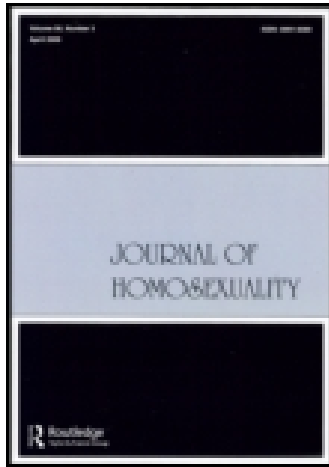


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Daring to Marry: Marriage Equality Activism After Proposition 8 as Challenge to the Assimilationist/Radical Binary in Queer Studies

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I analyze three case studies of marriage equality activism and marriage equality-based groups after the passage of Proposition 8 in California. Evaluating the JoinTheImpact protests of 2008, the LGBTQ rights group GetEQUAL, and the group One Struggle One Fight, I argue that these groups revise queer theoretical arguments about marriage equality activism as by definition assimilationist, homonormative, and single-issue. In contrast to such claims, the cases studied here provide a snapshot of heterogeneous, intersectional, and coalition-based social justice work in which creative methods of protest, including direct action and flash mobs, are deployed in militant ways for marriage rights and beyond.

KEYWORDS *same-sex marriage, marriage equality, LGBT, activism, Proposition 8, GetEQUAL, JoinTheImpact, queer theory, assimilationism versus radicalism, gay rights*

A man, standing up, with another man, in front of everyone, saying that ‘I love you and I want to get married,’ I think that’s a pretty fucking radical statement. I mean standing up and saying, ‘I want to spend the rest of my life with you,’ when everybody’s looking at them saying . . . that it’s wrong, it’s disgusting, it’s sick—I mean people say that we should go to hell for this, fucking go to fucking hell. I mean, why do people fucking say that? Do you know what I mean? So actually, standing up and saying,

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'You know what? I love you, and fuck you and fuck you and I don't give a fuck what you fucking think, I don't care'—that is pretty fucking amazing. . . . And yeah, maybe . . . fucking maybe it is stupid. And maybe, maybe they will get divorced and all that kinda shit. But fucking who cares? I mean, why does it bother you so much, Glen? I mean, why does it bother you that maybe two people fucking love each other and they want to get married and they want a relationship and they just want to be happy? (*Weekend*, Dir. Andrew Haigh, 2011)

In the 2011 UK film *Weekend*, directed by Andrew Haigh, the lonely twenty-something protagonist Russell ventures to a gay bar in search of a sexual encounter and picks up Glen. What is meant to be a one-night stand becomes a weekend of intimate emotional connection and soul-searching about the meaning of identity and gay life. In the course of their brief connection, Russell and Glen debate the value of marriage, their discussion echoing larger debates that many Western gay and queer people¹ find themselves contemplating in the 21st century. Responding to Glen's disdain for marriage as a normalizing and domestically suffocating institution that relies on the state for relationship validation, Russell advances an argument about the potential for marriage to be radical as well as personally significant for many queer people. This poignant exchange has special relevance for academic debates about same-sex marriage in the United States, as the issue is being taken up just as heatedly, if not more so, in the academy as it is in bars, clubs, and living rooms. It is a particularly timely issue given the two June 2013 U.S. Supreme Court rulings broadening the scope of legal same-sex marriage as well as the continued statewide victories for marriage equality: in 2013, the number of states with legal same-sex marriage doubled from nine to 18 states (before the state of Utah stopped marrying same-sex couples pending review by the appellate and Supreme courts), plus the District of Columbia and eight tribal nations.

In this article I add to the small but growing literature challenging the queer theoretical critiques of same-sex marriage put forth by scholars such as Michael Warner, Lisa Duggan, and others. Such queer critiques of marriage as an assimilationist, homonormative institution, with the subargument that marriage equality activism is overwhelmingly single-issue and thus counter to the advancement of true intersectional social justice, I argue, have become hegemonic in the queer and feminist academy. However, growing and diverse manifestations of same-sex marriage equality activism in the United States revise many of the anti-marriage claims put forth by foundational queer theorists, who in some cases (Warner, 1999; Duggan, 2003) crafted arguments about same-sex marriage before it was legal anywhere in the United States. In order to show that marriage equality activism has emerged in many contexts as contesting homonormativity through militancy and the

adoption of a coalition-based, intersectional social justice praxis, I analyze the Web content, video footage, and activist statements from three groups: JoinTheImpact, GetEQUAL, and One Struggle One Fight. All of these groups' marriage equality activism emerged after the passage of Proposition 8 in California, in which voters amended the state constitution to ban same-sex marriage less than five months after the California Supreme Court legalized it.²

I choose these three groups because each one has a history of advocating for marriage equality as a founding or key principle, yet each challenges the stereotypical image, perpetuated by queer theorists, of what a lesbian, gay, bisexual, and transgender (LGBT) group fighting for marriage looks like. Two of the three, JoinTheImpact and GetEQUAL, are national organizations, a fact that situates them as similar in scope to the much-lamented, moderate LGBT³ organization Human Rights Campaign (HRC); yet, unlike HRC, they remain committed to the grassroots, to direct action, and, especially in the case of GetEQUAL, to growing intersectional coalition-based work, fighting for marriage as well as other issues of central importance to LGBTQ⁴ people. This activism is emerging as militant, in-your-face, and indeed radical within both the contexts of homonormativity and the larger neoconservative and anti-gay sociopolitical landscape. By *militant* I mean vocally aggressive while committing to nonviolence, embracing direct action and street theater, and uncompromisingly critical of mainstream "liberal" bodies, be they the Democratic Party, "Gay Inc.," or the White House. While many queer theoretical claims about marriage equality activism continue to target HRC and conservative gay writer Andrew Sullivan in order to paint the fight for marriage equality as assimilationist, homonormative, and single-issue by definition, the activism presented here complicates this analysis for a more nuanced understanding of 21st-century U.S. marriage equality activism.

I will first provide a condensed review of queer theoretical writings on same-sex marriage, focusing on key thinkers' major critiques of the institution of marriage and LGBTQ people's relationship to marriage and how these critiques have ushered in a binaristic way of viewing the fight for marriage equality in the queer academy. I will then discuss the recent work of queer studies scholars, such as Adam Isaiah Green and Katrina Kimport, which complicates these earlier writings. After providing this contextual framework for considering marriage equality activism, I will make the case for why the passage of Proposition 8 in California became a galvanizing, game-changing force for militant marriage equality activism from 2008 to the present. My three activist case studies demonstrate how activists are embodying the recent interventions made by Green, Kimport, and others, thus complicating older ways of considering marriage equality activism and demanding that scholars account for these heterogeneous manifestations of activism in future analyses of the marriage question.

