





## PSYCHOLOGY, LIBERALISM, AND ACTIVISM: CHALLENGING DISCOURSES OF 'EQUALITY WITH' IN THE SAME-SEX MARRIAGE DEBATE

DAMIEN W. RIGGS

### Abstract

*Current activism within the discipline of psychology, particularly with regard to the same-sex marriage debate, has at times been limited by the reliance upon liberal individualism. More specifically, the liberal assumption of 'equality with' may be seen to produce a number of negative outcomes that result from a focus upon singular axes of identity. In contrast to an understanding of activism that focuses on equality, this paper provides an examination of the American Psychological Association's resolution on same-sex marriage, and proposes that activists (both within the discipline and beyond) may benefit from engaging in analyses of how state sanction serves to 'domesticate' same-sex attracted individuals. By elaborating the notion of 'state moral minimalism', it is proposed that future resolutions may move away from a simplistic reliance upon the concept of 'equality', and may instead move towards an acknowledgment of the multiple ways in which oppression and privilege intersect.*

### Introduction

The discipline of psychology has two quite distinct, and indeed paradoxical histories. The first history tells of a discipline "that would make a difference": that would not only "describe reality but [also] change it, and for the better" (Bradley & Selby, 2001, p. 84). The second history is of a discipline that "always serves to obscure larger social and political issues (sexism, heterosexism, racism, classism), converting them into individual pathologies by an insistent focus on the personal" (Kitzinger & Perkins, 1993, p. 6). In regards to the first history, Bradley and Selby suggest that psychology was originally conceived as a means to promoting social welfare, one that would necessarily start from a critique of the status quo. They propose that in moving away from these aims, the discipline at large has failed to take account of how individual oppression occurs in a broader social context. This point also informs Kitzinger and Perkins' critique of the discipline. They propose that the shift towards an individualised,

acontextual approach to psychological research means on the whole that psychology is inherently unable to explore political issues, other than through an individualised lens.

In regards to the view of psychology held by Kitzinger and Perkins (1993), it is important to clarify that there are of course a wide range of psychological approaches that are indeed critical of mainstream psychology's focus on the individual (these include critical psychology: Fox & Prilleltensky, 1997, community psychology: Watts & Serrano-García, 2003, and feminist psychology: Burman, 1998). Kitzinger and Perkins focus specifically on how psychology has often been complicit with the oppression of lesbians. My focus within this paper takes their critique as a starting place, but offers a more optimistic view of psychology's role in activism or advocacy (as does Kitzinger in her more recent work, such as Wilkinson & Kitzinger, 2005). My aim is therefore not to paint a view of psychology that ignores the vast differences that exist within the discipline, but rather to draw attention to the limitations that arise from employing an individualised approach to activism within the discipline of psychology, and the attendant problems that result from focusing primarily on single-issue identity politics. In other words, I seek to question some of the implications that might arise from the two competing understandings of the discipline of psychology as described above, and to investigate how the discipline of psychology on the whole is both a part of, and potentially an effective counter to, the ways in which individualisation can negatively impact upon particular marginalised groups. In order to do so, I focus on the example of same-sex marriage, and explore the ways in which debates over marriage rights have been taken up by the American Psychological Association (APA).

At the same time as I seek to explore the issues that may arise from any use of an individualised approach to activism in regards to same-sex marriage rights, I also wish to examine how the promotion of such rights within the framework

of identity politics can work to further exclude or oppress certain groups of people. By examining the racialised and sexualised assumptions that frame both the discipline of psychology and the claims of those who advocate for marriage rights, I seek to demonstrate how efforts to gain sanction within the law and through the state may only serve to further marginalise certain groups of people. In this sense, I explore the limitations of activism as it is often configured within the context of liberalism, and I thus question whose purposes are served by enshrining the rights of particular same-sex attracted individuals within the law.

As a response to the critiques that I provide of individualism and identity politics, I explore one possible avenue for activism within the discipline of psychology. Drawing on the notion of 'state moral minimalism' (Halle, 2001), and Fox (1985; 1993) and Butler's (2002) work on legal sanction, I propose that activists may benefit from considering approaches that seek to challenge the status of the law as *the* site of recognition, and to explore some possible approaches for securing legal recognition that may not necessarily be dependent upon the forms of recognition currently afforded to same-sex attracted individuals.

