

**Commentary on Nancy Nicol's *Politics of the Heart:
Recognition of Homoparental Families***

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Nancy Nicol's film, *Politics of the Heart: Recognition of Homoparental Families* is an important documentary of the events leading to the 2002 decision of the Quebec National Assembly to extend equal parenting rights and recognition to same sex parents. Nicol's film depicts the broadbased social movement that eventuated in same sex parenting rights and recognition and same sex marriage and civil union in Quebec. It does so in terms which are both personal and political. Central to the film is a moving portrait of partners, parents, and children who were at the forefront of the movement.

I empathize with those who struggle for recognition of nontraditional families of choice. As a mother who is in a same-sex relationship—and who has an adopted child, I am personally moved by the portraits of lesbian mothers seeking legal recognition of and equal rights for their families. And as a Canadian who resides in the U.S., I confess to a certain pride (however misplaced) in the successes of my gay and lesbian co-patriots—and a certain nostalgia for my mother country and her relatively more progressive state politics. At the same time, however, I share the concern of queer theorists, such as political scientist Marla Brettschneider, that narrowing the focus of GLBT politics to a state-focused argument about the right to marry and adopt limits the “broad, creative radicalness” of the queer movement (114). Related to this, I am troubled by the ways in which discussions of and social movements toward ending discrimination for lesbians and gays too often presume the very standards that queer politics were intended to resist. So, in the spirit of practicing heresy and blasphemy, I would like to respectfully disagree with the strategies and goals of a politics of recognition as celebrated by Nicol's documentary coverage of the gay and lesbian movement for family rights in Quebec. In my brief remarks here, thus, I would like to suggest that political recognition of same-sex families and their children is a too limited goal for queer families and their allies.

In suggesting this, I do not mean to imply that working toward ending legal discrimination against queer families is insignificant. Anyone who has lived in a non-normative family understands firsthand—as the activists in Nicol's film attest—that ending discrimination against queer families is both important and difficult. Policies privileging the nuclear heterosexual family (for example, policies—such as those at my own university—offering medical coverage for members of one's

nuclear heterosexual family only) are clearly unethical. And they pose difficult issues for nontraditional families. The reason, for example, that my ex-husband remains legally my husband—in addition to our preference to keep lawyers out of our unorthodox living and custody arrangements—is that my health benefits will only cover him insofar as we remain legally married. Hence, I remain for all official purposes, on record as a heterosexual married woman. Any other identity I might embody or wish to embrace is rendered invisible by legal documents indicating my marital status, much as the facts of my adopted daughter's birth is rendered invisible by a legal document that retrospectively and falsely records her as born to the parents who adopted her.

I understand the desire of lesbians and gays to be recognized. A desire to be recognized underlies most liberation movements. Women, people of color, disabled persons, the elderly, working class people, and all variety of persons who are marginalized and disenfranchised have desired recognition: recognition of their existence, their needs, their rights, their abilities, their contributions to the society in which they live. It is not, thus, surprising that gays and lesbians also seek social and legal recognition and rights for themselves and their families. Indeed, given that the phenomenon of invisibility (i.e., closeting) is perhaps the primary marker of oppression of lesbians and gays, the desire to be seen is readily intelligible. As someone familiar with both the material and psychic costs of the invisibility accompanying social denial of non-normative families, I do not wish to underplay the importance of the struggle for recognition of same sex partners and parents—a struggle still in its infancy in many parts of the United States and not even conceivable in certain other parts of the world. The success of the struggle for recognition of same sex marriages and same sex parents in Quebec was an important landmark, and it is important to document and discuss this civil rights struggle. Nancy Nicol deserves our appreciation for undertaking this task.

I am, however, less sanguine than Nicol about the ability of a politics of recognition to bring about the social acceptance of a wide diversity of family forms. This is because a politics of recognition, such as that practiced by many gays and lesbians fighting for same-sex marriage and parental rights, is not just the desire to be seen. It is frequently a desire to be seen in a particular way, namely, as “normal.” Radical organizations such as Act Up gained unquestionable visibility for queer folk in ways that simultaneously shocked mainstream cultural sensibilities and attempted to enfranchise some of the most marginalized members of the gay and lesbian community, namely those with AIDS. Queer politics in the 80s and 90s was unabashed and unapologetic; “we’re here and we’re queer, get used to it” was not the slogan of a people seeking an invitation to somebody else’s party. Queers were hosting their own party and having a good deal of fun doing it. The politics of parody and confrontation practiced by drag kings and queens, parade participants, AIDS activists and others, rendered queers visible by in-your-face strategies that perceivers could not ignore. These parodic strategies are practiced by some queer activists—most notably in Nicol’s film

by Michael Hendricks and René Leboeuf, gay partners who unapologetically and intentionally make a spectacle of themselves, “staging” their petition for marriage and eventually their wedding itself for the press. This sort of hypervisibility is not, however, the type of visibility sought by many of those in the same-sex family rights movement. Many of the activists portrayed in Nicol’s film—and their less successful kin in various parts of the U.S. and Canada and elsewhere—are looking for a way to be seen *without* becoming a spectacle. As philosopher Kelly Oliver notes, “somewhere between invisibility and hypervisibility is the kind of recognition equality demands” (148).

