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Lisa M. Tillmann Ph.D.
Rollins College, ltillmann@rollins.edu

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Wedding Album: An Anti-heterosexist Performance Text¹

Lisa M. Tillmann
 Rollins College Box 2723
 Winter Park, FL 32789
Ltillmann@rollins.edu
 407-646-1586

For Kathryn Norsworthy and Deena Flamm

June the twelfth, 1967,
 the Supreme Court renders a unanimous decision.
 “Hear ye,”
 say they, we find the state of Virginia guilty.
 We indict discrimination and segregation in this co-conspiracy
 and hereby set free
 our Loving citizens:
 husband Richard Loving, White, wife Mildred, African- and Native-American.
 Justices White and Black—no fabrication—
 join Clark, Fortas, Douglas, Stewart, Brennan, Harlan, and Warren
 to strike down prohibitions to miscegenation
 as violations of fourteenth amendment protections.²
 “Hear ye.”

[Insert photo L.1 Mom Dad beside next stanza]

1969, June the twenty-first,
 my parents wed in a small-town church.
 The longest day,
 think they, as summer solstice stretches
 further than budgets for reception or dress.
 A bride of nineteen, four months pregnant;
 a groom of twenty, soon to be drafted.
 The longest day.

[Insert photo L.2 rings beside next stanza]

¹ The most updated version of this piece appears in the book *In Solidarity: Friendship, Family, and Activism Beyond Gay and Straight* (Routledge 2015). Earlier versions of “Wedding Album” were presented at the 2013 International Congress of Qualitative Inquiry and published in the *Handbook of Autoethnography* (Tillmann 2013; used with permission, Left Coast Press, Inc.). My parents’ wedding photograph is courtesy of John and Beth Tillmann.

² Mildred Delores Jeter and Richard Perry Loving married in the District of Columbia on June 2, 1958. Police arrested the couple upon return to their home in Virginia, where marriage between White and Black persons was a felony carrying up to a five-year prison term. The Lovings pled guilty and received a one-year jail sentence, suspended if they left the state. The 1967 Supreme Court ruling in *Loving v. Virginia* invalidated anti-miscegenation statutes in 16 states.

To mark my wedding, New Year's Eve, 1995,
 bullets of water fire from the sky.
 "Signs of luck,"
 say they, as wind whips, thunder thwacks, and lightning strikes.
 White-lighted, braided-trunk ficus laid waste,
 star-patterned luminaries shoot up in flames.
 Signs of luck.
 [Insert photo L.3 Jennifer beside next stanza]
 Educations, graduations,
 professional-level income.
 Adventure, laughter, conversation,
 a shared network of friends.
 Without children to tend,
 we are able to mend
 a divorcing couple's dream home
 half-renovated, then abandoned.
Good years,
 think we,
 our parents young and healthy.
 A tenure-track job, savings, security.
 Not perfectly enchanted.
 We lose Jennifer, our maid of honor, and my dear aunt Patsy to cancer.
 Elders fall to stroke, cardiac arrest, pneumonia.
 Still, good years.

The twenty-first of September, 1996:
 the sixteenth International Day of Peace.
The irony,
 think we, as, of all presidents, Clinton
 signs DOMA, Defense of Marriage legislation,
 fortifying the institution
 against subversion of suburban
 families headed by two mothers or fathers
 and insurrection of tax-paying same-sex couples.
 As for perils posed by cum-stained-dress-saving interns and narcissistic grandiosity,
 simply repeat after me, "I did not have sex with that woman, Miss Lewinsky."
 The irony.

Out of proportion to our privilege and circumstance,
 we become Responsible, Sedate, and Serious.
Good enough,
 think I, such is the maturation compromise,
 the relational pentameter's rise, fall, rise, fall, rise.
 Academic vampires suck, veins bleed out, passion cools.
 Projects seep into every room.
 A summer suspended on scaffolding, he at fifteen feet, I at ten,

double coating our exterior to weather the elements,
 while inside the climate
 lies dry and silent.
 We fight rarely and fairly, so I choose to believe.
 We have friendship, respect, mutuality.
 Good enough.

Neither proposes disengagement, dropped to one knee,
 offering a box of ambivalence, a loneliness ring.
 Nothing,
 says he, while in the cellar of his conscience
 he constructs Betrothed and Beyond compartments.
 I misread signs of relational miscarriage.
 No legislation passes to defend my marriage.
 Nothing.