### **Liberalism and 'Equality With'**

As Bradley and Selby (2001) suggest, the discipline of psychology was founded in part upon a desire to challenge oppression. Whilst this may have historically been the case, and whilst organisations such as the American Psychological Association (APA) and the Australian Psychological Society continue to engage in social action (e.g., in the form of press releases in support of minority group rights) and advocacy (e.g., within courtrooms and at legislative hearings), such actions are typically done within a framework of liberalism (Terry, 1999).

A liberal framework is most often one that presupposes that 'equality for all' is both a possible and desirable goal. Liberalism is thus about promoting a vision of human rights that is seen to be generalisable or universal, and therefore applicable to all people. The upshot of a liberal understanding of oppression is the suggestion that those who are marginalised need to be included or provided space within

existing legal, political and social frameworks, rather than necessarily changing such frameworks themselves (Fox & Prilleltensky, 1997; Wright, 2001). What this approach to activism fails to recognise, however, is that within societies where racialised and sexualised differences (amongst others) are foundational to rights, equality can only ever refer to 'equality with' (Riggs, 2004). In other words, liberal notions of equality are always implicitly about oppressed or marginalised groups gaining equality *with* the dominant group. As a result, equality remains defined on the terms of the dominant group, thus promoting assimilation as the best way to gaining rights, rather than representing a challenge to the values that predominate in Western societies (Hage, 1998). Of course, 'equality with' may indeed be an important goal for activism, as many groups of people living in Western nations continue to experience extreme hardship as a result of unequal social relations. Yet at the same time it is important to further explore this point about 'equality with', and the implications for this approach in regards to activism within the discipline of psychology.

One particular place where we may see examples of this discourse of 'equality with' is in the APA's resolution on same-sex marriage. It is of course important to clarify here that the resolution was aimed at achieving particular goals: it was intended as a counter to the (then) proposed Defence of Marriage Act, and as such was written in accordance with both the legal context by which it was framed, and as a means to informing members of the APA more broadly as to the importance of speaking out on this issue. However, whilst these points are important, my focus in this paper is on how the liberal framework of mainstream psychology (as it is represented at its broadest in the US by the APA) can work to promote the notion that what is required in regards to heterosexism in the US is for lesbians and gay men to gain equality with heterosexual men and women. Thus whilst it may be suggested that the APA resolution could never have been a forum within which to critique notions of equality, I do believe that it still behoves us as psychologists to examine some of the implications of framing such resolutions in liberal terms, and to explore how resolutions by the APS could be otherwise framed.

In the following two extracts from the APA resolution on same-sex marriage, we can see how the framework of liberalism implicitly positions 'equality with' as the primary motivation for social justice:

That the APA believes that it is unfair and discriminatory to deny same-sex couples legal access to civil marriage and to all its attendant benefits, rights, and privileges

That APA shall take a leadership role in opposing all discrimination in legal benefits, rights, and privileges against same-sex couples.

These two examples, whilst obviously demonstrating the APA's commitment to social justice, continue to promote a particular vision of justice, wherein the rights of the heterosexual majority continue to go unmarked as such (there is no mention in either of these extracts that existing legislation discriminates *in favour of* heterosexual couples). Access to civil marriage is thus seen as something that must be granted to same-sex couples as it would be 'unfair and discriminatory' not to do so. As a result, the framing of same-sex attracted people's entitlement to rights in this way reinforces the liberal framework of 'equality with' by failing to present any challenge to (or even mention of) the heterosexual majority. This failure to challenge the normative status of heterosexuality is also evident in the statement that:

The APA shall provide scientific and educational resources that inform public discussion and public policy development regarding sexual orientation and marriage