Equality is a problematic goal for any social movement. Bell hooks, along with other women of color, critiqued liberal feminism in the 1980s by asking “equality to whom?” and “for whom?” As the questions rightly implied, equality as a goal of the women’s movement only made sense for white middle class women who wanted to be treated on a par with their white male counterparts. For poor women of color, parity of treatment with the men in *their* lives would have been a much too limited goal. At risk, then, of being viewed a traitor to the cause of gay liberation, I suggest we ask the same questions of the present movement to secure equal rights for gays and lesbians. My colleague, Dr. Coverston, rightly asks us to query the tyranny of the (straight) majority. I raise the following questions and concerns in an effort to ensure that we—white, able-bodied, middle-class, professional, gays and lesbians—do not ask entry into that majority, only to become a part of the tyranny we set out to resist.

First, to what extent does the political rhetoric of the same-sex marriage movement buy into the very dichotomy of maturity/immaturity that we mean to resist? A central rhetorical strategy of opponents to same-sex marriage and homoparental families is to depict queers as lacking the maturity for such stable commitments. In his essay, “Against Homosexual Marriage,” for example, James Q. Wilson suggests that “given the great tendency of homosexual males to be promiscuous,” most would choose not to marry or “would not marry with much seriousness” (80). Such claims concerning the immaturity of gays and lesbians for marriage (and hence also for parenting) were also made by opponents to queer family rights in Quebec as documented by Nicol’s film. As noted by my colleague, Dr. Coverston, such rhetorical equations of “gay and lesbian” with “immature” must be countered. But how should they be countered? Wanting to be recognized as “equal” to heterosexual couples, gay and lesbian rights activists frequently fail to interrogate the standards by which maturity is defined by the majority, simply arguing that they too can (and should?) live up to those standards. As queer theorist Valerie Lehr notes, “the construction of relationships and sexuality by those who advocate gay marriage as central for gay and lesbian health suggests that by finding an individual partner, people can create stable lives that will, if both partners are honest, last for many years” (54). Are advocates of same-sex marriage implicitly suggesting that the ability to form and sustain long-term monogamous relationships is an indicator of both individual and group

maturity? If so, what does this imply about those members of the queer community who choose sexual and social freedom? It is notable that Nicol's film focuses on three long-term monogamous couples. This is not, I suspect, an accident of filmmaking. It is likely that the success of the movement for recognition of same-sex partnerships will strategically forefront such couplings. Indeed, marriage itself as a coveted right presumes, rather than questions, the worth of (putatively) lifelong monogamous couplings.

Second, I wonder to what extent the political rhetoric of homoparental rights also trades on troublesome assumptions about gender, class, race, and age as these relate to distinctions between, for example, "fit" and "unfit" mothers. In her discussion of lesbian mothers in Canada, Fiona Nelson notes that most of her interview subjects agreed that the "right reasons" for having a child are selfless: one should not have a child for one's own sake, but "for the sake of the baby" (34). It is often suggested that lesbians make good mothers because they must consciously choose to have (bear or adopt) children. What does this imply about those who do not "choose" pregnancy? Are they thereby unable to love a child? Under what conditions is it rational or ethical to choose to have a child? Can poor women be considered fit mothers? Teenage mothers? Or would it be selfish of them to bring a child into the world? And what does it mean to "choose" to have a child in a society wherein "women who do not choose motherhood are considered odd?" (Lehr 131). I am concerned that the rhetoric of lesbian mothering reinforces, rather than challenges, dominant cultural equations of feminine maturity with responsible (self-sacrificing?) motherhood, where "responsible motherhood" is classed and raced. Notably, the homoparental families featured in Nicol's film are all female-headed families. The only male couple in the film is notably childfree. And none of the featured female couples are without children. Moreover, the lesbian mothers foregrounded in the documentary are middle-class white women who read to, cook with, and spend considerable time with their well-groomed, well-behaved children in comfortable, and very tidy domestic spaces.

We should also note that the movement for same-sex marriage and homoparental rights accepts without question the notion of a family as headed by a dyadic pair of adults. There is no questioning here of the assumption that a child is best off with two parents. I find this especially troublesome within the context of the politics of adoption. When a couple—whether gay, lesbian, or straight—adopts a child, what happens to the child's other parents (for example, the young single mother or third world woman of color who is unable to raise her child by herself)? Why does a birthmother have to relinquish a child permanently in order for someone else to care about the well-being of that child? We might also ask why foster parents can't retain certain connections to the children with whom they have built relationships. Who says that a child is best off with two and only two parents and that these parents have the sole right to determine with whom their child will

associate? This is a dangerous assumption for the queer community both in terms of its ability to build alliances with other marginalized groups and in terms of its ability to take care of its own.

