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# Rites of Passing: Foucault, Power, and Same-Sex Commitment Ceremonies

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### 3 Rites of passing

#### Foucault, power, and same-sex commitment ceremonies

*Ladelle McWhorter*

##### I. The alleged decline of ritual in modern life

According to Catherine Bell, “The popular contention that ritual and religion decline in proportion to modernization has been something of a sociological truism since the mid-19<sup>th</sup> century” (Bell 1997: 254). Conventional wisdom maintains that ritual practices just don’t hold central importance in the lives of those raised in the industrialized world as compared with the importance such things had for our distant ancestors or for our contemporaries in non-industrial societies. Some have contended that this is because ritual tends to be strongly correlated with pre-scientific cosmological beliefs that our society has for the most part outgrown.<sup>1</sup> But for whatever reason, “[c]omparatively speaking,” writes Ronald Grimes, “Western industrial societies spend less time and energy on rites than do people living in more traditional, small-scale societies and less than Asian, Middle Eastern, and African peoples” (Grimes 2000: 111).<sup>2</sup>

Bell traces this “sociological truism” back to Herbert Spencer,<sup>3</sup> who believed that societies evolve over time from a state of primitive existence wherein ritual activities are frequent, elaborate, and of central importance, through more sophisticated forms of social, economic, and technological organization wherein ritual begins to decline in importance, to modern industrialization where ritual has little if any significant place. The decline comes about naturally as societies become better adapted to environments where resources are scarce – the presumption being that ritual has no real practical value.<sup>4</sup> Spencer’s view is intimately bound to his Social Darwinism, but, as Bell points out, its assumptions about and prognosis for ritual are hardly peculiar to Spencer or to the late nineteenth century. A generation later, Max Weber too claimed that modernization and industrialization bring along with them what he called a “disenchantment of the world” (Bell 1997: 198, 254), a radical secularization of life with a concomitant reduction in ritual practices; as our lives become more focused on material production and more rationalized (to use Weber’s term), there is virtually no place for rites and ceremonies that appeal to mythical entities, expend resources without material return, or poeticize processes (e.g. birth, sexual maturation) that we have come to see as simply biological. Frequently, as Bell shows, in both the nineteenth and early

twentieth centuries, ritual was set in opposition to reason itself: while primitive minds need ritual to calm their fears and make “sense” of what was not really understood, with the maturation of reason and the development of modern science we have naturally dropped those practices.

In the second half of the twentieth century, Bell acknowledges, there are notable challenges to the so-called “secularization thesis.”<sup>5</sup> Nevertheless, she contends, much recent work in anthropology still relies on the idea that ritual is somehow opposed to modernization. She cites Victor Turner and Clifford Geertz, who, she claims, see modern manifestations of ritual as attempts at psychological compensation for what some people experience as the harsher aspects of modern life (Bell 1997: 25); hence, despite their less condescending attitude toward ritual practitioners, these scholars, like their predecessors, assume that where transition to modernization is complete, ritual could be expected to be of little importance.

There are, of course, increasing numbers of people who view ritual positively – not as reversion to primitivism, but as a healthy aspect of any human life, including the modern.<sup>6</sup> Unlike Weber or his secularist successors, these people lament that Westerners don’t engage in ritual very often and fear that when we do we don’t get much satisfaction from the experience.<sup>7</sup> What rituals remain in our cultural repertoire – church worship, marriage rites, funerals – are typically brief, market-conscious, commercialized to a distracting or even corrupting degree, and often experienced as ordeals to be endured rather than as means of enriching our lives, bringing communities together, or connecting with a larger world or transcendent purpose. They argue that we need more ritual to offset the rationalization and industrialization that have contributed to our disaffection with nature and community as well as to ritual’s decline. Ronald Grimes writes,

There is a growing suspicion that the so-called Western way of life has reached a precipice. In a few hundred short years it has done untold damage to the planet and to indigenous peoples. Extraordinarily long-lived cultures such as the Hopi and the !Kung have an enduring commitment to ritual. Ritual is their way of attuning themselves to one another and to the land; ritual is their means of maintaining a sustainable culture. “Their” ritual practices may, in the long run, be more practical than “our” practicality. Psychologists and anthropologists are suggesting that the “spiritual technology” of ritual has survival value for the human species as well as beneficial ecological consequences.