The suggestion that the APA will provide resources on 'sexual orientation and marriage' (which is the title of the document itself) implicitly perpetuates an understanding of sexual orientation as referring solely to same-sex attraction. This is due to the fact that the document itself does not explicitly examine sexual orientation and marriage other than in relation to same-sex marriage. Thus, whilst the normative status of heterosexuality, and indeed heterosexual rights themselves, are the flipside of the coin implicitly presented within the APA resolution on same-sex marriage, the failure to explicitly refer to heterosexuality as a sexual orientation maintains the primary relationship between the category of 'sexual orientation' and same-sex attraction (Riggs & Choi, 2006). Such

an approach thus does very little to encourage a critical examination of heterosexuality and heterosexual privilege (Kitzinger & Wilkinson, 1993). Whilst the APA resolution promotes the liberal notion of 'equality with', it fails to clearly spell out and examine who same-sex attracted individuals would actually gain equality with. Though it is obvious that the resolution is positing that a marginalised group (same-sex attracted individuals) should have equal rights with a dominant group (heterosexual individuals), the lack of recognition of these particular terms (marginalised vs dominant) may be seen as doing very little to challenge how marginalisation or dominance actually occurs (Sedgwick, 2005).

This point about the terms of reference employed within the resolution holds important implications for the efficacy of activism on the part of the APA. In other words, whilst for those to whom the resolution was directed, any form of critique of heterosexual privilege may be considered to be too confrontational, there still exists a need to raise awareness of how existing laws are shaped around heterosexual norms; norms that automatically exclude same-sex attracted individuals. Using words such as 'dominance' or referring to a 'heterosexual norm' may be one way of encouraging people to think about how marginalisation occurs within a relationship to dominance (Riggs & Choi, 2006).

In regards to the use of particular terms, the liberal framework of the APA resolution thus results in an understanding of discrimination that prioritises individual oppression. Such an approach understands oppression as something that either 'naturally happens', or as something that must be addressed at an individual, rather than institutional, level (Clarke, 2003). For example, the resolution states that:

Discrimination and prejudice based on sexual orientation detrimentally affects psychological, physical, social, and economic well-being.

Whilst there is no doubt that all of these outcomes are true, this particular construction of discrimination does not challenge the corollary of such discrimination: that it gives rise to (or indeed makes possible) the privileges that heterosexually identified individuals experience. Discrimination is thus seen as impacting upon individual factors such as those relating to the 'psychological, physical, social and economic'.

What is not represented is the fact that heteronormativity results in many heterosexual individuals experiencing privilege in relation to these factors, nor does it depict institutions (such as psychology) as structured upon the normative assumption of heterosexuality. In other words, discrimination remains the problem of the individual experiencing discrimination, rather than being seen as something that continues to shape social relations nation-wide (Clarke, 2000).

The notion of 'equality with', as I have discussed in this section, promotes the idea that the gaining of equality will automatically translate into improved circumstances for same-sex attracted individuals. Whilst this may well be the case for some such individuals, we cannot automatically assume that an approach to activism that merely incorporates marginalised individuals (rather than actually addressing how oppression operates in regards to the current status quo) will do anything to radically improve the ways in which same-sex attracted people are represented or treated (Phelan, 2001). As I will discuss in the next section, the APA resolution on same-sex marriage also draws upon a liberal framework where it utilises the notion of identity politics.

### **Identity Politics and Law Reform**

The aforementioned focus on 'psychological effects' in relation to the denial of marriage to same-sex attracted individuals demonstrates the type of political activism that appears to inform the resolution. Whilst I would again here reiterate the limitations that were placed upon the APA in developing the resolution as a response to a congressional hearing, I still believe it is important to look at what it means to frame the resolution on such terms. One implication is that the identities of same-sex attracted individuals are depicted as focused solely around sexuality, rather than as shaped through a range of identity positions. This leads to statements within the resolution such as:

People who also experience discrimination based on age, race, ethnicity, disability, gender and gender identity, religion, and socioeconomic status may especially benefit from access to marriage for same-sex couples.

The particular understanding of identity promoted in this statement presumes an

additive model, whereby individual people are presumed to experience discrimination based on sexuality *plus* discrimination based on race *plus* discrimination based on age, etcetera. This understanding of identity promotes a form of essentialism that fails to understand how these 'axes' are interrelated, and correspondingly, how they may intersect in granting privilege. This approach is common to what has been termed 'identity politics', where rights movements are organised around a singular aspect of identity (e.g., lesbian/gay rights). Whilst such approaches to activism have achieved a great deal over recent decades, they may ultimately fall short of examining how systemic oppression operates, and may do little to explore alternate ways of claiming rights or identities. In this regard, Harris (1995) proposes that:

The result of essentialism is to reduce the lives of people who experience multiple forms of oppression to addition problems: 'racism + sexism = straight black women's experience', or 'racism + sexism + homophobia = black lesbian experience'. Thus, in an essentialist world, black women's experiences will always be forcibly fragmented before being subjected to analysis, as those who are 'only interested in race' and those who are 'only interested in gender' take their separate slices of our lives (p. 255).

