Concept(s) of Culture." Pp. 35-61 in *Beyond the Cultural Turn: New Directions in the Study of Society and Culture*, edited by Victoria E. Bonnell and Lynn Hunt. Berkeley CA: University of California Press.

Sherman, Suzanne, ed. 1992. *Lesbian and Gay Marriage: Private Commitments, Public Ceremonies.* Philadelphia, PA: Temple University Press.

Shildrick, Margrit and Janet Price. 1999. *Feminist Theory and the Body: A Reader*. New York: Routledge.

Silverman, David. 1998. *Core Sociological Dichotomies*, edited by Chris Jenks. London, England: Sage Publications.

Smith, Dorothy. 1987. "A Sociology for Women." Pp. 49-104 in *The Everyday World as Problematic: A Feminist Sociology.* Boston, MA: Northeastern Press.

Solomon, Sondra, Esther Rothblum, and Kimberly Balsam. 2003. "Pioneers in Partnership: Lesbian and Gay Male Couples in Civil Unions Compared With Those Not in Civil Unions, and Married Heterosexual Siblings." *Journal of Family Psychology* 18(2):1-36.

Solomon, Sondra E., Esther D. Rothblum, and Kimberly F. Balsam. 2005. "Money, Housework, Sex, and Conflict: Same-Sex Couples in Civil Unions, Those Not in Civil Unions, and Heterosexual Married Siblings." *Sex Roles* 52(9/10):561-575.

Stack, Steven and J. Ross Eshleman. 1998. "Marital Status and Happiness: A 17-Nation Study." *Journal of Marriage and the Family* 60:527-536.

Stiers, Gretchen. 1999. *From This Day Forward*. New York: St. Martin's Press.

Sullivan, Maureen. 1996. "Rozzie and Harriet? Gender and Family Patterns of Lesbian Coparents." *Gender and Society* 10(6):747-767.

Sullivan, Andrew. 1997. *Same-Sex Marriage: Pro and Con, A Reader.* New York*:* Vantage.

Taylor, Verta and Leila Rupp. 1993. "Women's Culture & Lesbian Feminist Activism: A Reconsideration of Cultural Feminism." *Signs* (Autumn):32-61.

Taylor, Verta and Nicole C. Raeburn. 1997. "Identity Politics as High-Risk Activism: Career Consequences for Lesbian, Gay, and Bisexual Sociologists." Pp. 464-479 in *Social Movements: Readings on their Emergence, Mobilization, and Dynamics*, edited by Doug McAdam and David A. Snow. Los Angeles CA: Roxbury Publishing Co.

Taylor, Verta, Elizabeth Kaminski and Kimberly Dugan. 2002. "From the Bowery to the Castro: Communities, Identities and Movements." Pp. 99-114 in *Handbook of Lesbian and Gay Studies,* edited by Diane Richardson and Steven Seidman. Thousand Oaks, CA: Sage Publications.

Teachman, Jay D., Lucky M. Tedrow, and Kyle D. Crowder. 2000. "The Changing Demography of America's Families." *Journal of Marriage and the Family* 62:1234-1246.

Thomas, Susan L. 2005. "In Search of a More Perfect Heteroarchy: Vermont, Civil Unions and the Harm of 'Separate-but-Equal.'" *Journal of Homosexuality* 50(1):27. (Retrieved from ProQuest on September 26, 2007.)

Todosijevich, Jelica, Esther D. Rothblum, and Sondra E. Solomon. 2005. "Relationship Satisfaction, Affectivity, and Gay-Specific Stressors in Same-Sex Couples Joined in Civil Unions." *Psychology of Women Quarterly* 29(2):158. (Retrieved from ProQuest on September 30, 2007.)

Trask, Michael. 1996. "Merging with the Masses: The Queer Identity Politics of Leftist Modernism." *A Journal of Feminist Cultural Studies*, 9(1):94-132.

Trent, Katherine and Scott J. South. 1992 "Sociodemographic Status, Parental Background, Childhood Family Structure, and Attitudes Toward Family Formation." *Journal of Marriage and the Family* 54:427-439.

