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“On Marriage Equality” (review of Jay Cee Whitehead's *The Nuptial Deal: Same-Sex Marriage and Neo-Liberal Governance* [University of Chicago Press, 2011])

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ON MARRIAGE EQUALITY

Margot Weiss

The Nuptial Deal: Same-Sex Marriage and Neo-Liberal Governance

Jaye Cee Whitehead

Chicago: University of Chicago Press, 2011. x + 205 pp.

“Where does the politics of gay marriage lead?”

—Michael Warner, “Normal and Normaller: Beyond Gay Marriage ”

Jaye Cee Whitehead’s book *The Nuptial Deal* is a sociological study of a marriage-equality organization (given the pseudonym Marriage Rights Now, or MRN) in the western United States. As many have noted—some in these pages—the laser-focus on same-sex marriage among US gay and lesbian activists is a dramatic about-face from 1960s and 1970s liberationist campaigns for economic, racial, and gendered justice. Analyzing fieldwork and interviews with MRN activists beginning in 2004, as well as textual analysis of national same-sex marriage debate materials (court and congressional documents, policy briefs), Whitehead aims to explain why marriage equality is a compelling struggle for these activists.

In this, Whitehead excels: marriage, she argues, is a form of Foucauldian neoliberal governance, which Whitehead defines as “a logic and ethic of governing the population according to economic principles of practicality and efficiency . . . prioritizing cost-benefit analysis above citizen well-being” (6). Recent state marriage-equality legislation and marriage-equality activists converge on this neoliberal ground; both emphasize the cost-saving benefit of same-sex marriage (in terms of welfare, health care, or unemployment benefits) and its “smooth” distribution of rights to property, assets, and children. Whitehead carefully unpacks how and why MRN activists imagine that marriage will “alleviate the anxiety they feel in the course of living their everyday lives” (31) in chapters focused on the three main appeals of marriage: managing risk, securing privacy, and achieving social recognition. Drawing on textual analysis, ethnographic vignettes, and excerpts from interviews, she shows that activists believe that marriage will protect them, their children, and indeed the entire LGBT community from discrim-

ination as well as emotional and financial hardships. MRN activists hope that marriage will create a legal “zone of privacy” around same-sex couples, shielding them from intrusive state interventions into sexuality and parenting. And they endorse marriage as the gold standard of social belonging, granting full citizenship through everyday acts of recognition (from straight neighbors or on an intake form). In each of these cases, what is promised in marriage is precisely what a neoliberal state and heteronormative society restricts or denies.

Whitehead’s ethnographic analysis makes it abundantly clear why marriage-equality activists believe in marriage. Within a neoliberal context, marriage seems like a smart choice rather than a form of governmental regulation. But an emphasis on the attractions of marriage leads to the question: To whom does marriage appeal? And here, I wished that Whitehead had made more of the “dissenting voices” in her book, those who privately question MRN’s platform but publicly toe the party line—like Cathy, who remains skeptical of marriage (92); or Tami, a former MRN leader, partnered with a woman but still married to her husband for his insurance (126); or Judy, whose blasé attitude about incestuous and polyamorous marriages has resulted in MRN censoring (153). It is striking that the dissenting voices come, for the most part, from nonwhite and working-class people who lack the “prerequisite economic, cultural, or social capital” to make a “down payment for the nuptial deal” (126). Whitehead explains that the MRN leadership is dominated by white, upper-middle-class couples; perhaps for this reason, although MRN’s constituency is diverse, her twenty-four interviewees are primarily white and (at least) middle class (22). A more sustained analysis of the raced and classed dimensions of neoliberal rationalities, especially how the universalization of discourses highlighted in the text (risk, safety, privacy, choice, responsibility, citizenship, equality) obscures their raced and classed operations, would have given Whitehead’s analysis of neoliberalism’s appeal even more critical force.

As the title suggests, Whitehead’s overarching argument is that marriage-equality activists make a “deal” with the state: they “set aside their desires for national health insurance and economic redistribution and instead appeal to the state’s interest in marriage as a neo-liberal technology of governance” (30). As successful as the book is in elucidating the importance of marriage for MRN activists (and people like them), it is less clear “how individuals can find themselves consenting to and ardently fighting for a model of neo-liberal governance that they ideologically oppose” (4), for the simple reason that MRN activists, with few exceptions, do not seem ideologically opposed to neoliberalism. The ambivalence Whitehead locates at the center of the nuptial deal points less to a crisis in

these activists' political vision than to the awful irony her book so vividly reveals: "activists' efforts to make their own lives more secure" strengthen the social insecurity produced and justified by neoliberal formations (30). Perhaps this is not a "deal" but rather a misrecognition; still, Whitehead emphasizes the rational (and emotional) nature of the nuptial deal. Activists want marriage not because they "buy into the illusion" that the family is a "private world free from the state" but because marriage would ensure (state) protection from (state) surveillance (86, 93); not because they are "falsely conscious of the state's ability to consecrate forms of social belonging" but because marriage makes "one's relationship more legible to bureaucracies, communities, and families" (127, 108). These points, meant as a critique of queer studies work that regards privatized marriage as ideological mystification, instead identify the ideological heart of the nuptial deal: MRN activists' desires for legibility, privacy, and safety bolster the very state that would erase, surveil, and injure them (even those with white skin, property, and resources). Such discourses show us how neoliberal rationalities—seemingly neutral, practical, always rational and efficient—function as veiled forms of domination.

Whitehead directs her analysis to sociologists of marriage and the family who would benefit from the attention to the vicissitudes of neoliberal governance her book provides. Within interdisciplinary queer studies there is a large literature on marriage and neoliberalism, including other ethnographies of same-sex marriage and LGBT movements. *The Nuptial Deal* stands out for Whitehead's account of the devil's bargain marriage-equality activists make with the state.

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