

**BEYOND SAME-SEX MARRIAGE:
A NEW STRATEGIC VISION FOR ALL OUR
FAMILIES & RELATIONSHIPS**

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We, the undersigned – lesbian, gay, bisexual, and transgender (LGBT) and allied activists, scholars, educators, writers, artists, lawyers, journalists, and community organizers – seek to offer friends and colleagues everywhere a new vision for securing governmental and private institutional recognition of diverse kinds of partnerships, households, kinship relationships and families. In so doing, we hope to move beyond the narrow confines of marriage politics as they exist in the United States today.

We seek access to a flexible set of economic benefits and options regardless of sexual orientation, race, gender/gender identity, class, or citizenship status.

We reflect and honor the diverse ways in which people find and practice love, form relationships, create communities and networks of caring and support, establish households, bring families into being, and build innovative structures to support and sustain community.

In offering this vision, we declare ourselves to be part of an interdependent, global community. We stand with people of every racial, gender and sexual identity, in the United States and throughout the world, who are working day-to-day – often in harsh political and economic circumstances – to resist the structural violence of poverty, racism, misogyny, war, and repression, and to build an unshakeable foundation of social and economic justice for all, from which authentic peace and recognition of global human rights can at long last emerge.

WHY THE LGBT MOVEMENT NEEDS A NEW STRATEGIC VISION

Household & Family Diversity is Already the Norm

The struggle for same-sex marriage rights is only one part of a larger effort to strengthen the security and stability of diverse households and families. LGBT communities have ample reason to recognize that families and relationships know no borders and will never slot narrowly into a single existing template.

All families, relationships, and households struggling for stability and economic security will be helped by separating basic forms of legal and economic recognition from the requirement of marital and conjugal relationship.

U.S. Census findings tell us that a majority of people, whatever their sexual and gender identities, do not live in traditional nuclear families. Recognizing the diverse households that already are the norm in this country is simply a matter of expanding upon the various forms of legal recognition that already are available. The LGBT movement has played an instrumental role in creating and

advocating for domestic partnerships, second parent adoptions, reciprocal beneficiary arrangements, joint tenancy/home-ownership contracts, health care proxies, powers of attorney, and other mechanisms that help provide stability and security for lesbian, gay, bisexual, and heterosexual individuals and families. During the height of the AIDS epidemic, our communities formed support systems and constructed new kinds of families and partnerships in the face of devastating crisis and heartbreak. Both our communities and our HIV organizations recognized, respected, and fought for the rights of non-traditionally constructed families and non-conventional partnerships. Moreover, the transgender and bisexual movements, so often historically left behind or left out by the larger lesbian and gay movement, have powerfully challenged legal constructions of relationship and fought for social, legal, and economic recognition of partnerships, households, and families, which include members who shatter the narrow confines of gender conformity.

To have our government define as “legitimate families” only those households with couples in conjugal relationships does a tremendous disservice to the many other ways in which people actually construct their families, kinship networks, households, and relationships. For example, who among us seriously will argue that the following kinds of households are less socially, economically, and spiritually worthy?

- Senior citizens living together, serving as each other’s caregivers, partners, and/or constructed families
- Adult children living with and caring for their parents
- Grandparents and other family members raising their children’s (and/or a relative’s) children
- Committed, loving households in which there is more than one conjugal partner
- Blended families
- Single parent households
- Extended families (especially in particular immigrant populations) living under one roof, whose members care for one another
- Queer couples who decide to jointly create and raise a child with another queer person or couple, in two households
- Close friends and siblings who live together in long-term, committed, non-conjugal relationships, serving as each other’s primary support and caregivers
- Care-giving and partnership relationships that have been developed to provide support systems to those living with HIV/AIDS

Marriage is not the only worthy form of family or relationship, and it should not be legally and economically privileged above all others. While we honor those for whom marriage is the most meaningful personal – for some, also a deeply spiritual – choice, we believe that many other kinds of kinship relationship, households, and families must also be accorded recognition.

An Increasing Number of Households & Families Face Economic Stress

Our strategies must speak not only to the fears, but also the hopes, of millions of people in this country – LGBT people and others – who are justifiably afraid and anxious about their own economic futures.

