"You are Real Citizens and you have the Right to Love:" Exploring Political Frames in

Same-sex Marriage Debates in Canada

by

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Abstract

In 1984, Gayle Rubin introduced her influential concept of the 'charmed circle.' Rubin noted a dividing line between 'good' and 'bad' sexuality, and argued that those who enact 'good' sex are often rewarded in society, while others occupy the outer limits of acceptability. Namely, Rubin notes that within the 'charmed circle' are heterosexual, monogamous, procreative couples. In Rubin's original conception, homosexuality resided on the outer limits of acceptability. However, in the current social and political context of Canada, lesbian and gay citizens have become integrated into civil society and have more freedom to live openly. This may represent emerging sexual values that complicate the sexual hierarchy. Within this political context, I ask whether, or to what extent, Rubin's concepts of the 'charmed circle' and the 'outer limits' can be revised. I utilize frame analysis and examine data from the final debates of Bill C-38 in the House of Commons, a bill that granted same-sex couples the legal right to marry. In the debates, I discover emerging sexual values and norms that, at the level of law and state, point to an increasing valuation of coupledom, regardless of sexual orientation. In light of these emerging values and norms, I re-conceptualize Rubin's concept of the 'charmed circle,' accounting for the ways that coupledom is framed as not only a private good, but as a moral good for Canada.

Preface

This thesis is original, unpublished, independent work by the author, Julie Broderick.

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Dedication

To my family, my friends, the Hens, and to The Point Grey Five.

Chapter 1: Introduction

My mother and father married in 1978. Their wedding ceremony was prudent compared to contemporary standards. For example, my mom made her own wedding dress and my parents held the reception at the hotel they worked at. When my parents met, they were working in the hospitality industry; my father was a bellhop and my mother was a concierge. After a year of dating, they moved into a small trailer together. However, out of fear of disapproval, they kept their premarital living arrangements a secret from my mother's Roman Catholic family. After my father undertook conversion classes at the Catholic Church, they became engaged. My parents never disclosed to my grandparents that they cohabited before marriage, and the omission is perhaps an innocent one after two children and a thirty-three year marriage. Regardless, I recently asked my parents why they chose to get married if they were already living together, and their answer was simple yet revealing, "Because that's just what you did back then."

I share this personal anecdote to capture the ways that sexuality was regulated within a particular time period. For my (white, working-class) parents in the late 1970's, there were few alternatives to identifying as heterosexual, and as such few options were available for how to organize their intimate lives. Through intersecting pressures from both family and church, my parent's (taken-for-granted) heterosexual desires could only be legitimated through the institution of marriage. That marriage (and only heterosexual marriage) was an obligatory arrangement for my parents in the 1970's correlates with an important phase in the critical study of heterosexuality. Around this time, scholars and activists began to realize that in order to be socially accepted one must identify as heterosexual, and as such, 'proper' sex was only thought to occur between monogamous, heterosexual, married couples for the purpose of procreation

(Rubin, 1984). The regulation of sex within these rigid norms forced lesbians and gays "into the closet" – coercing many to live "a life-shaping pattern of homosexual concealment" (Seidman, 2002, p. 25). Further, the prescriptive norms of heterosexuality resulted in women being exploited in the institution of marriage, as they became bound to men within a 'heterosexual contract' (Wittig [1980] 1992). 'Compulsory heterosexuality' (Brown, 1975; Bunch, 1975; Rich, 1980), a term coined by radical feminists and gay liberationists in the 1970's and early 1980's, emerged as a way to structurally account for inequalities that emerge from sexual values and norms. During this time period, scholars and activists began to name heterosexuality as an institution that worked to oppress non-heterosexuals and women (Seidman, 2005).

For my parent's generation, heterosexual marriage was necessary to claim their sexual relationship as legitimate, or seemed so natural that it was regarded as something that heterosexual people "just did." Currently in Canada, the compulsory nature of heterosexuality is facing important challenges. Through various state-level motions, laws have come into place to minimize discrimination based on sexual orientation (Boyd & Young, 2003). Further, laws have passed to provide same-sex couples equal rights in employment benefits, adoption, as well as equal access to the institution of marriage (Makarenko, 2007). These legal and state-level motions add nuance to the concept of 'compulsory heterosexuality,' as the boundaries of acceptable sexuality become (legally) expanded to include certain lesbian and gay sexual relationships. The increasing legal and institutional inclusion of gay and lesbian citizens may indicate a historical time period more in line with what Seidman (2002) terms 'beyond the closet,' wherein lesbians and gay men become integrated into civil society and have more freedom to live openly. Ghaziani (2011) furthers this discussion by suggesting we are living in a 'post-gay era,' where sexuality may no longer serve as one's master identity status. However, it

is important to keep a critical eye on negotiations of sexual acceptability, as the absorption of some groups within the privileged category may serve to keep out, or push out, others into the periphery. In the current era, as I approach the age at which my parents married in the late 1970's, I may not face the same pressure to identify as heterosexual; however, I argue that my sexuality is not free from social and legal constraints. For example, while I may be legally permitted to enter a romantic relationship with either a man *or* a woman, can I still be legally recognized or supported if I do not form a romantic relationship more generally?

Just as heterosexuality was once considered something that "people just did" – or was considered so natural that it evaded critical reflection, it is important to consider the common-sense beliefs that may now regulate sexuality. What socio-cultural forces regulate sexuality in the seeming erosion of 'compulsory heterosexuality?' As Seidman suggests (2002), the lives of gay and lesbian Americans have changed such that they are able to live relatively open and integrated lives, with less pressure to pass as heterosexual or hide their sexuality. To investigate how these contextual changes have affected sexual values, I revisit Gayle Rubin's (1984) concept of the 'charmed circle.' I focus my analysis on a pivotal moment in Canadian history surrounding lesbian and gay rights. In July of 2005, after a third and final reading, Bill C-38 passed in the House of Commons giving same-sex couples the legal right to marry in Canada. The question of whether to award same-sex couples this right was a controversial and heated issue in both public and political spheres. For this reason, I focus my analysis on how politicians frame their arguments during these contentious debates. I pay attention to the social meaning speaker's use to preserve the existing boundaries between heterosexuality and homosexuality, or alternatively, how speakers construct arguments to extend those boundaries. By examining the

frames used in this legal case study, I discover competing sexual value systems that suggest a need to re-conceptualize the boundaries between 'good' and 'bad' sexual citizens in Canada.

1.1 Political Context

Prior to the 1970's homosexuality was considered a criminal offence in Canada. In 1969, the Liberal government instituted radical reforms to Canadian criminal law, including the decriminalization of homosexuality (Boyd & Young, 2003). The Justice Minister at the time, Pierre Trudeau, stressed the importance of freedom in the context of sexuality, establishing his famous quote that "there's no place for the state in the bedrooms of the nation" (Makarenko, 2007). Following the decriminalization of homosexuality, those advocating for gay and lesbian rights shifted their efforts to rights based on inclusion and equality. Table 1 summarizes the legislative reforms that became instituted in Canada, in an effort to both curb discrimination, and extend equality to lesbian and gay citizens.

Table 1	Lesbian and Gay Rights Reforms in Canada	
Year	*Level of reform*	*Type of reform*
1969	Federal	Government decriminalizes homosexuality
1977	Provincial	Quebec becomes first province to include "sexual orientation" in its human rights legislation
1978	Federal	Government removes the ban on homosexual immigrants
1992	Federal	Government lifts ban on homosexuals in the military
1996	Federal	Government adds "sexual orientation" to the list of legally protected qualities that cannot be discriminated against in the Canadian Human Rights Act
2000	Federal	Government grants lesbian and gay couples the same rights and benefits as common-law couples in regards to pensions and income tax

Sources: Boyd & Young, 2003; Makarenko, 2007; openparliament.ca, 2006.

By 2000, the legal standing of lesbian and gay Canadians significantly transformed. The following large-scale debate in same-sex rights focused on the institution of marriage, and the question of whether same-sex couples should be given the legal right to marry. In comparison to other equality rights, the federal government was hesitant to extend the right of marriage to same-sex couples (Makarenko, 2007). As a compromise, Bill C-23 (The Modernization of Benefits and Obligations Act) passed in the House of Commons in 2000, which granted same-sex couples the same rights to employment and insurance benefits as common-law heterosexual couples, but the bill also reaffirmed the traditional definition of marriage as "the union of one man to one woman to the exclusion of all others" (Boyd & Young, 2003). Scholars argue this form of gatekeeping fueled gay rights activists in their fight for equality, as the institution of marriage came to symbolize one of the last struggles for true equality between heterosexual and homosexual citizens (Phelan, 2001; Boyd & Young, 2003).

In 2003, Prime Minister Jean Chrétien and his liberal party drafted a bill to change the legal definition of marriage in Canada to include same-sex couples. This legislation was motivated in part due to previous court cases that questioned whether the opposite-sex definition of marriage was a violation of the Charter of Rights and Freedoms (Marenko, 2007). The bill was proposed to the Supreme Court of Canada for constitutional review, and the Court was asked whether the traditional definition of marriage (as between one man and one woman) was consistent with the Charter of Rights and Freedoms. In 2004, the Supreme Court found that legalizing same-sex marriage would not violate any constitutional rights under the Charter (as religious groups could not be forced to perform same-sex marriage if it went against their beliefs), but the Court also chose not to answer whether the traditional definition of marriage violated the Charter (Makarenko, 2007). This ruling sent the decision back to the federal

government, as they were granted the authority to change the definition of marriage and the laws relating to it. In February 2005, the Liberal government, led by Paul Martin, introduced Bill C-38 (Civil Marriage Act) to the House of Commons.

