

PERSPECTIVES ON PEOPLE

A Personal Journey into Gay Marriage in a Heteronormative Society: Or...How Many Times Do We Have to Get “Married” in Order to Have Our Rights in the USA?

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Abstract: Understanding the continuing struggle for lesbian, gay, bisexual, transgender, and queer (LGBTQ) equality can be difficult for people who have not experienced the issues firsthand. This brief article describes the journey of one woman and her female partner as they repeatedly seek to make their lifetime commitment legal in the USA. Readers will learn new dimensions of LGBTQ discrimination, which continue to endure even in 2009. Sometimes, through the journeys of others we can step back, reflect, and reconsider our perspectives. From medical care confrontations, to humiliation, medical benefits to excessive tax demands and fear of violence, you will realize afresh that the fight for equal rights is not over.

This article offers my colleagues a chronicle of one person’s experience across the lines of heterosexual privilege to LGBTQ discrimination. The benefits of such an article are several at least: LGBTQ readers may experience a sense of validation in the disclosure of scenes, issues, concerns, and fears similar to their own. It may also provide those who are or would be allies with a deeper understanding and appreciation of the everyday lives of their LGBTQ colleagues, family members, and acquaintances. The article also serves as a firsthand account that may be used as a spring board for discussions about homophobia, LGBTQ rights, and more. My primary purpose in writing it, however, was in the hope that those who read it may consider the lives and journey shared and determine the part of the solution they can become as we move our world to a greater fullness of both equal human and civil rights.

I have decided to share these intimate aspects of life and perspectives by invitation, as part of this theme issue on LGBTQ issues, and because of recurrent conversations with straight friends and colleagues who assume LGBTQ people have all civil rights and no longer experience discrimination.

*As heterosexual friends or colleagues innocently say to me,
“But we live in an enlightened age!”*

My response is,

“If you are heterosexual, yes it is enlightened, but not if you are an LGBTQ person, come live in my life for one week, or listen to these examples...”

Choices

The journey of seeking to express your commitment publicly to the one you want to spend your life with is the dream of most young girls. For me, due to a twisted family life, it did not emerge until I was in my 20s. At that time, I saw the image better. I openly accepted that archetypal (and decidedly heterosexual) image when I made choices at the age of 25 to follow a traditional pathway of marriage to a caring man who was committed to the same life of service.

Awakening

When, through years of heart wrenching agony, at the age of 36 I recognized that decision would not work for me, I left the heterosexual marriage. Extreme hostility on many fronts met my decision. Someone stole from me the opportunity to tell my parents, as I was outed to them by others.

First Time for Love

When in 1997 I wanted to marry the woman whom I had asked to spend her life with me, I did not have the opportunity to invite my parents to our public ceremony, as they still had rejected my previously repressed sexual identity. Nonetheless, we celebrated our new life together with selected family and friends and had the only commitment ceremony available to us at the time (one with no civil recognition).

One has to realize that herein lays a fundamental difference among committed LGBTQ relationships and heterosexual relationships:

*Heterosexual adults have the **freedom** to choose to marry or not; in most of the USA and many other countries homosexual adults are denied the **right** to marry.*

Second Time for Love and State

Seven years later, in 2004, the State of New Jersey enacted domestic partnership (Department of Health and Senior Services, 2004; New Jersey Division of Pensions and Benefits, 2007). Therefore, my partner and I delayed my impending disc transplant a few days in order to be among the first declarations. We needed the security of medical rights, access, and property protection amidst a society and immediate family who could reject our existing legal arrangements in these areas. We also needed to protect one another from potential nasty family battles if one of us died. Neither of us had confidence in our expressed wishes being respected by some vocal and vigilant family members.

Still Denied Rights

The victory was modest at best; however, domestic partnership gave *some* protection but only 11 of the 1,138 rights of marriage (Demian, 2006). Yet, we were used to being so disenfranchised, so under-protected by legal support, that this was a point of victory in what had been 8 years of fighting to legalize our lifetime commitment to one another as spouses. Even

though the paperwork and laws still did not recognize us, our actions, our relationships, our commitments, were, to us, without question that of marriage. The denial of the federal government and state was frustrating to say the least.