(Grimes 2000: 13)<sup>8</sup>

Writers like Grimes claim that ritual is not merely a protective measure taken in reaction to the hardships of industrialization (a kind of cultural “comfort food”) but that it has a constructive role to play in creating and maintaining a good, healthy modern society.

The fact remains, though, that whether ritual is seen as a primitive form of behavior that has faded in importance as Westerners have become more

scientifically enlightened or it is seen as a healthy, reasonable way to negotiate and perhaps overcome the difficulties and dangers that lurk in so many aspects of modern life, the majority opinion still holds that we latter-day Westerners engage in ritual activity less often than do our counterparts in localized, tribal societies. As Grimes puts it, ours is "an increasingly deritualized environment" (Grimes 2000: 111).

There is a minority view, as Peter Burke notes (without espousing it). Some scholars have begun to hold

that all societies are equally ritualized; they merely practice different rituals. If most people in industrial societies no longer go to church regularly or practice elaborate rituals of initiation, this does not mean that ritual has declined. All that has happened is that new types of ritual – political, sporting, musical, medical, academic and so on – have taken the place of the traditional ones.

(Burke 1987: 223; cited and paraphrased in Bell 1997: 254)

According to this minority view, says Burke, "If we think that another society ... is more highly ritualised than ours, that – so the argument goes – only reveals our own ethnocentrism" (Burke 1987: 223–4). Because we think of ritual as primitive, irrational, or otherwise bad – because to us moderns *ritual* is a dirty word, as Mary Douglas has suggested<sup>9</sup> – we refuse to see it in our own lives.

Robert Bocock is a proponent of the view that ritual is significant in modern life. In his *Ritual in Industrial Society*, he writes:

once one starts looking for ritual action it is amazing how much there is – hand-shaking, teeth cleaning, taking medicines, car riding, eating, entertaining guests, drinking tea, or coffee, beer, sherry, whisky, etc., taking a dog for a walk, watching television, going to the cinema, listening to records, visiting relatives, routines at work, singing at work, children's street games, hunting and so on. One can go on adding activities *ad infinitum* and still stretch the definition of ritual to include them all.

(Bocock 1974: 15)

But this passage reveals an obvious problem. As critic Jack Goody points out, once the concept *ritual* is allowed to include activities that have no connection to religion or the supernatural, it is quickly reduced to mere routinization or repetition (which as Bocock acknowledges can encompass just about everything) and so is no longer a useful analytic category (Goody 1977: 25). Goody suggests that Victor Turner's definition of *ritual* – "formal behaviour for occasions not given over to technological routine, having reference to beliefs in mystical beings or powers" – is preferable in that it carves out a specific object domain for the discipline of Ritual Studies (Goody 1977: 27).<sup>10</sup> But, Goody contends, Turner's definition perpetuates Western arrogance by implying that societies in which ritual (thus defined) is central are more superstitious, irrational, and scientifically backward than our own.

I don't want to take sides here on the value of Turner's definition or Goody's charge of ethnocentrism. I simply want to point out that if we insist, as Turner does, that ritual has an essential relation to belief in the supernatural and is unconnected to technological production, it will appear that ritual has declined significantly in the West since industrialization.<sup>11</sup> In what follows I want to sketch out a different way of looking at this issue of ritual's alleged decline in our society, one that will involve a challenge to Turner's definition but that will avoid rendering the term *ritual* so broadly that its utility is compromised. I don't intend to define *ritual* or present a theory of ritual; I leave that work to experts with broad field experience on which to draw. Instead, I only want to show that if we reject Turner's contention that ritual is non-technological – in other words, if we view ritual as a kind of technology – we will see not a decline in ritual with industrialization but rather a major shift in the focus and uses of ritualization in the modern West.