The Civil Marriage Act extends the definition of marriage to include same-sex couples, changing the legal definition to "the lawful union of two persons to the exclusion of all others." In addition, the Act further extends full legal benefits and obligations of marriage to same-sex couples under Canada's business corporation and cooperatives laws, and in regards to veterans' benefits, divorce, and income taxes (Makarenko, 2007). The data for this study come from the transcribed proceeding of the final debates surrounding this Bill in parliament, which includes 192-pages of textual data, transcribed from the proceedings and made publicly available on the Parliament of Canada's website (http://www.parl.gc.ca). To explore they ways in which the data suggest a need to re-conceptualize 'good' and 'bad' sexual citizens, I revisit Rubin's concept of the charmed circle, and discuss the changes that have taken place in academia around the study of sexuality.

1.2   A Radical Theory of Sex

To re-conceptualize 'good' and 'bad' sexual citizens, it is useful to revisit Gayle Rubin's (1984) 'radical theory of sex' (p. 267). Rubin (1984) calls for a more constructivist approach for understanding sexual values. She separates gender politics from sex politics (Valocchi, 2005) to discover forms of sexual oppression that cannot be explained through the hetero/homo binary. Rubin (1984) argues that in Western societies, a variety of sexual acts are appraised and awarded value based on a sexual hierarchy. Paying attention to the dominance of sex essentialist discourse, Rubin highlights how sexual oppression, long justified through moral dictates in

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religion, is now justified through discourses in medicine, law, and psychiatry. Within these emerging discourses "sex is classified as an individual trait with no history or social determinants" (p. 276). Accordingly, Rubin aims to remedy this depoliticized aspect of sexuality. She argues that once sex is placed within a historical context and understood as an area of social analysis, "a more realistic politics of sex becomes possible" (p. 277). To establish sex as a politics, Rubin introduces a hierarchy of sexual value in her concept of the 'charmed circle' (figure 1).
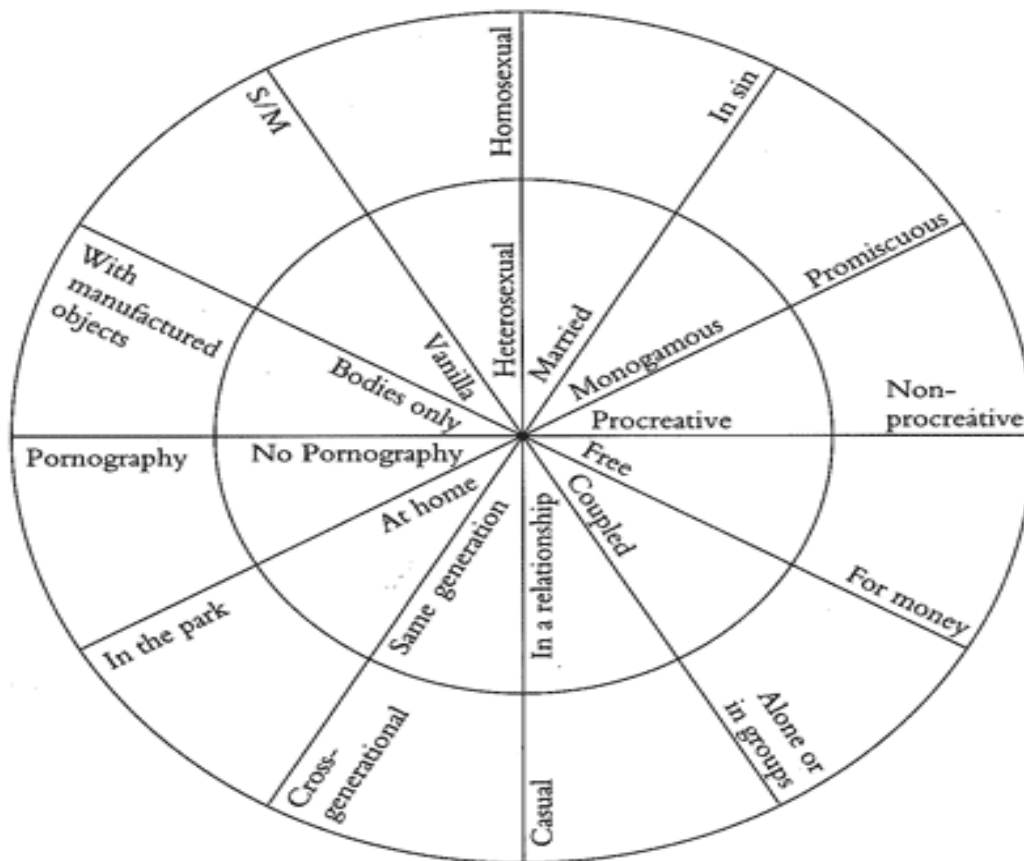

Figure 1 – The 'Charmed Circle' (© 2012 Gayle S. Rubin, with permission from Duke UP)

From Rubin's (1984) diagram, we see that those whose sexual behaviors fall within the 'charmed circle' (e.g. heterosexual, monogamous, coupled) occupy the socially and politically privileged position and are thus rewarded with respect, legality, institutional support and material benefits. Those whose behaviors do not follow prescriptive sexual norms sit on the outskirts, and become regarded as undesirable or deviant. According to Rubin (1984), sexual ideologies (in law, psychology, and medicine) form the dividing line between 'good' and 'bad' sex. Sexual ideologies operate in a similar way to ideologies of race or ethnocentrism in that they function to "rationalize the well-being of the sexually privileged" (p. 280). However, as Rubin (1984) points out, the dividing line is not static; as it can be renegotiated when groups argue over who should be allowed to cross over "into acceptability" (p. 282).

While Rubin's (1984) classic and influential statements about the 'charmed circle' and 'the outer limits' are useful, it is important to consider how the boundaries between 'good' and 'bad' sexuality have shifted alongside dramatic social and political changes. An often-overlooked contribution of Rubin's (1984) concept is her claim that the dividing line must be continually re-conceptualized, especially when changes occur around the state regulation of sex. When groups challenge dominant discourses in law, medicine, or psychology, this often gives rise to distinct political conflicts. Rubin suggests that these political conflicts are ripe areas of analysis for understanding the hierarchical system of sex. Such conflicts often compel groups in power to argue over "where to draw the line" (p. 282) as "differences in social values create friction among these groups, who engage in political contest to alter or maintain their place in the ranking" (p. 285). In Canada, the question of whether to include same-sex couples in the institution of marriage brought forth important political conflicts in the House of Commons. Within these debates, members of parliament relied on competing systems of sexual values, and

exploring these contending values can add contextual descriptions of sexuality "as it exists in society and history" (Rubin, 1984, p. 275). As lesbian and gay rights activists challenged their exclusion from the institution of marriage, particular modes of conflict arose in politics. Advocates set out to reposition the boundaries between heterosexual and homosexual relationships, and within this context, newly emerging sexual norms may become visible at the level of law and state.

1.3   Challenging Sexual Regulation

Within academia, scholars are beginning to question the ways that the social world is interpreted through a heterosexual lens. The ability to identify heterosexual privilege, or to "see straight" (Fischer, 2013) in studies of the social world, comes from early work in queer theory. Teresa de Lauretis coined the term 'queer theory' as a point of provocation at a 1990 conference at the University of California, Santa Cruz. According to Halperin (2003), de Lauretis used the term to disrupt the established discipline of lesbian and gay studies by introducing "a problematic of multiple differences into what had tended to be a monolithic, homogenizing discourse of (homo) sexual difference" (p. 340). In this claim, de Lauretis questioned the assumption that lesbian and gay experiences were equal, and she wanted to disturb the tendency in the field to start inquiry from a white, male, middle-class model of analysis. As Halperin (2003) notes, lesbian and gay scholars hastily latched on to de Laurentis' term 'queer theory,' as it "re-opened the question of the relations between sexuality and gender" (p. 341).

In *Introduction to a Queer Planet,* Warner (1991) takes up the terms 'queer theory' and 'queer politics' to critique the tendency of social theorists to interpret the world as heterosexual. Warner terms this tendency 'heteronormativity' (p. 3) and similar to Rubin (1984), argues that

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making sexuality a primary category for social analysis can highlight how heterosexuality is deeply embedded within institutions and social practices. Warner (1991) argues that starting from the position of queer politics, aspects of the social world that may not seem related to sexuality become politically visible as heteronormative. Because the logic of heterosexuality (and therefore the binary system of gender it keeps in place) are so embedded in social institutions and practices, Warner (1993) establishes that "queer struggles aim not just at toleration or equal status but at changing those institutions or accounts" (p. xiii). Here Warner (1991, 1993) attempts to break from the tendency of lesbian and gay studies to compartmentalize and normalize non-heterosexual subjectivity, as he states queer theorists "want to make theory queer, not just have a theory about queers" (p. xxvi).

Warner's (1991) concept of heteronormativity is still a relevant and widely used concept in critical heterosexuality studies. Chrys Ingraham (2008) uses the notion as a main premise for her concept of the 'heterosexual imaginary' (p. 26). Building from Lacan and Althusser's work on ideologies, Ingraham (1996) develops the concept 'heterosexual imaginary' to explain the ways that ideologies of romance and sacred notions of heterosexuality operate to organize social and sexual relations. By romancing heterosexuality, the organization of institutional heterosexuality evades critical analysis, as people fail to question why such organizing forces are in place. Ingraham (2008) argues that what becomes muted in the heterosexual imaginary is how it "works to secure power, the social production of material life, and to organize gender while preserving racial, class, and sexual hierarchies" (p. 26). In this way, Ingraham (1996; 2008), like Rubin (1984) and Warner (1991, 1993), starts her analysis from (hetero) sexuality, as she argues that through the heterosexual imaginary, hetero-gender relations and oppression become normalized.

