



## Seriality and Multicultural Dissent in the Same-Sex Marriage Debate

Jeffrey A. Bennett

To cite this article: Jeffrey A. Bennett (2006) Seriality and Multicultural Dissent in the Same-Sex Marriage Debate, *Communication and Critical/Cultural Studies*, 3:02, 141-161, DOI: [10.1080/14791420600633063](https://doi.org/10.1080/14791420600633063)

To link to this article: <https://doi.org/10.1080/14791420600633063>



Published online: 01 Jul 2006.



[Submit your article to this journal](#)



Article views: 191



[View related articles](#)



Citing articles: 5 [View citing articles](#)

# Seriality and Multicultural Dissent in the Same-Sex Marriage Debate

Jeffrey A. Bennett

*“Seriality” is a useful critical heuristic for engaging the contours of identity politics, as it recognizes the limits of essentialism and simultaneously acknowledges its frequent necessity for accomplishing goals and building coalitions. Using contemporary debates about same-sex marriage, this essay places seriality into conversation with rhetorical theory to explore the discursive possibilities of this conceptual practice. While seriality focuses explicitly on the “practico-inert” materiality of objects, this analysis argues that the rhetorical features of seriality should be given more light to offer support for those valuing difference in democratic politics.*

*Keywords: Seriality; Identity; Same-Sex Marriage; Iris Marion Young; Alliance for Marriage*

Not many people took notice in the summer of 2001 when the Alliance for Marriage (AFM) unveiled its proposed 27th amendment to the United States Constitution, calling for a ban on same-sex marriage.<sup>1</sup> Although Vermont had recently passed a highly divisive measure allowing for “civil unions,” few politicians believed that amending the Constitution was an appropriate or even practical response to one state’s actions. No state recognized same-sex “marriage,” and the federal Defense of Marriage Act (DOMA) had been firmly in place for several years.<sup>2</sup> AFM leaders insisted, however, that a Constitutional amendment would protect the institution of marriage from “activist judges” sympathetic to gay and lesbian causes. Founder Matt Daniels maintained that the courts were violating “common sense” notions of matrimony and wreaking havoc on the American way of life.

Just two years later, the amendment had gained national prominence. Catapulted into the spotlight by a US Supreme Court ruling declaring state sodomy laws unconstitutional, as well as a Massachusetts Supreme Court decision rendering

---

Jeffrey A. Bennett is Assistant Professor in the Department of Communication Studies at the University of North Texas. He would like to thank Robert Ivie, John Lucaites, Isaac West, and the two anonymous reviewers for their comments on previous drafts of this essay. Correspondence to: Jeffrey A. Bennett, Department of Communication Studies, University of North Texas, Denton, TX 76203, USA. E-mail: [bennett@unt.edu](mailto:bennett@unt.edu)

same-sex marriage legally binding in that commonwealth, the proposed Constitutional ban on same-sex marriage became a so-called “wedge issue” in the 2004 presidential election.<sup>3</sup> Just as DOMA had been a potentially divisive election-year ploy eight years earlier, the Federal Marriage Amendment (FMA) presented unique challenges for politicians attempting to appear “pro-marriage” without the burden of being perceived as “anti-gay.” While some representatives claimed they were doing little more than promoting the views of their constituents, public opinion on the subject was difficult to surmise. Depending on the source, anywhere from 30 to 60 percent of Americans favored amending the Constitution.<sup>4</sup> Moreover, during the 2004 elections, eleven states amended their constitutions to define marriage as the union of a man and a woman.<sup>5</sup> In response, LGBT activists argued that anti-gay factions were promoting a climate of divisiveness and hate.

While claims of discrimination against gays and lesbians were surely compelling to many, the broader political goals that underscored the same-sex marriage debate should not be overlooked. Conservative ideologues viewed the election as an opportunity to forge ties with various religious and racial minorities who generally leaned left but also remained skeptical of same-sex unions. Right-wing strategists were quick to reference polls illustrating that certain voting blocks, such as African Americans, were more likely to support an amendment to the US Constitution preventing same-sex marriages.<sup>6</sup> Pundits continually hyped the potential for President George W. Bush to make inroads with traditionally Democratic loyalists such as Catholic, African American, and Latino voters.<sup>7</sup> Of course, such generalizations were easily subject to exaggeration because support for Republican presidential candidates traditionally had been so low from Latino or African American voters that any increase in support could be misconstrued as enhanced backing. This caveat notwithstanding, leaders of the GOP strategically touted the changing face of cultural politics and looked no further than the AFM as proof.

The AFM prided itself on its eclectic racial, ethnic, and religious makeup that included people who identified as Catholic, Jewish, Latino, African American, Asian, Caucasian, Muslim, Protestant, Democrat, Republican, and Independent. Despite their differences, members found common ground in their desire to reinforce traditional notions of the nuclear family. Senate Majority Leader Bill Frist, one of the strongest advocates of the constitutional amendment, often flanked himself with members of the AFM to advance policies against same-sex couples. Frist frequently invoked the significance of the coalition, asserting that “the group really is a portrait of the American community that supports marriage.”<sup>8</sup> Drawing attention to the multicultural composition of the AFM membership, Frist contended that they highlighted the non-partisan nature of the Federal Marriage Amendment that transcended issues of party, race, and ethnicity. Standing with Frist at his side during one press conference, Daniels reaffirmed the important relationship between the amendment and these diverse citizens, emphasizing that the legislation had been “introduced with bi-partisan sponsorship in two successive sessions of Congress in order to protect the *common sense* view of marriage shared by the vast majority of Americans of every race, color and creed.”<sup>9</sup>

This rhetorical strategy emphasizing “common sense” was enigmatic when one considered the seeming contradictions among AFM members. How did Walter Fauntroy, a man who helped organize the 1963 March on Washington, stand alongside Frist, who voted to ban affirmative action hiring with federal funds? How did members of parties that stood in opposition to one another on public policy, such as the Islamic Society of North America and the Rabbinical Council of America, merge on this particular issue? How did the organization El Pregonero, which strove to find free healthcare for immigrants, support the bill’s House co-sponsor Marilyn Musgrave, who had a history of voting for anti-immigration measures, such as the reporting of illegal immigrants who received hospital treatment to immigration authorities? How could this cultural phenomenon and apparent anomaly be explained?