## II. Another perspective: Michel Foucault and the rituals of power

Michel Foucault documents a dramatic change in Western societies' use of ritual dating from the late eighteenth century, a date that coincides with the latter years of Europe's various Enlightenments and its widespread secularization and industrialization. Prior to that time, spectacular public rituals – like the ostentatious public execution of the attempted regicide Damiens in 1757 – are quite frequent. After that time, there is a sharp decrease in their frequency coupled with a sharp increase in attention to economy, rationality, and appropriate measure in the administration of justice and other affairs of state and daily life. It is this change that some scholars have interpreted as the West's turn away from ritual.

Foucault does not, however, attribute this decline in ritual spectacle to intellectual maturation as Enlightenment, Neo-Kantian, or Social Darwinist thinkers might, nor does he suggest that the more bureaucratic and economic methods of punishment and social control that displace public execution and similar spectacles are necessarily less ritualistic in nature. He maintains instead that through the eighteenth century secular institutions, in an effort to deal with unprecedented population growth among other things, began to implement means of more careful monitoring of individuals. Under such circumstances and with such bureaucratic imperatives and objectives, large public spectacles became more difficult to organize and control and so declined in frequency and official favor.

Foucault's study *Discipline and Punish* begins with eyewitness descriptions of the highly ritualized (and by our standards extravagant) execution of an attempted assassin:

On 2 March 1757 Damiens the regicide was condemned "to make the *amende honorable* before the main door of the Church of Paris," where

he was to be "taken and conveyed in a cart, wearing nothing but a shirt, holding a torch of burning wax weighing two pounds"; then, "in the said cart, to the Place de Greve, where, on a scaffold that will be erected there, the flesh will be torn from his breasts, arms, thighs and calves with red-hot pincers, his right hand, holding the knife with which he committed the said parricide, burnt with sulphur, and, on those places where the flesh will be torn away, poured molten lead, boiling oil, burning resin, wax and sulphur melted together and then his body drawn and quartered by four horses and his limbs and body consumed by fire, reduced to ashes and his ashes thrown to the winds."

(Foucault 1979: 3)<sup>12</sup>

Damiens had attacked the king; hence, although he had not done any bodily harm, it was considered necessary and appropriate that the king retaliate. The would-be usurper had to be both symbolically and literally annihilated in an overwhelming display of sovereign might; his punishment had to bespeak the terrible power that his crime had challenged – a power ordained by God and reflective of a supernatural as well as a natural hierarchy. The manner in which he was to die, therefore, was carefully ritualized as a public spectacle in which every word, every object, and every gesture was meaningful, in which everything pointed to the majesty and might of the monarchy. Damiens' execution was both a symbolic and a literal enactment of royal power.

Western nations sponsor no such displays anymore – as the expression of either a divinely ordained king or a sovereign body politic. Executions – where they occur at all – may be and in fact in most cases *must* be witnessed by some specified number of citizens, but spectators are carefully selected, and media coverage is brief. Indeed, executions themselves are brief, relatively clean, technologically managed, and not particularly symbol-laden. They are intended to be efficient, not meaningful. Legal execution is not a site of lavish ritualization in modern society.

In fact, there appear to be very few sites of lavish ritual expenditure in modern life. Westerners rarely spend huge amounts of money, time, and energy on projects or events that yield no profit. So if we assume, à la Turner, that ritual is essentially symbolic action without material results, we will not see much ritual in industrial societies.

However, even for ritual prior to 1757, Turner's definition is inadequate. The execution of Damiens was not *merely* symbolic; a real man died, horribly, and no doubt thousands of people were frightened or awed into renewed submission to their king. The execution of Damiens was not just a *representation* of power; it was an *exercise* of power that reinforced a certain kind of relation between subjects and king.