Ingraham (1996) also argues that in order for the heterosexual imaginary to function, there must exist an 'abject other' (p. 210), one who is assumed deviant and in need of regulation. This "other" includes lesbian/gay/bisexual persons, but also "consists of any sexual practice which does not participate in dominant hetero-gender arrangements" and therefore does not "count as legitimate or normal" (pp. 210-211). Phelan (2001) mirrors this concept in her examination of sexual citizens in Unites States politics, and argues that lesbian, gay, bisexual and transgendered (LGBT) Americans are 'strangers' (p. 5) to the state. Building from Zygmunt Bauman's concept of the stranger, Phelan (2001) suggests that LGBT citizens are not necessarily considered the enemy, but are better conceptualized as strangers "who trouble the body politic" (p. 4). Especially in gay rights movement, LGBT citizens become figures of "ambivalence who trouble the border between us and them. The enemy is the clear opposite of the citizen, but the stranger is more fraught with anxiety" (p. 5). Therefore, unlike Ingraham's (1996) claim that individuals who do not follow prescriptive hetero-norms are assumed to have abject or immoral character, Phelan (2001) suggests that the struggle to include such "others" in the body politics brings forth abject or unpleasant anxieties for the dominant group. In this way, those who wish to crossover into acceptability may need to ease the anxieties of the dominant group, especially in political arenas.

1.4   Politics of Citizenship

Scholars have considered the ways that heterosexual norms and politics intertwine, especially in gay and lesbian rights movements. Duggan's (2002) work examines how gay rights connect to dominant political ideologies, exploring a political logic that she terms the "third way" rhetoric. Third way rhetoric falls between the religious right and the progressive left in gay

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rights arguments, and is a sexual politics that emerges from a neoliberal context. Within neoliberal sexual politics, dominant heteronormative assumptions or institutions are not challenged, and instead "a demobilized gay constituency and a privatized, depoliticized gay culture" are "anchored in domesticity and consumption" (p. 179). Duggan (2002) terms this form of politics 'the new homonormativity,' and argues that the radical aspects of gay culture are substituted for depoliticized aspects of civil participation. For example, she notes that ideals of equality become envisioned through access to the conservative institution of marriage. This is not surprising, considering the associations between full-citizenship and recognition in political institutions (Phelan, 2001). However, in the struggle for full-citizenship and recognition, advocates face a challenge of incorporating a marginalized group within an established heterosexual institution. Within attempts to integrate sexual minorities, the line that divides 'good' and 'bad' sexuality must be contested and reworked.

As Phelan (2001) highlights, full citizenship becomes a primary goal in gay rights movements, especially once anti-discriminatory policies are established. Citizenship is embodied in recognition and participation in the nation state, and when some are denied access to rights or duties that others are not, they may occupy a 'second-class' status. Access to the institution of marriage then becomes tied to citizenship, as "citizenship is not just a legal reality, but is symbolic," and "the ideal national citizen is married" (Seidman, 2002, p. 182). Therefore, barring lesbians and gays from marriage is also seen as a deprivation of membership in the political community. In this context, gay rights advocates work to integrate lesbian and gay relationships into a long-established heterosexual framework. Because the heterosexual framework relies on sexuality being fixed and binary, Phelan (2001) notes that bisexuals and transgendered people become excluded from lesbian and gay politics, an inherent dilemma in

claims for political inclusion. As lesbian and gay citizens work to legitimate their access to full-citizenship, lesbian and gay rights proponents must construct themselves as similar to those who are gatekeeping the boundaries of sexual acceptability. To accomplish this, they often must separate themselves from other sexual groups who are "less normal," and these inclusionary/exclusionary strategies may be the force behind changing constructions of 'good' and 'bad' sexual citizens.

Drawing out similarities between heterosexuals and homosexuals for political gain is termed the "politics of assimilation" (Vaid, 1995; Seidman, 2002). As Phelan (2001) notes, assimilation strategies try to integrate lesbians and gay men by demonstrating "their fundamental normality" (p. 84). In doing so, "assimilationists aim to bring homosexuality into the circle, not challenge the sexual hierarchy" (Seidman, 2002, p. 175). Focusing on the normalcy of lesbian and gay relationships, characteristics other than sex become illuminated. In this context, Jackson and Scott (2004) argue that lesbian and gay relationships are becoming 'heterosexualized.' Same-sex relationships are accepted to the extent that they reflect the normative conventions of heterosexuality – namely the monogamous, long-term, romantic couple. This 'heterosexualized' couple is evident in Valverde's (2006) study of same-sex couples in media and law in Canada. In her analysis, Valverde (2006) discovers the emergence of what she terms the Respectable Same Sex Couple (RSSC). The RSSC is an emerging entity made up of a de-sexualized couple, but not two individuals with same-sex desire. In pictures, articles, and law transcripts, Valverde (2006) discovers that sexuality is invisible and instead the RSSC is enmeshed within practices of consumerism, and non-sexual themes such as family or finance. Within this context, Valverde (2006) claims that the Foucauldian 'disciplinary gaze' of sexuality is vanishing and instead is replaced by the everyday routines and associations of coupledom. This discovery adds nuance to

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Rubin's (1984) concept of the charmed circle, as privilege in the sexual hierarchy may now be attained through means not associated with sex acts directly.

If in political and legal arenas, sexuality is becoming "erased" in favor of heteronomative associations of coupledom, then this presents a complexity to the intersections of sexuality, gender and heterosexuality more generally. Jackson (2006) highlights this complexity in her investigation of the limits of heteronormativity. While Jackson agrees with previous scholars who argue that heterosexuality is institutionalized (see Ingraham, 1996), she also claims that sociologists need to pay attention to the ways that heteronormativity shapes institutions. Jackson (2006) suggests that heteronormativity not only shapes how people 'do' heterosexuality, but also shapes the ways that alternative sexualities are done. This opens up the possibility for understanding sexual values beyond *normative sexuality* into *normative ways of living*. In this way, Jackson's (2006) work differentiates two closely related concepts, heteronormativity (or normalized heterosexuality) and institutional heterosexuality. While the two concepts are related, institutional heterosexuality cannot always be reduced to heteronormativity, since not all of the ways that institutional regulation takes place can be explained in terms of heteronormativity. As Jackson (2006) articulates, the concept of heteronormativity does not fully capture the "double-sided social regulation" inherent in institutionalized heterosexuality, as the latter "regulates those kept within its boundaries as well as marginalizing and sanctioning those outside them" (p. 105).

Seidman (2005) also acknowledges this dilemma, as he points to the hierarchies that form within the category of heterosexuality. Those who are considered 'good' heterosexual citizens are those who follow particular sexual norms, for instance life-long monogamy or traditional gender arrangements (Seidman, 2005, p. 60). Therefore, heteronormative ideals of intimacy also

create hierarchies for heterosexuals, as married and monogamous heterosexuals represent a cultural ideal, and those who "do" heterosexuality differently, such as being unmarried or promiscuous, occupy a lower position on the hierarchy.

To further establish this claim, Seidman (2009) revisits the term 'compulsory heterosexuality,' suggesting that the term be substituted for the notion of institutionalized normative heterosexuality. Seidman argues that the compulsory nature of heterosexuality not only produced the hetero/homo division, but it also created "differences, conflicts, and hierarchies among homosexualities at the level of identity, culture, and politics" (p. 23). From this, Seidman (2009) argues that normative heterosexuality establishes differences among homosexuals as a group, and heterosexuals as a group. He suggests that what constitutes a 'good' sexual citizen is likely more to do with the behaviors inherent in normative heterosexuality, which then become institutionalized in policy and law. Therefore, with the social integration of certain same-sex relationships, Seidman (2009) indicates that the axis of sexual inequality may be shifting, and privilege may now be attained through behaviors of monogamy or adherence to a spiritualized notion of romantic love – regardless of gender preference. Therefore, Seidman (2009) agrees with Rubin's (1984) notion that some groups attain privilege through a sexual hierarchy; however, he complicates her theory by pointing to emerging sexual values that go beyond sexual actions or preferences.

1.5   Privileging Coupledom

As Rubin's (1984) work suggests, an interrogation of sexual privilege must begin with "a radical critique of sexual arrangements" (p. 278). While the norms that regulate intimacy may no longer dictate that one identifies as heterosexual, there still persists a taken-for-granted

assumption that forming a couple through romantic love is the best way to organize intimate lives. This often unrecognized assumption includes the belief that a dyadic, romantic, long-term, monogamous couple is the natural arrangement for intimacy, and because this belief is naturalized in culture (Cobb, 2012), the couple often attains status that is unavailable to those who do not follow the prescriptive norms of coupledom. The 'cult of the couple,' a concept coined by De Paulo and Morris (2005), is the cultish overvaluation of romantic couples in Western societies. The privilege associated with coupledom is evident in movies and literature (Cobb, 2012), and is documented in studies of social interactions between people who are coupled and those who are not (Sharp & Ganong, 2012; Byrne, 2000). As Budgeon (2008) argues, the expectation for individuals to be in a romantic partnership is so strong that people often must defend an uncoupled status in interactions "as though being uncoupled was a deeply problematic condition" (p. 308). In this emerging literature, scholars are discovering the ways that coupledom is conceived as a private good, but few studies have examined the ways that coupledom may be regarded as a moral good for society.