One perspective that affords the opportunity to understand this seemingly odd political collectivity is advanced by Iris Marion Young’s discussion of “seriality.” Originally coined by Jean-Paul Sartre, “seriality” is a conceptual tool for theorizing social collectives apart from traditional understandings of identity politics. Young explains that “a series is a collective whose members are unified passively by the relation their actions have to material objects and practico-inert histories.”<sup>10</sup> In such a relation, there is no need for direct identification, affirmation, or common experience among actors. Concepts such as gender, race, and sexuality become backgrounds, as opposed to cornerstones, of participation in amorphous collectives. In this way, people can be passively positioned around the practico-inert issue of “gay marriage” without necessarily giving way to an all-encompassing ideological stance. From a passive existence in a series, people can adopt the traits of a group (such as the AFM), even though they consciously subscribe to divergent viewpoints and social identities. The members of a group, unlike those aligned in a series, share a common knowledge of their purpose and affirm their existence through rituals, constitutions, planned gatherings, and pledges. “Individuals in the series are fungible,” Young explains, “isolated, but not alone” at the level of unreflective social action.<sup>11</sup>

In presenting this perspective, Young attempts to redefine theories of identity that wrongly homogenize people within movements that do not reflect their experiences or work in their best interests.<sup>12</sup> By reworking traditional notions of the formation of group identity, Young accounts for how people are able to move across and among discursive boundaries without the ideological baggage of labels. This complicating of identity is fruitful in that it recognizes the complex and imperfect nature of human beings rather than reducing them to archetypal representatives of a group. Young argues that this notion of seriality is a productive move in the evolution of democratic theory, allowing for an improved and practical understanding of how people are situated in relation to the politics of the everyday. This posturing is consistent with Young’s larger project to promote a more inclusive democratic culture by incorporating diverse voices in political conversation. She observes that

not only does the explicit inclusion of different social groups in democratic discussion and decision-making increase the likelihood of promoting justice

because the interests of all are taken into account. It also increases that likelihood by increasing the store of social knowledge available to participants.<sup>13</sup>

Importantly, seriality does not wholly discard the practical necessities of conceptualizing marginalized people as a collective. Rather than dispose of the inevitability that people exist together in a polity and form countless bonds and relationships with others, seriality negotiates a complex paradox. It recognizes the damaging impulse to normalize and exclude in group politics, but also the need to imagine a people collectively struggling through their diversity. In this way, seriality moves beyond the critique that essentialism is damaging, acknowledging the import of cooperative action through coalitions.

Despite these advantages, Young admits that seriality is somewhat limited because “objectives can be realized only through the mediation of already there things, practices, structures.”<sup>14</sup> What constitutes these “things,” “practices,” and “structures,” however, is notoriously vague. When one approaches a concept such as “marriage,” the definition of which is continuously debated and altered, a material positioning of matrimony limits the capacity to understand the viciousness and passions that often accompany topics such as same-sex marriage. To be certain, seriality is a useful heuristic for exploring how citizens are unified and divided around particular material rhetorics. It supplies novel approaches for pondering the limits of group identity and the potential for nontraditional coalitions. Seriality allows critics to maintain focus on the economic privileges inherent to civil nuptials and simultaneously account for the formation of collectives whose members have seemingly disparate traditions. However, the contested terrain of gay marriage also provides insight into the limitations of conceiving of seriality as focused on material objects with little regard for the centrality and constitutive force of language. Rendering the rhetorical aspects of seriality mute leaves the hate and exclusion fabricated by the AFM unaccounted for and allows communal norms that defame same-sex relationships to operate silently beyond the reach of reflection and critical engagement. Material objects, after all, are soaked in value-laden language, dripping with reified cultural implications that do not exist apart from the actors situated around them. Discussions of seriality are useful for highlighting the conception of collectives, but such discussions must also consider how objects and actors are rhetorically materialized in democratic practices. The constitutive power of discourse to define practico-inert objects is omnipresent in matters such as the Federal Marriage Amendment and the political maneuvering of the AFM where it is made to operate strategically against Young’s laudable aim of democratic inclusion.

### **Seriality and the Evasion of Identity Politics**

Young’s treatment of seriality contrasted to group formation stems from her desire to theorize collectives without the problems presented by so-called “identity politics.” While acknowledging the value of specific forms of identity politics, Young is wary of their potential to essentialize and normalize complex social subjects. She advances a standard (and justified) critique that identity politics mainstream some experiences,

while marginalizing others. As such, she rejects a concept of *group* identity and argues that “identity making is a project that individuals take up in relation to the collective social structures and histories in which they are situated.”<sup>15</sup> Rather than position seriality as a “concept,” Young asserts that it is better understood as a “practical-material mode of the social construction of individuals.”<sup>16</sup> In this way, the practico-inert is not relegated to an attribute of any one person, but instead is taken to be the social materials with which each person must cope and associate. Karlyn Kohrs Campbell has heralded Young’s use of seriality, claiming it is one of “the most creative responses to the problem of essentialism.”<sup>17</sup> It offers, in Campbell’s words, a way to see gender not as an attribute or identity, but as something “constituted for women by their relationships to externals—to laws, institutions, norms, and the ways in which categories such as race and class are constructed and enforced.”<sup>18</sup>

Young utilizes Sartre’s metaphor of people waiting for a bus to illustrate the basic tenants of seriality. The commuters who are waiting at the terminal are not a formal group whose identity is dependent on the vehicle they await. Many riders will have divergent reasons for using the bus and will likely travel with a different set of people on each trip. They are all positioned passively around the practico-inert object of the bus, but the bus itself has no integral role in shaping their identities. In Sartre’s words:

to the extent that the bus designates the present commuters, it constitutes them in their interchangeability: each of them is effectively produced by the social ensemble as united with his neighbours, in so far as he is strictly identical with them . . . it is a simple identity, designating the commuter as an abstract generality by means of a particular *praxis* (signaling the bus, getting on it, finding a seat, paying the fare), in the development of a broad, synthetic praxis (the undertaking which unites the driver and conductor every morning, in the temporalisation which is *one* particular route through Paris at a particular time).<sup>19</sup>

In other words, commuters bring individual characteristics and experiences to their separate seats on the bus, but none is likely to believe that their identity is reduced simply to that of a “bus rider.” They exist in seriality with one another, interchangeably coming to the bus as independent figures, not as a codified collective.

At the same time, Sartre insists that there is always potential for people existing in seriality to forge group alliances. If the bus is late, for example, riders may gripe about the tardiness of the vehicle, or perhaps complain to the main terminal, or even the bus driver herself. In making some form of heightened identification with the changes brought by the practico-inert object, people form bonds and attempt to change the circumstances brought about by the material object. According to Sartre, such groups can form quickly and often disperse if they are left without a clear plan of action. They are “groups-in-fusion” that have the potential to fall back into seriality with the speed that they appeared.

Being a political pragmatist, Young is cautious not to completely discount the importance of group identity. After all, without “conceptualizing women as a group in some sense, it is not possible to conceptualize oppression as a systematic, structured, institutional process.”<sup>20</sup> She acknowledges that embracing group identities allows for a point of reference that does not reify liberal individualism and also allows

for the naming of distinct collectives as important political movements. But self-identified groups are always partial in relation to the series, bringing “together only some women for some purposes involving their gender-serialized experience.”<sup>21</sup> In this sense, serial collectives are defined “neither by any common identity nor by a common set of attributes that all the individuals share, but rather names a set of structural constraints and relations to practico-inert objects that condition action and its meaning.”<sup>22</sup> While configurations of gender are invariably more complex than riding a bus, both share a structural recalcitrance that is produced by systems of control and their material effects.