Poverty and economic hardship are widespread and increasing. Corporate greed, draconian tax cuts and breaks for the wealthy, and the increasing shift of public funds from human needs into militarism, policing, and prison construction are producing ever-greater wealth and income gaps between the rich and the poor, in this country and throughout the world. In the United States, more and more individuals and families (disproportionately people of color and single-parent families headed by women) are experiencing the violence of poverty. Millions of people are without health care, decent housing, or enough to eat. We believe an LGBT vision for the future ought to accurately reflect what is happening throughout this country. People are forming unique unions and relationships that allow them to survive and create the communities and partnerships that mirror their circumstances, needs, and hopes. While many in the LGBT community call for legal recognition of same-sex marriage, many others – heterosexual and/or LGBT – are shaping for themselves the relationships, unions, and informal kinship systems that validate and support their daily lives, the lives they are actually living, regardless of what direction the current ideological winds might be blowing.

The Right's "Marriage Movement" is Much Broader than Same-Sex Marriage

LGBT movement strategies must be sufficiently prophetic, visionary, creative, and practical to counter the right's powerful and effective use of "wedge" politics – the strategic marketing of fear and resentment that pits one group against another.

Right-wing strategists do not merely oppose same-sex marriage as a stand-alone issue. The entire legal framework of civil rights for all people is under assault by the Right, coded not only in terms of sexuality, but also in terms of race, gender, class, and citizenship status. The Right's anti-LGBT position is only a small part of a much broader conservative agenda of coercive, patriarchal marriage promotion that plays out in any number of civic arenas in a variety of ways – all of which disproportionately impact poor, immigrant, and people-of-color communities. The purpose is not only to enforce narrow, heterosexist definitions of marriage and coerce conformity, but also to slash to the bone governmental funding for a wide array of family programs, including childcare, healthcare and reproductive services, and nutrition, and transfer responsibility for financial survival to families themselves.

Moreover, as we all know, the Right has successfully embedded "stealth" language into many anti-LGBT marriage amendments and initiatives, creating a framework for dismantling domestic partner benefit plans and other forms of household recognition (for queers and heterosexual people alike). Movement resources are drained by defensive struggles to address the Right's issue-by-issue assaults. Our strategies must engage these issues head-on, for the long term, from a position of vision and strength.

"Yes!" to Caring Civil Society and "No!" to the Right's Push for Privatization

Winning marriage equality in order to access our partners' benefits makes little sense if the benefits that we seek are being shredded.

At the same time same-sex marriage advocates promote marriage equality as a way for same-sex couples and their families to secure Social Security survivor and other marriage-related benefits, the

Right has mounted a long-term strategic battle to dismantle all public service and benefit programs and civic values that were established beginning in the 1930s, initially as a response to widening poverty and the Great Depression. The push to privatize Social Security and many other human needs benefits, programs, and resources that serve as lifelines for many, married or not, is at the center of this attack. In fact, all but the most privileged households and families are in jeopardy as a result of a wholesale right-wing assault on funding for human needs, including Medicare, Medicaid, welfare, HIV-AIDS research and treatment, public education, affordable housing, and more.

This bad news is further complicated by a segment of LGBT movement strategy that focuses on same-sex marriage as a stand-alone issue. Should this strategy succeed, many individuals and households in LGBT communities will be unable to access benefits and support opportunities that they need because those benefits will only be available through marriage, if they remain available at all. Many transgender, gender queer, and other gender-nonconforming people will be especially vulnerable, as will seniors. For example, an estimated 70-80% of LGBT elders live as single people, yet they need many of the health care, disability, and survivorship benefits now provided through partnerships *only* when the partners are legally married.

Rather than focus on same-sex marriage rights as the only strategy, we believe the LGBT movement should reinforce the idea that marriage 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.

The Longing for Community and Connectedness

We believe LGBT movement strategies must not only democratize recognition and benefits but also speak to the widespread hunger for authentic and just community.