The work of gay liberationists, lesbian feminists, queer theorists, and LGBT activists has challenged the compulsory enforcement of heterosexuality, but this may have ushered in a new form of sexual regulation not yet accounted for, especially at the level of law and state. The assimilation strategy discussed above highlights the ways that activists must rely on inserting homosexuality within heteronormative ideals of intimacy, as they work to include gay and lesbian couples in the institution of marriage. Warner (1999) critiques the assimilationist strategy by claiming the movement moves away from a 'queer politics' and into a normalizing force on queer culture. In discussing such strategies, Warner (1999) states, "marriage, in short, would make for good gays – the kind who would not challenge the norms of straight culture,

who would not flaunt sexuality, and who would not insist on living differently from ordinary folk" (p. 113). Therefore, Warner (1999) returns to his earlier call for "academics and activists" to use the radical underpinnings of the term 'queer' by defining a queer movement "against the normal rather than the heterosexual" (2003, p. xxvi). Phelan (2001) mirrors this call, suggesting that the lesbian and gay movement in the United States has separated from the queer community; however, she notes that when gay rights activism collides with concepts of citizenship or nationhood, this assimilationist strategy tends to be inevitable.

As opposed to condemning assimilationist strategies, Phelan (2001) suggests that criticism should be focused on the dominant group. Assimilation strategies often have less to do with the marginalized than with the dominant, as "assimilation is not the choice of the stigmatized, but of the powerful. And the larger body assimilates lesser ones not for the good of the lesser, but for its own goals" (Phelan, 2001, p. 86). Therefore, when examining state-centered strategies for including new sexual minorities, it is important to study the ways that the struggle for inclusion takes place. Simultaneously, a critical eye must be kept on those state actors who justify continued exclusion. As Phelan (2001) argues, those state actors who must be convinced to include sexual minorities must have an incentive, and "the incentives of those actors will not only affect whether a group is included, but will importantly shape the terms under which inclusion will occur" (p. 149). Within this social and political context, my research asks: 1) How were the arguments for and against the passing of Bill C-38 (Civil Marriage Act) framed during the final readings in the House of Commons? 2) To what extent do these argumentative frames call for a re-conceptualization of who is considered 'good' and 'bad' sexual citizens in Canada?

Chapter 2: Contending Frames of Sexual Values

In exploring the debates around Bill C-38 in the House of Commons, I examine the arguments made by those in support of, and in opposition to, extending the legal boundaries of marriage to same-sex couples. The frames from both sides of the debate may help identify emerging sexual norms and values not yet accounted for in the literature. By examining these emergent sexual values, I ask whether, or to what extent, Rubin's (1984) concept of the 'charmed circle' and the 'outer limits' can be revised.

The strength of using the data is that they capture a moment of historical change for Canada regarding sexual rights, and the transcriptions may offer insight into how sexual rights are negotiated by members of a powerful organization (the government of Canada) for the benefit of some, at the expense of others. As Seidman (2002) argues, when some groups are assimilated into sexually privileged categories (such as including lesbian and gay couples in the institution of marriage), this can highlight or reinforce the outsider status of other sexual minorities. Therefore, the data may reveal emerging norms that allow for the assimilation of some groups, but those emerging norms may also provide insight into who then occupies the outer limits of sexual acceptability.

The weaknesses of using these data are that they do not capture how this negotiation and change in law is interpreted by those who are affected by the change, such as Canadian citizens who were not present at the final reading of the Bill. However, this particular case can provide insight into the discourses surrounding sexuality are sustained by those in power, and can illuminate pathways for understanding possible changes taking place around sexual values. In July of 2005, Canada became the fourth country in the world, after the Netherlands, Belgium, and Spain, to legalize same-sex marriage at the federal level. The inclusion of same-sex couples

in the legal definition of marriage was a contentious issue in both public and political spheres. The debates centered on whether changing the legal definition of marriage would have positive or negative consequences for Canadian society. This study focuses on the arguments that were used within these debates, in order to think theoretically about changing sexual values in Canada.

2.1   Process of Analysis

In this study, I focus on how members of parliament framed their arguments for and against the passing of Bill C-38 during the final reading. To examine how these arguments were framed, I employed the qualitative method of frame analysis. Frame analysis, as a method for understanding the social world, developed from symbolic interactionism, and its roots can be found in the work of Erving Goffman. In building the method, Goffman (1974) argued that meaning develops through mental processes of interpretation and interaction, and he termed the outcomes of such processes 'social frameworks' (p. 24). Social frameworks produce meaning, determine what information is relevant or irrelevant about the social world, and guide people in appropriate behaviors. Frames are not constructed in isolated moments of time, but can serve as a substitute for pre-established values (Snow, Rochford, Worden, & Benford, 1986), or can grow from larger ideologies (Johnston & Noakes, 2005). In this context, frame analysis has been a useful method for studying social movements (see Snow & Benford, 1988, 1992; Snow et al. 1986; and Tarrow, 1992, 1998), organizations (see Creed, Langstraat, & Scully, 2002), and public policy (Creed, Scully, & Austin, 2002).

In its contemporary usage, frame analysis maintains its focus on the sense making process, but it is also used as a tool to capture how actors join particular ideas (or idea elements) together to exact an interpretation of a complex social issue (Gamson & Lasch, 1983). In this

regard, frame analysis is an effective method for examining how idea elements are used in unison to produce particular interpretations of the social world (frames), which can be a beneficial method for examining a contentious policy debate. As Hoffman and Vantresca (1999) state, frames can illuminate "beliefs, conventions, and language" that "can keep policy discussions anchored in assumptions and models that work against integrative problem solving" (p. 1374). The struggles between competing frames in the debates of Bill C-38 can then provide insight into long-standing beliefs or assumptions, while at the same time highlight newly emerging norms and beliefs.

Frame analysis is useful for examining how arguments are used in policy debates, in order to observe how competing frames of meaning are used to support different interests. As Hoffman and Vantresca (1999) argue, interpretation is not an isolated event, but is embedded in prior ways of knowing, seeing, and experiencing the social world. To elucidate frames within discourses, researchers must work to identify the idea elements that make up particular frames - and this process must take into account the context of this meaning-making process. With this in mind, I approached the data with a list of prior codes deduced from existing theoretical claims on sexual inequality. For example, from Rubin's (1984) concept of the 'charmed circle' I deduced codes such as 'procreative sex,' 'heterosexuality,' and 'marriage' (what Rubin argues is 'proper sex'). With this, I was able to initially approach the textual data with a directed theory in mind. Further, I explored the data with a "queer" lens, taking note of ideas that were not just related to heterosexuality, but for ideas that were "taken as normal" (Warner, 1993). Once I became immersed in the data, I also created inductive codes that were not inferred from previous literature, but were ideas with the potential to advance the theoretical conversation on sexual

values. In this way, I proceeded with coding in a "retroductive" (Ragin, 1994) manner, as I went back and forth between deductive and inductive approaches.

The initial units of analysis for coding were sentences and paragraphs, and I coded these units by "looking for the expression of an idea" (Zhang & Wildemuth, 2009). The initial codes were sorted depending on whether the speaker was for or against Bill C-38. The next step in the analysis process was to reduce the data into analytic themes. To accomplish this, I created a codebook that defined the contours of each code, and organized the data by cutting and pasting the text to its corresponding code. Next, I examined how the initial codes related to one another, and documented those interpretations in a series of memos. The iterative process of coding and memoing allowed for the identification of relationships between codes, which were then amalgamated into idea elements. For example, my codebook captured the individual themes of 'monogamy,' 'commitment,' and 'love,' which amalgamated into the idea element of 'proper intimacy.' I then merged my initial codes into the level of idea elements and attached the quotes from the text that formed those idea elements to ensure my interpretations were supported.

To further reduce my data, I selected idea elements relevant for answering my research questions. Some text became omitted that may have been considered relevant due to the frequency in which ideas were discussed during the debates. For example, the theme of the not-withstanding clause (a clause that could have been used by the opposition to maintain the traditional definition of marriage) yielded 25 instances in the text, however the referent to this legal pathway was not relevant to my research questions, and therefore these data became bracketed and omitted for the analysis. Once the data were reduced, I began examining the remaining idea elements to understand how they related to one another, and what larger claims could be made from those relationships. In Table 2 & 3 below I provide information for how the

frames in this study were conceptualized. In the first column I provide examples from the text that make up various idea elements, and then I provide the particular idea elements that coalesce to represent a particular organizing frame through the logical relationships among those idea elements (Creed et al., 2002).