The conditioning of “action and its meaning” seems especially pertinent to those scholars interested in the study of discourse and the manner in which realities are constituted for citizen actors. Action is an especially significant element of Sartre’s *Critique of Dialectical Reason*, the text from which “seriality” is derived. It will come as no surprise to those familiar with the existential philosopher that he continually emphasized *praxis*, or human action, in his work on seriality. In one of his most nuanced attempts to address Marxism, Sartre continually positioned *praxis* as central to his discussions of group identity and seriality. For him, praxis unified people “by producing the object in which they are already inscribed, in which their forms are negatively determined, and, in so far as it is already other (affected by the entire inertia of matter), it is this praxis which produces them in common in other unity.”<sup>23</sup> When modes of action are depleted, “groups-in-fusion” will often disintegrate back into seriality.

The centrality of defining the practico-inert and the “conditioning of action” invite scholars of communication and cultural studies to probe the possibilities and limitations of seriality and group identity. Action, or praxis, has long played a central role in the development of rhetorical theory and the exploration of human deliberations and judgments. Since the writings of Aristotle, praxis has been essential to understanding how people approach and engage the situations that confront them. It is the exigencies presented by praxis that inform the decisions actors make, the groups they conceive, and the policies they create.<sup>24</sup> Notable for this study on Constitutional debate, Aristotle favored the legislative model and not the judicial or ceremonial archetype in the development of his writings on rhetoric, because generating policies necessitated a specific kind of praxis that privileged communal wisdom. Although rhetorical theory has evolved significantly since the time of Aristotle, praxis has remained an emphasis of communication scholarship. From Raymie McKerrow’s discussion of “critical rhetoric” to Kent Ono and John Sloop’s call for a sustained commitment to critical praxis and Robert Ivie’s treatment of productive criticism, the relationship between identity and action has been remarkably persistent in communication studies.<sup>25</sup> Praxis is significant because it is, in Maurice Charland’s words, a “form of action that is neither arbitrary nor prescribed by universal principles. Rather, it is guided by an intelligent understanding of contingency.”<sup>26</sup> From performance studies to feminist rhetorical theory, praxis has played an important role in the development of academic examinations of communication, cultural resistance, and identity formation.<sup>27</sup>

Understandably, Sartre's theories will not be wholly embraced by many critical cultural scholars. Young herself is careful to point out Sartre's shortcomings for those committed to advancing feminist theory. Recognizing that Sartre's stress on individualism and freedom will not be completely welcomed by scholars familiar with postmodern critiques of power and subjectivity, I maintain along with Young that seriality makes a strong contribution to the study of identity and culture. While much of Sartre's work is viewed as excessively humanistic, seriality is often mentioned in postmodern discussions of Deleuze and Guattari's theories of "micro fascisms" in revolutionary struggle.<sup>28</sup> Rather than reject outright Sartre's theory, this essay joins in the evolving conversation on seriality to explore novel understandings of policy formation and the politics of difference.

Seriality has been defined primarily by its organizing principles and the ways in which people are passively positioned to engage world activities. However, it is impossible to conceptualize the gravity of this passivity and the force of subsequent actions without acknowledging the power and prohibitions presented by language in any relationship of seriality. Identity, by necessity, can be accomplished only with the equipment provided by language and the understandings people bring to it. Definitions, be they of people or objects, require exclusion for human order. Young certainly recognizes the importance of these rhetorical boundaries when she reflects on the complications that accompany attempts to conceptualize those in a relationship of seriality with the bus. Does the series only include people who ride the bus? Or also those who do not? How often must one ride the bus to be in a relation of seriality with it and other riders? In other words, what forms of praxis are necessary to be included in the series that is produced by the practico-inert elements of the bus and those who eventually decide to use its services? And, how might such incorporations ultimately produce parallel forces of isolation?

Answering such questions is animated by the recognition that a series is not a stable relation based solely on the practico-inert "realities" of an object. Rather, it is a contested discursive space that is rhetorically conceived as objects and actors are positioned in praxis. This constructive force can, as Young envisions, produce a space for political inclusion. However, seriality can also work against the project of democratic inclusion as it names and situates, reinforcing cultural alienation in the process of constituting coalitions. As such, it is necessary to ponder the extent to which defining the practico-inert will in turn delineate the series, simultaneously producing bonds and creating exclusions.

### **Discourses of Materiality**

The emergence of the AFM can be easily explained in relation to the practico-inert material structure of marriage. Heterosexual unions are a ubiquitous force in cultures around the world, and a substantial majority of people are influenced by its economic, social, and discursive powers. In this way, all people exist in seriality to marriage, being passively positioned by its omnipresent configurations. Like Young's exploration of the material constraints placed on gender, those produced for and by



marriage are, of course, more complicated and convoluted than riding a bus. While there may be issues of class identity and geographic locale untapped in using the bus as transportation, marriage is more multifarious because it is forged by a complex melding of sexuality, gender, and economic norms as well as hierarchies, rituals, and taboos (to name a few). Even so, the history of marriage encourages specific understandings and practices associated with relationships, just as riding a bus suggests particular practices and interactions. Not surprisingly, when gays and lesbians pursue the idea of civil matrimony, debates centering on institutional recognition usually focus on the economic advantages of marriage, though appeals to love and belonging are often voiced as well. It is commonly reiterated in the rhetoric of lesbian and gay rights that there are over 1,000 economic advantages that accompany marriage, including inheritance rights, hospital visitation privileges, and health and childcare benefits. Jim Darsey warns that such language has the tendency to be apolitical, focusing not on the radical potential of the movement but on issues that are narrowly focused on goods and services.<sup>29</sup> Nonetheless, the pursuit of gay marriage as a commodity has merit for the study of seriality in that it illustrates the importance of defining the practico-inert objects to which people are situated and on which they act. It offers a starting point for exploring assimilative desires and strategies of resistance in a variety of communities.

Although seriality purportedly focuses on things “already there,” this presumes a materiality that exists apart from language, rendering the rhetorical elements of seriality invisible. While I do not wish to recount centuries of debate about the connection between materiality, performance, and language (literally from the Bible to Judith Butler), it is necessary to highlight the degree to which language and seriality are inseparable. Following Butler, one must contemplate if it is “possible to distinguish, even analytically, between a lack of cultural recognition and a material oppression, when the very definition of ‘personhood’ is rigorously circumscribed by cultural norms that are indissociable from their material effects?”<sup>30</sup>

The term “marriage” itself was pivotal in the creation of policies advanced by the AFM. For example, the group continually asserted that their amendment would not forbid “civil unions,” a suspect claim when one contemplates the erroneously vague legislation. The second (and final) sentence of the proposal read, “Neither this Constitution, nor the constitution of any State, shall be construed to require that marriage or the *legal incidents thereof* be conferred upon any union other than the union of a man and a woman.” The “legal incidents thereof” strongly suggested that civil unions would be prohibited. Although civil unions would still present many of the material benefits afforded to same-sex couples, they would not allow for federal perquisites such as filing joint federal tax returns because such relationships would be recognized only by individual states. Such a definition certainly seemed important to Daniels, who contended that the civil-unions issue was a distraction because the “Federal Marriage Amendment is not about benefits; it’s about marriage.”<sup>31</sup> Even conservative Gary Bauer, a prominent member of the Christian Coalition, alleged that his group would support a federal amendment whose language allowed for “civil unions” but banned “gay marriage.”<sup>32</sup> Civil unions are regarded as the most effective

way to ensure state's rights over marriage law by some and as little more than "separate but equal" policies by others. Regardless of the stance one adopts, the two terms clearly established disparate understandings of state-sanctioned partnerships.