BACKGROUND: QUEER THEORETICAL ENGAGEMENTS WITH MARRIAGE

For the past 15 years, the poststructuralist queer theoretical tradition in the emerging interdisciplinary field of queer studies has developed a strong tendency toward critiquing the priorities of mainstream gay and lesbian social movements, specifically the focus on access to the institutions of marriage and the military (Warner, 2000; Butler, 2002; Duggan, 2003; Queen, 2008; Conrad, 2010). Queer theorists such as Michael Warner and Lisa Duggan have argued, respectively, that same-sex couples' access to marriage will result in depoliticized assimilation to heteronormativity and the taking up of a privatized, consumerist, neoliberal "homonormativity." Duggan argues that the fight for marriage equality is "a strategy for privatizing gay politics and culture for the new neoliberal world order," a claim that paints marriage equality activists with the broad brush of neoliberalism (Duggan, 2003, p. 62). Carol Queen, meanwhile, asks, "[W]hom will we become if enough of us squeeze our asses onto the park bench next to Normalcy?" (2008, pp. 108–109). Such disdain for the institution of marriage has effectively become the dominant discourse in queer theoretical engagements with the marriage issue.

One example of these arguments can be found in a recent university panel discussion titled "Queer Perspectives on Marriage: Intimacy Beyond Marriage" featuring Dean Spade, Jack Halberstam, Lisa Duggan, and Macarena Gómez-Barris (2011). During the panel, Duggan framed contemporary LGBTQ politics as a split between mainstream national organizations fighting for "marriage, military, and market" versus grassroots organizations fighting for more ostensibly radical projects. In so doing, Duggan's analysis negated the ongoing activism of groups such as GetEQUAL and One Struggle One Fight, both of which fight for marriage equality while also taking part in grassroots activism on behalf of a range of issues. Halberstam juxtaposed the "reactive" fight for same-sex marriage to second-wave feminists' critique of (heterosexual) marriage.

Similar to Duggan, Spade discussed a chart from his then-forthcoming book *Normal Life* he titled "The Official Lesbian and Gay Solutions vs. Other Queer Political Approaches," in which he pitted the fight for same-sex marriage against the fight for universal health care. Dean, who takes action on intersectional social justice issues beyond the academy, rightly argued that individuals should be able to access health care without being married and that the institution of marriage remains a highly stratified institution that inexcusably denies various rights to the non-married. However, such an argument precludes the idea that an individual or group could simultaneously fight for access to marriage while also championing universal health care. The continual bifurcation of assimilationist versus radical is thus perpetuated, with "Official Lesbian and Gay Solutions" standing in for "assimilationist" and "Other Queer Political Approaches" standing in for "radical."

In the process, the complexities of both same-sex marriage and those fighting for it are flattened out and reduced to caricature. The arguments of such scholars ignore that many marriage equality activists are nuanced individuals who condemn institutional inequality even while working for institutional reform, who are personally and professionally committed to pursuing social justice from an intersectional and multi-issue perspective, and who take up marriage in ways that challenge both heteronormativity and homonormativity. The scholars' statements also raise the perpetual question of whose trauma and political goals are seen as worth fighting for, with the implicit judgment that "radical" political commitments (defined here in opposition to marriage) offer a queerer and thus morally preferable position.

In fact, during the question-and-answer segment at the end of the event, when asked about the diversity of opinions and political commitments of individuals fighting for same-sex marriage, Spade responded by explaining that as long as individuals enter into marriage solely for the tangible economic and legal benefits tied to the institution, their actions may be considered more legitimate. Spade's proscriptive response alienates those who are committed to the meaning of marriage for various affective reasons, ranging from a public expression of love to a sense of political defiance of the established meanings of husband and wife. In such a framework, for a same-sex couple to experience marriage in an emotionally resonant way is seen as privileged, naïve, and a sign of the weakness of allowing oneself to be seduced by the lures of neoliberalism—in other words, as damaging false consciousness.

In contrast to the more polemical arguments above, feminist legal scholar Nancy Polikoff has argued that although marriage equality "is one of many good fights" from a "civil rights perspective . . . [f]rom a family policy perspective, marriage is the wrong fight" (Polikoff, 2008a, p. 4). For Polikoff, the institution of marriage is inherently exclusionary in that it confers assorted legal benefits upon married couples that are denied to individuals whose relationships fall outside marital bonds. Polikoff draws attention to the ways in which marriage rights are "special rights" (Polikoff, 2008b, p. 84), a claim I find to be indisputably correct.

Although Polikoff is correct that the institution of marriage results in an unfair distribution of various legal rights, avoiding the pursuit of marriage equality in the courts and legislature would not necessarily result in an improved situation for LGBT families. The current "crazy quilt of laws" approach to securing legal rights for LGBT families, in which rights vary dramatically across state borders and even city to city (Witeck & Gates, 2004), results in painful legal limbo for many families that would be at least somewhat ameliorated if same-sex marriage was legal at both the state and federal level. Polikoff opines that it will be "a really long time, and not in any of our lifetimes" (2008a) until same-sex marriage is legal on a national scale, thus concluding that "marriage isn't the answer" for

wanting hospital visitation rights and the right to make medical decisions for one's partner. However, the two United States Supreme Court decisions of 2013, *Windsor v. United States* and *Perry v. Hollingsworth*, striking down Section 3 of the Defense of Marriage Act (DOMA) and restoring marriage equality to California, respectively, render Polikoff's statement outdated.

As more and more states continue to legalize same-sex marriage and the Supreme Court is once again asked to rule on the issue, the increasing likelihood of federal marriage equality within our field of vision allows us to ask different questions about the place of marriage in contemporary LGBTQ politics. These questions may include but are not limited to considering why queers choose to marry or not marry, what marriage looks like for various queer couples, how to ensure that queer activism on a range of issues continues after federal marriage equality is gained, how marriage rights intersect with other questions of importance to queer people such as parenting and adoption rights, what to do about the inevitable tensions between LGBTQ people who want to be "mainstream" and "assimilationist" versus those who want to agitate against the state, whether a national campaign to rail against all forms of marriage, same-sex and heterosexual, should be launched despite the clear desire of many to enter into it, and how to think about the relationship between marriage and relationships such as those involving non-monogamy, polyamory, or (a) partner(s) identifying as asexual. For those presently concerned about the prioritization of marriage within LGBTQ activism, there will also undoubtedly be many questions about what shape "reformist" queer activism should look like in a post-marriage-agitating society and what types of academic scholarship and critique will be most generative for a robust, inclusionary LGBTQ civil rights agenda.