What, for example, happens when a homoparental couple divorces? What makes us think that legal custody battles will be less ugly for same-sex couples than they are for opposite sex couples? An unfortunate consequence of awarding custody based on two-parent, heterosexual norms is that “when lesbian and gay relationships end, a biological parent can deny visitation and custody rights to an ex-partner who had played, and would like to continue to play, critical roles in a child’s life” (Lehr 5). Perhaps second parent adoptions will mitigate this eventuality. However, if second parent adoptions are premised solely on the fact of the coupling between a biological parent and the “second” parent, it does not bode well for the status of the second parent. Moreover, what happens if one or more of the divorced parents subsequently partners with or marries someone else? Who has the rights to access and decision-making on behalf of the child then and who will be excluded? Who has the responsibility to define and ensure the well-being of the child? I am aware that it may be asking too much of the GLBT community to resolve these questions. After all, heterosexual families have yet to resolve them. But that, of course, is precisely the point. We have good reason to believe these questions are irresolvable on the present model of two-parent monogamous families, given the presumption that such families are based on marital and parental property rights. This suggests that perhaps we should advocate for a quite different model in seeking legal and social rights for queer families.

An additional concern, also raised by Valerie Lehr, pertains to intergenerational relationships of care within the queer community. What is our commitment to gay and lesbian youth, most of whom are reared by heterosexual parents? Are these not children with whom we should make connections, even if they are not “our own?” The stereotypes of lesbians and especially gay men as sexual predators (or as attempting to convert others to their heathen ways) have made it difficult for such adults to foster connections—as teachers, mentors, and friends—with lesbian and gay adolescents, many of whom would benefit from relationships with adults who do not question or pathologize their sexuality. Earning the right to adopt children may give us a way to interact with youth without fear of being perceived as “dangerous.” At the same time, it perhaps sustains, rather than challenges, the notion that only legally recognized parents have a right to determine how children should be educated and treated. As Lehr notes, “unless we defend the right of children and youth to interact with those whom they choose, we are in danger of leaving youth who do not conform to normative sexual identity and/or normative gender identity to fend for themselves” (143). What happens to our commitment to “family” in the old-fashioned, queer sense when we begin to focus exclusively on the right to have “families” in the culturally dominant sense?

Finally, what about other forms of family not premised on erotic attachments at all? The right of same sex couples to marry and legally adopt children extends the many economic and social benefits attending the traditional, nuclear family to some others—but not all (perhaps not even very many) others. Why should corporate or state benefits be extended to married couples, but not to sisters who live together? What about adult children who live with and care for their aging parents? What about kin networks created by open adoptive arrangements? The complexities and diversity of family forms in the 21st century is notable. Does the movement to secure marriage and parental rights for same-sex couples adequately address this diversity? Brettschneider asks whether the GLBT community's emphasis—and along with it, the media's emphasis—on the rights of gays and lesbians to marry and create legally recognized families is “the most significant issue, or one with the most far-reaching effects, for the array of queers right now in history,” answering that this is “debatable, but doubtful” (114). Similarly we may ask whether the emphasis on gay and lesbian rights to marry and adopt is the most significant issue, or one with the most far-reaching effects, for the array of (straight, gay, lesbian, queer, and asexual) families right now in history. This too is debatable, but doubtful. Can we imagine ways of reconfiguring the struggles for recognition of lesbian and gay families that would have more far-reaching effects for a wider variety of non-normative families? This, I believe, is the task that still stands before us if we truly want to revolutionize the ways we conceptualize and live family, rather than assimilating to the questionable, but culturally dominant, ideals of the nuclear procreative family.

Bibliography

Brettschneider, Marla. *The Family Flamboyant: Race Politics, Queer Families, Jewish Lives*. New York: SUNY, 2006.

hooks, bell. *Feminist Theory: From Margin to Center*. New York: Seal Press, 1984.

Lehr, Valerie. *Queer Family Values: Debunking the Myth of the Nuclear Family*. Philadelphia: Temple UP, 1999.

Nicol, Nancy. *Politics of the Heart*. Association des meres lesbiennes. 2005.

Nelson, Fiona. *Lesbian Motherhood: An Exploration of Canadian Lesbian Families*. Toronto: U of Toronto P, 1996.

Oliver, Kelly. *Witnessing: Beyond Recognition*. Minneapolis: U of Minnesota P, 2001.

Wilson, James Q. "Against Homosexual Marriage." In *Morals, Marriage and Parenthood*. Ed. Laurence Houlgate. Belmont, CA: Wadsworth, 1999: 78-81.