In a follow-up to their decision rendering same-sex marriages legal, the Massachusetts Supreme Court clarified its position on the differences between "marriage" and "civil unions." The state legislature asked the court if instituting "civil unions" would continue to violate the Massachusetts Constitution, or if "marriage" was the only measure that would alleviate legal indiscretions. Two of the seven justices argued that labeling state-recognized same-sex relations as "marriage" or "civil unions" was of little importance. Invoking William Shakespeare's famous words from *Romeo and Juliet*, the dissenting judges asked, "What's in a name? That which we call a rose by any other name would smell as sweet." It is ironic that the authors would elect to quote so famous a wordsmith to underscore the trivial nature of language.<sup>33</sup> In a retort to this noticeable oversimplification, the court's majority responded that no proof was offered by state representatives that the institution of marriage needed "protection." They explained:

The separate opinion fails to appreciate that it is not the word "union" that incorporates a pejorative value judgment, but the distinction between the words "marriage" and "union." If, as the separate opinion suggests, the Legislature were to jettison the term "marriage" altogether, it might well be rational and permissible. What is not permissible is to retain the word for some and not for others, with all the distinctions thereby engendered.<sup>34</sup>

The court contended that any attempt to replace the term "marriage" with that of "civil union" would reflect a "demonstrable assigning of same-sex, largely homosexual, couples to second-class status."<sup>35</sup>

The attempt to divorce "marriage" from "civil unions" was not a simple matter of semantics. The term "marriage" harbors a "sacredness" amongst people which will likely attract stronger support from those existing in the series. To be certain, there is little doubt that "civil unions" are a product of a system that privileges marriage and that such bonds mimic the institution in a manner that reproduces exclusions that should not escape critique.<sup>36</sup> At the same time, it is important to ponder the extent to which the deflection of the term "civil union" might reconstitute the series which calls people into action. The presence offered to "marriage" or "civil unions" is significant when contemplating the material realities and the discursively developed series of individuals who will be passively positioned around them. The presence given to a particular term will both develop "truths" for people existing in a series and limit the amount of material constituting any given audience.<sup>37</sup> One opinion poll found, for instance, that a slight majority of Americans, about 53 percent, opposed laws that "would allow homosexual couples to legally get married," while 24 percent favored it. Of that same sample, only 41 percent opposed "civil unions."<sup>38</sup>

Regardless of the fact that same-sex unions may reinforce traditional systems of marriage, it is important to note that Daniels expressed almost no resistance to gays and lesbians receiving specific material benefits. It was the definition that most concerned him. While gays and lesbians had the right to live "as they choose" they

did not have the right to, in his words, “*redefine* marriage for our entire society.”<sup>39</sup> Significantly, he did not focus on material problems that might arise from gay marriage. Daniels focused on a rhetorical problematic—the seeming necessity to define marriage between a man and a woman. There is no denying that such a relationship has economic implications enforcing the rationale to keep seriality central to this analysis. However, Daniels rhetorically endowed marriage with something more than economic meaning—it had to be a “sacred” institution, regardless of how distorted his narrative became. In Daniels’ world, the Federal Marriage Amendment “is not about benefits; it’s about marriage.”<sup>40</sup> This defense dictated no further justification. He assumed his claim was transparent.

### **Seriality, Discourse, and (Juris)Prudence**

Although a series is commonly understood as a passive positioning of actors by a practico-inert reality, this relationship is equally constitutive. The AFM, whose members were often at odds with one another on issues of public policy, found common ground in their desire to suppress the actions of a judicial system that might support LGBT rights. The courts are especially contentious, as they have slowly become more open (though hardly friendly) to secular appeals by queer activists. To refute the courts, the AFM constructed the image of a system that had lost its way. To accomplish this task, the AFM made two important rhetorical moves pertinent to the study of seriality. First, they conveyed a misleading sense of disarray when portraying the judicial system. Second, they asserted a “common sense” remedy that was rhetorically dependent on the series surrounding marriage.

The AFM contended that the American legal system has slipped into a state of frenzy, producing a carnival-like atmosphere that rendered irrational judgments against the will of the people. The AFM situated the judicial system as a transgressive entity where boundaries were defied and hierarchies toppled. Continually, the group claimed to be refuting “activist judges” that were undermining the institution of marriage, instigating familial chaos on the national landscape. When the AFM unveiled its proposed constitutional amendment, a diverse array of AFM representatives divulged their contempt for the courts. For example, Nathan Diament, director of public policy for the Union of Orthodox Jewish Congregations of America, asserted that “the proposed amendment will primarily prevent unelected judges from changing the institution of marriage.”<sup>41</sup> Focusing on “unelected” officials offered Diament the opportunity to construe judges with unlimited power who remained unchecked by a public that might otherwise remove them from the bench when they violated “common sense” understandings of the law. Bob Laird, the director of the Office for Family Life for the Catholic Diocese of Arlington, took this argument one step further, explaining that “the courts in America are poised to erase the legal road map to marriage and the family from American law within this decade.”<sup>42</sup> So crippled had the institution of marriage supposedly become as a result of judicial rulings that Bill Tang, a senior pastor at the Chinese Community Church of Washington, exclaimed “the progressive weakening of marriage is now so far advanced that we can

no longer hope to preserve the understanding of marriage for future generations.”<sup>43</sup> The AFM positioned the courts as diseased, so infected by the gay rights movement that only a constitutional amendment could remedy the situation.

Importantly, the group never fully articulated how marriage would be devastated by allowing state sanctioned same-sex marriages. Heterosexuals have done a fine job of maintaining the divorce rate at 50 percent without interference from gays and lesbians. The AFM left their reasoning at the level of assertion, never developing an argument that sustained coherence. Their contentions that gays and lesbians were making strides in the legal system were specious at best. For example, it took two decades for the courts to overturn the *Bowers v. Hardwick* decision that had allowed sodomy laws intended solely for the LGBT community to remain on the books in many states. Additionally, conservative “judicial activists” on the Florida Supreme Court had recently upheld the right of the government to prevent gays and lesbians from adopting children.<sup>44</sup> While gays and lesbians had certainly made “progress” by 2004, they still faced countless battles concerning military service, employment and housing rights, and healthcare access.