Tully, Carol. 1994. "To Boldly Go Where No One Has Gone Before: The Legalization of Lesbian and Gay Marriages." *Journal of Gay & Lesbian Social Services* 1(1):73-87.

Vaillant, Caroline O. and George E. Vaillant. 1993. "Is the U-Curve of Marital Satisfaction an Illusion? A 40-Year Study of Marriage." *Journal of Marriage and the Family* 55(1):230-239.

Valocchi, Stephen. 2005. "Not Yet Queer Enough: The Lessons of Queer Theory for the Sociology of Gender and Sexuality." Pp. 750-770 in *Gender & Society* 19(6), edited by Christine Williams. Thousand Oaks CA: SAGE Publications.

Vermont Department of Vital Statistics. 2004. *Civil Union Registry Report*. Burlington, Vermont: State of Vermont.

Walters, Suzanna D. 2001. “Take My Domestic Partner, Please: Gays and Marriage in the Era of the Visible.” Pp. 338-357 in *Queer Families, Queer Politics: Challenging Culture and the State*, edited by Mary Bernstein and Renate Reimann. New York: Columbia University Press.

Wakeford, Nina. 2002. “New Technologies and ‘Cyber-queer’ Research.” Pp. 115-144 in *Handbook of Lesbian and Gay Studies*, edited by Diane Richardson and Steven Seidman. Thousand Oaks CA: SAGE Publication, Inc.

Webster’s New International Dictionary. 2001. Naples, FL: Trident Press International.

Wilson, Alex. 1996. “How We Find Ourselves: Identity Development and Two-spirit People.” *Harvard Educational Review* 66(2):303-317.

Yip, Andrew K. T. 2008. “Researching Lesbian, Gay, and Bisexual Christians and Muslims: Some Thematic Reflections.” *Sociological Research Online* 13(1):1-17. Retrieved March 28, 2008 (http://www.socresonline.org.uk/13/1/5.html).

Zicklin, Gilbert. 1995. “Deconstructing Legal Rationality: The Case of Lesbian and Gay Family Relationships.” *Marriage and Family Review* 21(3-4):55-76.

APPENDIX A: DEFINITION OF TERMS

Definition of Terms

Important terms and concepts used in this study are defined below.

Civil union – refers to a couple of the same-gender obtaining a civil license to be joined in a union.

*Gay marriag*e –refers to a couple of the same-gender obtaining a civil license to marry.

Heterosexual marriage – refers to a couple of the opposite-gender obtaining a civil license to marry.

Commitment – the act of entrusting or consigning (Funk & Wagnalls 1968).

Connectedness – the act or state of being conjoined, associated, or united to others (Funk & Wagnalls 1968).

Self-identity – a person's definition or description of herself or himself, including the values, beliefs, and ideals that guide the individual's behavior (Hockenbury & Hockenbury 2003).

Social acceptance – any form or act by which one acknowledges the validity of a person (Funk & Wagnalls 1968).

Social approval – to regard as worthy, proper, or be favorably disposed toward (Funk & Wagnalls 1968).

Social attachment – the emotional bond that forms between individuals (Hockenbury & Hockenbury 2003).

Social control – the process by which groups and individuals within those groups are brought into conformity with dominant social expectations (Andersen & Taylor 2003).

Social legitimacy – the act or condition of being valid, authentic, authorized, sanctioned (Funk & Wagnalls 1968).

Social organization – the way in which groups and/or society systematically orders or unites for some end or work (Funk & Wagnalls 1968).

Social values – standards, beliefs, or moral precepts considered worthy or desirable by individual, groups, and/or society (Funk & Wagnalls 1968).

Socialization – the process through which people learn the expectations of society (Andersen & Taylor 2003)

Measurement Content Areas

The following variables and their corresponding identification(s) will be used for measurement in this study as listed below.