Having been on both sides of heterosexual privilege, I frequently confront drastic differences as well as the gross injustice of current laws, practices, and intolerance, locally, nationally, and internationally.

Affection

Hidden privilege is a daily source and reminder of inequality and danger for LGBTQ people. When I had been in a heterosexual marriage being kissed in public, holding hands, or sleeping in the same bed on vacation were unconscious actions and choices. Now, my same-sex partner and I always have to watch our surroundings and be aware of potential violence because of our obvious intimate connection. While many straight people interpret our close relationship as us being “sisters”, unfriendly constituencies could regard us as hate crime targets.

Medical Rights

When I underwent a disc transplant in 2004, we had recorded our New Jersey Domestic Partnership a few days prior. Yet the discrimination, abuse, and mistreatment in the hospital due to our same-sex relationship were unparalleled. Partially paralyzed at the time, I went into surgery for several hours. The doctor saw my partner right afterwards and said I had fared well. Yet the surgical waiting room staff ignored her for 4 more hours and denied her any news or access—as she watched family members of other patients come and go.

No one else was at the hospital for me. There was no confusion about who should have had access. She explained our relationship and provided the documented paperwork. Meanwhile in recovery, they told me they had called my partner several times and she was not in the hospital. She had left me alone.

When my partner found a customer service representative, she again demanded access; finally, this staff member led her to my bedside. She asked why I was not in a room if surgery was completed 4 hours prior. The answer: the nurse had not requested a room. Several more hours later, they moved me to a critical care burn unit as the only possible location. I heard screaming and crying of patients in great pain all night.

The next day they would not let my partner meet me in the hospital. At the front desk, an extended argument continued, papers were exchanged, and access refused until reluctantly they looked up the discharges for the day. I had nightmares for some time following these episodes. These incidents were the types of terrors and confrontations we had worked so hard to avoid.

Travel

In considering vacations, holding hands on the beach or having an intimate dinner can be a matter of contention. We have to explain, and then sometimes argue with hotel staff, that we

want one bed, not two. While such situations might be comical in a movie, in real life they are frustrating at best, often humiliating, and potentially dangerous in homophobic cultures or establishments. Consider the results when such scenes play out in Trinidad, Tobago, Jamaica, or Nigeria where homosexuality is considered criminal activity and punishable by imprisonment for many years (Alexander, 1994; Meem, Gibson, & Alexander, 2010; Narayan, 2006).

Traveling nationally and internationally, we keep paperwork that demonstrates medical power of attorney and our legal relationship in order to assure legal and medical access to one another. There are some states and countries that are well documented as being not only oppressive and discriminatory, but also tolerant of abuse and violence against lesbian and gay people. Indeed while laws *punishing* homosexual relationships among consenting adults may have recently been reversed in the Bahamas and some US states, the longstanding homophobia continues to fuel an openly hostile environment for LGBTQ people (Alexander, 1996; Meem et al., 2010). Because of some very bad encounters in the past, we have decided it is best usually to avoid those places in order to preserve our safety and support tourism in LGBTQ more friendly nations.

Third Time for Love and State

In December 2006, the State of New Jersey enacted the Civil Union Act (2006) as an option for same-sex couples and heterosexual couples in response to mandates of state courts (Associated Press, 2006). This device created a “separate but equal” accommodation for LGBTQ couples.

We had our third ceremony by an interfaith minister and three people attended as we became a couple, supposedly equal to a heterosexual marriage, for the first time. We only hoped that the legal purposes and device that civil union was equal to marriage would be true. The glow would fade quickly.

Civil Union has been misunderstood by hospitals and denied by insurers and employers among other organizations and agencies (Kelley, 2007; Meem et al., 2010). It is a close to a mockery; it repeats bitter lessons similar to the “separate but equal” intent of the Civil Rights Act more than 40 years ago.