The eleventh of April, 411, 2006,
 seated in our marital therapist's office,
 husband looks at his feet, at our counselor, then at me.
 "I am leaving,"
 says he.
 He departs that night; I pack for the next life in June.
 How to divide thirteen years' signifiers of two?
 Wedding gifts, letters, cards, what do you choose?
 What to do with gown and veil of ivory satin and beads,
 shrink-wrapped, boxed, preserved, and steam-cleaned,
 saved for a daughter not to be?
 Photos plucked from frames, some discarded as trash.
 Continuity and certainty burned to ash.
 Leaving.

The law that once undergirded my marriage
 blasts the foundation and scatters the wreckage.
 In preparation to attend a post-apocalypse wedding,
 I bear arms of a date, dapper, dashing, and handsome.
 "Stunning,"
 say I with a playful tug to his tie.
 This old friend, a gay man,
 barred from the institution
 I just escaped.
 We make quite a pair:
 a divorcée with a sensibility queer
 and a man who will fall for an international partner,
 a legal stranger.
 In the incense-perfumed, flower-festooned chapel
 we go catty, sarcastic, and cynical,

until we see her,
 my beloved student, Laura.
 A bride full of light, hope, promise, and faith,
 optimism, openness, caring, and grace.
 Stunning.

[Insert photo L.4 John beside next stanza]

A profile photo, a short story, a test of personality,
 thirty dollars a month to sing in eHarmony.
 Virtual prospects, perhaps two hundred, in the flesh, sixteen men
 and then, in March 2008,
 John.
 Winter turns to spring.
 “Marry me,”
 says he, an invitation to reenter a structure of inequity,
 a fraternity excluding so many of my friends.
 “Marry me.”

June the twelfth, 2011: an anniversary, number forty-three.
 For Virginia, a beautiful defeat;
 for Loving, for justice, a sweet victory.
 This June the twelfth, after seventeen years together,
 a Boston marriage joins what no pseudo-defender legislator can tear asunder.
 Neither tuxedo nor bustle, neither groom nor bride,
 partners, lovers, friends stand side-by-side.
 “We do,”
 say the two,
 “take you Deena, take you Kathryn.”
 As woman joins with woman,
 John, my fiancé, and I rise to defend the sanctity of this union
 against heterosexism, homophobia, heteronormativity,
 prejudice, discrimination, inequality.
 We do.

[Insert photo L.5 John Lisa Kathryn Deena]

Coda

In 2012, a Pew poll found for the first time that more Americans support than oppose same-sex marriage;³ Vice President Biden and President Obama gave their endorsements; and a federal appeals court, consisting of justices appointed by Presidents Reagan, H.W. Bush, and

³ See Religion (February 7, 2012).

Clinton, ruled unconstitutional the denial of federal benefits to married same-sex couples.⁴ On June 26, 2013, the U.S. Supreme Court in *United States v. Windsor* struck down the Defense of Marriage Act (DOMA), opening federal benefits to same-sex couples who marry in the District of Columbia (where Richard and Mildred Loving wed) and in the 19 states in which it is legal as of this writing: Massachusetts,⁵ Connecticut,⁶ Iowa,⁷ Vermont,⁸ New Hampshire,⁹ New York,¹⁰ Washington,¹¹ Maryland,¹² Maine,¹³ Rhode Island,¹⁴ Delaware,¹⁵ Minnesota,¹⁶ California,¹⁷ New Jersey,¹⁸ Hawaii,¹⁹ Illinois,²⁰ New Mexico,²¹ Oregon,²² and Pennsylvania.²³ Prior to DOMA's demise, even if legally-married, a member of a same-sex couple could not collect a deceased

⁴ See Seelye and Bronner (May 31, 2012).

⁵ Enacted in 2004 via the Supreme Judicial Court of Massachusetts' ruling in *Goodridge v. Department of Public Health* (Massachusetts n.d.).

⁶ Enacted in 2008 via the Connecticut Supreme Court ruling in *Kerrigan and Mock v. The CT Department of Public Health*; in 2009, the legislature and governor reaffirmed the ruling (Connecticut n.d.).

⁷ Enacted in 2009 via the Iowa Supreme Court ruling in *Varnum v. Brien* (Iowa n.d.).

⁸ Enacted legislatively in 2009 with the Vermont House and Senate overriding a veto by Governor Jim Douglas (Gram April 7, 2009).

⁹ Enacted legislatively in 2010; survived an attempt to repeal in 2012 (New Hampshire n.d.).