The emphasis on common sense mentioned above was a consistent focus of the group and was generally reinforced through the use of public figures who were members of marginalized groups. To reinstate order in the wake of judicial chaos, the AFM argued that prudent actions stemming directly from “the people” were warranted.<sup>45</sup> Repeatedly, the AFM attempted to invoke notions of prudence across lines of religion, race, and political orientation. The utilization of common sense was invoked by numerous members including Daniels, Laird, Bishop George McKinney of the Church of God in Christ, and Anthony Cardinal Bevilacqua, the Archbishop of Philadelphia. Their definition of marriage was substantiated by frequently conflating “multiculturalism” with “common sense.” Victor Mendez, a representative of the Alianza Ministerial Evangelica Nacional, explains:

Marriage as the union of male and female has been part of the common currency of humanity for millennia. In fact, marriage as the union of the two genders is literally the most multicultural social institution in the world—cutting across all racial, religious, and cultural lines.<sup>46</sup>

This rhetoric signaled both an attempt to organize the materiality of differently sexed bodies around marriage and create specific boundaries marking the limitations of the institution. The group situated multiculturalism *as* common sense to combat feelings of anti-gay prejudice that might surface amongst people in the series, pointing to a tradition that supposedly exists across cultures without variance. By stressing diversity, the AFM used the series by *rhetorical extension* to make their arguments more potent. In the manner of an enthymeme, the diversity of the group signaled an attempt to illustrate how people of all religions, races, and political affiliations can combat same-sex marriage, regardless of the cultural positions they occupied. The group’s website revealed an overt attempt to appeal to a multicultural audience, posting pictures of families from differing racial backgrounds. It was a simple visual politics, one that sought the identification of others who were in a relationship of

seriality to adopt the politics of the group. The tokenism apparent in this organization was employed to reposition the materiality of marriage through a discourse that defined the limits of state-sanctioned relationships. Asserting claims of multiculturalism as common sense was an effort to resituate actors in the series *in a specific relation to marriage*. By defining the terms strategically, they attempted to reconstitute the object and, hence, to position those in the series passively.

While the AFM continually referenced “multiculturalism,” their notion of diversity was suspiciously narrow. Certainly, the organization was composed of an array of actors who agreed that marriage should be the joining of one man and one woman. At the same time, their conception of diversity was closely articulated with religious identity, especially when one examined their board of advisors and policy propositions. Although their website made few explicit references to religion, focusing instead on issues such as decreasing taxes for families and fighting the number of fatherless homes, the subtle incorporation of faith is significant for several reasons. It suggests that the faction was simultaneously fighting one paradigm of marriage while attempting to inscribe another. Their discursive positioning of marriage illustrated a desire for state-recognition of religiously sanctioned unions, an acknowledgment that should not necessarily be a given in American culture. More important still, distinguishing the connection between religion and other forms of identity offers the opportunity to resist their deployment of “diversity.” In this rhetoric, attributes such as race and gender can be marginalized in conversations about relationships and socio-economic status, so long as one promotes a pious notion of marriage that discounts the assorted nature of relations among people. The members of the AFM may have been brought out of seriality after being passively positioned by the changing definition of marriage, but their inter-faith coalition signals an essentialism that was certainly as persistent as their claims to multiculturalism.

Appealing to a multicultural audience was not without explanation. The LGBT movement has consistently been framed in a manner that parallels earlier civil rights struggles. In the Massachusetts Supreme Court ruling, for example, the majority explicitly evoked the metaphor of Jim Crow, writing, “The history of our nation has demonstrated that separate is seldom, if ever, equal.” Editors of the left-leaning magazine *The New Republic* expressed similar reservations about the Vermont Supreme Court’s decision to legalize domestic partnerships by invoking several civil rights allusions including *Loving v. Virginia* (the court case that struck down state laws rendering interracial marriage illegal) and “sitting at the back of the bus.”<sup>47</sup> The testimony of Coretta Scott King was repeatedly employed in the literature of the Human Rights Campaign, the largest gay and lesbian rights organization in America. More recently, Americans were reminded that the man who organized the 1963 March on Washington, Bayard Rustin, was openly gay.<sup>48</sup>

The AFM refuted such allusions by highlighting the diversity of individuals who belonged to their organization. For instance, while some have been quick to mention Rustin as the organizer of the 1963 March on Washington, the AFM stressed the role of the Reverend Walter Fauntroy, a notable member of their group. A civil rights era

leader and former Democratic Congressional representative who helped lead the March on Washington, Fauntroy was one of the most visible members of the AFM. He appeared as an outspoken anti-gay figure in the 1980s, vocally opposing any LGBT visibility during the 20th anniversary of the March on Washington. The religious leader has long contended that Senator Daniel Patrick Moynihan was correct when he asserted that the welfare system “‘incentivized’ marital irresponsibility on the part of fathers in society.”<sup>49</sup> Though never completely articulating the connections, he argued that same-sex marriage would encourage this disintegration. On one occasion, he attempted to tie the plight of children living in poverty to same-sex marriage. Fauntroy asserted:

If we do not do something about this pandemic, we will soon be back in the slavery era when 100% of our children were born into a system that was based upon the destruction of the nuclear family and where children were brutally denied the socially integrating experience of being reared by their mothers and fathers who were united in holy wedlock. We have not yet recovered from the debilitating effects of that socially engineered distortion of the most multicultural social institution in the world: the virtually universal practice among human beings of defining marriage as the union of one male and female. It is an institution in which sexual activity is for the dual purposes of procreation AND recreation, and not recreation alone.<sup>50</sup>

Noticeably, there is something strained in the development of this rhetoric. Here, gays and lesbians are represented as a social disease that works in tandem with the legal system to become co-conspirators in a plot that would dismantle American families. The extreme oversimplification of this statement, not to mention the weak connection fabricated between poverty and same-sex relationships, was never addressed. Rather than focus on the negative associations engendered by heterosexual unions, Fauntroy deflects attention to a convenient and reliable scapegoat. In doing so, he produces a logic that acts as a rejoinder to the LGBT civil-rights-based rhetoric which was fast becoming, to some extent, a matter of “common sense.”

Although the reification of multiculturalism as “common sense” manufactures a space for political exclusion, this positioning could act as a productive avenue for refuting such representation. Just as it is necessary to question the appropriation of civil rights allusions in the LGBT movement, it is imperative to question how the AFM and other conservative factions are employing multicultural identities to define those existing in seriality to them in order to foster discrimination.<sup>51</sup> As a relationship between actors and the practico-inert, seriality attempts to move outside the confines of traditional identity politics to account for how people become situated around material objects. While personal experiences are accented in discussions of seriality, it is essential to contemplate how power is distributed in relations of seriality and group formation. Especially since marginalized identities are utilized in the AFM’s rhetoric, it is crucial to explore the ways in which specific identities are highlighted while others are elided. Despite their stress on diversity, it is difficult to neglect the fact that the AFM is controlled by a white upper-class heterosexual conservative Christian. However, rather than simply using these identity

markers as an acceptable part of a multicultural coalition, Daniels created a narrative that positioned him as a member of a marginalized group and thereby attempted to become a focal point of identification for those existing in the series constructed by that same narrative.

Daniels repeatedly shared his personal story as a means of giving weight to the “common sense” argument being produced by the association. According to the organization’s homepage, Daniels was a “white kid who grew up in Spanish Harlem, [and] was the only son of a chronically ill, welfare-dependent divorced mom.” He was just one of four white kids in his school up to the ninth grade. Importantly, the formative years of his identity are constructed with images of welfare in an ethnic neighborhood, capitalizing on stereotypical myths about welfare recipients and the spaces they occupy. More important still, his was a body “out of place,” a minority in the loosest sense of the word. His experience seemingly allowed for a standpoint that would produce identification with members of marginalized groups. Of course, as the AFM’s rhetoric suggests, such identifications are not necessarily warranted simply because there are degrees of alienation produced by social and cultural norms.