Singlehood scholar Michael Cobb engages carefully with the issue, explaining in an interview that he supports same-sex marriage as a right that should be given and that the denial of that right has a stigmatizing effect on those it targets. At the same time, he argues that the fight for same-sex marriage has largely "taken up all the air around queer activism," and he questions the emphasis on being seen as legitimate by the government: "Being legitimate means you are a couple. How do you become a more legitimate couple? Become recognized by the state . . . Again, I don't want to disparage relationships or couples or marriages, I just wonder and am anxious about that kind of priority and hierarchy" (Williams, 2012). These statements emerge out of a context in which Cobb is intervening in what he terms "a world slavishly devoted to the supremacy of the couple," which legal marriage as an institution undoubtedly upholds (Cobb, 2012, p. 8).

Nonetheless, Cobb's reluctance to "disparage relationships or couples or marriages" is a departure from Spade's panel appearance and Queen's statement about "squeez[ing] our asses onto the park bench next to Normalcy." Queen's phrasing invokes an intentionally disparaging affect toward those

who would desire marriage, which raises affect as an issue in the anti-marriage queer theoretical debates: Whose affect is treated as legitimate? Whose affect is deemed worth legitimizing, and whose scoffed at? As we will see in the case of Proposition 8, issues of affect, especially political depression, figure prominently in many queer and pro-queer people's lives in terms of feeling vulnerable, rejected, and despised at the ballot box.

Similar to Polikoff and Cobb, the full statement of the working group Beyond Marriage acknowledges the validity of the fight for marriage equality so long as it does not remain a single-issue fight. The collective, which houses the subgroup Queers for Economic Justice and whose signatories include prominent queer studies scholars as well as the executive directors of Equality Florida and Marriage Equality Rhode Island, concedes that the stand-alone approach is found only in "a segment of LGBT movement strategy." Even while Beyond Marriage asserts the importance of securing economic and social benefits for all regardless of marriage or citizenship status, and in valuing multiple kinship structures, it also champions an expansion of movement goals inclusive of but not limited to same-sex marriage: "[M]arriage should be one of many avenues through which households, families, partners, and kinship relationships can gain access to the support of a caring civil society" ("Beyond Same-Sex Marriage," 2006).

Some of the scholarship above has influenced more recent work such as David Eng's notion of "queer liberalism," in which "gay and lesbian enfranchisement colludes with conventional liberal distinctions between family and the state" and discourses of choice bolster "neoliberal governmentality" (Eng, 2010, p. 8). For Eng, as for Warner, Duggan, Spade, and others, the fight for same-sex marriage is pitted against earlier movements to radically critique notions of family, a contrast that again locates marriage equality activism within the terrain of assimilation rather than radicalism. As Laura Heston reminds us, "a closer look at the strawman of contemporary, gay sell-out activism" is warranted so that we "resist idealizing mythic queer kinship forms . . . and homogenizing queer politics" (Heston, 2010).

MOVING BEYOND AN ASSIMILATIONIST/RADICAL BINARY

Recent scholarship engaging with the experiences of same-sex couples who have chosen to marry is beginning to challenge ongoing queer theoretical critiques of same-sex marriage. Rather than confirming that marriage is necessarily conservative, heteronormative, and damaging to queer life, some sociologists are finding that same-sex couples' experiences of marriage reflect a more heterogeneous and at times even radical relationship to the institution than canonical queer theoretical arguments would lead us to expect. For example, Verta Taylor et al. found that individuals taking part in same-sex weddings in San Francisco during the 2004 "Winter of Love" tended

to be activists with prior experience in other social movements, including gay and lesbian rights, AIDS activism, women's rights, civil rights, environmental justice, and antiwar movements (Taylor, Kimport, Van Dyke, & Andersen, 2009; Taylor, 2010). Such individuals took part in marriage not as a private, individual matter with assimilationist aspirations, but as yet another instance of civil disobedience to protest an unjust sociolegal system. This civil disobedience involved taking over public space in the form of marriage counter activism, which garnered widespread media attention. Taylor et al. posited that this committed indignation helped spark mobilization across the state in favor of marriage equality.

Paralleling Taylor et al.'s work, Katrina Kimport argued in her analysis of lesbian wedding photography and interviews with lesbian couples that same-sex weddings allow both for femme visibility and the visibility of the married couple as unapologetically lesbian. Many couples she interviewed talked about marriage as an opportunity to articulate resistance to heteronormativity (Kimport, 2013a). Kimport also argued that same-sex marriage subversively cements lesbian identity such that the spouses "will not be returned to a feminine gender and reeducated as to the proper (hetero)sexual object choice" (Kimport, 2012, p. 893). In *Queering Marriage*, Kimport argued that the marriages of the same-sex couples performed during the Winter of Love actively disrupt the notion of heterosexual privilege; have intensely emotional and empowering meaning for the couples involved, as their very relationships and existence as people have been politicized and seen as taboo throughout their lives due to societal homophobia; and also uphold some of marriage's key forms of hegemony, such as access to legal rights and a focus on commitment. Kimport's research indicates that there cannot be one simple answer to the question "Can queers 'queer' marriage?" but that, in some cases, the answer is yes (Kimport, 2013).

Further, Adam Isaiah Green argued that counter to early queer theoretical "prognostications" about same-sex marriage, the 30 same-sex Toronto couples he interviewed "both consolidate and subvert the 'traditional' marital form of twentieth century, middle-class North America" (2010, p. 401). While Green's interviewees reiterate normative values about the importance of stability, commitment, and increased legitimacy conferred by the status of marriage, they also vary widely when it comes to the practice of monogamy as well as gendered divisions of labor. Forty-seven percent of the male couples in Green's study, as well as one female couple, practice non-monogamy within their marriages, and some couples cite their married status as having allowed them to feel more comfortable exploring non-monogamy. Among the married couples who favor monogamy, Green finds that they nevertheless tend to recognize the importance of non-monogamy for others.

When it comes to the distribution of domestic labor, Green found a "highly egalitarian domestic division of labour" on the part of "the vast majority of same-sex spouses" participating in the study (2010, p. 421).

He reported similar findings for couples' shared financial responsibilities. Both these findings confirm and extend William Eskridge's prediction that same-sex marriage would disrupt hegemonic gender norms found in heterosexual marriages (Eskridge, 1996). For Green, same-sex couples' relationship to marriage is informed both by their socialization into hegemonic heterosexual norms but also by their lifelong outsider status as queer people in a heteronormative society. These conflicting forces act as a "dual socialization process" complicating arguments that same-sex marriage will emerge solely or primarily as assimilationist and homonormative.