More Rights Denied

Come tax season we learned that for two people we had to file five tax formats including a seemingly illegal federal format. Certainly, this was undue distress due to our sexual identity and the faulty civil union system. We each had to file New York State singly as New York would not recognize married status. We also each had to file Federal taxes separately as required by federal law. However, we also had to create a federal married tax return for the couple in order to calculate our tax responsibility as married in state of New Jersey for the couple, where we are required to file jointly.

We do not mind the tax consequences; we grieve the illegal formats and assumptions, the mandate to create federal married formats as a basis or our state taxes when we are ineligible for

any benefits or legal recognition. There are no reciprocal death, social security, or tax benefits. There are no recognized medical benefits, and there is no protection under the Civil Rights Act. The courts interpret the federal Constitution to ignore entirely the rights of LGBTQ people.

Aside from governmental policy, rights, and taxation, meanwhile we were denied and abused on several fronts across the years because of our relationship. At various times between 1995 and 2008, we were denied property insurance, car insurance, hotel accommodations, tuition remission, hospital access, and medical information.

2009--Where We Stand

In 2009, the full legal rights of our relationship are still on hold. Thus far, in our experience, Civil Union only provides benefits when and if organizations and institutions choose to recognize it. Therefore, it has not actively provided protection. We are waiting for the current New Jersey governor to revise the Civil Union Act of 2006 to make it full marriage- LGBTQ groups have been promised it would be after the inauguration (Heininger, 2008). Ten months later, we are still waiting.

We still pay medical and tuition costs out of our own pockets—without consideration of employer benefits and family rates available to heterosexual couples. We still need to correct and persuade doctors' offices and hospitals when they do not recognize the legal status and rights (albeit limited) of our Civil Union, and we play roulette with the chance that we will have access to one another in a medical emergency. We have five tax forms to complete again this year; the tax process continues to discriminate with unfair burden because of our state legal status.

On the federal level, it is much worse. The Civil Rights Act still does not represent LGBTQ people. The new U. S. President has made promises in this regard, but other constituencies are on the offensive and fighting hard to continue the denial of basic rights to LGBTQ people through deliberate and intentional mistruths and misrepresentations and the use of terrorist-like tactics in public organizations. For example, consider the recent attacks on academic freedom and free speech as Georgia legislators use thinly veiled budget excuses to raise support to promote hegemony and eliminate courses and professors related to human sexuality and Queer theory from public college and universities (Zoller, 2009).

Currently my same-sex spouse (of 14 years) would not have access to my social security benefits if I were to become permanently disabled and unable to work or died, but my ex-husband (of 12 years) would. I expect we have hit the barriers especially hard the last few years because of my emergent disability and medical needs because therein lie some of the most hidden and yet difficult arenas for LGBTQ individuals and couples to navigate. Yet I could have not survived the physical and emotional struggles without my wife; she has been my advocate when I could no longer fight. Moreover, she and my sons have been the light to give me the desire to find solutions to cope, to develop a better quality of life and yes, to live on.

Conclusion

After 14 years of my personal journey through changing sexual identity as a lesbian woman, I am taking a stand. However, all of us LGBTQ people need our Allies. All LGBTQ individuals and couples need our colleagues, friends, and families to take stand as well. Only as our government, organizations, neighbors, and families and people all around us see the example of straight and LGBTQ people together, saying this injustice has to be fixed—there is no difference in love; and the rights of the people are for ALL PEOPLE--will they take action.

LGBTQ people need the voice of our Allies. We are advocates, but go unheard. Your voice will be heard because you are the conscience and voice of the nation.

Begin conversing with your LGBTQ colleagues and friends: listen to our stories and ask about our struggles. It seems that straight people sometimes shy away from these conversations. However, I believe that if you approach it in a positive, empathetic way, LGBTQ people will be happy you care and will be willing to share.

That is what Allies are for: to stand with one another. Whether you listen, write letters, stand on a picket line, or donate to a LGBTQ legal or support group, your support from greater understanding will help move the tide of public opinion and policy.

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