So many people in our society and throughout the world long for a sense of caring community and connectedness, and for the ability to have a decent standard of living and pursue meaningful lives free from the threat of violence and intimidation. We seek to create a movement that addresses this longing.

So many of us long for communities in which there is systemic affirmation, valuing, and nurturing of difference, and in which conformity to a narrow and restricting vision is never demanded as the price of admission to caring civil society. Our vision is the creation of communities in which we are encouraged to explore the widest range of non-exploitive, non-abusive possibilities in love, gender, desire and sex – and in the creation of new forms of constructed families without fear that this searching will potentially forfeit for us our right to be honored and valued within our communities and in the wider world. Many of us, too, across all identities, yearn for an end to repressive attempts to control our personal lives. For LGBT and queer communities, this longing has special significance.

We who have signed this statement believe it is essential to work for the creation of public arenas and spaces in which we are free to embrace all of who we are, repudiate the right-wing demonizing of LGBT sexuality and assaults upon queer culture, openly engage issues of desire and longing, and affirm, in the context of caring community, the complexities and richness of gender and sexual diversity. However we choose to live, there must be a legitimate place for us.

THE PRINCIPLES AT THE HEART OF OUR VISION

We, the undersigned, suggest that strategies rooted in the following principles are urgently needed:

- Recognition and respect for our chosen relationships, in their many forms
- Legal recognition for a wide range of relationships, households, and families, and for the children in all of those households and families, including same-sex marriage, domestic partner benefits, second-parent adoptions, and others
- The means to care for one another and those we love
- The separation of benefits and recognition from marital status, citizenship status, and the requirement that “legitimate” relationships be conjugal
- Separation of church and state in all matters, including regulation and recognition of relationships, households, and families
- Access for all to vital government support programs, including but not limited to: affordable and adequate health care, affordable housing, a secure and enhanced Social Security system, genuine disaster recovery assistance, welfare for the poor
- Freedom from a narrow definition of our sexual lives and gender choices, identities, and expression
- Recognition of interdependence as a civic principle and practical affirmation of the importance of joining with others (who may or may not be LGBT) who also face opposition to their household and family compositions, including old people, immigrant communities, single parents, battered women, prisoners and former prisoners, people with disabilities, and poor people

We must ensure that our strategies do not help create or strengthen the legal framework for gutting domestic partnerships (LGBT and heterosexual) for those who prefer this or another option to marriage, reciprocal beneficiary agreements, and more. LGBT movement strategies must never secure privilege for some while at the same time foreclosing options for many. Our strategies should expand the current terms of debate, not reinforce them.

A WINNABLE STRATEGY

No movement thrives without the critical capacity to imagine what is possible.

Our call for an inclusive new civic commitment to the recognition and well-being of diverse households and families is neither utopian nor unrealistic. To those who argue that marriage equality must take strategic precedence over the need for relationship recognition for other kinds of partnerships, households, and families, we note that same-sex marriage (or close approximations thereof) were approved in Canada and other countries only after civic commitments to universal or widely available healthcare and other such benefits. In addition, in the United States, a strategy that links same-sex partner rights with a broader vision is beginning to influence some statewide campaigns to defeat same-sex marriage initiatives.

A Vision for All Our Families and Relationships is Already Inspiring Positive Change

We offer a few examples of the ways in which an inclusive vision, such as we propose, can promote practical, progressive change and open up new opportunities for strategic bridge-building.

- **Canada**

Canada has taken significant steps in recent years toward legally recognizing the equal value of the ways in which people construct their families and relationships that fulfill critical social functions (such as parenting, assumption of economic support, provision of support for aging and infirm persons, and more).

- In the 1990s, two constitutional cases heard by that country's Supreme Court extended specific rights and responsibilities of marriage to both opposite-sex and same-sex couples. Canada's federal Modernization of Benefits and Obligation Act (2000) then virtually erased the legal distinction between marital and non-marital conjugal relationships.
- In 2001, in consideration of its mandate to "consider measures that will make the legal system more efficient, economical, accessible, and just," the Law Commission of Canada released a report, *Beyond Conjugal*, calling for fundamental revisions in the law to honor and support all caring and interdependent personal adult relationships, regardless of whether or not the relationships are conjugal in nature.

