

# Nuptial Nation:

## The Politics of Marriage in the United States

A summary of the author's book project, supported by a CSWS Research Grant

by Priscilla Yamin, Assistant Professor, Political Science

As states across the country battle internally over same-sex marriage, often pitting constitutional referenda, courts, and legislatures against each other, academics and political actors grapple with the meaning of these institutional fights for the status of gays and lesbians. What is at stake for those who want to restrict marriage, what is at stake for those who seek to extend it, and why has the issue become such a salient national issue? Why does marriage seem to matter so much? *Nuptial Nation* argues that the answer lies in examining how marriage functions as a political entity. Shifting the focus from the cultural contest over sexual identity to the political development of marriage itself reveals novel insights. Seen historically, the issues of same-sex marriage bear striking resemblance to prior contests over marriage, and demonstrate its central role in shaping the American polity.

*Nuptial Nation* approaches marriage as a political institution similar to other institutions such as education and voting.

### What is at stake for those who want to restrict marriage, what is at stake for those who seek to extend it, and why has the issue become such a salient national issue?

As such, marriage circumscribes both the cultural meaning and concrete terms of citizenship. In this historically comparative project, I analyze marriage politics in three periods: Reconstruction (1863-1877), the Progressive Era (1890-1915), and the culture wars from the sixties to the present. At these critical moments of political change in the United States, actors turn to marriage to resolve tensions and justify new political arrangements with regard to the political inclusion and social status of specific groups such as ex-slaves, turn-of-the-century immigrants, poor mothers, and lesbians and gay men. In these moments, marriage itself has undergone intensive

regulatory transformation as it temporarily stabilizes shifts that are perceived to threaten the “foundation of society”—to use a phrase that recurs with startling regularity across historic fights over marriage.

Historically, marriage has granted benefits and rewards to some and denied them to others. The distinction among those who can marry, those who should marry, and those who must not marry exposes a profound link between marriage and citizenship, especially when what it means to be an American is called into question. As a political institution, marriage links national identity and citizenship to familial norms, gender roles, and racial status through a combination of forces that simultaneously promote certain marriages and restrict others. This book demonstrates how the institution is lodged ambivalently (yet powerfully) between liberal notions of rights, contracts and freedoms on the one hand; and obligations to the state and society on the other. It shows the contradictory and complex role of marriage in role-shaping membership in the American nation.

Though marriage changes over time, there are themes and consistent political dynamics that emerge. Marriage has been a key site of contest among various state actors and energized activists over the political inclusion of marginalized groups and the redefinition of the legal, economic, and cultural dimension of national belonging. Particularly in eras of extraordinary political upheaval and change, marriage works to resolve cultural questions of national identity by determining the ground that new forms of political inclusion, exclusion, and social hierarchies will take. The cases of African Americans in Reconstruction; new immigrants in the



Progressive Era; and poor women, people of color, and gays and lesbians in the wake of the 1960s all elucidate how marriage defines membership in the United States. In each there is the broad perception of a political and cultural crisis linked to a crisis in marriage. The nature of the crisis involves questions about the status of particular groups in relation to the nation. Repeatedly, marriage emerges as an important idiom through which to settle these questions.

To elucidate this dynamic, I show how marriage is mobilized in three seemingly contradictory ways. For certain groups the practice of marriage is a privilege, for others it is compelled by state institutions, such as the courts or legislatures as a civic obligation, while still for others the right to marry is denied. Thus politically, marriage acts as a privilege, a right and an obligation of citizenship. During the Reconstruction period, for instance, ex-slaves were granted the privilege to marry with their citizenship rights and had more obligations to do so.

Yet that right was limited by anti-interracial marriage laws. During the Progressive era, certain immigrants were encouraged to marry as part of the Americanization movement, while eugenic marriage laws defined which marriages were acceptable. During the 1960s, the Supreme Court declared a fundamental right to marry in the case *Loving v. Virginia*, while white feminists were organizing against their obligation to marry. And today, gays and lesbians do not have the right to marry in most states while at the same time mothers receiving state aid are strongly urged to marry through marriage promotion programs and increased benefits. Marriage

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governs citizens and noncitizens by determining the grounds of inclusion (enforcing that the same heterosexual, monogamous expectations about family life apply to all) and defining the hierarchy of citizenship by exclusion (only particular people may marry) at the same time. Illuminating the political contradictions of marriage forcefully reveals this paradox of citizenship.

