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The Seduction of Lesbian Marriage: What's a Radical To Do?

Angela Bowen and Jennifer Abod

An interviewer once told Audre Lorde, after reading some of her love poems, that “. . . it didn't seem to make much difference whether the poems depicted a relationship between two women, two men, or a man and a woman. . . . The poems do not celebrate the people but the love.”

Lorde responded,

When you love, you love. It only depends on how you do it, how committed you are, how many mistakes you make. . . . But I do believe that the love expressed between women is particular and powerful because we have had to love ourselves in order to live; love has been our means of survival. And having been in love with both men and women, I want to resist the temptation to gloss over the differences. (Tate, 109)

Having often declared, “Your silence will not protect you,” Lorde could hardly be expected to allow an interviewer a polite pass by glossing over differences.¹

Domestic Partnerships

Nor can we gloss over the differences between domestic partnerships and lesbian marriages. One is a jackleg arrangement allowing for limited access to small, piecemeal measures of accommodation on a state by state, and sometimes city by city basis. The other brings

affirmation from your family, tribe, community, society, religious institution, and the state, including recognition of your union by any government on earth. Even so, the original feminist critique of marriage has not changed just because lesbians and gay men are attempting to storm its barricades. Some claim that it *has* changed, that marriage now is what you make of it. But why do lgbt people desire it so? Frankly, for the marriage benefits we have earned by means of the same labor expended by heterosexual people but that are denied us because of our sexual choices.

Absent a national consensus that lesbian and gay marriage is not harmful, and might even be beneficial (a consensus unlikely to occur in our lifetimes although several studies have attested to this reality), the best that states can offer is domestic partnership registration. Nonetheless, despite all of the efforts to secure such arrangements in various municipalities and states, they are generally seen as barely useful outside of the workplace, where domestic partnerships provide benefits“equal to” those for heterosexuals, which can amount to more than 25 percent of one’s total compensation.

It was indeed a workplace benefit, specifically health care for Jennifer, Angela’s partner, which led to our Hobson’s choice. As we were struggling through the frustrating process, Angela’s colleague, a heterosexual feminist, decided to marry for the same reason. Although she and her long-time “boyfriend” had decided, as a matter of principle, not to marry until lesbians and gay men could marry also, they succumbed because the boyfriend needed to be on her health plan. So, although our situations were identical, Angela’s colleague and her husband, by paying an additional \$47 monthly, now share hundreds of benefits that we cannot. Unlike her colleague,

Angela, in addition to the \$47 increase, has 2 more deductions coming out of her paycheck totaling well over \$100 monthly, one a "federal tax" the other for the state because adding Jennifer to her health plan is considered an "additional benefit."

Many more dangers lurk in the fine print of domestic partnership agreements including those requiring signatures of unmarried employees on affidavits containing statements about sharing financial obligations, while married couples can have prenuptial agreements separating their funds and ownership. Some affidavits demand that the couple must have lived together for six months-to-a-year before being eligible while married couples need to know each other only long enough to sign a marriage license. After several years, the legal status of domestic partnerships remains highly uncertain.²

Lesbian Marriage

Still, despite our cautions, we consider marriage anathema, even as we acknowledge that any lesbian or gay man who desires it has the same right to step into the quagmire of marriage as do heterosexuals. For a brief moment in time, a heady hope for marriage was alive throughout lesbian, gay, bisexual, transgender (lgbt) communities.

In 1997, lesbian and gay marriage seemed possible in Hawaii because of a loophole in that state's constitution but the Hawaiian legislature moved quickly to close that tiny aperture and stitch it tightly in place. Other state legislators rushed to insert language into their constitutions to deter lesbians and gay men from considering mounting a campaign to legitimize same-sex unions within their state borders. Throughout the nation, "defense of marriage" laws were

drafted and hastily enacted. The heterosexual marriage compact is so shaky that it must be certified as legally exclusive and draped in a mantle of “specialness” to conceal its tattered underwear.

Europe leads the way in egalitarianism. Although Denmark is currently the only country in Europe that allows gay and lesbian marriages without restrictions, the Belgium Senate did approve a bill at the end of November, 2002 allowing gay and lesbian marriages, giving same-sex couples most of the rights that heterosexual couples have. However, the Belgium measure would not allow gay couples to adopt children, and a mother in a lesbian marriage would be considered a single parent (As we are writing, the Belgium bill is still awaiting approval by the lower house.).³

How We See It

Angela was moving out of marriage and into single parenthood when she and Jennifer met. At the time, Angela’s children were five and eleven. In our partnership, each of us has grown considerably in the 23 years since we met, and that growth triggers reactions in one’s partner, who must constantly readjust to this somewhat different person, while she continues moving along her own path to change. Such alterations, normal in long relationships, obviously make “till death do us part” vows bogus or naïve, either of which can lead to huge problems.