SES – education level, income level, occupation, parents education and income Levels

RELIGION – religious affiliation, ceremony activities

POLITICS – political affiliation

AGE – age at last birthday

RACE – race(s)identification

LOCATION – current state and/or country of residence, state or country of residence at the time of the civil union

GENDER – female, male, transgender (male-to-female, female-to-male), androgynous (no gender identity)

SEXUAL ORIENTATION – gay male, lesbian, heterosexual, bisexual, other

RELATIONSHIP STATUS – together, separated, discussing separation, Dissolution, living together or living apart

PARENTING STATUS – children, living with or apart

CEREMONY RITUALS – religious/civil, activities related to conducting union

INTERPERSONAL RELATIONSHIPS – family, friends, "out" status

WORK RELATIONSHIPS – co-workers, supervisor/boss, "out" status

COMMUNITY RELATIONSHIPS – neighbors, group members, "out" status,

treatment of justice of the peace, minister/rabbi, city officials

COMMITMENT – type of relationship

SELF-IDENTITY – feelings and image of self

SOCIAL ACCEPTANCE/APPROVAL – seeking social approval, desire for legal marriage

SOCIAL ATTACHMENT/CONNECTEDNESS – commitment

SOCIAL CONTROL/LEGITIMACY – reasons for civil union, legal and/or benefit gain, desire for legal marriage/domestic certificate

SOCIALIZATION/SOCIAL VALUES – cultural norms and expectations; value and/or importance of marriage growing up

SOCIAL ORGANIZATION – current living status, parenting status, type of current commitment, ceremony practices, SES, occupation

APPENDIX B: IRB APPROVAL

Oklahoma State University Institutional Review Board

Date: Thursday, July 29, 2004

IRB Application No AS0496

Proposal Title: Queering Marriage: An Investigation of Same-Gender Civil Unions in Contemporary American Society

Reviewed and Processed as: Expedited

Approval Status Recommended by Reviewer(s): Approved **Protocol Expires: 7/28/2005**

Principal Investigator(s):

Gay E. Phillips
2201 W. Reading Place
Tulsa, OK 74127

Jean Van Delinder
035 Classroom
Stillwater, OK 74078

The IRB application referenced above has been approved. It is the judgment of the reviewers that the rights and welfare of individuals who may be asked to participate in this study will be respected, and that the research will be conducted in a manner consistent with the IRB requirements as outlined in section 45 CFR 46.

☒ The final versions of any printed recruitment, consent and assent documents bearing the IRB approval stamp are attached to this letter. These are the versions that must be used during the study.

As Principal Investigator, it is your responsibility to do the following:

1. Conduct this study exactly as it has been approved. Any modifications to the research protocol must be submitted with the appropriate signatures for IRB approval.
2. Submit a request for continuation if the study extends beyond the approval period of one calendar year. This continuation must receive IRB review and approval before the research can continue.
3. Report any adverse events to the IRB Chair promptly. Adverse events are those which are unanticipated and impact the subjects during the course of this research; and
4. Notify the IRB office in writing when your research project is complete.

Please note that approved protocols are subject to monitoring by the IRB and that the IRB office has the authority to inspect research records associated with this protocol at any time. If you have questions about the IRB procedures or need any assistance from the Board, please contact me in 415 Whitehurst (phone: 405-744-1676, colson@okstate.edu).

Sincerely,

Carol Olson, Chair
Institutional Review Board

APPENDIX C: CIVIL UNION QUESTIONNAIRE COVER LETTER

DATE

Dear Civil Union Participant,

My name is Gay E. Phillips from the Department of Sociology at Oklahoma State University. Taking about 20 minutes of your time, I would like to invite you to participate in a research study focusing on civil unions and gay marriage.

The purpose of this research is to look at the meanings participants give to their civil unions. The issue of gay marriage is a controversial one in our society today. By documenting the thoughts, feelings and demographic characteristics of those having obtained a civil union, the research community and society as a whole may gain a better understanding of the issue of commitment in gay and lesbian relationships. If you would, please fill out the enclosed questionnaire and mail it back to me within 10-14 days.

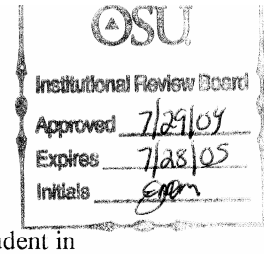
You were randomly selected from the statewide civil union registry in Vermont to receive this questionnaire. Your participation is completely voluntary and anonymous. The questionnaire does **NOT** ask for identifying information, nor will any be reported in this study. Your participation is completely voluntary and refusal to participate will have no adverse outcome to you. The questionnaire should only take about 20 minutes to complete. A self-addressed envelope is included for the questionnaire's return. I am sorry I am not able to include a stamp, but I do not having funding for this project so postage is limited.