Barnard (2003) provides an excellent elaboration of Harris' point about understanding identities as simultaneous sites of difference, rather than as mere 'problems of addition', where he suggests that:

In the United States... many contemporary political and theoretical formulations of communitarian subjectivity assume that every identity is merely the accretion of so many other base identities (thus, in popular liberal parlance, a Chicana lesbian is said to be triply oppressed as a woman, a Chicana, and a lesbian), a paradigm that denies the specificity of identity and the inseparability of the supposed constituents of a particular identity (Chicana lesbian might be an identity in itself, rather than a conglomeration of other identities). Consequently, this paradigm normalizes the modes of subjectivity privileged by material power relations in a particular cultural-historical moment (to compute Chicana lesbian as the sum of Chicana, woman, and lesbian, it to establish heterosexual male Chicanoness, white heterosexual femaleness, and white male gayness as the central identities from which the Chicana lesbian draws her constituent parts) and thus erases the experience of those

who occupy more than one of the canonized subject positions (p. 3).

This quote from Barnard highlights how a compartmentalised understanding of identity (particularly as interpreted within a framework of identity politics) can in effect result in the perpetuation of particular forms of marginalisation. In this respect the APA resolution on same-sex marriage fails to explore multiple *concurrent* points of identification when it represents race, age, gender, etcetera, as isolated from one another. Not only does this fragment the experiences of particular same-sex attracted individuals (as Harris, 1995, suggests), but it also fails to adequately explore how some same-sex attracted individuals (namely those of us who identify as white and middle-class) may experience considerable privilege at the same time as we experience oppression (Riggs, 2006). These would of course be difficult points to address in a resolution aimed at a generalist audience, and for inclusion in congressional hearings. However, I do believe that a shift in focus away from 'equality with', and towards an understanding of the structural disadvantage that currently shapes the lives of same-sex attracted individuals, could have directed the target audience's focus towards these key issues without alienating them.

Finally, the APA resolution does not take heed of a wide range of literature that suggests that concerns about same-sex marriage may actually not be of central importance to same-sex attracted people who experience on a daily basis the oppression that arises from racism or classism (Ahmed, 2004; Weston, 1991). As I will discuss later in the paper, the push for same-sex marriage rights is often the province of white, middle-class lesbians and gay men, a factor that requires considerable attention in relation to its implications for activism (Bernstein, 2001; Riggs, 2005). What I will signal here, however, is that it is important to think about what we are trying to gain by seeking state sanction in the form of marriage rights. Whilst many advocacy groups have drawn attention to the considerable gains that may result from accessing marriage rights, it may also be the case that there are other ways of achieving such gains. Indeed, for many same-sex attracted individuals, using state sanction of our relationships as a means to gaining rights may be quite antithetical to our own politics or family forms (Riggs, 2006; Weston, 1991).

In both this section and the previous one, I have briefly outlined some of the ways in which a reliance upon a liberal framework within the APA resolution on same-sex marriage fails to adequately address 1) heterosexual privilege and the normative status of heterosexuality, 2) the intersections of multiple identifications that shape how we are positioned within society, and 3) the systemic, institutional nature of racism and (hetero)sexism, and the implications of these for changes to the law. In the following section I will further elaborate how issues of privilege and oppression inform debates over same-sex marriage.

### **Privilege, Oppression and the Same-Sex Marriage Debate**

In an early paper on the same-sex marriage debate, Ettelbrick (1989) suggested that whilst for many same-sex attracted people access to marriage may represent a significant gain in regards to rights, there is little possibility that gaining such access will actually change the institution of marriage in any significant way. It is most likely that heterosexual marriage will continue to be held up as the gold standard against which all relationships are measured, the outcome being that certain individuals and relationships will still be denied state sanction (for example, those in polyamorous relationships; see Barker, 2004). The problem that arises, then, from an approach to activism that accepts the terms for belonging as defined in relation to particular norms (especially those surrounding liberal individualism), is that lesbians and gay men (and in particular, white, middle-class lesbians and gay men) are encouraged to accept the incursion of the state upon our lives. Furthermore, those of us who identify as white, middle-class lesbians or gay men may well earn rights to marriage that potentially come at the expense of groups of people who are differentially disenfranchised from state sanction.