The scholarship above represents a clear departure from the assumption that same-sex marriages are simply more of the same deadened, heteronormative, one-size-must-fit-all relationship formation. As the authors of a recent literature review on same-sex marriage scholarship proposed, "[T]he 'post-gay' claim that assumes that embracing marriage means saying that 'we're just like you' may be overstated" (Hopkins, Sorensen, & Taylor, 2013, p. 106). Such studies echo a basic yet key tenet touched on by various scholars of marriage: the institution of marriage changes through time and across space (Cott, 2000; Coontz, 2005). Just as heterosexual marriage no longer legislates that women, for example, must abandon their rights to sexual autonomy, so same-sex marriage may act to further challenge various assumptions about, and boundaries of, the institution.

PRELUDE TO PROTEST: WHY ELECTION NIGHT 2008 MATTERS

The story of how 21st-century marriage equality activism has emerged as militant is inextricably linked not only to San Francisco Mayor Gavin Newsom's civil disobedience in handing out marriage licenses to same-sex couples during the "Winter of Love" in 2004 (Taylor, Kimport, Van Dyke, & Anderson, 2009; Kimport, 2013b) but also to the aftermath of election night 2008. November 4, 2008 brought a series of bitter legal disappointments to LGBT communities across the United States, all of them perpetuated by the cruel mob mentality of the popular referendum that has been increasingly used to curb the rights of disfavored sexual minorities since the 1970s. I argue that the passage of Proposition 8 in California played an especially significant role in mobilizing the mass grief and outrage necessary to cultivate a new form of what Douglas Crimp has termed "mourning and militancy" (Crimp, 1989).

Proposition 8's passage occurred at a time of great irony in the U.S. political landscape. On the one hand, celebrations of the historic election of Barack Obama broke out across the nation on election night. People longing for a progressive change after eight years of George W. Bush's catastrophic leadership embraced Obama's "Yes We Can" campaign slogan from state to state, turning some typically purple and even red states blue for the first

time in years.⁵ Many of these progressive and liberal voters were members of LGBT communities who had spent considerable time and money getting Obama elected. And yet, at the same time in California, the Yes on 8 campaign proved that “yes they could” take away a key civil right from same-sex couples using the same voting power that resulted in President Obama’s victory. In fact, the Yes on 8 campaign drew on Obama’s lack of support for same-sex marriage in their pre-election mailers.

Not just in California but also in Arizona, Arkansas, and Florida, a range of states spanning literally coast to coast, voters went to the polls and successfully voted against the rights of same-sex couples and parents. Each of these state electoral outcomes was damaging for queer people, especially in states where same-sex couples and parents did not have any legal protections. It is not my intention to forget these elections outside California in articulating a specifically “post-Prop 8 turn” in marriage equality activism. However, the passage of Proposition 8 was a unique source of injury for queer people for two key reasons.

First, as a notorious “blue state,” many people both in California and across the nation thought that heterosexual Californian voters would reject Proposition 8 and protect the equality of their neighbors, friends, family members, and coworkers. When this did not happen, and not only conservative inland areas but every county in southern California except Santa Barbara County voted in favor of Proposition 8, many people were shocked. Perhaps it was somewhat expected for a conservative state such as Arkansas to take away the rights of queer people, but California, home to gay meccas San Francisco and West Hollywood, had now joined the ranks. As Carol Kirkman, who had planned to marry her partner Margaret Gonzalez on November 15 but who instead spent the day participating in a Los Angeles JoinTheImpact protest, remarked, “We didn’t even think twice that this would pass” (Knoll, 2008).

Second, Proposition 8, funded by out-of-state groups, took away a right from individuals in a state with well-known LGBTQ enclaves and with the percentage of same-sex couples higher than the national average (Gates & Ramos, 2008) after thousands of same-sex couples had already wed. Crucial to this point is the fact that the couples married under a national spotlight of media visibility. As same-sex couples began to wed en masse in California, often after having been together for decades, they acted as a powerful visual that saturated American media. The mass of same-sex weddings in California in 2008, much like those in San Francisco and Massachusetts in 2004, represented the love and commitment of couples rendered visible on a scale unknown to American television audiences before.

The same-sex marriages in California, as well as the impending battle of Proposition 8, took on a symbolism extending far beyond marriage itself. The battle around Proposition 8 became a question of how to respond to

overt displays of same-sex love and kinship in the public sphere, whether or not the (anti-gay, heterosexual) public has the right to intervene in the legal recognition of someone else's family, and essentially, to what extent gay and lesbian people should be permitted to occupy public familial space. Core homophobia-laced fears about children's (same-sex) sexuality also played a prominent role in Yes on 8 commercials and printed campaign materials. Central to these fears was the idea that children would learn about the existence and acceptability of gay people in California schools as a result of state-sanctioned marriage equality, and this knowledge and validation would lead children to potentially experiment with being gay themselves. More generally, the enactment of Proposition 8 speaks to the larger problematic implications of the California ballot initiative process, in which voters are given broad leeway to vote on a number of topics as long as enough signatures have been gathered to place an issue on the ballot. Past referendums in California stripping marginalized people of their rights have included, for example, Proposition 187 in 1994, known as "Save Our State" (SOS), which denied undocumented immigrants access to public services and which was ultimately ruled unconstitutional (Fee, 1998).

When 36,000 people who had just married months, weeks, or even days before the election, as well as their friends and family, found that their marriages were now at risk of being nullified, and when couples planning a post-election wedding now realized they could not marry, mass grief and outrage ensued nationwide. Indeed, even some queer people who had not married or planned to marry in the near future found that the Proposition 8 campaign's reliance on menacing homophobia had been an attack on all queer people's lives. The Yes on 8 commercials, after all, had used the specter of vulnerable children harmed by gay people as a way to gain votes, a fact not lost on many older LGBT people who had witnessed the same scare tactics wielded by Anita Bryant in the 1970s. Driven at least in part by these undeniably powerful emotions, which social movement scholars have long recognized as important in understanding protest (Aminzade & McAdam, 2001; Goodwin, Jasper, & Polletta, 2001; Jasper, 1997, 1998; Kemper, 1978; Taylor, 1995, 2000, 2013), same-sex couples faced a type of "political depression" (Cvetkovich, 2007). As part of this political depression, couples felt the loss of what had been and, as Ann Cvetkovich described the phenomenon, "the sense that customary forms of political response . . . [we]re no longer working either to change the world or to make [them] feel better" (Cvetkovich, 2007, p. 460).