Your participation is greatly appreciated! If you have any questions or concerns about this research study, you may contact me directly by email at gayp@okstate.edu, or contact the Institutional Review Board at Oklahoma State University who oversees all University research studies at 203 Whitehurst, OSU, Stillwater, OK 74078, 405/744-5700.

Again, thank you for helping to educate others.

Sincerely,

Gay E. Phillips. M.S.
Graduate Student
Oklahoma State University



INFORMED CONSENT

You are being asked to participate in research by Gay E. Phillips, a graduate student in sociology from Oklahoma State University. The purpose of this study is to examine Vermont Civil Union involvement. As a participant in this research, you will be asked to 1) complete a written questionnaire, and, 2) participate in a one-to-one interview. You will be asked to respond to a series of questions concerning your Vermont Civil Union, your relationships with your partner, family, friends and co-workers, and basic demographic information. This research will allow me to assess and compare the involvement of those who have participated in a Vermont Civil Union.

The questionnaire and interview will be kept strictly confidential. Your participation is voluntary and you are free to withdraw your participation at any time. You are free to not answer any single question or series of questions if you choose.

The interview will be audiotaped and I will take written notes of your responses. I will keep the tapes and written notes in my possession. The questionnaire, your contact information, and interview tape and notes will kept in a locked file cabinet in my home. No one else will have access to these documents. Your name will not be connected to any of the information you provide. I will use a ***fictitious name*** when referring to specific quotes made by participants. All documents, tapes, etc. will be shredded and destroyed when the research data has been compiled.

If you consent to participation in this study, please check below all that apply and sign your name at the bottom of this form:

[ ] I understand I am being asked to voluntarily participate in research concerning my Vermont Civil Union, my relationship with my partner, family, friends, and co-workers, and basic demographic information.

[ ] I understand that I am free to withdraw from this study at any time or to not answer any question or series of questions if I choose.

[ ] I understand that the interview will be audiotaped and the interviewer will take written notes of my answers.

[ ] I understand that the questionnaire, interview and all information will be kept strictly confidential, with the questionnaires, tapes and notes being kept in a locked file cabinet in the researchers home. My name will not be connected to any of the information I provide and a pseudonym will be used when referring to any specific quotes made by me.

[ ] I understand that the findings of this research will be distributed to a dissertation committee, may be reviewed by the Oklahoma State University Institutional Review Board, ***may be presented at professional meetings and/or published in academic journals.***

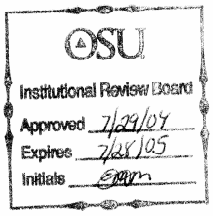
[ ] I give my permission for the questionnaire, [ ] the interview, [ ] for the information to be used in the research project, ***and [ ] to be re-contacted if information on the questionnaire or audio-tape needs clarification.***

[ ] ***I understand that*** if I have any questions or concerns regarding this research study or my participation in it, I may contact the Oklahoma State University Institutional Review Board who oversees all University research studies at ***415 Whitehurst***, OSU, Stillwater, OK 74078, phone 405/744-5700.

Signature _____

Name (please print) _____ Date _____

Thank you for your participation in this study! If you have any questions about this consent form or the research project, please contact me at: gayp@okstate.edu (Gay Phillips) or 918/592-1252.



APPENDIX D: CIVIL UNION CONSENT FORM

INFORMED CONSENT

You are being asked to participate in research by Gay E. Phillips, a graduate student in sociology from Oklahoma State University. The purpose of this study is to examine Vermont Civil Union involvement. As a participant in this research, you will be asked to (1) complete a written questionnaire, and, (2) participate in a one-to-one interview. You will be asked to respond to a series of questions concerning your Vermont Civil Union, your relationships with your partner, family, friends and co-workers, and basic demographic information. This research will allow me to assess and compare the involvement of those who have participated in a Vermont Civil Union.

The questionnaire and interview will be kept strictly confidential. Your participation is voluntary and you are free to withdraw your participation at any time. You are free to not answer any single question or series of questions if you choose.