Daniels often recounted the hardship of his father deserting his family and the life with his mother that followed. He wrote that

after my parents married, my mother followed my father to New York City in the early 1960s. When I was two years old, my father abandoned my family. Divorce became the easiest way for my father to escape the responsibility of having to support a wife and child.<sup>52</sup>

Daniels asserted that his father skipped town on several occasions, never remaining in any one relationship for long. “He would live off women. The kid would come along and he would split. . . . He married four times; my mom was No. 2.”<sup>53</sup> As a result of his father’s actions, Daniels’ mother was forced to work a low paying job that was indirectly linked to her disability. He explained that “while coming home late from work one night, she got off at the wrong bus stop and was mugged by four men.”<sup>54</sup> The brutality of the men left his mother with permanent injuries, including a broken back. In the midst of her suffering, she turned to alcohol. Daniels argued that “if my father had been in our home, chances are that would not have happened.” Despite these hardships, “anyone meeting Matthew Daniels for the first time could easily assume that he is a product of a conventional, even privileged childhood.”<sup>55</sup> The implication that follows is that Daniels should not have made it at all, being raised both on welfare and by a single mother. Yet he was agile, an embodiment of the American Dream, a man who pulled himself up by his bootstraps to overcome exceptional adversity. Daniels recognized the privilege being denied to him and did something about it.

Daniels, who holds both a Ph.D. and a J.D., never fully realized the importance of a two-parent home until he was in law school. His passion for reinvigorating marriage was sparked by a famous feminist law professor named Martha Fineman who infuriated him on the first day of class. According to Daniels, Fineman defied “anyone in this room to assert the absence of men from the lives of children and families is a

bad one.”<sup>56</sup> As a result he became a martyr for the American family, sharing his story of personal agony to politically organize the AFM. Through it all, there was no explicit explanation as to how prohibiting gay and lesbian marriages might prevent more men from leaving their families (like his father) or more men from committing violent acts (like those committed against his mother).

Daniels’ account is compelling, if not disturbing, because he continually fabricated a perspective that positions him as a member of an underrepresented group. When his own experiences were not seemingly “authentic” enough, he utilized the experiences of those close to him. One reporter noted that “Daniels grew up physically and emotionally close to a half-brother, a gifted boy from another of his father’s four marriages, this time to a black woman. Daniels got a firsthand look at discrimination.”<sup>57</sup> Noticeably, Daniels’ father was consistently vilified or absent in his testimony, save to capitalize on his father’s romantic partnership. Yet, Daniels’ story failed to specify the kind of prejudice to which he was privy or how it helped shape his world view. Rather, the narrative simply suggested that Daniels could identify, and ultimately unify, the plight of all underrepresented groups because life experiences had placed him in a specific relation to marriage. Daniels’ friend Ray Hammond explained that Daniels “broke all the traditional molds. Here he is this prototypical white guy, but raised in Spanish Harlem by a single mom, married to an Asian wife, and who had in many ways found his epiphany of faith in the black church.”<sup>58</sup>

Daniels’ narrative illustrates the importance of incorporating rhetorical inquiries into investigations of seriality. While Daniels can claim to be passively situated around marriage as any other person in his alliance, it should not be assumed that he is positioned in the same manner as everyone else connected in the series. Seriality is useful for exploring how Daniels and his diverse collectivity is linked through the objectification of marriage and in opposition to gay marriage, but Daniels embodies an economic and rhetorical history starkly different from that of his AFM colleagues. From a material perspective, this might not pose a problem. However, critics would be wise to remain skeptical of the manner in which Daniels’ identity was bracketed by the very formation of norms he actively fabricated through the constitutive work of the AFM’s rhetoric.

### **Rhetorics of Seriality**

The appropriation of Sartre’s conceptual framework by Young provides a novel approach for exploring the complicated nature of cultural politics while avoiding the trappings of identity politics. Seriality is a valuable heuristic for exploring communication and cultural studies, engendering new possibilities for investigating the relationship between citizenship and democratic politics. However, examinations of seriality would be more theoretically nuanced by recognizing the centrality of language in its composition. Both in defining the practico-inert object and in constituting the series, discourse gives selective presence to particular elements of knowledge produced in the public sphere. While seriality may be a passive



positioning of actors around practico-inert objects, the process that situates them as such is active and activated by language.

Implementing language as a central tenant of seriality need not take away from the creative force of seriality or its material groundings. Practico-inert objects may continue to position people passively, but it is only through language that such situating acquires value, be that in a group of people or the series from which they came. The constitutive power of the object and its relationship to the series sustains itself through language to create and recreate cultural and political meanings that instigate praxis. Kenneth Burke notes that language is intensely moral, that “its names for objects contain the emotional overtones which give us the cues as to how we should act towards these objects.”<sup>59</sup> Considerations of seriality should theorize how practico-inert objects constitute actors through the ubiquitous presence of language. In any given series, passivity names a position, and that position cannot be contemplated outside of rhetoric. Although Sartre was most concerned with praxis as human action, one should not overlook the act of speaking in this theoretical frame. For example, if people adopt the views of the AFM and believe that an amendment is needed, do they simply exist in the series? If a person discusses with her family or friends the degree to which same-sex marriage is a violation of common sense and then votes to outlaw such measures, does she (and her family or friends) temporarily join the group? Is a simple utterance enough to force a person from the series into the structure of the group? This form of praxis remains vague in understandings of seriality and should be given further consideration. Although this may seem to be an obvious distinction, one need only think of the wide array of people who identify as “Christian,” but who never go to church, pray, or follow the tenants of a specific faith.

The demarcation of language in conceptions of seriality also animates the potential for systematic forms of inclusion and exclusion. The capacity of language to articulate relations among actors and the policies they support or oppose should not be underestimated. The values realized in discourse underscore the most critical and mundane forms of praxis in a polity. Even that which might be understood as “passive” by many citizens is an engaged process, continually negotiated through discourse. Nancy Fraser, for example, has illustrated well how different rhetorics surrounding conceptions of “work” impact actors in differing social positions. That which separates those who collect “unemployment” from those who receive “welfare” is not a simple matter of being passively positioned around “labor.” This is an active rhetorical process that editorializes about worth, power, and status as policies render their material force on actors.<sup>60</sup>

The relationship between stigma and materiality has been pivotal in the rhetoric of anti-gay rights, and it remains a strong contributing factor in political campaigns. One in four adults makes less than \$19,000 a year in America, and the impact of that statistic should not be underestimated. When members of the LGBT community argue for benefits, especially during times of economic hardship, there are inevitably reactionary discourses stressing or implying “special rights.” It is little wonder that initiatives to amend state constitutions were concentrated in states such as Michigan and Ohio in 2004 where unemployment skyrocketed under the Bush administration.

While bringing the right-wing base out to vote, such measures have also historically constructed a rhetoric highlighting scarcity and protection. In this way, the AFM employs a paradoxical message by positioning the LGTB community as both the political insider and outsider, always depleting resources with untapped power to create further harms.