This Proposition 8-generated political depression quickly gave way to nationwide political action. Same-sex couples, heterosexual allies, and youth in particular effectively utilized Internet organizing to get into the streets, uploading and sharing protest actions across cyberspace. Dustin Lance Black, LGBTQ rights advocate and Academy Award-winning screenwriter for *Milk*, who would go on to write the play *8* based on the federal court proceedings

against Proposition 8, reflects that the night after Proposition 8 passed in Los Angeles,

I attended a rally . . . and the speakers onstage were mostly the folks who had waged the failed, closeted ‘No on 8’ campaign. . . . Yes, there were some cheers, but mostly the mood was restless. And then something magical happened. The young people in the crowd started to move. . . . They marched away from the stage. They started to march out of the gay ghetto of West Hollywood and up to a straight neighborhood. Within minutes a public march, eight thousand strong, had begun. . . . They started giving a face to GLBT people again. They showed the world who was hurt at the ballot box the night before. . . . They weren’t asking straight people to advocate for their rights. In their chants and on their signs, they demanded equality themselves. (Black & Maupin, 2009, p. 18)

Black, in describing the disjuncture between the “failed, closeted ‘No on 8’ campaign” and the “restless” youth marching into the straight neighborhood, speaks to the heterogeneity of marriage equality activism such that the most moderate or conservative strategies cannot be understood to speak for all marriage equality activists. The hurt and angry youth that Black finds so inspiring “weren’t asking straight people to advocate for their rights . . . they demanded equality.” This idea of demanding equality in the face of a statewide victory for bald homophobia at the ballot, marching in the streets, and shouting into megaphones and news cameras, is characteristic of radical protest that demands rather than asks, is queer-in-your-face rather than privately gay, and is fundamentally more complex than the homonormative, passively consuming assimilationists sketched by canonical queer theory. Such a demand for equality was one that would continue to be marshaled in later protests, including those organized by JoinTheImpact, such that many people felt a palpable shift in political consciousness. I term this shift the post-Prop 8 turn, in which individuals reacted to Proposition 8 by mixing mainstream legislative priorities with militant direct action tactics.

JOINTHEIMPACT NOVEMBER 15 PROTESTS

Mere days after the passage of Proposition 8, Amy Balliett, a twenty-something woman based in Seattle, formed the Web site JoinTheImpact for the purpose of attracting individuals to organize anti-Proposition 8 protests. The site attracted rapid attention and quickly became a hub for channeling outrage and pain into nationwide political protest. Through JoinTheImpact, individuals across the United States and even in some major cities around the globe planned what came to be known as the November 15 protests. These protests, according to event organizers, coordinated upwards of one

million participants in direct action tactics. The site's online discussion forums, similar to the future Web site Prop8TrialTracker (later renamed EqualityOnTrial to expand its legal coverage of other LGBT-related court cases), also acted as a space to form a collective group identity as people harmed by Proposition 8's passage, a feature of social movement building that has been consistently recognized as crucial (Klandermans, 1985; Melucci, 1985; Taylor, 1989; Touraine, 1990; Taylor & Whittier, 1992; Bernstein, 1997).

It is a testament to the power of new media, specifically the extent to which the Internet facilitates the fast spreading of information (Myers, 1994; Ayres, 1999) for less expense than offline methods (Fisher, 1998; Peckham, 1998; Bimber, Flanagan, & Stohl, 2005; Shirky, 2008), that so many people were able to turn out in the streets in such high numbers on November 15, 2008, with just a week and a half to plan and coordinate. California cities understandably experienced the highest numbers of protesters, with San Francisco attracting an estimated 7,500 people, Los Angeles 10,000–12,000, and San Diego the largest at approximately 20,000–25,000 (Fagan & King, 2008). However, protests raged across the country, from “a dozen or so” reported in Sandpoint, Idaho, to 2,000 in Salt Lake City, Utah, and anywhere from 4,000 to 10,000 in New York City (Fagan & King, 2008; Humm, 2008; Hunt, 2008; Lobsinger, 2008). There were even protests in other countries, including Canada and the Netherlands. The place of youth in driving the movement was palpable. All of the leaders of the New York City protest, which attracted several thousand people, were 22 years of age or younger (Humm, 2008).

The early protests after the passage of Prop 8 sparked what has since been termed “Stonewall 2.0,” a phrase that suggests the important place of new media technology in generating a passionate nationwide, grassroots movement fighting for marriage equality comparable to the passion and anguish unleashed during the historic Stonewall Riots of 1969, which have typically been credited as a turning point in the creation of the modern-day gay liberation movement (Duberman, 1993; Rivera, 2002). As Christopher Lisotta of *The Nation* reports about veteran gay rights activist Cleve Jones in relation to the grassroots support for what became the National Equality March in 2009,

Jones is fully aware that enthusiasm from marches and other big events comes and goes. From the post-Stonewall years to Harvey Milk, ACT UP and the development of an LGBT ‘market’ by corporate advertisers, he’s seen it all. But this time he feels things are different. After the election someone used the term ‘Stonewall 2.0,’ Jones says. ‘When I read that, I snickered out loud and said to myself, We’ll see about that.’ But now Jones says that he is witnessing a ‘sustained national grassroots movement.’ ‘Not one of the national organizations has come close to it,’ he observes. (Lisotta, 2009)

This blend of activist passion and new media, I argue, is what led the way for later groups such as GetEQUAL to quickly and successfully coordinate simultaneous Internet-based outreach in towns and cities across the country to plan on-the-ground direct actions in the pursuit of full federal equality.

The JoinTheImpact protests illustrate how sorrow, outrage, and grassroots mass mobilization came together in bold ways to publicly wage war on behalf of marriage equality. Protesters carried a multitude of heartbroken and enraged messages on handmade signs, such as “5,419,478 BIGOTS Stole Our Civil Rights,” “Did You Cast a Ballot or a . . . Stone?,” “Love Not H8,” and “Chickens Got Rights, Gays Got Plucked,” referring to the irony of the animal rights bill that passed in California along with Proposition 8. Protests targeting the Mormon Church, both in Salt Lake City, Utah, as well as the Westwood neighborhood of Los Angeles, serve as a particularly compelling example of how marriage equality activists refused to advocate for sanitized, private, assimilationist recognition. The outright attacks on Mormon hypocrisy for spending millions to sway the election in California, including a critique of the Church of Latter-Day Saints’ tax-exempt status, signified a sharp departure from any sort of moderate, well-tempered public relations campaign appealing to dominant conservative heterosexual culture. Signs against the Mormon Church included “IRS: Investigate the Mormons!” and “Latter Day H8.” More generic critiques of Christian hypocrisy were reflected in messages such as “Your Religious Freedom is Not a Billy Club” and “Jesus Said: Feed the Poor. They Said: Sorry, Jesus. We Spent \$40 Million on Hate & Fear.”