The interview will be audiotaped and I will take written notes of your responses. I will keep the tapes and written notes in my possession. The questionnaire, your contact information, and interview tape and notes will kept in a locked file cabinet in my home. No one else will have access to these documents. Your name will not be connected to any of the information you provide. I will use a fictitious name when referring to specific quotes made by participants. All documents, tapes, etc. will be shredded and destroyed when the research data has been compiled.

If you consent to participation in this study, please check below all that apply and sign your name at the bottom of this form:

[ ] I understand I am being asked to voluntarily participate in research concerning my Vermont Civil Union, my relationship with my partner, family, friends, and co-workers, and basic demographic information.

[ ] I understand that I am free to withdraw from this study at any time or to not answer any question or series of questions if I choose.

[ ] I understand that the interview will be audiotaped and the interviewer will take written notes of my answers.

[ ] I understand that the questionnaire, interview and all information will be kept strictly confidential, with the questionnaires, tapes and notes being kept in a locked file cabinet in the researchers home. My name will not be connected to any of the information I provide and a pseudonym will be used when referring to any specific quotes made by me.

[ ] I understand that the findings of this research will be distributed to a dissertation committee, may be reviewed by the Oklahoma State University Institutional Review Board, may be presented at professional meetings and/or published in academic journals.

[ ] I give my permission for the questionnaire, [ ] the interview, [ ] for the information to be used in the research project, and [ ] to be re-contacted if information on the questionnaire or audio-tape needs clarification.

[ ] I understand that if I have any questions or concerns regarding this research study or my participation in it, I may contact the Oklahoma State University Institutional Review Board who oversees all University research studies at 415 Whitehurst, OSU, Stillwater, OK 74078, phone 405/744-5700.

Signature _____

Name (please print) _____ Date _____

Thank you for your participation in this study! If you have any questions about this consent form or the research project, please contact me at: gayp@okstate.edu (Gay Phillips) or 918/592-1252.

APPENDIX E: DISSERTATION QUESTIONNAIRE

QUESTIONNAIRE

Civil Union/Relationship Questions:

1. How many years have you and your partner:
a. known each other
b. dated
c. lived togther

2. What was the date of your civil union?

3. In general, who attended the civil union ceremony? Check all that apply.
#Family
#Friends
#Co-workers
Justice only
Minister/Rabbi only
#Other (please specify)

4. Did you or your partner change your last name(s)? I did My partner did

5. Have you or your partner been married before? I have My partner has

6. Have you or your partner had a civil union before? I have My partner has

7. Using the 1 to 5 scale below, rate how important religion was growing up in your family?
(Very Important) 1 2 3 4 5 (Not at all important)

8. If at all, how often did you attend religious services growing up?
a. weekly
b. more than once a month
c. about once a month
d. several times a month

9. Was your civil union ceremony based on religious practices?
Yes No If yes, please describe or identify the religion:

10. What activities did you include in your civil union ceremony? Check all that apply.
    Flowers
    Prayer
    Reading
    Singing
    Dancing
    Vows
    Rings exchange
    Someone "gave" me away, "gave" my partner away
    Reception
    Other activities (please specify):

11. Using the following 1 to 5 scale, rate the value and/or importance of marriage you received growing up as a child.
Not valued and/or important 1 2 3 4 5 Very valued and/or important

10. How would your best describe you and your partners' current commitment?
Exclusive (monogamous)
Completely open to other/outside intimate relationships
I have other intimate relationship(s)
My partner has other intimate relationship(s)
Other (please specify)

11. Using the 1 to 5 scale below, rate the quality of your relationship with your partner in the following situations:
    a. Prior to our civil union: Very Negative 1 2 3 4 5 Very Positive
    b. Since our civil union: Very Negative 1 2 3 4 5 Very Positive
    If any, what would you say accounts for this change:

12. Are you and your partner:
Still together
Talking about breaking up
Separated
Have dissolved or in the process of dissolving our civil union

13. In order to best understand your decision to have a civil union, please <u>rank</u> the following with (1) being the highest ranking. Add and rank any choices not listed (in other words, rank all items together including any "other" reasons).