Up through the mid-eighteenth century, the staging of such public spectacles was one of the ways in which power was exercised and institutionalized. It was one of the technologies of power.<sup>13</sup> What changes in modernity is not so much the degree to which societies ritualize; what changes, Foucault's

work suggests, is the way in which institutions of power in Western societies manifest and sustain themselves. This set of changes brings about not a decline but a shift in the focus of ritual. Ritual is no longer lavish, but it is pervasive, and increasingly so as new configurations of power extend themselves. To see how changes in power networks resulted in ritual change and also how new and newly adapted rituals made extension of new power networks possible, we must examine Foucault's analysis of disciplinary power.

One of the clearest accounts of modern re-configurations of power occurs in Foucault's discussion of French military discipline. At the beginning of the seventeenth century, the soldier was taken to be something like a natural kind:

... the soldier was someone who could be recognized from afar; he bore signs: the natural signs of his strength and courage, the marks, too, of his pride; his body was the blazon of his strength and valour; and although it is true that he had to learn the profession of arms little by little – generally in actual fighting – movements like marching and attitudes like the bearing of the head belonged for the most part to a bodily rhetoric of honour. ...

(Foucault 1979: 135)

A soldier's skill was developed on the foundation of virtue and comportment that was not the product of training. However, by the late eighteenth century, virtually any man could be turned into a soldier; virtually any male body – no matter how inept or out of shape – could be re-formed into a tool of military might. The soldier had become a product, the outcome of management strategies, of exercises of disciplinary power.

What had happened? Populations had grown; new technologies had been introduced (such as the rifle, which increased the distance at which targets could be hit and greatly shortened the time needed for reloading, thus dramatically changing the tactics of battle). And new institutions and forms of wealth had begun to emerge (the factory and its valuable, but vulnerable, machinery). Military leaders were confronting a changed situation, and they gradually altered their theories and techniques to deal with it. In this process, human bodies came to be thought of – as René Descartes thought of them – as machines, collections of parts interacting in space. Techniques were developed for rendering those interactions more efficient, for realigning those parts relative to one another and adapting them to the parts of other machines – weapons, or in other institutional contexts looms, turbines, etc.

This notion of bodies as machines, which became widespread in late seventeenth-century Europe, opened up all sorts of possibilities for managing large groups of people and training them to do jobs that were more complicated and required more precision of movement than ever before. New techniques for disciplining bodies sprang up in all sorts of settings, particularly in institutions such as factories and schools. There was no over-arching mandate and certainly no conspiracy at work, but at virtually every level power relations

became infused with techniques of training designed to render mechanically conceived bodies both productive and obedient to authority. Foucault writes:

It was certainly not the first time that the body had become the object of such imperious and pressing investments; in every society, the body was in the grip of very strict powers. . . . However, there were several new things in these techniques. To begin with, there was the scale of control: it was a question not of treating the body *en masse*, "wholesale," as if it were an indissociable unity, but of working it "retail," individually; of exercising upon it a subtle coercion, of obtaining holds upon it at the level of the mechanism itself – movements, gestures, attitudes, rapidity: an infinitesimal power over the active body. Then there was the object of control: it was not or was no longer the signifying elements of behaviour or the language of the body, but the economy, the efficiency of movements, their internal organization; constraint bears upon the forces rather than upon the signs. . . . Lastly, there is the modality: it implies an uninterrupted, constant coercion, supervising the processes of activity rather than its result. . . . Thus discipline produces subjected and practised bodies, "docile" bodies. Discipline increases the forces of the body (in economic terms of utility) and diminishes these same forces (in political terms of obedience). . . . [D]isciplinary coercion establishes in the body the constricting link between an increased aptitude and an increased domination. (Foucault 1979: 136–8)