Table 2	Opposition Argument Frames	
Textual Examples	Idea Elements	Organizing Frame
"Marriage serves as an optimal societal structure for the birthing and rearing of children, at least to the extent necessary for the perpetuation of society. It provides for mutual support between men and women. It supports the birthright of children. Marriage promotes bonding between men, women and children"	Gender difference; Child-centered institution; Hetero-marriage ensures procreation	Marriage = Reproduction
"I believe, of course, that marriage is fundamental to our society. People of the opposite sex marry, bear children, and nurture those children in the best way they can. That is the way this world has been. It cannot continue to exist without that process taking place, that union of a man and a woman."	Hetero-marriage as necessary; History as proof; Boundary work on language	If it isn't broken, don't break it
"I do not think anyone in this place would argue the fact that men and women are different and yet before the law they are treated equally. It is the treatment that is the important thing and this is where the equality rests, not in the fact that they are the same."	Civil union compromise; Equality through rights, not language; Gender difference	Same-but-different compromise
"Heterosexual unions provide a whole range of benefits to civil society, only one of which is to create, nurture and raise the next generation. A family made up of a mother and a father is indisputably the most desirable incubator of future citizens. This forum of family is the mortar that holds our society together and those of us who work in these stone buildings know that if we do not maintain the mortar, over time the building collapses."	Institution of marriage threatened; Institution of family threatened; Tradition threatened	Institutional Implosion

	Proposition Argument Frames	
Table 3		
Textual examples	Idea Elements	Organizing themes
"When a couple gets married they promise fidelity, mutual support and friendship; they do not promise to have children. The purpose can vary according to what the couple wants or can do. What marriage celebrates is the recognition of conjugal love between two people."	Marriage is not about sex; Adult-centered institution; Proper Intimacy	Marriage ≠ Reproduction
"Today in this chamber we will celebrate the diversity of Canada once again. We will send a statement to the world that in Canada gays and lesbians will not be considered second class citizens. They will not be offered marriage lite; they will be offered full marriage." ; "You are real citizens and you have a right to love"	No 'marriage lite'; Love is a human right; Equality in language; Canada as leader in gay rights	Social Justice of Love
"It will broaden the concept of marriage to include those people who are in a loving, caring relationship. They can then share in that institution as other heterosexuals do."	Proper adult intimacy; Citizenship = equal rights; Equal rights = social stability; Dyads have right to love	A dyad of Citizenship
"I heard from other people who told me that they believe that the extension of marriage to same sex couples is good for Canadian society and children to the extent that stable, committed, loving couples and families are the foundation of strong communities and the ideal environment for raising children. We all benefit by including same sex couples among those who can choose the rights and responsibilities of marriage."	Institution of marriage strengthened; Institution of family expanded; Children protected; Religious freedom not threatened	Institutional Revitalization

To build larger claims that could answer my research questions, I proceeded with storyboarding (Booth, Colomb & Williams, 2008). Storyboarding is a process of examining data to understand the claims you can make in your analysis. This process allows for claims to emerge from interpretations of the idea elements, which are then organized with evidence that can support those claims. In this way, I was able to ensure I had support from the textual data to substantiate my interpretive claims. Because I used the method of frame analysis, I then examined those claims to understand the ways in which arguments constructed particular interpretations of the social world. To borrow from Creed et al. (2002), I was searching for the deeper logics behind those arguments, to "uncover and construct a representation of the logical relationships among idea elements" (p. 51). This process was laborious, as I went back and forth between the idea elements, the claims, and the evidence that corresponded.

I also paid particular attention to evidence that did not support my interpretations. For example, in one claim I stated that 'sex' as an act was not concretely discussed by either side of the debate, which I found relevant within the context of a debate centered on sexual orientation. However, by returning to the data to ensure there was no counter-evidence to this claim, I discovered an instance where a member of the opposition addresses sex directly. By inspecting this 'outlier' (Miles & Huberman, 1994), or an exception to a pattern in the data, I discovered that the speaker was working to frame 'love' as a biological strategy that serves human sexuality and ensures the reproduction of the species. This closer examination was relevant for my analysis, as this frame is used to counter-act the proponent's frame that 'love' is a social strategy that stabilizes individual lives and the nation. This tension plays out in important ways in the debate, and therefore paying close attention to this outlier in the data was invaluable for the analysis.

In the process of making claims, gathering evidence, and storyboarding, I began to identify frames. By focusing on the data from the debates surrounding Bill C-38, I unified the idea elements together to produce frames. I then used those frames to consider whether, or to what extent, the boundaries between 'good' and 'bad' sexuality are being re-conceptualized in Canada. As Verloo and Lombardo (2007) argue, using frame analysis in policy debates not only uncovers the structures of meanings that inform reality, but they also have "concrete and material consequences that set the conditions for future actions and realities" (p. 31). I therefore explored the frames for the ways that particular sexual values are portrayed as 'normal,' in order to discover whether, and to what extent, sexual values have altered the sexual hierarchy.

2.2 Results

The frames identified through the data analysis highlight a serious of tensions between arguments made by the opposition and the proponents. I explore three primary tensions that became evident in the debates. First, both sides of the debate present opposing stances on who marriage is supposed to be for – for the protection of children or for the expression of love between adults. The second tension includes differing viewpoints on the possible social consequences of passing (or denying) the Bill – whether it will be a public ill or a public good. The final tension includes an exploration into how both sides of the debate frame who represents a sexual threat to the Canadian nation.

2.2.1 Is Marriage a Child-centered Institution or an Adult-Centered Institution?

One of the primary tensions in the debates of Bill C-38 regards what exactly marriage means for individuals and for Canadian society. The opposition argues that marriage is best left

as a heterosexual institution, and therefore denies the legitimacy of Bill C-38. Opposition

members frame marriage as a social structure that is ideal for procreation, and necessary for

population replacement, hence establish marriage as a child-centered institution. To accomplish

this, the opposition relies largely on latent messages of sex (for reproductive purposes) through

heterosexual acts – framing marriage as an essential institution. The opposition links

heterosexuality to marriage using biological arguments of sex difference and reproduction, to

maintain the boundary between those who can 'naturally' reproduce, and those who cannot. As

one member states:

> Marriage serves as an optimal societal structure for the birthing and rearing of
> children, at least to the extent necessary for the perpetuation of society. It provides
> for mutual support between men and women. It supports the birthright of children.
> Marriage promotes bonding between men, women and children.

Within this statement, marriage is tied to biology, and sex becomes a function that ensures the

continuation of society. The underlying (latent) message is that 'proper' sex is procreative,

married, and within the home – what Rubin (1984) might situate within her concept of the

'charmed circle.' If marriage is tied to biology, and only biological reproduction can occur

between heterosexuals, then it becomes illogical to extend marriage rights to those who cannot

reproduce within their union.

The opposition uses frames of gender difference and complementarity to substantiate the

link between heterosexual marriage and procreation, and these frames then become connected to

notions of national stability. In this way, the opposition not only suggests that hetero-marriage

leads to procreation, but that the structure of hetero-marriage ensures compatibility, and

mitigates conflict, between the sexes – hence forming stable Canadian families.

> I want to conclude by talking about marriage. This is all about that. Marriage
> promotes the bonding of men and women and the creation of stable and durable

partnerships for life and property. It recognizes the interdependence of men and women. It embodies the spiritual, social, economic and contractual dimensions.

The opposition relies on logics of sexuality wherein heterosexuality, reproduction, and growth economy mesh to maintain heterosexual privilege. Michael Warner (1991) names this logic 'reprosexuality' (p. 9) and argues that notions of generational transmission of economics and culture, on top of genetics, are believed to have transcendental characteristics and are often considered the only way for human survival.

To challenge this logic, the proponents of Bill C-38 frame marriage as an adult-centered institution, one built on particular notions of intimacy between consenting adults. The intimacy between adults in marriage is de-sexualized, and instead notions of romance and commitment are amplified.

> When a couple gets married they promise fidelity, mutual support and friendship; they do not promise to have children. The purpose can vary according to what the couple wants or can do. What marriage celebrates is the recognition of conjugal love between two people.

While the opposition largely alludes to sex using notions reprosexuality, the proponents dismiss the connection between sex and marriage - in one case concretely objecting to the subject entering the debate, "This bill is not about sex at all. It is about love and commitment." Evading the topic of sex in relation to marriage works to frame entrance to the institution as a right for those same-sex couples who properly enact commitment and monogamy. The ways that the proponents side-step sexuality in favor of non-sexual themes such as 'proper' ways of enacting coupledom confirms Valverde's (2006) finding that law produces the new, post-homosexual entity – 'the respectable same-sex couple' (p. 156). Sexuality is erased and replaced with normative routines and associations of coupledom. To further substantiate the frame that marriage is an adult-centered institution, the proponents argue that all couples (regardless of

sexual preference) have a choice (or face limitations) on whether to reproduce, a strategy that further separates marriage from reproduction.

> The fact is for a long time we felt that children were the result of a heterosexual relationship. Today we know that many heterosexual relationships that are infertile can also have children. Today we know that by using those same technologies, gay and lesbian couples can have children biologically.

The proponents further attach notions of the 'respectable same-sex couple' to national stability, by removing the heterosexual element of a couple (dislocating 'natural' reproduction) and re-establishing that national stability is linked to loving, committed, monogamous couples. Once stability is achieved through a particular form of coupling, those within the stable union can then choose to have children – in which case, the proponents bring in frames of techno-reproduction, citing technologies such as artificial insemination, in vitro fertilization, surrogacy, or adoption. In this way, national stability is not fully dislocated from ideals of "the family" – but is reformulated through a logic that first comes the stable couple, and then comes the choice of whether to start a family. In this way, granting same-sex couples the right to marry can be framed as a public good for Canada, which is discussed in more detail in the next section.

2.2.2   Institutional Implosion or Institutional Revitalization?

The opposition leaves a firm boundary between heterosexuality and homosexuality by linking heterosexual marriage with procreation, as discussed previously. Opposition members rely heavily on the dominant norms that have long privileged heterosexuality, hence reinstating the commonsensical belief that heterosexuality is a natural occurrence (Plummer, 2007). However, the opposition further elaborates on the importance of this boundary by framing marriage as a historically stabilizing institution in the development of Canada.

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> I believe that if Bill C-38 passes it is going to have a direct impact on our society. It is in direct conflict with the traditional way civilization has grown. It is in direct conflict with the traditional foundation of society: man, woman, children, jobs, mortgage, bills, the way our society was built and built to a strength. It seems to me that Liberal prime ministers of the past and present have for some unknown reason done everything they could to break down the strong foundation that built our society.

In the above quote, the opposition not only ties heterosexuality to stability and nation development, but the argument also brings in reprosexuality by linking heterosexual procreation to economic, social, and cultural inter-generational transfer. In this way, the opposition suggests that heterosexual marriage is the avenue for further progress in nation building. The opposition not only brackets the inherent flaws of the institution, such as domestic violence or gender inequality (see Ingraham, 2008), but it also connects the loss of the hetero/homo boundary with visions of a dysfunctional national future.

