Interrogating Marriage Class Notes 9/11/07

Godbeer

- Views sex as an activity—contrast with Foucault, who views sex as an identity
  - There was sex, but not sexuality (as we now conceive of it)
  - Conceptions of sexuality and sexual acts change over time
- Sodomy conceived as exploitive sex more than same-sex acts
  - But there is not a consistent definition
- Puritan religious rhetoric sexualizes the divine and feminizes male Christians
  - Taylor’s poem “Huswifery” is an example
  - Fluidity of sex roles: there exists an idea of rigid gender categories, but “one-sex model” allows for flexibility in the spiritual realm
  - Remember that “separate spheres” is an upper-class 19th cen. Phenomenon
- Sex in marriage
  - Puritans emphasize importance of sexual pleasure for both partners—if one partner is not “delighted,” this is grounds for divorce
  - Puritans had a different conception of privacy than exists today (evident in Lawrence v. Texas)
  - Frankness in sexual discussions
    - Sexual relationships harder to keep secret in the 17th cen.
    - Community members encouraged to spy on each other and report illicit sex
    - The expectation was that sins would be confessed publicly
      - Ironic because there were rules regarding purity of language—by confessing publicly, people were forced to speak of impure occurrences
  - Puritans believe companionship/friendship/sexual fulfillment should be part of marriage
    - Before this time, marriage functions as a property relation
    - Puritan churches pressure people to marry even if they don’t own property because religious belief is a marriage with the divine
      - Religious people strive for emblematic marriages as one way in which to live out their spiritual relationships
- Sexual relations between women
  - Challenging for the Puritans to prove as well as to conceive of
    - Fixation on the penis=Sex between women is not really sex because it produces no tangible consequences (such as pregnancy)
  - Notion of privacy—perhaps women had more privacy together due to standards of purity and propriety
  - Godbeer cites incidences of sex between women, but notes that the acts are described in a vague manner (“unseemly practices”) and are not characterized as sodomy
  - He concludes that based on the lack of evidence, sex between women was either completely acceptable or completely challenging for Puritan society
Presumes gender=sexed bodies
  - Dillon proposes a shift from one “multiply-sexed” body to the “two-sex” binary model of boy identity

Lawrence v. Texas
  - Godbeer’s work is important here because before this decision, it was believed that legal decisions regarding same-sex sex stemmed from Puritan laws—untrue
  - Kennedy—there’s not a concrete problem with same-sex sexual acts
    - Similar to the marriage issue—what is it? How do we define it?
  - Rights
    - Sense of individual privacy is key—very different from the sense of privacy in the Puritan era
      - Sharp divide between acceptable (sexual) behavior in public vs. private
    - Lawrence v. Texas addresses how rights to have sex with whom one chooses (and therefore rights to sexuality/sexual orientation) affect the rights of individuals generally
    - Our conception of sexuality places sexual orientation as fundamental to who an individual is as a person
    - Pre-Lawrence, if you participate in same-sex sexual acts, you are a criminal, therefore, identifying as queer automatically makes you a criminal
    - Sexual orientation was not believed to be someone’s master status in Puritan era
    - Kennedy—you have a right to an identity
      - Scalia uses Judith Butler’s model to assert that same-sex acts are performance, not identity and the two should be separate—argues to uphold sodomy laws, but not discriminate against queer identity

Marriage and Property
  - Marriage previously very much tied to property—could the current association of marriage and healthcare be analogous?
  - Sex as part of marriage makes it a different kind of contract
  - Marriage is difficult to define—we know what it entails approximately
    - Also difficult to define sex and the relationship between marriage and sex

Poems
  - Use idiom/metaphor to illustrate relations between people and nations
  - Donne English living in England
    - Explicitly sexual, colonized America imagery—he wants to penetrate the virgin land
  - Bradstreet
    - English living in New England
    - Love seems more equal, friendship important in marriage
    - Colonial language references—“riches of the east”
  - Taylor
- Explicitly sexual, theologized
- What is the speaker’s gender?
- Is wedding’s knot a spiritual joining? Her vagina?