Protesters’ attacks on the Mormon Church as a religious organization and set of dogmatic religious beliefs also departed from the mainstream gay and lesbian social movement focus on the promotion of faith-based coalitions and religious understanding. Of course, one can argue that an attack on the Mormon Church provided an easier target than some other religious traditions, as Mormonism is often demonized by mainstream Christian denominations. However, protesters’ religious mocking and public shaming marked a tactic generated in the defensive, anguished grassroots rather than at one of HRC’s corporate board meetings.

These impromptu protests spoke to the reality of Proposition 8 as stoking a “culture war” across California. The cumulative effect of spending months seeing “Yes on 8” yard signs on neighbors’ lawns and contending with screaming, anti-gay Proposition 8 supporters at LGBTQ Pride rallies resulted in an explosion of in-your-face, militant queer fury. In Los Angeles, violence ensued, with police wrestling one man to the ground after he jumped up and down atop a police car, and there were reports of officers clubbing another man to the ground (Elias, 2008).

In comparing such a defiant, emotionally raw scene to other instances of LGBTQ rights activism, one cannot help but think of similarly reactive, defensive, and militant occasions, such as the Compton’s Cafeteria riot of drag queens and other gender nonconforming LGBTQ San Franciscans

against a midnight police raid in 1966 (Stryker, 2008), or at Stonewall in 1969, or the White Night Riots in 1979 after a San Francisco jury gave Dan White the lightest possible sentence for assassinating first openly gay California elected official Harvey Milk and San Francisco mayor George Moscone (Shilts, 1982). Another prime example is the controversial 1989 protest inside St. Patrick's Cathedral against both the homophobia of Catholic Church leadership and the lack of government intervention in saving the lives of those diagnosed with HIV/AIDS (DeParle, 1989). The post-Prop 8 protests share with such iconic moments in LGBTQ history, serving as a galvanizing force for a new generation fighting back against barefaced anti-gay oppression. Similarly to how, as Deborah Gould has argued, the 1986 Supreme Court decision in *Bowers v. Hardwick* upholding states' rights to criminalize sodomy led to an affective breaking point in which gay groups turned to the streets, so Proposition 8's passage served as the tipping point in codified discrimination that pushed upwards of a million LGBTQ and pro-gay individuals to unleash their grieving outrage and demand justice (Gould, 2009). The militant passion expressed in these protests became more concentrated with the formation of GetEQUAL.

THE POLITICS OF GETEQUAL

GetEQUAL is a grassroots, national LGBTQ organization formed in 2010 by a group of activists, including Kip Williams and Robin McGehee. Williams and McGehee had previously been active in the marriage equality movement but became disenchanted with the foot-dragging of the supposed "fierce advocate" President Obama and what they saw as the elitism and incrementalist, apologist tactics of HRC (Harmon & Eleveld, 2010). While some prominent queer theory scholars continue to reify the politics of HRC and Andrew Sullivan as if nothing had changed in LGBTQ activism since the late 1990s, GetEQUAL not only departs from the ideology of HRC but also calls out the organization using thinly veiled references to the inaction of elites. On the group's online "call to action," itself reflective of the Stonewall 2.0 interplay between new media and contemporary LGBTQ activism, potential members and supporters are encouraged to pledge the following:

I join with others who are ready to take bold action to demand equality for LGBTQ people. I will not accept excuses, delays, compromises, or empty promises, and I will hold accountable any person or organization who stands in the way. I will push back, rise up, and speak out against all forms of discrimination that plague our community. (Ross, 2010)

GetEQUAL's critique of HRC can be seen even in its logo, which transforms HRC's famous equal sign into a double equal sign forming the letter E for "Equal" (Figure 1).



FIGURE 1 Different uses of the equal sign.

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Much of GetEQUAL's work, while fighting for rights-based measures within a framework of state reformism, makes use of radical tactics departing from established channels, including direct action and political street theater. These tactics are reminiscent of earlier gay activist energies conducted by groups such as the AIDS Coalition to Unleash Power (ACTUP) in the 1980s. While it is important to note that direct action has been taken up in politically conservative contexts in addition to progressive ones, such as in anti-abortion activism (Ginsburg, 1998), the tactics used by GetEQUAL and ACTUP deploy direct action for politically progressive goals, with the result being marriage equality activism that challenges key queer theorists' assumptions of marriage equality activism as upholding a gay version of the "politics of respectability" (Higginbotham, 1994). Indeed, similar to ACTUP, GetEQUAL intentionally challenges both anti-LGBT and pro-LGBT groups and individuals whenever they are deemed to be failing LGBTQ communities in some way, which is a key departure from HRC's "once an ally, always an ally" approach (Sasha Kaufmann, personal communication, May 20, 2013). Notable actions include Lt. Dan Choi chaining himself to the White House fence before being arrested by DC police, an instance of civil disobedience he and others repeated on multiple occasions to protest Don't Ask Don't Tell; group members disrupting Congressional hearings and meetings to demand introduction of a transgender-inclusive ENDA; publicizing members' sit-ins in the San Francisco and DC offices of former House Speaker Nancy Pelosi in support of ENDA; and protesting at public events held by the U.S. Olympic Committee and International Olympic Committee over both organizations' complicity with state-sponsored homophobia ahead of the 2014 Winter Olympics in Sochi, Russia.

Writing about GetEQUAL's role in helping to repeal Don't Ask Don't Tell, specifically in the context of Choi and others chaining themselves to the White House fence numerous times, Nathaniel Frank muses,

The tactics deployed by GetEQUAL in March 2010 started months of direct action meant to pressure the White House and congressional Democrats to ensure the timely passage of repeal . . . It would be impossible to conclude definitively that these tactics were responsible for moving repeal across the finish line in December 2010, and in the view of the White House and HRC officials, a sound plan to secure repeal had been in place long before any of the outsider tactics raised their irritating voices. What we do know, however . . . strongly suggests a critical role for these pressure tactics . . . The President, himself, was personally irked by the disruptions at his speaking events, which pressured him to raise questions to his senior staff about his approach to the issue and to gay voters. The President's deputy chief of staff, Jim Messina, was increasingly frustrated by his collapsing relations with LGBT groups and worried about alienating a vocal constituency . . . HRC was concerned by the criticism it was taking from the LGBT community. (Frank, 2013, p. 202)

This quote is important in understanding the ways that GetEQUAL has emerged as a national organization fighting for "mainstream" reformist goals while at the same time using "radical" tactics, acting as an intentional irritant for both the White House and HRC. This again challenges the notion that national LGBT organizations fighting for marriage are necessarily single-issue or that they are bound by a homonormative, conformist vision for queer civic engagement. To coincide with the repeal of Don't Ask Don't Tell the next month, GetEQUAL began the first of its nationally coordinated local actions with the Day of Discontent, in which the organization drew attention to the range of issues still impacting LGBTQ people even with equal access to military service (Annear, 2011). This move distanced the group from the common queer critique that national LGBT groups care only about the conservative issues of "marriage and military."

