Word's Work

Shaping Ontario's Same-Sex Benefits Debate

by Frances Latchford

Cet article examine l'impact idéologique des mots sur les droits et les libertés des êtres humains. L'auteure se penche en particulier sur les droits légaux des couples homosexuels pour illustrer l'impact idéologique que les mots ont sur nos droits et dans nos vies.

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> In the beginning was the Word and the Word was *with* God, and the Word was God. (Emphasis mine)
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> *The Holy Bible*, St. John's Gospel, Chapter 1, Verse 1

With the *likes* of whom are our words working? What lies hidden in the economy of the word and how does it propagate ideologies that "form" queer lives? What forces/values do we, queer or otherwise, perpetuate with the words we agree to use? In the absence of physical human action the sign is a capable and violent mode of domination, but does this mean that we must inevitably be manipulated by the word at every moment? Can we knowingly choose not to participate with the proliferation of ideology in language? These questions in mind, what follows is: a discussion of how words *work* us over ideologically specifically in relation to Ontario's same-sex benefits debate, an exploration of how to rethink the seemingly innocuous effect of the sign in order to resist its force, and finally some consideration of whether access to the word "spouse" commits queers to lifestyles that are inevitably heterosexually defined.

Ultimately, language is ideological because, as a combination of meaningful signs, it is determined by and reliant upon "common agreement between speaker and listener" (Nilson 43). Common agreement about a word's meaning can be constituted by a mass populous or by only a few. What matters in meaning is that there are people who can and do agree to use a sign in specific ways. For instance, in the world at large "devious" means "unscrupulous" and "insincere" yet amongst the kids in my childhood neighbourhood "devious" meant the ultimate in cool (Sykes 282). So if you had pulled off a masterful scam on your parents or if you were showing off your new bike someone would inevitably exclaim "devious" and, regardless of parental assurances that that was not what the word meant, we all knew and agreed it was cool. The significance of this example is simply that it illustrates the fluid contextual reality of meaning and the arbitrary relationship between sign and signified. Specifically, no sign is primordially destined to its signified. Instead, every idea or concept signified by a word is ultimately and only initiated into language relative to human choice and agreement, and it is maintained *only* in practice.

In order to understand as best we can the ideological force of common agreement on knowledge, let's consider a brief rumination on truth and language put forth by Ludwig Wittgenstein, "If language is to be a means of communication there must be agreement not only in definitions but also (queer as this may sound) in judgments" (88e).

In other words, we communicate and know according to whatever words have been *made*, via judgment, to mean; and these meanings (or knowledges) effect and shape our lives insofar as we continue and/or commonly agree to use them in any predesignated manner. For instance, in Ontario, Bill 167 challenged the exclusive form of life that "spouse" signifies. In the original draft of the same-sex benefits Bill the word "spouse" was actually used to signify gay and lesbian relationships. With the second reading of the Bill however "spouse" had been replaced with "domestic partner." Toronto Sun reporter Heather Bird explains,

> The first change in the equality Rights Statute Law Amendment will add a new category of "domestic partner," leaving both "spouse" and "marital status" with their current definitions. The term "domestic partner" will apply in law to all same-sex conjugal relationships. (June 9, 1994)

The creation of the new queer specific category exhibits how common dis/agreement by larger and more powerful groups of people determines more than just what words will mean because *that* agreement is what effectively shaped the lives and rights of queers. You see, if gays and lesbians had been commonly *judged* as legally entitled to use the word "spouse" they too would have gained legal access to all the rights and entitlements that "spouses," i.e. married heterosexuals, currently enjoy. The strategic and implicit provision entailed by the new category "domestic partner" being that it serves as a separate and distinct basis *on* which rights may or may not be guaranteed to queers. A basis which is clearly unlike (hence the need for a new category) the already established basis *on* which

"spouse" guarantees rights and entitlements to married heterosexuals.