For example, and as I alluded to in the previous section, the push for same-sex marriage rights is more often than not an issue that is of primary concern to white lesbians and gay men (see also Bernstein, 2001; Ettelbrick, 1998; Riggs, 2006). Whilst marriage rights may also be of concern to lesbians and gay men who do not identify as white, other intersecting concerns about state racism and its connection to the sanction of

particular bodies may mediate how institutions such as marriage are understood (Weston, 1991). In other words, for those of us who are white, our race privilege may afford us the luxury of focusing primarily on our sexual identities and our rights in regards to sexuality: our race privilege allows us this space.

This point about privilege demonstrates how the category 'lesbian and gay' may itself be seen as exclusionary. In her work on the cultural politics of emotion, Ahmed (2004, p. 148) utilises the metaphor of "sinking into a comfortable chair" to illustrate how the normative status of heterosexuality operates. She suggests that cultural spaces are shaped around heterosexuality, so that, for example, we see billboards featuring heterosexual couples; we see heterosexual couples walking down the street together holding hands, and we hear music and see movies that depict heterosexual lives. This results in public spaces being 'comfortable' for heterosexual individuals.

However, it is important to note that public spaces continue to be 'heterosexualised': lesbian and gay rights campaigns have promoted visibility and awareness, the result being that certain public spaces are 'queered' – they are reshaped to represent the experiences and values of (particular) lesbians and gay men (for example, think of the large gay communities in San Francisco, Pride events and marches that 'reclaim the streets', alongside representations of lesbian and gay identities in television programmes). Yet, whilst such reshaping continues to create a public space for (some) lesbians and gay men, they may also unintentionally perpetuate the exclusion of other groups of people who are not accorded space (e.g., transgender or intersex individuals, those who identify as bisexual or polyamorous etc.). Certain 'queer identities' thus gain privileges that may well come at the expense of others, or which may curtail the rights claims of other groups of people (Riggs, 2006). This point about privilege holds particular implications for the brief analysis of the APA resolution on same-sex marriage that I provided above. The resolution, whilst informed by a particular legal and political context, is nonetheless potentially a tool for oppression as well as liberation. In other words, whilst such resolutions may hold the potential for assisting same-sex attracted individuals in securing rights, they may also ensure the

exclusion of certain same-sex attracted individuals from rights. The framework of liberalism (seeking as it does 'equality for all') thus does not necessarily lend itself to actually understanding or valuing the specificities of individual people's experiences: it is instead reduces a broad range of experiences down to a particular dominant narrative of experience. As a result, only certain groups of people are recognised as entitled to rights and privileges; privileges that may come at the expense of others (Phelan, 2001).

These issues of privilege and recognition draw attention again to the problems that often inhere to single-axis identity politics. As I have outlined elsewhere (Riggs, 2005; 2006; Riggs & Riggs, 2004), engaging in forms of activism that privilege any singular form of oppression (e.g., sexuality) may well fail to adequately explore how ongoing histories of oppression shape the ways we conceptualise rights. For example, lesbian and gay rights activism has often failed to engage with sexuality on any terms other than the homo-hetero binary.<sup>1</sup> One example of this is in relation to the rights claims of individuals who identify as transgendered, and the overlaps and disjunctures with lesbian and gay rights claims. Coombs (2001) suggests that the conflation of 'same-sex attraction' with the category 'gay' (for example) can effectively exclude the experiences of individuals who identify as transgendered (see also Hegarty & Chase, 2005, in regards to intersex activism). The challenge that transgenderism presents to the law (in regards to post-operative legal identification and its relationship to marriage) unsettles the homo-hetero binary in ways that lesbian or gay marriage may not. Thus the push for same-sex marriage rights, primarily by white lesbians and gay men, must necessarily engage with these disparities, and the challenges that they present to identity politics. These intersections of privilege and oppression, and their implications for lesbian and gay activism, thus warrant further attention. Exploring the conjunctions of race, gender, sexuality and class may be one strategy for examining how privilege often operates at the expense of oppression,

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<sup>1</sup> Of course this is not to ignore work in the area of queer theory, which takes as its starting place the need to challenge this binary. However, it is also important to recognise that queer theory or activism is often quite different from, or separate to, lesbian/gay law reform.

and what this might mean for same-sex attracted individuals who desire state sanction. In the final section of the paper I elaborate an alternate approach to how activism may look.