Of course, there are innumerable right-leaning citizens who are also members of marginalized groups, and they have every right to be as conservative as the one million gays and lesbians who voted for Bush in the 2004 elections. At the same time, critics should question the AFM's strategy of featuring its so-called "multiculturalism" in order to fabricate a "common-sense" understanding of marriage. Just as some political analysts believe that the GOP's appeals to minorities are really aimed at white middle-class voters who might be more persuaded by a party that appears inclusive, one should interrogate Daniels' fanciful depictions of diversity. The AFM, while multifarious in many regards, was guided by a strong conservative presence. The incorporation of religious fundamentalism is unmistakable, and appeals to other such factions are difficult to miss. What is more troublesome is the potential for this rhetoric to appear "moderate," more a matter of "common sense" than of prejudice.

Daniels' utilization of identity categories to combat LGBT allusions to the civil rights movement illustrates not so much a concern for the institution of marriage or for the needs of minorities, but instead hostility toward the queer community. While Daniels claims to have helped families, the AFM is hard pressed to prove that they have done anything to improve the lives of parents or children. Rather than focus on how to help eliminate poverty and aid children, the exclusive focus on supposedly misguided judicial decisions ignores other productive avenues of government support. The AFM does nothing in its "non-partisanship" to help low-income families (be they black, white, gay, or straight). Indeed, the most pronounced example offered by the AFM—that being the life story of Daniels—is inconsistent with the discourse they constructed. According to this narrative, the founder was raised in the throws of multiculturalism *and* a single-parent home, but in him one does not find the welfare-dependent adult or the homosexual sodomite that the AFM so vehemently fears. Daniels went to law school and then graduate school, and now he heads a powerful political lobby. His suffering was an instigator of his success.

The "common sense" established in this rhetoric is also disturbing when one considers the connections made among gender, economics, and identity. The relationship between gender and materiality in this rhetoric is especially troubling. In this discourse, women exist on the extremes of patriarchy, being either man-haters or those who cannot survive without a husband. The aggressive feminist law professor stands in sharp opposition to the docile mother figure in the stories that Daniels recounts. Heterosexual women are never described as positive care-providers who are able to support a family and raise children properly. Despite all their appeals that "marriage" is not an institution focused solely on the economic aspects of social life, the AFM almost always falls back onto secular arguments highlighting the need of a two-parent income when discussing heterosexual families. The law professor had the gall to imply that women could survive without men, and his mother had the

audacity to prove that notion false. Importantly, the focus on family economics in discussions of heterosexuality is not accidental. To stress love amongst people, including one man and one woman, would do little more than create an easy target for queer activists. The AFM must concentrate on the depletion of marriage, but without stressing the relational factors that almost always instigate the failure of heterosexual bonds. This is productive for progressive critics who wish to resist marriage altogether. The AFM's rhetoric highlights the disintegration of heterosexual marriage, but always from an economic perspective. True love is nowhere to be found.

The rhetoric of the AFM claimed to substantiate community values through multiculturalism but did little more than foster intolerance through exclusion. While an amendment may never pass at the national level, it will continue to be played out in the states—as if shifting this question to local officials will somehow ease the stigma attached by conservative factions or help American families of any kind. In seriality, critics are afforded the opportunity to explore how local coalitions are brought together through the production of laws that position citizens “passively” around seemingly inert structures. But it is only with a rhetorical understanding of these civic actors and systematic orders that scholars and activists can assess how collectives are formed and sustained, resisting the persistent desire to isolate, stigmatize, and exclude.

## Notes

- [1] The most recent version of the amendment reads: “Marriage in the United States shall consist only of the union of a man and a woman. Neither this Constitution, nor the constitution of any State, shall be construed to require that marriage or the legal incidents thereof be conferred upon any union other than the union of a man and a woman.” See the Alliance for Marriage homepage at <http://www.allianceformarriage.org> (accessed 7 February 2006).
- [2] Signed by President Clinton in May of 1992, the Defense of Marriage Act does two things. According to the Lectric Law Library, it first “provides that no State shall be required to give effect to a law of any other State with respect to a same-sex ‘marriage.’ Second, it defines the words ‘marriage’ and ‘spouse’ for purposes of Federal law.” See the Lectric Law Library’s entry for the “Defense of Marriage Act” 5/96 H.R. 3396 Summary/Analysis at <http://www.lectlaw.com/files/leg23.htm> (accessed 14 August 2004). Clinton preemptively signed DOMA to prevent it from becoming a divisive issue in the 1996 election.
- [3] The degree to which same-sex marriage influenced the outcome of the 2004 presidential election is highly contested. Eight of the eleven states that passed amendments defining marriage as being between “one man and one woman” were solidly “Red” prior to the outcome. Two of the others remained “Blue.” Ohio is the most contentious case study where Bush narrowly won the state because of concentrated GOP efforts to get Evangelical Christians to the polls.
- [4] Jake Thompson, “Marriage Issue Isn’t Settled Yet,” *Omaha World-Herald*, 15 July 2004, 1A.
- [5] In 2004, the FMA failed in both houses of Congress, despite having the backing of Senate Majority Leader Bill Frist and House Majority Leader Tom DeLay.
- [6] Jeff Diamant, “Gay Issue May Send Blacks to Bush,” *The Columbus Dispatch*, 4 August 2004, A1.