The opposition frames the inclusion of same-sex couples in the institution of marriage as a move that will have a domino effect on other stable institutions believed to form the bedrock of a strong Canadian nation. The opposition argues that passing Bill C-38 will eliminate religious freedom, relying on arguments that religious institutions will be punished for refusing to marry same-sex couples. This finding is interesting, as the opposition relies on the idea of religious freedom being threatened, as opposed to the well-documented religious rhetoric of condemning homosexuality in legal and political debates (see Cobb, 2006). The opposition frames the threat to religious freedom as proof of the potential breakdown of traditional institutions, which is further reinforced through the breakdown of the tradition nuclear family. Therefore, passing Bill C-38 is constructed as diminishing other social institutions, as one opposition member articulates, "this will be another huge nail in the coffin which will bury the family as we know it." Framing the institution of the family as a functional, heterosexual institution reinforces the

homo/hetero boundary, as notions of changes to this traditional arrangement become associated with its disintegration.

> Heterosexual unions provide a whole range of benefits to civil society, only one of which is to create, nurture and raise the next generation. A family made up of a mother and a father is indisputably the most desirable incubator of future citizens. This forum of family is the mortar that holds our society together and those of us who work in these stone buildings know that if we do not maintain the mortar, over time the building collapses.

In this passage the opposition member uses an allegory of the building in which the debates are taking place to encourage the interpretation of the collapse of a traditional institution. The opposition utilizes the frames of institutional implosion to justify the boundaries between heterosexuality and homosexuality, and to present the passing of Bill C-38 as a public ill.

To contrast the opposition's claims that same-sex marriage is an institutional threat, the proponents frame access to marriage for same-sex couples as an opportunity for institutional revitalization. The proponents rely on assimilationist strategies that "aim to bring homosexuality into the circle" of sexual privilege, but "not challenge sexual hierarchies" (Seidman, 2002, p. 175). To do this, the proponent's draw out similarities between same-sex and opposite sex couples. "When it comes down to it, there is no difference in the love experience by gay and lesbian couples and heterosexual couples. Love is love is love." As Ghaziani (2011) argues, within a post-gay era, non-heterosexual identity construction is "motivated less by drawing boundaries against the dominant group and more by building bridges towards it" (p. 117). In the debates surrounding Bill C-38, these bridges are constructed in order to draw attention to the similarities between homosexual and heterosexual couples. However, what is not as obvious is how such frames construct 'the couple' as good for the nation. In the frames used by the

proponents, couples (regardless of sexual orientation) are presented as stable through notions of long-term commitment, monogamy, and love.

The proponents argue that same-sex couples express forms of intimacy that are in-line with predominantly heterosexual norms and therefore claim that denying this group the right to marry is illogical. Further, the proponents frame excluding same-sex couples from the institution of marriage as a denial of equality. As one proponent states,

> The primary issue is whether Canadians and Quebeckers want to consider gays and lesbians as full citizens. If so, then logic follows that we should allow no room for discrimination in any aspect of society. It is not permitted in the workplace, in common carriers, nor in public places. There remained one place, one major institution, that of marriage, where same-sex couples were being discriminated against. That is what makes today's bill so great.

In this passage, we also see how equality becomes tied to notions of citizenship, and this occurs in several places during the debates. For example, after discussing what impact the passing of the bill will have on gay and lesbian Canadians, one proponent succinctly states that Canada will be sending the message "you are real citizens and you have the right to love." Most notable is how the proponents tie love and marriage to ideals of 'full' or 'first-class' citizenship. Citizenship is a recurrent theme in the proponent's arguments, which works to connect (certain) lesbian and gay couples with political inclusion, but this strategy also latently connects full citizenship to particular forms of love. By passing Bill C-38, the proponents argue that Canada will gain a favorable international reputation for extending the 'right to love' to gay and lesbian citizens.

> We will send a statement to the world that in Canada gays and lesbians will not be considered second class citizens. When members of this House from all sides look back on this day in years to come, I believe they will see this as one step of the many steps that Canada has made to be a world leader in recognizing that one of the great privileges of freedom is equality.

By framing equal access to marriage as a symbol of full-citizenship, the proponents then tie a nation built on equality with social stability, alluding to an unfavorable international reputation if equality rights are denied. Therefore, stretching the boundaries of sexual acceptability to include same-sex couples (who mirror the ideal heterosexual couple) is framed as a public good for national image.

The proponents insert particular depoliticized gay citizens within the heteronomative conventions of marriage, by tethering same-sex couples to ideals of proper intimacy. Duggan (2002) terms the emergence of this depoliticized gay citizen as 'the new homonormativity,' which works to uphold and sustain dominant heteronormative assumptions and institutions. This political strategy is evident in the data, as one proponent argues

> The fact that homosexuals have fought hard and have spent time, money and energy for access to marriage - this basic institution in our society - demonstrates the enormous respect they have for it and their desire to gain access to it. Their entry into the institution of marriage will strengthen it because they are people who believe in it and have spent years fighting for access to it.

The proponents take this political strategy a step further, by framing the inclusion of same-sex couples in marriage as leading to institutional revitalization. First, they point out that same-sex marriages have already been performed in certain provinces, as one proponent argues,

> Those couples are in society. They are on my street and in my neighbourhood. I have not witnessed the erosion of the family unit. In fact, I have seen a strengthening in many respects because I have seen people being able to express themselves in a way that has less restrictions.
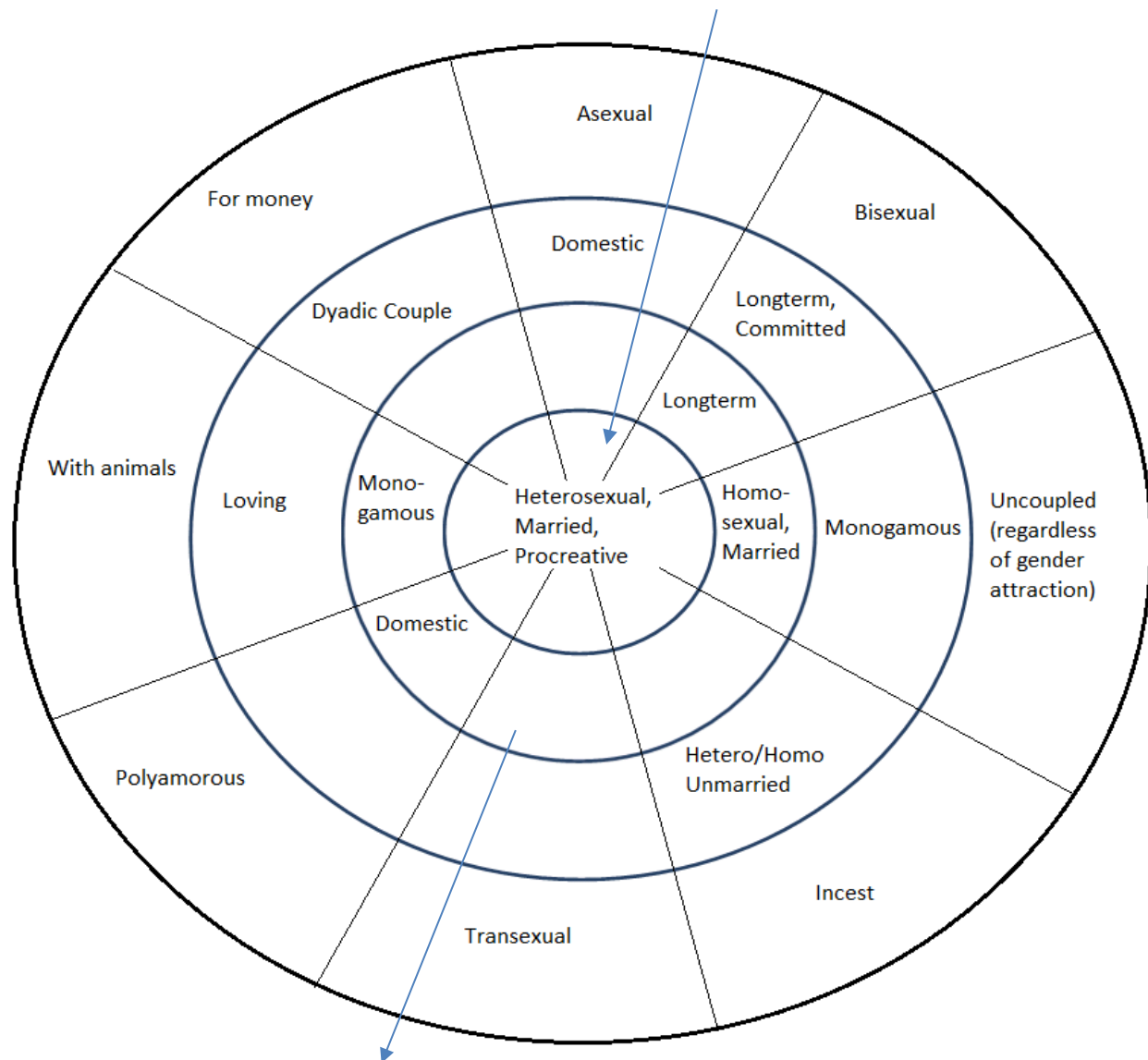
In the above quote, the speaker addresses the ability for same-sex couples to express their love with fewer restrictions, and what is interesting about this quote is that there is a latent assumption that if the boundaries between heterosexuality and homosexuality are loosened, then the 'natural' imperative to express conjugal, family-oriented love will naturally occur. Therefore, the

proponents not only uphold the importance of traditional Canadian institutions, but frame same-sex couples as an opportunity for these institutions to be strengthened. "The bill is cause for celebration. Soon, when it finally passes, we will be able to celebrate the love and commitment of all Canadian couples. The circle of love, of responsibility, of commitment, of marriage will be wider (179)". Using assimilationist arguments and linking frames of citizenship, national reputation, institutional revitalization, and inherent proper intimacy, we can start to discover emerging sexual values in law and state. These emerging beliefs and norms establish that stable coupledom is not only a private good (see DePaulo & Morris, 2005), but also has a moral good for Canadian society. Romantic couples therefore become imagined as a stabilizing force for the nation. This finding is intriguing; as the reverse of the proponent's logic is not that the heterosexual nuclear family presents instability, but that those individuals who do not couple in normative ways present instability.