This was the first phase of power's reconfiguration in modernity. A second soon began. As the eighteenth century wore on and such disciplinary techniques grew more sophisticated, some disciplinarians began to reformulate their conceptions of the bodies on which they acted. Such a technician was J. A. de Guibert, who posited that the body is not simply a machine, a collection of parts driven by physical forces external to them; rather, each body has a force of its own, a natural developmental force that drives it to grow and change. This natural force, a temporal dimension of physical life rather than a purely spatial one, is what we run up against when bodies simply do not respond as we would like to mechanical disciplinary techniques. Guibert and his successors wanted to study these developmental forces to harness their power to create the sort of soldiers (and eventually workers, parents, and citizens) that they required. According to Foucault, Guibert stands at the beginning of a long process of refiguring human bodies not as machines but as organisms, as beings whose essence is temporal development, not Cartesian extendedness and motion (Foucault 1979: 155). Over the next few decades, as the idea of the body as developing organism came to be more widely and carefully articulated, disciplinary possibilities never before imagined arose. Observation of development recorded in careful detail allowed statistical study of whole segments of the population. Development could be "normed" and predicted, and techniques for re-directing developmental forces could be devised. Foucault labels this new way of seeing



*normalization*. "To normalize," in Foucault's parlance, is not to make normal (which would be to homogenize); it is to understand and know individuals *in their individuality* as beings appropriately identified in relation to developmental norms. This way of understanding human beings – ourselves – is now so widespread that we can hardly imagine any alternative.

According to Foucault, ritual is an absolutely indispensable tool in modern configurations of power – but not the spectacular rituals that made sovereignty so splendidly visible while it humbled, silenced, and even annihilated lowly subjects; rather, a newly adapted form of ritual that shifts visibility away from those at the top of the hierarchy and onto those at the bottom. This new form of ritual is thoroughly secular, unlike the spectacles of sovereignty, but – as Foucault demonstrates and I will argue below – it is historically connected with religious practices. Hence, we can deem these new practices *ritual* without thereby engaging in a reductionism that would render the category meaningless.

Absolute sovereignty had no interest in the details of lowly subjects' individual existences. The sovereign was the supreme individual; he (or she) was unique, unlike all others, almost unimaginably greater than they. The body of the sovereign was sacred and was symbolically merged with territory and nationality or race. Authority radiated from this point, and obedience to that authority consisted principally in surrendering one's material goods and producing words and gestures of fealty. But – in a changing economy and a growing population – governmental administrators came to understand that they could not manage resources well enough to make wealth and war without detailed knowledge of those very subjects. Hence, what had to be made visible was each individual – each soldier, each schoolchild, each potential or actual childbearer, each petty criminal. Each one must be counted, observed, interrogated, monitored, known. Thus the exercise of power was no longer an attempt to overwhelm into submission; it was now an attempt to cajole (or coerce) into self-exposure, confession. Authorities remained relatively quiet, relatively hidden, while they encouraged their subjects to reveal the details of their existence. Individuality was no longer a matter of splendor and transcendence but of norm and deviation, identification and subjection. Thus new – or, as I will argue, not so new – rituals were devised, rituals calculated first of all to *promote* the visibility of the lowly subject, to display his or her individuality, to bring it to light, and, second, to *remake* that lowly subject to produce a soldier, a skilled laborer, a proficient engineer, an attentive mother of robust babies, or – if nothing else – a docile, manageable, useful petty criminal or madman.

To expose and to transform – these were the imperatives modern regimes formulated in relation to their subjects. It was necessary first to know as precisely as possible the current state of each subject's development. Only so could officials prescribe the most effective forms of training for each individual. Then, through each stage of training, it was necessary to know the state of the individual's "soul." Thus, the first ritualized aspect of modern disciplinary practice was what Foucault calls "the examination":

The examination combines the techniques of an observing hierarchy and those of a normalizing judgment. It is a normalizing gaze, a surveillance that makes it possible to qualify, to classify and to punish. It establishes over individuals a visibility through which one differentiates and judges them. That is why, in all the mechanisms of discipline, the examination is highly ritualized. In it are combined the ceremony of power and the form of the experiment, the deployment of force and the establishment of truth.