You:		Your Partner's:	
Rank	Reason	Rank	Reason
	Gain domestic partner benefits		
	Make a political stance supporting same-gender marriage		
	Be a part of a historical event or opportunity (civil union)		
	Gain legal recognition of our relationship		

Confirm my commitment to my partner
Confirm my value of having a committed relationship
Confirm my religious beliefs
Make my partner happy

Gain social approval from: (check all that apply)
- Family
- Friends
- Co-workers
- Partner
- Other (please specify)

Other reason (please specify)
Other reason (please specify)
Other reason (please specify)

14. What best describes you and your partners past actions regarding the following? Check all that apply.
We have had a private commitment ceremony (just us) prior to our civil union
We have had a public commitment ceremony prior to our civil union
We have a municipal/domestic partner certificate in addition to our civil union
We have a marriage certificate in addition to our civil union, from:

15. What best describes you and your partners' future intentions regarding the following? Check all that apply.
We intend to have a private commitment ceremony (just us) in addition to our civil union
We intend to have a public commitment ceremony in addition to our civil union
We would marry if our state legalized it for same-gender couples
We would not marry if our state legalized it for same-gender couples
We differ on what we want regarding legal marriage
We would apply for municipal/domestic partner certification if our city had it
We would not apply for municipal/domestic partner certification if our city had it
We differ on what we want regarding municipal/domestic partner certification

16. Have you had any direct benefits from your civil union? Check all that apply.
Health insurance
Medical authority
Legal authority
Other (please specify)

17. Have you had any direct liabilities from your civil union? Check all that apply.
Tax cost
Alimony
Other (please specify)

18. Using the 1 to 5 scale below, circle where you rate the justice of the peace's or minister/rabbi's attitude toward you and your partner in the handling of your civil union?

(Very Negative) 1 2 3 4 5 (Very Positive)

19. Using the 1 to 5 scale below, circle where you rate the city official's attitude(s) toward you and your partner where you applied for your license?

(Very Negative) 1 2 3 4 5 (Very Positive)

20. If any, what legal documents besides your civil union certificate have you and your partner obtained to "cover" each other? Check all that apply.

Myself	Partner
a. Will	a. Will
b. Living will	b. Living will
c. Powers of attorney	c. Powers of attorney
d. Health Care directives	d. Health care directives
e. Others (specify):	e. Others (specify):

21. Are you "out" to your family? Yes No
For how many months or years? # of months #of years
What was their general response?
What is the nature of your relationships with your family now?
In general, how has your family responded to your partner?

22. Using the 1 to 5 scale below, if at all, how would you say your civil union has impacted your relationships with:
Family: Very Negatively 1 2 3 4 5 Very Positively
Friends: Very Negatively 1 2 3 4 5 Very Positively
Co-workers: Very Negatively 1 2 3 4 5 Very Positively
Community: Very Negatively 1 2 3 4 5 Very Positively
Comments:

23. Is your partner "out" to her/his family? Yes No
For how many months or years? # of months # of years
What was their general response?
What is the nature of her/his relationships with the family now?
How has her/his family responded to you?
Comments:

24. If at all, using the 1 to 5 scale below, how would you say your civil union has impacted your partner's relationships with:
Family: Very Negatively 1 2 3 4 5 Very Positively

Friends: Very Negatively 1 2 3 4 5 Very Positively
Co-workers: Very Negatively 1 2 3 4 5 Very Positively
Community: Very Negatively 1 2 3 4 5 Very Positively
Comments:

24. If at all, how would you say your civil union has impacted your relationship with your partner?
No difference
Impact (please specify):

25. If at all, how would you say your civil union has impacted your feelings or image of yourself?
No difference
Impact (please specify):

26. In general, what has it meant to you to have obtained and/or participated in a civil union?

Demographic Information:

1. What best describes your religious affiliation?	Your partner's:
Buddhist	Buddhist
Catholic	Catholic
Jewish	Jewish
Protestant	Protestant
Spiritual beliefs do not fit formal religion	Religious beliefs do not fit formal religion
Other (please specify)	Other (please specify)