This research brings themes of gender studies to the field of political science. *Nuptial Nation* also uses tools drawn from feminist and queer theory. Understanding the politics of marriage requires a framework that synthesizes different theoretical approaches. Because marriage in the United States is fundamentally a political institution that develops over time, this book draws upon historical institutionalism, as it has been developed in the discipline of political science. The governing authority and reach of marriage as a political institution is made possible precisely because of its cultural and discursive power. The political questions that get contested through marriage have historically centered on identities based in race, gender, class, sexuality, and nationality.

The book concludes with two points. The first concerns scholarship. I claim that understanding marriage comprehensively as a political institution underscores the cultural foundations of political institutions. Moreover, I show how marriage is not a stable or static political institution in the U.S. nation but plays a contradictory role in defining privileges, rights, and obligations of U.S. citizens. The second conclusion is more political in nature. Viewing marriage as a political institution allows a potential reframing of political questions around identity and marriage. For instance, a focus on marriage politics might raise questions about why welfare recipients and same-sex couples do not come together and fight for the right to have alternative families founded in a linked notion of economic and social inequality. In this way, marriage politics could be a context for revealing and cultivating unique and potentially fertile coalitional possibilities. Thus in the end I argue that accepting marriage as a political institution can reveal untapped opportunities for politics. ■



Left: Shannon Bell, front center, with the Harts Photovoice Group at their exhibit in West Virginia, April 2009. Below: During the regional exhibit at Clay Center for the Arts and Sciences, Kay Kinder from the Big Coal River Photovoice Group is interviewed by local news about her photostory, which demonstrated the need for a bottle deposit in West Virginia.

## Photovoice in the Appalachian Coalfields

### CSWS grant winner wins UO Doctoral Research Fellowship

As a sociology graduate student, Shannon Elizabeth Bell displayed an activist's heart. In her first grant application to CSWS, Bell noted that women are at the fore of the anti-coal movement in central Appalachia, stepping out of their traditional gender roles to take an active leadership position in fighting the coal industry. Her scholarship had a mission—to help these women in low income coal-mining areas of West Virginia find more effective ways to use their voices through grassroots action.

Bell's doctoral work caught the attention of the Center for the Study of Women in Society grant committee, earning Bell CSWS graduate student research grants totaling more than \$4600. She was also one of two students awarded a 2009-2010 UO Doctoral Research Fellowship. Her doctoral dissertation drew her back to a land of scarred beauty. Bell had lived in southern West Virginia from 2000-2005 and returned again in 2008 to recruit women in five communities, giving them digital cameras and asking them to take pictures that "tell the story" of where they live.

The photographs that these women captured included the majesty of seasonal changes and local plants and animals as well as the ugliness of strip-mining and trash dumps. For eight months, Bell met with the women in her five groups every three weeks to discuss the photographs, identify common community concerns, and communicate those concerns.

Bell encouraged the women she worked with to take action and a few of them accompanied a *Washington Post* reporter to mountaintop removal mining sites. Some lobbied legislators about coal-related water contamination. Others, with Bell's assistance, successfully lobbied to have long-neglected roads repaved. Still others are using their photostories about litter to work toward supporting a beverage container law.

Many of these photovoice projects can be viewed on Bell's website <[wvphotovoice.org](http://wvphotovoice.org)>.

In June 2010, Bell defended her dissertation, "Fighting King Coal: The Barriers to Grassroots Environmental Justice Movement Participation in Central Appalachia." She graduated with a Ph.D. in sociology and a graduate certificate in women's and gender studies. This fall, she starts a new job as an assistant professor in the Department of Sociology at the University of Kentucky in Lexington. ■