The role judgment plays in language is further discernible when you begin to question what really motivated the decision to differentiate "domestic partner" from the category "spouse." The short answer is clearly homo-hatred! The long answer involves understanding that words are inevitably linked to control and control is always contingent upon categories. David Theo Goldberg expands,

> Social psychologists and philosophers commonly hold that placing sensory data under categories is central to human experience. Application of categories enables human cognition by the ordering of data that we would otherwise find chaotic. The data organized are so large that they would be impossible to assimilate if considered monadically. Categorizing simplifies the complexity of the surrounding world. It condenses potentially overwhelming data to manageable proportions, it enables identification, it serves ultimately as a guide to action, and in modernity it extends to human beings a sense of social control, of being in control. (121)

Let's thus assume categories are a prerequisite to social control. Further, assume judgments are the decisions that are *made* regarding what is included (as like) and excluded (as unlike) within/out a category. Judgment is now the means of social control that manifests in/as the word. As a result, the challenge posed to us by this process of arbitration lies in every naive tendency wherein we trust (in practice) that these linguistic decisions are indeed only arbitrary in that they are never or are only infrequently willful.[1] This in mind, "domestic partner" *is* a product of the social control elicited by the judgments that categorization and thus language entails. Therefore, as long as gays and lesbians remain excluded from the category "spouse," queers will assuredly never become unequivocally eligible for the rights and entitlements that "spouse" legally provides for married heterosexuals. In other words, the common agreement amongst heterosexuals which manifested in the judgment that it was necessary to create "domestic partner," in order to pass Bill 167, really did order and effect the right to freedom of every queer in Ontario. Regardless of whether the Bill was successful or not, "domestic partner" *is* the result of an exclusion whose practice will outlive Bill 167; and if ever a new bill is presented don't be surprised if the word "spouse" is never mentioned.

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Key to understanding how ideology works us over with words *is* the realization that many words we use contain residual judgments of which we are unaware. Traditionally, linguistics has tended to hold that only some words have "built-in judgments" which "communicate *simultaneously* a fact and a judgment on the fact" (Hayakawa 89). Epithetical words such as "thief," "hooker," and "faggot" represent these types of words; wherein by referring to someone as a "thief" you judge them, because the meaning of the word literally summons up judgmental connotations about the individual in relation to the right and wrong of stealing. This otherwise limited notion of "built-in judgments" however is extremely useful if we imagine further that intrinsic judgments are indeed characteristic of all signs. Specifically, a judgment is passed with the initiation of every sign and it is literally *built into* the sign precisely and simply because it (the judgment) is what poses the limits of what that sign will mean.

Of course, every sign's intrinsic judgments are subject to change over time along with meaning but again significant change is only possible where common agreement is attained and maintained in practice. For instance, I've often heard other gays and lesbians warmly and jovially refer to their lovers as "spouse" or "husband" or "wife." Amongst ourselves these words already convey clear and quick meanings about our relationships. In particular contexts these otherwise heterosexual words can be used effectively in a Foucauldian manner wherein they do serve as a "reverse discourse" (Foucault 1980, 101).

However, beyond queer contexts these words will tend to retain primarily straight and narrow meanings because those outside smaller specific contexts *agree* that the word means something else.[2] Consequently, as Marion Boyd "said she would consider adding the term 'domestic partner' to the Bill, which she also said would not alter the present definition of 'spouse'" (Bird, June 7, 1994), she did so because common agreement continued to be primarily aligned with the heterosexist judgments that "spouse" entails in "straight" contexts. "Domestic partner" was thus automatically ascribed a homo-hating judgment precisely because its creation was solely contingent upon a decision that did not allow the word "spouse" to be used (i.e., practiced) to signify gay/lesbian relationships. The effect of the change being that if queers also agreed to use "domestic partner" they too would become complicit in the heterosexist ideology that excluded them from "spouse" in the first place.

Before discussing further how linguistic practices make us complicit in judgments, and thus ideology, let's

expand on how the formation of the boundary of a word's meaning is constituted by "similarity" or likeness which in turn initiates and impresses judgments upon the sign. In *Competing Discourses* David Lee writes,

> ... our world is structured through the relationships that *we establish* between different situations, through our perceptions of similarity. It is this network of relationships that constitutes the fabric of our cognitive system, that makes our world "thinkable." Moreover, these perceptions of similarity operate through language. (66) (Emphasis mine)

In other words, likeness is a relation, socially produced in language, that enables the ordering of the world around us in specific ways. Speaking categorically then, the boundary of a word's meaning makes our world "thinkable" because it groups *like* with *like* to the extent that categories organize and name things that are deemed the same.[3]