(Foucault 1979: 184)<sup>14</sup>

Foucault offers rich descriptions of these ceremonies and rituals – school examinations, military reviews and parades (Foucault 1979: 188),<sup>15</sup> even medical rounds (Foucault 1979: 185), all intended to bring to light the current stage of development of the subject examined – in terms of the level of academic achievement, military or technical skill, progress toward a certain standard of health, etc. These ceremonies of examination produce valuable information for the examiners, which ultimately enables them to devise disciplinary means for further transforming their examinees. But they also, in themselves, have a direct effect upon those examinees:

The examination as the fixing, at once ritual and “scientific,” of individual differences, as the pinning down of each individual in his own particularity (in contrast with the ceremony in which status, birth, privilege, function are manifested with all the spectacle of their marks) clearly indicates the appearance of a new modality of power in which each individual receives as his status his own individuality, and in which he is linked by his status to the features, the measurements, the gaps, the “marks” that characterize him and make him a “case.”

(Foucault 1979: 192)

Ritual examinations individuate and identify, and thus they instill a sense of self in the one who must reveal him or herself; at the same time, by compelling self-disclosure, they stage an habitual submission to the demand to be accessible to figures of authority, officials of all kinds, just as in previous generations one would, by confession, make one’s heart open to God.<sup>16</sup>

The similarity to Christian religious practices is no accident, for these new rituals were derived from the monastic disciplines developed in previous centuries. Monastic discipline had been used successfully by the Catholic Church to transform individuals for hundreds of years. Talal Asad writes, “Hugh of St. Victor’s conception of ritual gesture and speech as the discipline of the body that is aimed at the proper ordering of the soul expresses very well the central purpose of the monastic program” (Asad 1993: 139). The purpose of monastic life as a whole, with its rigid schedules and meticulous prescriptions, was to re-organize the soul; in other words, it aimed to re-make the person. As Asad puts it,

The formation/transformation of moral dispositions (Christian virtues) depended on more than the capacity to imagine, to perceive, to imitate – which, after all, are abilities everyone possesses in varying degree. It required a particular program of disciplinary practices. The rites that were prescribed by that program did not simply evoke or release universal emotions, they aimed to construct and reorganize distinctive emotions – desire (*cupiditas/caritas*), humility (*humilitas*), remorse (*contritio*) – on which the central Christian virtue of obedience to God depended. This point must be stressed, because the emotions mentioned here are not universal human feelings, not “powerful drives and emotions associated with human physiology,” such as those referred to [by Victor] Turner. They are historically specific emotions that are structured internally and related to each other in historically determined ways. And they are the product not of mere readings of symbols but of processes of power.

(Asad 1993: 134)<sup>17</sup>

There is nothing natural about a well-ordered Christian soul. It is an achievement, even if religious disciplinarians believed that it was not achievable by human means alone. Monastic discipline is the method by which a human being participates in and contributes to this achievement.

Asad argues that monastic ritual strictly construed – praying or singing the liturgy – cannot be separated from monastic life as a whole, the purpose of which was to develop Christian virtues. Citing the *Rule* of Saint Benedict, Asad writes, “[A]ll prescribed practices, whether they had to do with the proper ways of eating, sleeping, working, and praying or with proper moral dispositions and spiritual aptitudes, are aimed at developing virtues that are put ‘to the service of God’” (Asad 1993: 63). Thus,

[t]he liturgy is not a species of enacted symbolism to be classified separately from activities defined as technical but is a practice among others essential to the acquisition of Christian virtues. In other words, the liturgy can be isolated only conceptually, for pedagogic reasons, not in practice, from the entire monastic program.

(Asad 1993: 63)

He argues that theorists who have seen ritual as symbolic expression rather than as productive process have failed to understand the extreme degree to which the ritualized discipline of monasticism was designed to produce new selves – and thus they have also failed to understand how completely ritual pervaded monastic life.