¹⁰ Enacted legislatively in 2011 (Kaplan July 23, 2011).

¹¹ Enacted legislatively in 2012; survived a voter referendum the same year (Washington n.d.).

¹² Enacted legislatively in 2012; survived a voter referendum the same year (Maryland n.d.).

¹³ Enacted, in 2012, by popular vote, another milestone for marriage equality (Maine n.d.).

¹⁴ Enacted legislatively in 2013 (Rhode Island n.d.).

¹⁵ Enacted legislatively in 2013 (Delaware n.d.).

¹⁶ Enacted legislatively in 2013 (Minnesota n.d.).

¹⁷ In May 2008 the California Supreme Court in *In Re: Marriage Cases* upheld the right for same-sex couples to marry. That November, the state's electorate narrowly passed Proposition 8, a constitutional amendment banning same-sex marriage. In 2010, a district court found Prop 8 unconstitutional, a ruling upheld by the U.S. Ninth Circuit Court of Appeals in 2012. Prop 8 proponents appealed to the U.S. Supreme Court, which ruled in 2013 that the plaintiffs lacked legal standing. This let stand the lower courts' rulings and cleared the way for same-sex marriage in California (California n.d.).

¹⁸ In 2012, Governor Chris Christie vetoed a same-sex marriage bill passed by the New Jersey legislature. On September 27, 2013, a Mercer County Superior Court Judge ruled in favor of marriage equality in *Garden State Equality et al. v. Dow et al.* On October 21, 2013, the Christie administration dropped its appeal of the ruling (New Jersey n.d.).

¹⁹ Enacted legislatively on November 13, 2013 (Hawaii n.d.).

²⁰ Enacted legislatively on November 20, 2013 (Illinois n.d.).

²¹ The New Mexico Supreme Court ruled unanimously in favor of same-sex marriage on December 19, 2013 (New Mexico n.d.).

²² Enacted in 2014 when Federal District Court Judge Michael J. McShane struck down the state's ban on same-sex marriage. Oregon's attorney general Ellen F. Rosenblum refused to appeal the decision, and the U.S. Supreme Court declined to issue a stay; see Liptak (June 4, 2014).

²³ Enacted in 2014 when U.S. District Judge John E. Jones III struck down Pennsylvania's ban, which included not only same-sex marriage but also other forms of relationship recognition for same-sex couples. Governor Tom Corbett announced he would not appeal Judge Jones' ruling. See Pennsylvania (n.d.).

spouse's social security or facilitate immigration of a spouse born outside the U.S. The gay male friend I brought as a guest to my first post-divorce wedding decided to live in England with his Scottish husband in no small part due to marriage inequality in the U.S.

Sixteen countries on four continents have established a federal right for same-sex marriage.²⁴ The day after its ruling on DOMA, the U.S. Supreme Court avoided consideration of a federal right by refusing to hear a case challenging a state ban on same-sex marriage.

As indicated, my friends Kathryn Norsworthy and Deena Flamm, to whom this piece is dedicated, legally wed in Massachusetts in 2011. However, we reside in Florida, where a constitutional amendment bars the state from recognizing their union. As of this writing, 30 states have laws or amendments prohibiting same-sex marriage.²⁵ Among them are 14 of the 16 states that had anti-miscegenation laws struck down by the U.S. Supreme Court in 1967.²⁶

The primary rhetorical strategies of opponents to same-sex marriage mirror those used by opponents to interracial marriage. One strategy involves the notion of "God's plan." The trial judge in *Loving v. Virginia*, Leon M. Bazile, proclaimed, "Almighty God created the races white, black, yellow, malay and red, and he placed them on separate continents. And but for the interference with his arrangement there would be no cause for such marriages."²⁷ His honor's "logic" matches the intellectual heft of "God created Adam and Eve, not Adam and Steve."²⁸ A

²⁴ Marriage equality countries are: Argentina, Belgium, Brazil, Canada, Denmark, England, France, Iceland, Netherlands, New Zealand, Norway, Portugal, South Africa, Spain, Sweden, and Uruguay (Freedom n.d.).

²⁵ See State (May 15, 2013).

²⁶ The 14 overlapping states are: Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, Missouri, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, and Virginia. Delaware and West Virginia also had anti-miscegenation statutes struck down in 1967. In 1996, the Delaware legislature passed a ban on same-sex marriage, which stood until 2013, when the body passed a marriage equality statute. West Virginia neither has a constitutional amendment barring same-sex marriage nor legally recognizes same-sex relationships (see States n.d.; US July 29, 2009).