In our partnership, the only abiding commitments we have made are to support one another, personally and career-wise, including sharing all financial resources; and should we ever decide to dissolve our relationship, to remain connected, treating one another as family, and taking care

not to destroy the years of love, support, and challenges leading to growth that we have provided one another. Any new partner we might acquire would need to understand and accept the reality of that commitment.

We came through some fire together, and now, with the children grown and gone, we have no intention of leaving one another--which doesn't mean we have vowed to stay together if things should ever fall apart. That's why when we have a joyous celebration every five years, we are careful to say that we are celebrating the previous 5 or 10, 15 or 20. This pattern arose gradually because we had no expectations about how long we would last, being two strong-willed women accustomed to running our own lives. When we realized that we were approaching the 5th-year anniversary of our meeting, we had a party. We continued our practice of arguing out differences (heatedly), loving passionately, and designing joint political and artistic projects. When we realized we were approaching 10 years, we threw a bigger party. And so it has progressed. But never have we committed to staying together "forever"; we celebrate our lives together "so far."

We feel quite free with this arrangement and also committed to one another. If one of us decides she doesn't want to continue the arrangement, she is free to go. We would be breaking no vows or feeling entitled to the other's life. Knowing every day that the person waking up beside you is there not because of a legality but because she wants nothing more than to be with you, through whatever difficulties arise, is a completely reassuring feeling that a legal marriage abrogates.

Nevertheless, we sign marriage petitions and speak up in favor of legal marriage for lgbt people whenever the subject arises because whatever is available to one group of adults in society should be available to all. But that is not our crusade. Ours is to demand the same rights to all benefits that married heterosexuals receive—and we don't believe we should have to prostrate ourselves on the marriage altar to gain access to what we have earned already. Furthermore, we would like to see every single, unmarried, unpartnered person of any sexual persuasion receive automatic access to all of the rights that any "coupled" people enjoy, whether the couples are lesbians, gay men, bisexuals, transgendered people, or heterosexuals. Nor should we place a lower value on abiding friendships, where people commit themselves to one another on a longterm, caring basis. These relationships are equally as sincere and life-sustaining, and often more so, than some more conventional consortships. Sexual coupling is not necessarily the defining factor that must be present for a relationship to be considered the primary one. Our crusade is that in a country claiming to separate church and state, we are all entitled to the same benefits, whatever our sexual orientation.

But until that utopian day arrives, lesbians and gay men are embracing the rituals of marriage, if not its benefits. On September 1, 2002, the Style section of the New York Times began recognizing lesbian and gay "unions." Surely we've come a long way when announcements of our commitments make the society pages—with pictures. We wonder, though, if we are alone in finding somewhat ludicrous the formula of the printed information, which follows the quaint custom of printing the parents' business and social pedigrees as well as those of the celebrants. These couples have dared society's opprobrium, some of them are middle-aged or approaching it, many have clearly been living together for a number of years, most have long-standing careers

of their own, and some are raising children. Yet lineage and status is the information that the couples are asked to provide. Of the 6 lesbian couples who appeared on the pages through November 3, 2002, 2 couples managed to stretch the formula.⁴

Is the institution of marriage becoming more impenetrable regarding whom marriage really serves? Does wanting its benefits force us to remove the institution from the critical spotlight? Does chasing marriage so diligently implicate lesbians in the smug belief put forth by those who wield marriage like a club that unless you are married, you can never quite achieve respectability?

We need to explore myriad possibilities for reconfiguring committed relationships. Yes, fight for marriage *benefits* but recognize the restraints of the marriage paradigm; see how it puts down all those who are outside of couple-dom. Why shouldn't single people who have consortships, non-sexual relationships, and/or abiding friendships that constitute their primary relationships have a right to benefits that they can share with one another, just as married or co-habiting people do? If someone has put 35 or 40 years of her/his worklife into a pension fund, including social security, why shouldn't they be able to pass it along to whomever they choose? If raising children is the criterion of a caring relationship, couldn't two friends raise a child together? It happens often, at least in the Black community; why not legally then, with benefits?

Why does a 10-year bad marriage and a divorce entitle you to your ex-spouse's social security while a 10-year shared friendship, caring about and looking after one another while never being

sexually intimate, renders you ineligible to collect your friend's social security to help raise the child you nurtured together, and make your life easier while you do it?

While we understand the importance of people's obtaining whatever benefits they can, especially now, with marriage being the only institution through which couples *can* obtain those benefits, we want not to lose our critical stance toward the privileges of marriage. If progressive heterosexuals can scrutinize and protest the exclusionary nature of their privileges, then we can hang onto our hard-won outsider's gimlet eye and feminist stance, asking no less of ourselves, which allows us to keep striving to remain part of a larger struggle, reaching for a deeper and broader vision.

Notes

¹ From Lorde's essay, "Transformation of Silence."

² From the *Domestic Partners Benefits Task Force* report.

³ From the *New York Times*.

⁴ From the *New York Times* "Style" pages.

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