2.2.3   The Ideal Couple and the Outer Limits

From the above discussions, we can begin to re-conceptualize Rubin's (1984) concept of the 'charmed circle.' I present a revised model of the charmed circle below (Figure 2), and provide evidence from the debates that point to newly emerging sexual values that push out (or keep out) some groups and individuals to the 'outer limits' of acceptability.

Figure 2
The Re-conceptualized Charmed Circle

Inner circle defined by ideal norms of intimacy; married, heterosexual, procreative, monogamous, loving, domestic. Groups move closer to the 'charmed' position as they enact such ideals.

Asexual

For money

Bisexual

Domestic

Dyadic Couple

Longterm, Committed

Longterm

With animals

Mono-gamous

Loving

Heterosexual, Married, Procreative

Homo-sexual, Married

Monogamous

Uncoupled (regardless of gender attraction)

Domestic

Polyamorous

Hetero/Homo Unmarried

Incest

Transexual

Groups are pushed to the outer limits for not following prescriptive norms of ideal intimacy: un-married, no fixed or binary gender/sexuality, sex for recreation, non-monogamous, uncoupled. The less a group or individual complies with emerging sexual values, the further they are pushed out to the periphery.

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Within the debates of Bill C-38, the opposition re-affirms the boundaries between heterosexual and homosexual couples by using distancing personal pronouns, such as "that group" or "they." This is evident when the opposition argues that same-sex couples be provided with their own form of union, such as "common law status," "civil union" or "registered domestic partnerships." In a poignant example of distancing, one member states, "Why does this group not look at a new name? Why does this group not look at establishing something of its own?" Included in this distancing is the argumentative strategy that allowing some sexual minorities to cross the boundary into sexual acceptability will lead to a type of chaos in which no boundaries will be kept in place. In considering what would happen following passing Bill C-38, one opposition member questions what would come next, "will it be legalizing polygamy, or prostitution, or hard drugs or just working for organized crime to import strippers and drugs?" The most dramatic example of this strategy is the suggestion that passing Bill C-38 will lead to the moral decline of Canada, framing future outcomes with notions of bestiality or incest, as one opposition member questions, "Will you also vote one day in support of marrying one man and one beast, or maybe a father and his daughter?" In this way, the opposition attempts to demonize homosexuality as an "other," suggesting that expanding the boundaries of acceptable sexuality to include same-sex marriage will ultimately lead to a society wherein all that was once considered 'wrong' or 'immoral' will start to evade regulation.

The proponents deny the 'outsider' status of same-sex couples by highlighting the similarities between same-sex and opposite sex couples, as discussed above. The logic at work in these arguments is that if group X is the same as group Y, then group X should have the same

rights to group Y. However, because this strategy relies on logics of equality, the proponents must further work to distance themselves from other sexual minorities in equal ways to the dominant group.

> I want to comment on that last one because it has come up a number of times in the House and in debate that it might lead to polygamy, incest or marrying animals. I want to assure the House that this is obviously not true. The difference is quite clear. We in Parliament are saying to all Canadians that they cannot marry beasts, have incest or polygamy. We are treating all Canadians equally by saying they cannot do that.

In this quote, the speaker works to disrupt the opposition's frame that passing same-sex marriage will lead to sexual chaos, and in this strategy the speaker assures that sexual regulation will be kept in place, and that those "other" sexual minorities will still be visible and denied legitimacy. Therefore, traditional moral dictates of sexuality, like the unacceptability of cross-species or inter-family sex, remain on the outskirts (Rubin, 1984). But, through a newly emerging morality associated with dyadic coupling, new visions of unacceptable sexualities also become apparent.

Another distancing strategy evident in the data is the exclusion of bisexuals and transgendered communities from the conversation. As Phelan (2001) notes, using assimilationist strategies in gay rights politics tends to exclude some members from the LGBT community. In the debates, this strategy is largely latent. In order to be 'similar' to the dominant heterosexual group, the proponents must construct gay and lesbian citizens with notions of fixed and binary sexuality. For example, when proponents refer to lesbian or gay couples they must work within existing legal categories of gender, and allude to the idea that same-sex couples have a fixed sexuality and therefore do not threaten notions of sexual identity being fixed. "Be they two men or two women, they want to be able to say publicly to society, the government and the world that they are committed to a solid relationship, they are in a relationship of equals, and they are

publicly declaring their love for each other." Hence, those who do not fit neatly into binary categories of gender, or who evade a fixed sexual identity, become abandoned in equality conversations, and are kept out, or pushed out further, into the outer limits.

The opposition attempts to gate-keep the institution of marriage from same-sex couples, and this is done by intensifying the attributes of married heterosexuals. This magnified perspective on intimacy highlights that, for both sides of the debate, legitimate sexuality is that which is coupled, loving, caring, long-term, and monogamous. This suggests that instead of the sexual hierarchy being formed or maintained through notions of 'compulsory heterosexuality', perhaps we are within a time-period wherein 'mononormativity' (Peiper & Bauer, 2005) is prevalent – wherein the dyadic couple is assumed to be the only natural or morally correct form of arranging intimacy. By amplifying these aspects of intimacy, the proponents must work to magnify those same qualities for same-sex couples, and this has particular consequences for other groups and individuals. The reverse to both logics then, is that illegitimate sexual citizens may be those who do not follow prescriptive, romantic-coupling norms. In other words, those who do not belong to (or aspire to form) a coupled relationship within such terms (regardless of sexual orientation) become re-imagined as 'bad' sexual citizens – and are pushed to the outer limits of sexual acceptability.

Chapter 3: Concluding Discussion

I began this article by questioning whether, or to what extent, the frames used in the debates of Bill C-38 suggest a need to re-conceptualize Rubin's (1984) concept of the charmed circle. I discover that at the level of law and state, tensions around sexual values point to an increasing valuation of coupledom. In the analysis, competing frames explain how coupledom is talked about as not just having a private good, but as having a moral good for society and the Canadian nation. The positive accounts of 'coupledom' allow space for particular same-sex couples to gain access to the institution of marriage; however, the idealization of coupledom also may carry unintended consequences for other sexual groups. In re-conceptualizing Rubin's (1984) concept of the charmed circle using the findings in this study, we see that the sexual hierarchy has become complicated by regulation of sexual acts, *and* regulation of intimate arrangements. Therefore, instead of a dichotomous model of 'good' and 'bad' sexual citizens, perhaps we see newly emerging layers in the hierarchy, layers that become occupied by individuals and groups who attain privilege by mirroring the behaviors of the ideal heterosexual, procreative couple. In the debates of Bill C-38, this is evident in frames that are used to justify lesbian and gay entrance to the institution of marriage, as these emerging sexual citizens legitimate their sexual acceptability through de-sexualized associations of coupledom. Therefore, in this historical time period, people may be facing a type of sexual regulation more in line with a concept of 'compulsory coupledom' than by the enforcement of 'compulsory heterosexuality.'

The data for this study are from the final reading of Bill C-38 in the House of Commons, and therefore capture the final debates around same-sex marriage before a relevant change in law. To examine the processes of changing sexual values in Canada, it may be useful to examine

how frames in gay and lesbian rights debates change over time, to capture when and how such norms are negotiated. Further, these debates are relevant for understanding possible changes to the sexual hierarchy in Canada, but cannot be used to explain changing sexual values in other countries. Therefore, I encourage future studies to examine changes in same-sex marriage law beyond Canada to see if these findings are evident in other nations. Finally, this study narrows in on the sexual values evident in law and state. The findings from this study are not meant to be generalized to all dimensions of social life; however, they offer a new way of examining sexual inequality in other areas. Future studies can explore whether compulsory coupledom is evident in other social dimensions, such as in cultural representations or in daily routines and interactions. Important to consider is that sexuality may not be a primary source of oppression for all people, and in recognizing this it is important to consider how sexuality intersects with other sources of marginalization, such as race/ethnicity, class, gender, ability or age. By uniting other axes of marginalization with the sexual hierarchy, we can add important depth to the operation of compulsory coupledom.

At the level of law and state, we see a taken-for-granted assumption that coupling through monogamy is the best way to arrange intimacy, regardless of sexual orientation. Just like heterosexuality was assumed the 'normal' and 'natural' way to experience sexuality for my parent's generation, coupling may now serve as an equally insidious norm. By bringing into view the often-invisible idealization of coupledom, perhaps we open up new avenues for queer scholarship and activism. As Phelan (2001) suggests, "citizenship for sexual minorities cannot mean simply being included under heterosexual rules" (p. 146). The discovery of newly emerging sexual minorities in this study suggest a need to re-think the normalcy associated with coupledom, and doing so from a queer stance can begin to dismantle the privileged status of this

arrangement. In this way, we may be able to bring into focus a more pragmatic ethic of relationships, with more focus on alternative forms of love. On a structural level, a shift in how people can claim legitimate intimacy may be relevant for those who occupy a precarious position. The new groups who occupy the 'outer limits' of sexual acceptability (asexuals, bisexuals, transgendered, singles, polyamorous) face challenges in political inclusion, as their relationships have not reached any point of recognition or rights. As Rubin's (1984) work reminds us, sexual privilege does not only mean social acceptance, but also includes legal and institutional support and material benefits. This study reveals a re-conceptualization of 'good' and 'bad' sexual citizens in Canada, and highlights new areas of scholarship, and activism around the policies that regulate intimacy.