²⁷ See *Loving v. Virginia* (1967). Bazile died in 1967, the year of the landmark ruling in *Loving v. Virginia*. How disconcerting it would have been for him to study genetic anthropology and to learn that all modern humans share a common female *African* ancestor.

²⁸ An infamous anti-gay slogan.

second strategy involves the alleged protection of children. Opponents of both interracial and same-sex marriage have argued that growing up in a family headed by a mixed-race or same-sex couple damages children, a claim rejected by every major medical,²⁹ psychological,³⁰ and child welfare association. The relevant damaging factors are, of course, *racism* and *homophobia*.

In 2007, a year before her death, Mildred Loving issued a statement marking the 40th anniversary of *Loving v. Virginia*. The conclusion reads:³¹

Surrounded as I am now by wonderful children and grandchildren, not a day goes by that I don't think of Richard and our love, our right to marry, and how much it meant to me to have that freedom to marry the person precious to me, even if others thought he was the "wrong kind of person" for me to marry. I believe all Americans, no matter their race, no matter their sex, no matter their sexual orientation, should have that same freedom to marry. Government has no business imposing some people's religious beliefs over others. Especially if it denies people's civil rights.

I am still not a political person,³² but I am proud that Richard's and my name is on a court case that can help reinforce the love, the commitment, the fairness, and the family that so many people, black or white, young or old, gay or straight seek in life. I support the freedom to marry for all. That's what Loving, and loving, are all about.

My own relationship to marriage remains more ambivalent than Mrs. Loving's. On one

²⁹ See Coparent (n.d.).

³⁰ See Sexual (2004).

³¹ See Loving (June 12, 2007).

³² Indeed neither Richard nor Mildred Loving attended the U.S. Supreme Court hearing. When asked by his attorney what he should convey to the justices on his behalf, Richard Loving said only, "Tell the Court I love my wife"; see the documentary *The Loving Story* (2012).

hand, I love my partner and am committed to our bond. I also appreciate the long-term stability of my parents' union and have experienced and witnessed how extending and withholding social support shores up and undermines relationships. I worry about preceding John in death. He would lose health coverage obtained through my employer, and the taxes on my estate, which he would not pay as my spouse, would be substantial (admittedly a "peril" of the privileged). On the other, I question marriage on both personal and political grounds. I endured a complex and painful divorce. Perhaps by delaying marriage, I am postponing the risk of living through another dissolution. In a larger sense, marriage inequality reflects and reinforces other structural inequities, including those associated with class and gender. Doesn't every person, married or not, deserve emotional and economic security? Knowing what I do now, can I be both a heterosexual ally and married? Is participating in heterosexual marriage in its current form any more ethical than joining an all-White social club?

On February 17, 2012, John and I and Kathryn and Deena became the 265th and 266th couples to sign up for Orlando's domestic partner registry. On May 22, 2012, Orange County, Florida (our home county), adopted a parallel registry. As members of the Orlando Anti-Discrimination Ordinance Committee, Kathryn and I campaigned for both registries. While the rights granted are essential, such as the right to visit John in a hospital or hospice, they represent a tiny fraction of the more than 1100 federal rights and protections that come with marriage.³³ I am fortunate to work for a college that provides domestic partner benefits to both same- and different-sex couples, though under federal law, I pay taxes on those benefits (married employees do not).

Since 2001, I have engaged in civil rights activism as a heterosexual woman, both married and divorced, both partnered and single. In some ways, I felt more effective when I had

³³ See Protections (n.d.).

both heterosexual and marital privilege (I also am rather conventionally feminine in gender presentation, White, comfortably middle-class, educated, and able-bodied). While married, I could speak “purely” as an ally, as someone with nothing immediately personal to gain. In advocating for city and county domestic partner registries, I felt more “in the trenches,” fighting for rights I might need to exercise, and as an unmarried woman cohabitating with her partner, I was subject to the same rhetoric of “living in sin” as were my LGBTQ+ friends and fellow citizens.

Full marriage equality will come. In the meantime and thereafter, I hope that LGBTQ+ communities and their allies will pursue a parallel equality agenda, one that seeks to uphold each person’s basic human rights—the right to safe, nutritious food; to a clean, sustainable environment; to secure housing; to meaningful work and a living wage; to health care; to freedom from discrimination and violence; and to loving relationships—regardless of marital (or any other) status.

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