2. What best describes your political affiliation?	Your Partner's:
Independent	etc.
Democrat	
Republican	
Libertarian	
Green Party	
None	
Other (please specify)	

3. What best describes your gender?	Your Partner's:
Androgynous	etc.
Female	
Male	
Transgender	
Other (please specify)	

4. What best describes your sexual orientation?	Your Partner's:
Bisexual	

Gay male
Heterosexual
Lesbian
Other (please specify)

5. What was your age at your last birthday? Your Partner's

6. What best describes your race? Your Partner's
African American/ Black
Asian American/Pacific Islander
European American/White
Hispanic, Latino/a, or Mexican American
Native American/American Indian
Bi-racial (please specify)
Other (please specify)

7. What is the last school level you completed? Your Partner's:
1^{st}-8^{th}
9^{th}-11^{th}
GED
High school diploma
1 or more years of college
Bachelors Degree
Masters Degree
Doctorate Degree
Other (please specify)
None

8. What is your occupation? _____
None
Your partner's occupation? _____
None

9. What best describes your current annual level of income? Your partner's:
Less than $25,000
$25,000 - $50,000
$50,000 - $75,000
$75,000 - $100,000
$100,000 +

10. What is your country of residence? Your Partner's:
USA
Canada
Other (please specify)

11. If you live in the U.S. what is your state of residence? _____

12. If not the same, what was your state or country of residence when you did your Civil Union? _____

13. Do you and your partner live together now? Yes No
If no, what state or country is your partner living?

14. Are you a parent? Yes No
Is your partner a parent? Yes No (If no for you and your partner, skip to next question)
Number of your children residing in your home
Number of your partner's children residing in the home
Number of your children not residing in your home
Number of your partner's children not residing in the home

15. Growing up, what was your family's basic income level?
Below $25,000
$25,000 - $50,000
$50,000 - $75,000
$75,000 - $100,000
$100,000 +

16. Growing up, what was your partners' family's basic income level?
Below $25,000
$25,000 - $50,000
$50,000 - $75,000
$75,000 - $100,000
$100,000 +

17. What level of education have your parents completed?

Mother:	Father:
1st-8th	
9th-11th	
GED	
High school diploma	
1 or more years of college	
Bachelors Degree	
Masters Degree	
Doctorate Degree	
Other (please specify)	
None	

18. What level of education have your partner's parents completed?

Mother:	Father:
1st-8th	
9th-11th	
GED	

High school diploma
1 or more years of college
Bachelors Degree
Masters Degree
Doctorate Degree
Other (please specify)
None

Other Questions:

Is there anything else you would like to say regarding your civil union or demographic information that you feel is important to this research?

Do you know of others who have had a civil union who might be willing to be interviewed? With their permission, please list their name and contact information (address, phone number and/or e-mail address).

APPENDIX F: CONDENSED INTERVIEW QUESTIONNAIRE

INTERVIEW QUESTIONS DRAFT

1. What planning did you do for the civil union?

2. Tell me about your ceremony. What you did? Who attended? Anything unexpected?

3. How did you feel before, during, and right after the ceremony?

4. If any, your religious/spiritual affiliation is _____, and your partner's is _____ (confirm questionnaire response)? Do both you and your partner share any of these religious/spiritual beliefs? Practices? Which ones?

5. Have your religious/spiritual beliefs changed over time? What would you say are the reasons for these changes? For you, your partner?

6. If any, your political affiliation is _____(s)? Your partner's affiliation is _____(s)? (confirm questionnaire response)

7. Have these changed over time? What would you say are the reasons for these changes? For you? Your partner?

8. What were your reasons for doing a civil union (Clarify questionnaire responses)?

9. Impact of union on relationship (clarify questionnaire response)?

10. Impact of union on image/feelings of self (clarify…)?

11. Impact of union on relationships with family, friends, co-workers, and community (clarify…)?

12. Impact of union on your partner's relationships with family, friends, co-workers, and community (clarify…)?

13. Quality of relationship before and since the union (clarify…)?

14. Feel now about having done a civil union/in general has meant (clarify…)?

15. Is there anything you would do differently regarding your civil union?

16. How do you feel about the current issue of/situation with gay marriage in this country?

17. Are you concerned about the future status of your civil union? In what way?

18. Are you involved in any activities regarding gay marriage at this time? What might they be?

Other Questions:

Do you have any other comments regarding your civil union, demographic information, or gay marriage? Is there anything else you would like to say that you feel is important to this research?