### **Resisting Domestication**

Butler's (2002) work on legal sanction, alongside Fox's (1985, 1993) on anarchism, psychology and the law, are incisive for understanding how debates over same-sex marriage may work to 'domesticate' same-sex attracted people. Robson (1992) uses the term 'domesticate' to describe how the experiences of lesbians are made to appear as if they are 'just like' the experiences of heterosexual women. She suggests that domestication can occur when same-sex attracted people accept the terms for belonging offered to us by the state. These terms for belonging often involve a) accepting heterosexual norms, b) marginalising the specific or unique experiences that same-sex attracted individuals may have, and thus c) being willing to accept 'equality with', rather than pushing for fundamental system change. In her work on same-sex marriage, Butler (2002) suggests that:

The petition for marriage rights seeks to solicit state recognition for nonheterosexual unions, and so configures the state as withholding an entitlement that it really should distribute in a nondiscriminatory way, regardless of sexual orientation. That the state's offer might result in the intensification of normalization is not widely recognized as a problem within the mainstream lesbian and gay movement (p. 16).

Whilst acknowledging the value that access to marriage may hold for some people, Butler is critical of the risk for 'normalisation' (or 'domestication', as Robson would label it), particularly as it may do little to actually destabilise the institution of marriage as one of the foundations of heteronormativity (see also Ettelbrick, 1989). Similarly, Fox (1993) suggests that:

A radical critique of psychology's links to the status quo, departing from the assumption that law is inherently advantageous, directs our attention to how the law hinders fundamental social change even as it allows more modest liberal reform (p. 237).

Together these two interpretations of state sanction under the law demonstrate how a desire for sanction *on the terms set by the state*

may ultimately serve to further enshrine the existing forms of kinship that are available (and recognised) under heteropatriarchy, rather than creating a space for new ways of understanding ourselves and our relationships with other people (see also Weston, 1991).

In contrast to equal rights approaches to marriage, which accept the framework of liberalism, we may instead focus our attention on reconfiguring how activism may constitute a critique of the very notion of state sanction itself. In his work on marriage and civil rights, Halle (2001) proposes that the work of the Cambridge Lavender Alliance<sup>2</sup> (CLA) may be instructive for understanding how state sanction may be reconfigured in terms that are more conducive to prioritising alternate kinship forms. Halle suggests that the concept of 'state moral minimalism' may be a useful way of both exposing the biases that are inherent to the law (and, I would suggest, to psychology), and for negotiating forms of state-based support that do not require the current high level of state control over family forms. Thus he reports that the CLA resolution on marriage "made no mention of marriage at all; rather, it... required of the state that it withdraw from the regulation of marriage, thereby allowing for a de facto expansion of the parameters of civil society" (p. 388). Such an approach draws attention to the moral judgements that inhere to the law, whilst also suggesting that morality should not be something that is arbitrated by the state.

Such an approach to activism may assist same-sex attracted individuals in refusing the terms set by the state for debates over same-sex marriage. Likewise, to some degree the notion of state moral minimalism may sidestep the problems that arise from further promoting a particular form of marriage-based relationality that will potentially exclude many people and relationships. To return to the APA resolution, then, I would propose that such a resolution need not take a position that involves accepting the terms for recognition set by the state.

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<sup>2</sup> The Cambridge Lavender Alliance (CLA) is the key queer political organisation in Cambridge, Massachusetts. It has a long history of queer activism, and has recently endorsed candidates for election within the US. The CLA has often been particularly forward thinking in its approach to queer politics, as was highlighted in its early position on the push for marriage rights.