References

Booth, W., Colomb, G., & Williams, J. (2008). *The Craft of Research* (3rd Ed.). Chicago, IL: The
    University of Chicago Press.

Boyd, S. & Young, C. (2003). "From Same-Sex to No Sex"?: Trends Towards Recognition of
    (Same-Sex) Relationships in Canada, *Seattle Journal of Social Justice*, 1(3), 757-793.

Brown, R.M. (1975). The Shape of Things to Come." P. 69-78 in *Lesbianism and the Women's*
    Movement, eds. N. Myron and C. Bunch. Baltamore, MD: Diane Press.

Budgeon, S. (2008). Couple Culture and the Production of Singleness. *Sexualities, 11*(3), 301-
    325.

Bunch, C. (1975). Lesbians in Revolt. Pp. 29-38 in *Lesbianism and the Women's Movement*, eds.
    N. Myron and C. Bunch. Baltamore, MD: Diane Press.

Byrne, A. (2000). "Singular Identities: Managing Stigma, Resisting Voices." *Women's Studies*
    Review, 7, 13-24.

Byron, S. [1972](1992). The Closet Syndrome. In K. Jay & A. Young (Eds.), *Out of the Closets:*
    Voices of Gay Liberation (pp. 58-65). New York: New York University Press.

Cobb, M. (2006). *God Hates Fags: The Rhetorics of Religious Violence*. New York: NYU Press.

Cobb, M. (2012). *Single: Arguments for the Uncoupled*. New York, NY: New York University
    Press.

Creed, D., Langstraat, J. & Scully, M. (2002). A Picture of the Frame: Frame Analysis as
    Technique and as Politics, *Organizational Research Methods*, 5(1), 34-55.

Creed, D., Scully, M., & Austin, J. (2002). Clothes Make the Person? The Tailoring of
    Legitimating Accounts and the Social Construction of Identity, *Organization Science*, 13
    (5), 475-496.

DePaulo, B. & Morris, W. (2005). Singles in Society and in Science. *Psychological Inquiry, 16* (2&3), 57-83.

Duggan, L. (2002). The New Homonormativity: The Sexual Politics of Neoliberalism. Pp. 175-194 in R. Castronovo and D. Nelson, Eds, *Materializing Democracy: Toward a Revitalized Cultural Politics*. Durham: Duke University Press.

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Fischer, N. (2013). Seeing "Straight," Contemporary Critical Heterosexual Studies and Sociology: An Introduction, *The Sociology Quarterly*, 54 (4): 501-510.

Gamson, W. & Lasch, K. (1983). The Political Culture of Social Welfare Policy. S. Shapiro & E. Yuchtman-Yaar (Eds.), *Evaluating the Welfare State: Social and Political Perspectives*. New York: Academic Press, pp. 397-415.

Ghaziani, A. (2011). Post-Gay Collective Identity Construction, *Social Problem*, 58(1): 99-125.

Goffman, E. (1974). *Frame Analysis*. Harvard University Press, Cambridge, MA.

Hallendy, N. (2000). *Inuksuit: The Silent Messengers*. Vancouver, BC: Douglas & Mcintyre.

Halperin, D. (2003). The Normalization of Queer Theory, *Journal of Homosexuality*, 45(2), 339-343.

Hoffman, J. & Ventresca, M. (1999). The Institutional Framing of Policy Debates: Economics Versus the Environment, *The American Behavioral Scientist*, 42 (8), 1368-1392.

Ingraham, C. (1996). The Heterosexual Imaginary, in S. Seidman (Ed.) *Queer Theory/Sociology*, pp. 168-193. Oxford: Blackwell.

Ingraham. C. (2008). *White Weddings: Romancing Heterosexuality in Popular Culture*. (2nd Ed.).

> New York: Routledge.

Jackson, S. & Scott, S. (2004). Sexual Antinomies in Late Modernity, *Sexualities,* 7 (2), 233-

> 248.

Jackson, S. (2006). Interchanges: Gender, Sexuality and Heterosexuality: The Complexity (and

> Limits) of Heteronormativity, *Feminist Theory*, 7(1): 105-121.

Johnston, H. & Noakes, J. (2005). *Frames of Protest: Social Movements and the Framing*

> *Perspective*. Lanham, Maryland: Rowman and Littlefield.

Makarenko, J. (2007). Same-Sex Marriage in Canada, *Judicial System & Legal Issues*, 1 (2); 1-

> 15.

Miles, M. & Huberman, M. (1994). *Qualitative Data Analysis* (2nd Ed.). Thousand Oaks, CA:

> Sage Publishing.

Openparliament.ca (2014). Retrieved from http://openparliament.ca/search/?q= same-sex.

Pieper, M. & Bauer, R. (2005). *Call for papers: International conference on polyamory and*

> *mono-normativity*. University of Hamberg, 5-6 November 2005. Retrieved from

> http://www.wiso.uni-hamburg.de/index.php?id=3495

Phelan, S. (2001). *Sexual Strangers: Gays, Lesbian, and Dilemmas of Citizenship*. Philadelphia:

> Temple University Press.

Plummer, K. (2007). Queers, Bodies, and Postmodern Sexualities: A Note on Revisiting the

> 'Sexual' in Symbolic Interactionism. PP. 16-30 in *The Sexualized Self*, ed. M. Kimmel.

> Nashville, TN: Vanderbilt University Press.

Ragin, C. (1994). *Constructing Social Research: The Unity and Diversity of Method*. Newbury

> Park, CA: Sage.

Rich, A. (1980). Compulsory Heterosexuality and Lesbian Existence, in W. Kolmar & F. Bartkowski (Eds.), *Feminist Theory.* Vol. 2, pp. 347-356. New York: McGraw-Hill.

Rubin, G. (1984). Thinking Sex: Notes for a Radical Critique of Sexuality. In C. Vance (Ed.), *Pleasure and Danger* (pp. 267-319). New York: Routledge.

Seidman, S. (2002). *Beyond the Closet*. New York, NY: Routledge.

Seidman, S. (2005). From the Polluted Homosexual to the Normal Gay: Changing Patterns of Sexual Regulation in America." Pp. 39-62 in *Thinking Straight: New Work in Critical Heterosexuality Studies*, ed. C. Ingraham. New York: Routledge.

Seidman, S. (2009). Critique of Compulsory Heterosexuality, *Sexuality Research & Social Policy*, 6 (1), 18-28.

Sharp, E. & Ganong, L. (2011). "'I'm a Loser, I'm Not Married, Let's Just All Look at Me': Ever-Single Women's Perceptions of Their Social Environments." *Journal of Family Issues, 32* (7), 956-980.

Smith, A. M. (1997). The Good Homosexual and the Dangerous Queer: Resisting the "New Homophobia." In L. Segal (Ed.), *New Sexual Agendas* (pp. 214-231). London: Macmillan.

Snow, D & Benford, R. (1988). Ideology, frame resonance, and participant mobilization, *International Social Movement Research*, 1:197–217.

Snow, D. & Benford, R. (1992). Master frames and cycles of protest. In Morris & Mueller (Eds.) *Frontiers in Social Movement Theory*. New Haven, CT: Yale University Press, pp. 133-155.

Snow, D., Rochford, B., & Benford, R. (1998) *Power in Movement: Social Movements and Contentious Politics,* Second Edition. New York: Cambridge University Press.

Snow, D., Rochford, B., Worden, S., & Benford, R. (1986). Frame Alignment Processes, Micromobilization and Movement Participation. *American Sociological Review* 51: 464-81.

Tarrow, S. (1992) "Mentalities, Political Culture and Collective Action Frames: Constructing Meanings through Action." In Morris & Mueller (Eds.) *Frontiers in Social Movement Theory*. New Haven: Yale University Press.

Vaid, U. (2005). *Virtual Equality: The Mainstreaming of Gay & Lesbian Liberation*. New York: Random House.

Valocchi, S. (2005). Not Yet Queer Enough: The Lessons of Queer Theory for the Sociology of Gender and Sexuality, *Journal of Contemporary Ethnography*, 42 (2): 169-200.

Valverde, M. (2006). A New Entity in the History of Sexuality: The Respectable Same-Sex Couple. *Feminist Studies*, 32 (1): 155-163.

Verloo, M. & Lombardo, E. (2007). Contested Gender Equality and Policy Variety in Europe: Introducing a Critical Frame Analysis Approach, in M. Verloo (ed.), *Multiple Meanings of Gender Equality: A Critical Frame Analysis of Gender Politics in Europe*. Budapest: CPS Books.

Warner, M. (1991). Introduction: Fear of a Queer Planet, *Social Text*, (29) 3-17.

Warner, M. (1993). Introduction. In M. Warner (Ed.), *Fear of a Queer Planet: Queer Politics and Social Theory* (pp. vii-xxxi). Minneapolis, MN: University of Minnesota Press.

Warner, M. (1999). *The Trouble with Normal: Sex, Politics, and the Ethics of Queer Life*. New York: The Free Press.

Wittig, M. [1980](1992). *The Straight Mind and Other Essays*. Boston: Beacon Press.

Zhang, Y., & Wildemuth, B. M. (2009). Qualitative analysis of content. In B. Wildemuth (Ed.),

Applications of Social Research Methods to Questions in Information and Library

Science (pp.308-319). Westport, CT: Libraries Unlimited.