In May 2012 members of GetEQUAL performed a direct action that would come to be called the More Than Marriage action. GetEQUAL had been pushing President Obama to sign an executive order to implement ENDA for federal employees and had made a plan to engage in a direct action if Obama did not sign the executive order within a month of their demands. When the month came and went, the organization planned to fly in members from across the United States to chain themselves to the White House fence and face possible arrest (Sasha Kaufmann, personal communication, May 6, 2013). The morning of May 9, as activists were traveling to DC, the president publicly announced his support for marriage equality in an interview with Robin Roberts aired by ABC News,

stating, “For me, personally, it is important for me to go ahead and affirm that I think same-sex couples should be able to get married” (Socarides, 2013).

After a spirited discussion within the GetEQUAL leadership about how to proceed with the planned action in the face of a major symbolic win for the marriage equality movement, the group ultimately decided on the slogan “More Than Marriage,” which thanked Obama for his support of marriage equality while re-emphasizing specific demands he and Congress had yet to fill for LGBTQ communities (Sasha Kaufmann, personal communication, May 6, 2013) (Figure 2). This situation perfectly represents the nuances of GetEQUAL as a group, which includes an abiding commitment to and respect for marriage equality matched with a fierce promise to agitate for full federal equality encompassing but certainly not limited to marriage.

According to Sasha Kaufmann, state co-lead for the Massachusetts chapter of GetEQUAL and participant in the More Than Marriage action as well as a key player in the Olympic protests in Boston (Nathan, 2014), it has been particularly important for GetEQUAL Massachusetts to pursue other issues impacting LGBTQ people beyond marriage. This is because as Massachusetts was the first state to legalize same-sex marriage, the group does not want to promote the idea that LGBTQ equality has been “won” simply due to the attainment of marriage (personal communication, May 5, 2013). Such a position directly challenges the idea



FIGURE 2 GetEQUAL’s “More Than Marriage” campaign.

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that fighting for marriage equality will result in an LGBT rights movement that secures marriage equality and then loses interest in other issues.

GetEQUAL's intersectional and coalition-based work has only blossomed under the leadership of new co-directors, Heather Cronk and Felipe Matos, the latter of whom became co-director in 2013 after serving as a field director for the group. As Matos, the first undocumented person to direct an LGBT organization, wrote in an op-ed for the Latino Voices blog of *The Huffington Post* in April 2013, "Needless to say, for us in GetEQUAL, immigration reform is needed and it is a moral imperative for our country. This legislative battle has become a focal point in our organizing because of the lived experience of some of our leaders, including myself" (Matos, 2013). GetEQUAL has also partnered with the groups United We DREAM and the Mid-South Peace and Justice Center at a 2011 civil disobedience training in Memphis, Tennessee, allowing for an interplay between LGBTQ organizing, activism on behalf of undocumented students, and the continued fight for racial and economic justice.

ONE STRUGGLE, ONE FIGHT: "DON'T GET CAUGHT IN A BAD HOTEL"

One Struggle One Fight, based in San Francisco, provides a prime example of a group dedicated to marriage equality as well as coalition building for intersectional social change. The group was formed in response to the passage of Proposition 8, but it is also, according to its official Facebook page, committed to a broader spectrum of social justice issues. The group has

pub crawled through the Castro to have conversations about the Movement . . . thrown parties for civil rights . . . held a guerrilla screening of *Milk* in the streets of the Castro . . . and pitched tents on the Civic Center lawn on the night before the CA Supreme Court heard oral arguments to ove[r]turn Prop 8. ("One Struggle," n.d.)

One Struggle One Fight has also held rallies to support homeless queer youth and is allied with movements concerning "labor, anti-war, racial justice, youth empowerment, violence prevention, and anti-poverty, to name a few" since "our struggle for LGBT equality and civil rights is part of a larger struggle for peace and social justice . . . This is a Movement of Movements, because we have incredible power when we stand up for and with each other." Like GetEQUAL, the organization identifies with the tactics of direct action and civil disobedience. Not surprisingly, One Struggle One Fight has also been active in the Occupy Wall Street movement. The group reflects a more nuanced approach to social justice that acknowledges, as does GetEQUAL,

what Amin Ghaziani terms the “thems-inside” the movement—poor people, people of color, transgender people, and undocumented people, for example (2011, p. 102).

In May 2010 the group acted as part of a coalition of LGBTQ activist organizations and unions to target an anti-worker corporate hotel chain. A female couple pretended to check into the Westin St. Francis hotel in San Francisco before one of them shouted out, loud enough for the rest of the lobby to hear, “Wait a second honey, we can’t check in here! This hotel’s under boycott!” The other woman then broke into a rendition of queer pop icon Lady Gaga’s “Bad Romance” with the modified lyrics “Don’t get caught in a bad hotel!” The Brass Liberation Orchestra, an activist musical group, began playing a brassy version of “Bad Romance” while undercover activists from HAVOQ, San Francisco Pride at Work, and One Struggle One Fight broke into a choreographed dance replicating Gaga’s signature moves (Figure 3).

Singing “Boycott, boycott! Workers’ rights are hot!” and “These workers need health care and a fair contract! This is a bad, bad hotel!,” protesters balanced humor with allegations of serious corporate abuse of vulnerable workers. Activists further injected the protest with a distinctly queer



FIGURE 3 Screenshot of activists protesting in the lobby of the Westin St. Francis. Complete with on-screen icons in lower left-hand corner for easy “sharing” via social networking sites Twitter, Facebook, and other mediums.

Source: http://viralvideochart.unrulymedia.com/youtube/dont_get_caught_in_a_bad_hotel?id=-79pX1IOqPU.

sensibility by singing such lyrics as, “I want to party and let’s do it in drag, but not in a bad hotel! Want San Francisco and I want your gay ass, but not in a bad hotel!” These lyrics, celebrating drag and gay sex in a public hotel lobby, stand in stark contrast to ideals of homonormativity and the politics of respectability. After a few verses, the same woman who began the song took up a megaphone to explain the boycott, and the choreographed sing-along continued. Activists repeated this action in an identical performance at another hotel after dancing their way out of the Westin St. Francis and down the street.