Instead, the APA could develop resolutions that start by highlighting the role that both psychology and the state have played in oppressing same-sex attracted individuals. This would allow not only for some reflection on why law reform is needed (i.e., not to gain 'equality with', but because the law is founded upon heterosexual norms that are discriminatory), but would also provide a space within which multiple forms of oppression could be examined in the context of marriage and family law. Such a resolution could, for example, highlight how notions of miscegenation have historically informed marriage laws, and the implications of this for how the law is racialised (Moreton-Robinson, 2004). By starting from a focus on how social norms are produced, and how they exclude or oppress certain groups of people, it may be possible to develop a position on same-sex marriage that need not reinforce liberal notions of 'equality with'.

Likewise, a focus on the multiple effects of the law upon the lives of those who experience oppression may enable white, middle-class lesbians and gay men (amongst others) to explore not only how we experience oppression, but also how we stand to benefit from racialised norms. A resolution framed in this way may focus on how rights are often founded upon the exclusion of certain groups, an approach that would encourage critical examination of how complicity or domestication operate (Riggs, 2006). By understanding rights in a relational (rather than individual) way, it may be easier to conceptualise how privilege is made possible through oppression, and how rights claims represent not the *a priori* entitlements of individuals, but are rather framed by our belonging to particular marginalised or dominant groups (Moane, 2003). Finally, a focus on state moral minimalism may be useful for challenging not only how we see the rights of same-sex attracted individuals, but how we understand the rights of all people: state mandated rights are imposed not only upon same-sex attracted people, but upon all citizens. Rather than focusing on how we can engage with the state in order to gain sanction, we may instead focus on the limitations of state sanction (as it is currently configured) for all people. This may help to challenge the stranglehold that liberal politics hold over how we understand rights. Engaging in analyses of state-based oppression thus need not be considered either a waste of

time, nor the naïve luxury of those who benefit from privilege. Instead, as per Freire's (1972; 1973) seminal work on social activism, we may understand such analyses as central to challenging the heteronormative assumptions surrounding rights that often lead people to petition for rights in ways that may at times do more harm than good.

## Conclusions

Throughout this paper I have drawn attention to some of the complex ways in which experiences of privilege intersect with experiences of oppression, and how a desire for state sanction on the terms of liberal individualism can render some same-sex attracted individuals complicit with particular social norms. My brief examination of the American Psychological Association's resolution on same-sex marriage highlights some of the ways in which notions of 'equality with', and their relation to identity politics, may do very little to shift the power bases of white heterosexual dominance. Whilst I have acknowledged the limitations that existed for those who developed the APA resolution, I have also suggested some alternate approaches for formulating such resolutions. The concept of 'state moral minimalism' may be one way of exploring a more limited role for the state in our lives – a role that rather than representing a diminishing of social support, may instead engender supportive communities based on the valuing of difference, rather than the further marginalisation of those who differ from the white, middle-class, heterosexual norm.

The potential for activism within the discipline of psychology is significant, but in my opinion must be informed by a critique of the status quo *from its very foundations*, rather than simply attempting to amend specific laws or advocating for inclusion. Whilst this will be no easy task, and whilst it is no doubt the case that liberal individualism holds considerable sway within psychology, there does nonetheless exist great potential within the discipline for system change, and for radical challenges to be made to how we understand ourselves and our relations to others. Rather than working on the terms set by the state, I would suggest that it is important that the discipline of psychology starts from the terms set by those who experience oppression. Whilst it is of course important that dominant group members challenge their/our privilege, it

is also important that significant space is accorded to examining the biases that inhere to the discipline itself.

To return to Bradley and Selby's (2001) points about the aims of the discipline, then, it may be timely to remember that social change is both always possible, yet always under threat as a result of cooption or domestication. Examining psychology's role in both challenging and perpetuating oppression is an important opportunity for activism within the discipline, and one that may give rise to far more wide-reaching changes than simply gaining 'equality with'.

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### Author Note

Damien Riggs is the Editor of the Gay and Lesbian Issues and Psychology Review. He has published two books on queer issue: *Priscilla, (white) queen of the desert* (Peter Lang, 2006), and *Becoming parent: Lesbians, gay men, and family* (Post Pressed, 2007). He is currently working on a textbook on LGBTQ psychologies for Cambridge University Press with Victoria Clarke, Elizabeth Peel and Sonja Ellis.

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