- **Arizona**

The Arizona Together Coalition (www.aztogether.org) is currently running a broad, multi-constituency campaign that emphasizes how the proposed constitutional amendment to "protect marriage" will affect not just same-sex couples but also seniors, survivors of domestic violence, unmarried heterosexual couples, adopted children and the business community. The Arizona Coalition highlights the probability that the amendment will eliminate domestic partnership recognition, by both government and businesses. They also point out that DOMA supporters are the same forces that wanted to keep cohabitation a crime. As a result of the Coalition's efforts, support for the constitutional amendment declined sharply in polls (from 49% to 33%) in the course of a few months (May 2005 - September 2005). Accordingly, should the amendment make it onto the November 2006 ballot, Arizona is poised to become the first state to reject a state anti-gay constitutional marriage amendment in the voting booth. We suggest that the LGBT movement pay close attention to the way that activists in Arizona frame their campaign to be about protecting a variety of different family arrangements.

- **South Carolina**

The South Carolina Equality Coalition (www.scequality.org) is fighting a proposed constitutional amendment with an organizing effort emphasizing "Fairness for All Families." This coalition is not only focused on LGBT-headed families, but is also intentionally building relationships with a broad multi-constituency base of immigrant communities, elders, survivors of domestic violence, unmarried heterosexual couples, adopted children, families of prisoners, and more. As we write this statement, the Coalition's efforts to work in this broader way are being further strengthened by emphasis on the message that "Families have no borders. We all belong."

- **Utah**

In September 2005, Salt Lake City Mayor Ross Anderson signed an Executive Order enabling city employees to obtain health insurance benefits for their “domestic partners.” A few months later, trumping the executive order, the Salt Lake City Council enacted an ordinance allowing city employees to identify an “adult designee” who would be entitled to health insurance benefits in conjunction with the benefits provided to the employee. The requirements included living with the employee for more than a year, being at least 18 years old, and being economically dependent or interdependent. Benefits extend to children of the adult designee as well. While an employee’s same-sex or opposite-sex partner could qualify, this definition is broad enough to encompass many other household configurations. The ordinance has survived both a veto by the Mayor (who wanted to provide benefits only to “spousal like” relationships) and a lawsuit launched by anti-gay groups. The judge who ruled in the lawsuit wrote that “single employees may have relationships outside of marriage, whether motivated by family feeling, emotional attachment or practical considerations, which draw on their resources to provide the necessities of life, including health care.” We advocate close attention to such efforts to provide material support for the widest possible range of household formations.

We offer these four examples to show that there are ways of moving forward with a strategic vision that is broader than same-sex marriage, and encompassing of all our families and relationships. Different regions of our country will require different strategies, but we can, and must, keep central to our work the idea that all family forms must be protected – not just because it is the right thing to do, but also because it is the strategic and winnable way to move forward.

A Bold, New Vision Will Speak to Many Who are Not Already With Us

At a time when an ethos of narrow self-interest and exclusion of difference is ascendant, and when the Right asserts a scarcity of human rights and social and economic goods, this new vision holds long-term potential for creating powerful and vibrant new relationships, coalitions, and alliances across constituencies – communities of color, immigrant communities, LGBT and queer communities, senior citizens, single-parent families, the working poor, and more – hit hard by the greed and inhumanity of the Right’s economic and political agendas.

At a time when the conservative movement is generating an agenda of fear, retrenchment, and opposition to the very idea of a caring society, we need to claim the deepest possibilities for interdependent social relationships and human expression. We must dare to dream the world that we need, the world that has room for us all, even as we also do the painstaking work of crafting the practical strategies that will address the realities of our daily lives. The LGBT movement has a history of being diligent and creative in protecting our families. Now, more than ever, is the time to continue to find new ways of defending all our families, and to fight to make same-sex marriage just one option on a menu of choices that people have about the way they construct their lives.

We invite friends everywhere to join us in ensuring that there is room, recognition, and practical support for us all, as we dream together a new future where all people will truly be free.

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