Do you know of anyone else who has done a civil union who might be willing to be interviewed? Would you be willing to contact them and give them my contact information?

Do you have any ceremonial documents such as your vows, bulletin, prayers, songs, etc. that I might look at in order to see what kind of rituals you included in your ceremony?

Do you have any questions regarding this interview or research project?

VITA

Gay Elizabeth Phillips

Candidate for the Degree of

Doctor of Philosophy

Thesis: *QUEERING* MARRIAGE: AN INVESTIGATION OF SAME-GENDER CIVIL UNIONS IN CONTEMPORARY AMERICAN SOCIETY

Major Field: Sociology

Biographical:

Personal Data: Born in Lubbock, Texas, on April 7, 1955, the daughter of Nora M. and Howard M. Phillips.

Education: Graduated Northwest Classen High School, Oklahoma City, Oklahoma, May 1973; Received Bachelor of Arts degree in Sociology/Social Work from Phillips University, Enid, Oklahoma in May 1977; Received Master's of Science Degree in Sociology from Oklahoma State University, Stillwater, Oklahoma in May 1991; Completed the requirements for the Doctor of Philosophy with a major in Sociology at Oklahoma State University, Stillwater, Oklahoma in May 2008.

Experience: Program Specialist, University of Oklahoma National Resource Center for Youth Services 1982-1998; Research Assistant, Oklahoma State University OKDHS Quality Assurance Project, August 2000-Summer 2002; Teaching Assistant, Oklahoma State University, Spring 2002-Summer 2003; Adjunct Instructor, Tulsa Community College, Fall 2000 to present; Adjunct Instructor, Southeastern Oklahoma State University-Durant, Fall 2001, 2005 to present; Adjunct Instructor, Rogers State University (Claremore and Pryor), Spring 1999, Spring 2008; Co-owner/Training Consultant, *barton.phillips & associates., Inc.*

Professional Memberships: American Sociological Association

Name: Gay Elizabeth Phillips Date of Degree: July, 2008

Institution: Oklahoma State University Stillwater, Oklahoma

Title of Study: *QUEERING* MARRIAGE: AN INVESTIGATION OF SAME-GENDER CIVIL UNIONS IN CONTEMPORARY AMERICAN SOCIETY

Pages in Study: 214 Candidate for the Degree of Doctor of Philosophy

Major Field: Sociology

Scope and Method of Study: Lesbian and gay male couples have been more actively seeking legal marriage over the past two decades. This study examines the lived experiences of lesbian and gay men participating in a Vermont Civil Union as the only state-level legally sanctioned process for gay and lesbian couples in the United States between 2000 and 2004. Because civil union or marriage remains an uncommon option for lesbian and gay male couples, their experiences of this legal process are relatively unknown. Fifty-two individuals representing 27 couples were surveyed and interviewed about their Vermont Civil Union experience using multi-level quantitative and qualitative research methods. A demographic profile of these couples is provided and compared to the whole Vermont Civil Union population and to a first-year study profile of the participants by Solomon, Rothblum, and Balsam (2003). Utilizing a social constructionist framework, this study further explores how participating in a Vermont Civil Union has contributed to the respondents' understandings of their relationship, their construction of self, and their positionality in society at a time when the topic of gay marriage is contested in American society.

Findings and Conclusions: The data suggests that respondents were first interested in confirming the commitment they felt in their relationship with their partner through their Vermont Civil Union enactment, and secondly were interested in making a political stand in favor of legalized marriage for gay and lesbian couples. Eighty-five percent of Vermont Civil Union participants come from states outside Vermont, indicating great interest in a legal form of marriage. The respondents in this study have not gained significant direct spousal benefits as a result of their civil union however, overall they felt that the symbolic meaning of their participation in this legal process was beneficial to their relationship, provided a sense of self-pride, and acted as a form of political activism.

ADVISER'S APPROVAL: _____

Dr. Jean VanDelinder