A primary example of how like relations are constructed by words is nicely represented by Sesame Street's *like* segment. You know the song, "One Of These Things Is Not Like The Other," where four items are depicted on the screen and your child has to *guess* which is the single object/signified that is unlike the rest. The point of the game is to teach your child how to conceptualize and name what is the *same* about the objects presented. For instance, amongst three shoes and a boot your child will learn to distinguish the "shoes" from the "boot." What this lesson will inevitably neglect to mention however is that while like relations may occur between objects/signifieds this does not necessitate an objective equality between them as long as unlike relations simultaneously exist. By demanding that your child look for likeness this game potentially effects the relations s/he will begin to deem important amongst the objects signified. What your child isn't learning therefore is that s/he is being persuaded to focus on only one relation, highlighted above all others that are im/possible, between the objects/signifieds presented. The problem is, the emphasis on a singular like now begins to serve as a standard against which unlike is judged. For instance, the boot's likenesses become immaterial and imperceptible as soon as it is excluded, as a "boot," from the "shoes." In essence, this exercise teaches children not to perceive multiple relations of likeness. Instead, they learn to value only some relations that signs name as like, while constituting all the other possible likenesses between things that are signified by different signs as unlike.

The problem the word poses for all of us therefore is that it encourages us to deal with meaning solely as Sesame Street savants. Signs literally demand that we notice, and thereby value, few and/or singular un/like relations. All words mean exclusively and it is in our surrender in interpretative practice to notions of meaning as primordially fixed that words will work us over ideologically. For you see, a sign not only invites us to judge as insignificant all possible likenesses shared *between* things it includes and excludes, it also encourages us, simultaneously, to ignore the *differences between* the things it signifies as like. In this myopic manner, words thus serve both in making the world "thinkable" and as strategies for social control and domination. For instance, the like standard for the meaning boundary of "spouse" is that all spouses are "husbands or wives," i.e., married heterosexuals (Sykes 1110). The boundary for "married" is heterosexual union because it is a legal option provided only for partners of the opposite sex. For "heterosexual," it is "(person) characterized by (the normal) attraction to the opposite sex" (Sykes 504). Queers are unlike spouses because they are *normally* attracted to the same sex and cannot be legally married. The boundary of "spouse" is thus literally determined by only two like relations, one of which is merely a socially constructed legal right (marriage) granted by virtue of being heterosexual-like. Eligibility for spouse-hood therefore *really* only turns on a single likeness—heterosexuality. The certainty that queers are frequently spouse-like is thus rendered invisible and impossible regardless of our relationships, children, joint accounts, shared homes, anniversary parties, and families (etc.) because of the difference that is made of our sexuality. It is, therefore, precisely the exclusivity of this word's meaning that obfuscates the import of the fact that a sole like relation (heterosexuality), foregrounded from a multiplicity of other possible like relations, has continuously been used as the *only* basis upon which queers are judged ineligible for the legal rights and entitlements spouse-hood provides.

The thinkability of our world is not by necessity contingent upon perceptions of likeness, instead, likeness has been strategically constructed as *the* standard against which categorical eligibility is judged. What therefore makes us complicit in ideology where signs are concerned is the extent to which we unconsciously or unconditionally accept the "thinking" or judgments that are implicit in the words we use. For instance, not

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every heterosexual who opposed enlarging the definition of "spouse" to include queers did so because they wished to deny gays and lesbians access to the same rights they enjoyed. Many simply believed that spouse "just means married" which gays and lesbians (by chance?) don't happen to be. In fact, Marion Boyd further reinforced what precious little many pro-gay/lesbian heterosexuals made of the move to create the new category "domestic partner" when she stated, "[t]here ought to be some way in which we can find a consensus if all we are talking about is semantics" (Bird, June 7, 1994). The significance of deflating the issue to a queer semantic quibble is that it prevents those who belittled the disagreement from becoming conscious of their own complicity in denying queers access to particular rights and entitlements. In other words, no "real" reason, only heterosexist reason, can defend a decision that bars gays and lesbians from using "spouse."