Easy dichotomies between the “radical queers” and the single-issue “assimilationist married gays” are dismantled by groups such as GetEQUAL and One Struggle One Fight. Further, one can be critical of the problematic aspects of institutions while simultaneously remaining committed to securing basic rights within institutional avenues. For example, a worker may be critical of the multiple stratifications in the labor system yet nonetheless desire equal opportunities within the existing structure (Calhoun, 2000), an issue that One Struggle One Fight pursued in the hotel boycott analyzed here.

CONCLUSION: MOVING FORWARD IN QUEER STUDIES

The case studies analyzed here provide a fruitful opportunity for understanding current and emerging marriage equality activism that does not subscribe to entrenched tropes about what marriage equality activism looks like or who marriage equality activists are. Rather than perpetuating in-fighting between scholars of queer studies, it is my genuine aim to generate more complex ways of engaging with marriage equality activism in the academy as well as to better understand the nuanced struggles of grassroots activists on the ground. The JoinTheImpact protests, GetEQUAL, and One Struggle One Fight illustrate diverse, intersectional, and often militant strands of marriage equality activism in the 21st century United States.

As we know, the movement for marriage equality is not going away. As of this writing, same-sex marriage is now legal in 35 American states, the District of Columbia, 22 tribal nations across the U.S., and nearly 20 other countries around the world—and counting! Therefore, rather than lamenting about why same-sex couples should not marry, scholars—and same-sex couples themselves—are only beginning to discover a more compelling aspect of this issue: What is the range of meanings available to the institution of marriage in the 21st century for those who choose to make use of it? How are traditional assumptions about “husband,” “wife,” and marriage in general being taken up, embodied, and potentially resignified by same-sex spouses? As Verta Taylor and Leila Rupp write in their aptly titled piece “Are We Still Queer Even Though We’re Married?”: “[W]e reject the notion that [marriage]

severs us from the queer community. When strangers ask us if we are sisters, or even twins, as they are increasingly wont to do, and if we say in response, ‘No, we’re married,’ we can assure you that they don’t then think of us as just like them. They still look at us as if we are, well, queer” (Taylor & Rupp, 2014, p. 87). As Taylor and Rupp also point out, given the increasing ambivalence that both younger heterosexual and queer people seem to have for the institution of marriage, “That should reassure us that younger queer people will not necessarily be pressured into marriage just because it is a possibility . . . if queer people, like straight people, more and more eschew marriage, then perhaps the rights that we all deserve will no longer be tied to a marriage license.”

Ultimately, we need more on-the-ground research to speak with those choosing to marry rather than speaking about (and very often, against) them. It is only then that a comprehensive theoretical analysis may develop regarding the ways in which marriage is experienced, lived day to day, and often invested with political meaning by married same-sex couples. Perhaps the results will reflect a range of possibilities for how to understand the institution of marriage, as individuals enter into and experience marriage in diverse ways, and marriage has the potential to change as an institution, as we know it has through history. Whether open or closed, conceived of as apolitical loving commitment, radical contestation of what it means to be husbands and wives, or completely irrelevant, and involving a range of organizations of gendered domestic labor, marriage is not and has not been static.

In addition, while critique of marriage as a general social, political, and economic institution is, of course, at the heart of queer critique, such arguments often result in placing the weight of the normative neoliberal system on the backs of same-sex couples in particular rather than those who have already been party to the privilege of marriage for generations: White heterosexuals. Calhoun speaks to a similar power dynamic in her own critique of lesbian feminist opposition to same-sex marriage. For Calhoun, it is fundamentally unfair to place the dismantling of every major oppressive social and political institution at the feet of queer people, who continue to experience concrete injury as “family’s outlaws” (2000, pp. 138–139). Scholars in fields such as public health have already begun to identify important health implications of marriage equality, such as research suggesting that married same-sex couples in California appear to be “significantly less distressed” than same-sex couples whose relationships are not legally recognized (Wight et al., 2013). The potential health benefits of same-sex marriage deserve increased attention in future interdisciplinary queer studies scholarship.

Finally, it is important to consider how the very tools of queer theory are implicated in this discussion. Key queer theorists’ deployment of postmodernism has been used in ways antithetical to the epistemology and methodology of postmodern thought. Postmodernism, while a practice involving deconstruction and radical critique of existing frameworks, is

also a tool for smashing binaristic assumptions, valuing fluidity and nuance, and widening our scope of vision beyond either/or—in this case, beyond assimilationist/radical. Rather than seeing the contemporary U.S. fight for marriage equality as by definition assimilationist, neoliberal, or involving a sort of false consciousness on the part of those advocating for its radical implications, it would benefit queer theory and queer studies to move toward a deeper understanding of the motivations, desires, and political orientations of those involved in marriage equality activism. Through my analysis of the JoinTheImpact protests, GetEQUAL, and One Struggle One Fight, I seek to explode the assumption that marriage equality activism must be single-issue, apologetic, assimilationist, and ultimately divorced from larger issues of social justice.

NOTES

1. For purposes of inclusivity, I use *queer* at various points throughout this article as an umbrella term to discuss the experiences of non-heterosexual individuals. When discussing the specificity of same-sex desire and laws attempting to bar or make legal same-sex familial arrangements, I use *gay*. While I recognize that usage of *queer* is politically contested and may refer to a number of non-normative identities and practices (such as heterosexual BDSM), I claim a strategic use of *queer* here that draws on the history of its connection to sexual minorities falling outside heterosexuality.

2. For those unfamiliar with state-by-state referendum processes across the United States, the California case exemplifies the broad power of the voters in that state to override existing legislation and even state court rulings. In Massachusetts, the first state to legalize same-sex marriage in the United States, voters were never able to roll back marriage equality, as two thirds of the state legislators must vote to put the matter to a popular vote. Thanks to vigorous outreach and activism by pro-equality groups, a potential repeal of same-sex marriage never secured the required two thirds vote to advance the issue further in 2008, and the political feasibility of doing so continued to wane over time.

3. While HRC identifies itself as an LGBT organization, its commitment to the rights of trans individuals remains questionable after highly publicized incidents where the organization abandoned trans inclusion in federal LGBT legislation during lobbying efforts and alienated trans activists attending its rallies.

4. At various points in this article I use the terms *LGBT* and *LGBTQ*. I use *LGBT* mainly when referencing mainstream LGBT organizing, in which *queer* is not a common identity or is viewed in a negative or stigmatizing light by some members. I use *LGBTQ* in contexts in which *queer* is likely to be embraced as an umbrella term for those who may fall outside the sexual or gender identities demarcated by *LGBT*.

5. In American political discourse, “red states” refers to states whose elections tend to result in victory for the Republican Party, whereas “blue states” connotes states that swing toward the Democratic Party. “Purple states” are states whose populace may result in Republican or Democratic victories depending on the election.

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