- [7] This rhetoric continued well after the election as Democrats struggled to account for votes lost among these very demographics.
- [8] Alliance for Marriage, "AFM Press Conference" (Washington, DC, 12 July 2004), [http://afm.convio.net/images/videos/bill\\_frist.mpg](http://afm.convio.net/images/videos/bill_frist.mpg) (accessed 15 August 2004).
- [9] Alliance for Marriage, "AFM Press Conference" (Washington, DC, 12 July 2004), [http://afm.convio.net/images/videos/matt\\_daniels.mpg](http://afm.convio.net/images/videos/matt_daniels.mpg) (accessed 15 August 2004).
- [10] According to Sartre's *Critique of Dialectical Reason*, the "practico-inert" is defined as "matter in which past *praxis* is embodied." Although Young never directly defines "material objects," she does make explicit her understanding of the practico-inert, explaining that "social objects and their effects are the results of human action, they are *practical*. But as material they also constitute constraints on and resistances to action, which make them experienced as *inert*. The built environment is a practico-inert reality." See Jean-Paul Sartre, *Critique of Dialectical Reason*, trans. Alan Sheridan, vol. 1 (London: Verso, 2004), 829. Iris Marion Young, *Intersecting Voices: Dilemmas of Gender, Political Philosophy, and Policy* (Princeton, NJ: Princeton University Press, 1997), 27.
- [11] Young, *Intersecting Voices*, 24.
- [12] Both second-wave feminism and the LGBT movement, for example, have been scrutinized for overlooking the needs and voices of racial minorities in their communities. See, for example, Keith Boykin, "Where Rhetoric Meets Reality: The Role of Black Lesbians and Gays in Queer Politics," in *The Politics of Gay Rights*, ed. Craig A. Rimmerman, Kenneth Wald, and Clyde Wilcox (Chicago: The University of Chicago Press, 2000); Nancie Caraway, *Segregated Sisterhood: Racism and the Politics of American Feminism* (Knoxville, TN: University of Tennessee Press, 1991).
- [13] Iris Marion Young, *Inclusion and Democracy* (New York: Oxford University Press, 2000).
- [14] Young, *Intersecting Voices*, 25.
- [15] Young, *Intersecting Voices*, 6.
- [16] Young, *Intersecting Voices*, 36.
- [17] Karlyn Kohrs Campbell, "Agency: Promiscuous and Protean," *Communication and Critical/Cultural Studies* 2, issue 1 (2005): 1–19.
- [18] Campbell, 4.
- [19] Sartre, *Critique of Dialectical Reason*, 259.
- [20] Young, *Intersecting Voices*, 17.
- [21] Young, *Intersecting Voices*, 35.
- [22] Young, *Intersecting Voices*, 36.
- [23] Sartre, *Critique of Dialectical Reason*, 265.
- [24] For more on the relationship between praxis and judgment as understood by Aristotle, see Ronald Beiner, *Political Judgment* (Chicago: University of Chicago Press, 1983), 77.
- [25] See, for example, Robert Ivie, "Productive Criticism Then and Now," *American Communication Journal* 4, issue 3 (2001), <http://www.acjournal.org/holdings/vol4/iss3/special/ivie.htm> (accessed 17 August 2004); Robert Ivie, "The Social Relevance of Rhetorical Scholarship," *Quarterly Journal of Speech* 81 (1995); Raymie McKerrow, "Critical Rhetoric: Theory and Praxis," *Communication Monographs* 56 (1989): 91–111; Maurice Charland, "Finding a Horizon and Telos: Challenge to Critical Rhetoric," *Quarterly Journal of Speech* 77 (1991): 71–74; Kent Ono and John Sloop, "Commitment to Telos—A Sustained Critical Rhetoric," *Communication Monographs* 59 (1992): 48–60.
- [26] Charland, "Finding a Horizon and Telos," 72.
- [27] Martha Cooper, "A Feminist Glance at Critical Rhetoric," in *Making and Unmaking the Prospects for Rhetoric: Selected Papers from the 1996 Rhetoric Society of America Conference*, ed. Theresa Enos (Mahwah, NJ: Erlbaum, 1997); Linda Park-Fuller, "Performance as Praxis: The Intercollegiate Performance Festival," *Text and Performance Quarterly* 14 (1994): 330–33.

- [28] Steven Best and Douglas Kellner, *Postmodern Theory: Critical Interrogations* (New York: The Guilford Press, 1991), 95; Lawrence Grossberg, *We Gotta Get out of This Place: Popular Conservatism and Postmodern Culture* (New York: Routledge, 1992), 376.
- [29] James Darsey, *The Prophetic Tradition and Radical Rhetoric in America* (New York: New York University Press, 1997).
- [30] Judith Butler, "Merely Cultural," *New Left Review*, 227 (1998): 41.
- [31] Mary Leonard, "Marriage Measure Revised to Allow Some State Rights," *The Boston Globe* 23 March 2004, A1.
- [32] It should be mentioned that Bauer still promised to fight civil unions on a state-by-state basis. However, he also believed that adding civil unions to the federal amendment would make it more difficult for the measure to get through Congress.
- [33] Special thanks to Isaac West for drawing my attention to this particular passage. See Massachusetts Supreme Court, "Opinion of the Justices to the Senate," 3 February 2004, <http://news.findlaw.com/cnn/docs/conlaw/maglmarrriage20304.html> (accessed 2 September 2004).
- [34] Massachusetts Supreme Court, "Opinion of the Justices to the Senate".
- [35] Massachusetts Supreme Court, "Opinion of the Justices to the Senate".
- [36] See Michael Warner, *The Trouble with Normal: Sex, Politics, and the Ethics of Queer Life* (New York: The Free Press, 1999).
- [37] See especially Chaim Perelman and L. Olbrechts-Tyteca, *The New Rhetoric: A Treatise on Argumentation*, J. Wilkinson and P. Weaver, trans. (Notre Dame, IN: University of Notre Dame Press, 2000 (1971)); Louise Karon, "Presence in 'the New Rhetoric,'" in *The New Rhetoric of Chaim Perelman: Statement and Response*, ed. Ray D. Dearin (Lanhan, MD: University of America Press, 1989).
- [38] Cathy Lynn Grossman, "Gay 'Civil Union' Not as Divisive as 'Marriage,'" *USA Today* 14 January 2004, 6D.
- [39] Karen Peterson, "Man Behind the Amendment," *USA Today*, 13 April 2004, 1D.
- [40] Leonard, "Marriage Measure Revised to Allow Some State Rights."
- [41] Alliance for Marriage, "Federal Marriage Amendment Press Conference" (12 July 2001), <http://www.allianceformarriage.org> (accessed 1 April 2002).
- [42] Alliance for Marriage, "Federal Marriage Amendment Press Conference."
- [43] Alliance for Marriage, "Federal Marriage Amendment Press Conference."
- [44] Bill Rankin, "Appeals Court Upholds Ban on Gay Adoptions," *The Atlanta Journal-Constitution*, 22 July 2004, 1A.
- [45] Michael McGee reminds us that "the people" are little more than the social and political myths a group chooses to believe. In this production of "the people," the AFM produces a shared interest that all individuals, regardless of race, religion, or political affiliation have in promoting the stability of heterosexual marriage. See Michael Calvin McGee, "In Search of 'the People': A Rhetorical Alternative," *Quarterly Journal of Speech* 61 (1975): 235–48.
- [46] Alliance for Marriage, "Federal Marriage Amendment Press Conference."
- [47] *The New Republic*, "Separate but Equal? Vermont, Marriage, and Civil Rights in Our Time," 10 January 2000, 9.
- [48] Henry Louis Gates, "Blacklash?," in *Dangerous Liaisons: Blacks, Gays, and the Struggle for Equality*, ed. Eric Brandt (New York: The New Press, 1999), 30.
- [49] Alliance for Marriage, "Federal Marriage Amendment Press Conference."
- [50] Alliance for Marriage, "Federal Marriage Amendment Press Conference."
- [51] See Boykin, "Where Rhetoric Meets Reality."
- [52] Matt Daniels, "Father Figure," *Los Angeles Daily Journal* 4 October 2000, 6.
- [53] Faye Fiore, "Lawyer Was Ready for the Marriage Debate," *Los Angeles Times* 15 February 2004, A32.
- [54] Daniels, "Father Figure."

- [55] Marilyn Gardner, "A Man Raised by One Parent Advocates for Two," *The Christian Science Monitor* 25 September 1998, 9.
- [56] Daniels, "Father Figure."
- [57] Peterson, "Man Behind the Amendment."
- [58] Peterson, "Man Behind the Amendment."
- [59] Kenneth Burke, *Permanence and Change: An Anatomy of Purpose*, 3rd ed. (Berkeley, CA: University of California Press, 1984), 177.
- [60] Nancy Fraser, *Unruly Practices: Power, Discourse, and Gender in Contemporary Social Theory* (Minneapolis: University of Minnesota Press, 1989).