The very nature of language, i.e., that it is contingent on common agreement, is what makes signs inevitably susceptible to ideology. The unfortunate result being that signs determine the world we know without ever necessarily or frequently representing the "real." In other words, whenever signifieds are misrecognized as *equal* merely because they have a sign in common, that sign grants only a partial view unto the possibility of each individual signified. So, even though each signified *is* simultaneously distinct from other signifieds, it will be entitled to recognition only insofar as it shares precisely enough similarities to concur with a given sign's exclusive meaning. The relationship between sign and signified is ideological because the sign doesn't account for all that the signified will be and further imposes limits on what it can be or on how it will be known. This is no great dilemma of domination when we are dealing with "shoes" vs. "boots" but the word's force is significantly different if we begin to talk about "spouses" vs. "domestic partners." When people honestly don't understand Bill 167's semantic debate because "spouse just means married," they are literally confusing the sign (a reflection of reality) with the signified (reality).[4] By accepting the limits of the sign unconditionally one accepts a socially constructed judgment regarding the significance of heterosexual vs. queer relationships, a significance that is not "real" outside of language. As one excludes all other relationships that are not deemed equal to the limits of meaning of "spouse" they also limit their knowledge of reality. Essentially, they be-

Bill 167 Demonstration, Toronto, June 9th, 1994. Photo: Mary Anne Coffey.

come incapable of knowing the significance of gay/lesbian relationships precisely because the words which convey that significance are not used to signify those relationships. For instance, a heterosexual marriage of convenience is wholly different from a loving long-term companionship between two men, yet "spouse" will obfuscate the significance of that difference and legally reward the married couple. "Domestic partner" simply does not connote the type of commitment that "spouse" does, nor will it over time because the exclusion it resulted from was founded upon an implicit *inequality* in meaning.

Having come this far, now we must ask: will there be hidden costs for queers if they gain the right to don the word "spouse"? For example, costs wherein only "respectable" queers who agree to mimic nuclear family values might be recognized as eligible for spousal benefits. Or worse, what if Liberal and Conservative gays/lesbians used their new "in-group" status against other queers because they disapproved of the latter's lifestyles? There is no question that these possibilities are real. In fact, they are already illustrated by pride day debates wherein certain gay/lesbian factions would gladly ban drag queens or leather clad queers from parades because they supposedly give the (so-called) community a bad name. Real as they may be, however, don't forget that if access to the word were granted, its new definition would still and always only be a product of common agreement. In other words, "selling-out" is not constituted *by* the desire to "sit at front of the bus," instead it turns on the in/exclusive decisions we will make in order to de/regulate the access of others once we get there. The question then *is not*, does wanting access to "spouse" mean you are a "sell-out," instead *it is*, amongst the queers who want access, who is heterosexually identified and how can those of us who are not prepare to protect ourselves and our rights from being defined by those who are, if and when access is granted?

Once inside the category "spouse," queers would have access to redefining the limits of its meaning. Change however will be determined by the battles queers are willing to fight on behalf of each other, but as important as this question may be it is a question of ethics which is *distinct* from the questions at hand. Specifically, do queers need access to the category "spouse" in order to be ensured equal rights and must access be determined by queers being the same? My answer is yes, queers need access, and no, to be a queer "spouse" doesn't mean that our rights and entitlements *must* turn only on the extent to which our relationships are the *same* unless we agree to that definition. For instance, non-traditional heterosexual couples have pushed for mechanisms like common-law marriage that include them within the category "spouse" in spite of their differences, i.e., that they are not married formally. And recently eligibility requirements have changed, wherein heterosexuals now need only to live together for one year, vs. the inceptional ten, before they are legally recognized as entitled, under family and tax law, to the same rights enjoyed by traditionally married couples. What this illustrates is that the legal limits of "spouse" *are* malleable if and when there is a strong enough desire to change it.

If we wish to obtain freedom in the face of the word's in/exclusive means to rule we must interrogate the boundaries of meaning each of us reinforces whenever we accept or change what a sign signifies. Ultimately, we *are* ideologically complicit whenever we imagine a word "just means" anything because the creation of every word *is* predicated upon judgments that don't necessarily or innocently reflect reality. In many senses, freedom really does lie in the power to define and limit meaning, thus it is imperative to understand that you may well be agreeing to limit your own and other's rights simply because you unquestioningly accept, fiercely defend, and/or alter the definition of a word. So remember, "if all we are talking about is semantics" is precisely the point!

Frances Latchford grew up in Toronto and is presently working on her Ph.D. in Philosophy at York.

[1]By willful I mean some decisions are made because they will effectively serve as a means of social control which is what the "spouse" vs. "domestic partner" debate illustrates.
[2]What this also depicts is that "reverse discourses" are equally dependent upon common agreement for any wide scale effect.
[3]For a thorough discussion of likeness as a standard, although not in relation to words, see MacKinnon (37).
[4]For a philosophical discussion of how and why language serves to obfuscate difference by merely reflecting reality see Kierkegaard (168).

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