If monastic discipline could produce human subjects with Christian virtues, dispositions, desires, and capacities, it could also – in some modified form – produce other sorts of selves with other sorts of virtues, dispositions, desires, and capacities. And so it was put to use. Foucault writes, “The new disciplines [first mechanical, then normalizing disciplines] had no difficulty taking up their place in the old forms; the schools and poorhouses extended the life and the

regularity of the monastic communities to which they were often attached" (Foucault 1979: 149). Even as late as the nineteenth century, factory work and mining were organized along religious lines; "when rural populations were needed in industry, they were sometimes formed into 'congregations,' in an attempt to inure them to work in the workshops . . ." (Foucault 1979: 149). And even military training long retained a monastic flavor. "In the Protestant armies of Maurice of Orange and Gustavus Adolphus, military discipline was achieved through a rhythmic of time punctuated by pious exercises; army life, Boussanelle was later to say, should have some of the 'perfections of the cloister itself . . .'" (Foucault 1979: 150). These disciplines, exercises, and rites now no longer had as their ultimate purpose the creation of a Christian soul; their purposes were much more mundane: the creation of highly skilled individuals completely controlled and readily deployed even in very large numbers by small cadres of administrators and military elite.

Beyond the various adaptations of examinations, then, normalizing discipline employs all sorts of ritualized procedures for shaping subjects (although most of those are thoroughly integrated with ongoing surveillance and examination). Once normed models of development were in place, procedures for cultivating allegedly inherent developmental forces and training individuals in the skills desired were implemented. We have only to remember the very stylized and graduated exercises of elementary school pedagogy, coupled with standardized tests and rehabilitative punishments, to get a sense of the sorts of disciplinary strategies modern regimes of power began to employ on a massive scale. Life in secular training and therapeutic institutions is at least as scheduled, programmed, regulated, and routinized as life in monasteries ever was. And most of us spend much of our lives in such institutions.

In sum, then, even through great historical changes, ritual helped to impose order upon the societies that Foucault studies. It is a means, therefore, of exercising power. In the past, rituals of public execution, for example, produced power relations in which sovereignty was highly visible and magnificent in its potency and in which subjects were either awed and frightened into obedience or made to signify its greatness even while being crushed beneath its weight. As these older regimes of power passed away, so too did many of the ritualistic techniques that characterized them. The pageantry and myth of grand monarchy is no longer a significant part of the modern world. A similar story of political decline could be told about other institutions in Western history known for grand ritual. It makes sense, then, that social observers might believe they were witnessing a decline in ritual *per se*. But if we refuse Turner's separation between ritual and technology and adopt Asad's view that ritual is a kind of technology of the self and, further, if we characterize the relationship between ritual and the supernatural as a matter of historical contingency, it makes sense – I would argue it makes much more sense – to maintain that ritual in modern society is no less present and compelling than it was in the age of Christian monarchies.

### III. Rituals of power/practices of freedom

Ritual, as we have construed it in Foucault's text, is a technology of power, a highly versatile tool for imposing hierarchy and order, for managing populations, and for producing docile and useful types of human selves. In various forms it has aided kings and clerics in controlling the masses. Nowadays, in somewhat muted disciplinary form, it shapes our lives from cradle to grave, rendering us compliant and ever more accessible for official scrutiny and use. Childhood and adolescence are a series of examinations, recitals, and graduations, hundreds of more or less public displays of our status and occasions for judgments regarding our progress in relation to developmental norms, charted throughout in physicians' files and school computers if not also in records of social psychologists and juvenile courts. By adulthood we are so deeply informed by these rites of self-presentation and official pronouncement that we can hardly imagine how life could go on in their absence, who we would be without them, or how our own children could feel attended and loved without subjection to them – for to be loved is to be known and accepted as precisely what we are, with our own unique set of percentiles and deviations from the norms. We have virtually no other concept of personhood, no other account of individuality. We are normalized through and through, and we normalize those in our charge, primarily by means of the repeated exercise of disciplinary surveillance and assessment through the medium of ritualized examination. As Ronald Grimes asserts, "Effective ritual knowledge lodges in the bone, in its very marrow" (Grimes 2000: 7). Who and what we are is what the rituals of normalizing power have made us to be.

Foucault's analysis of normalizing power should make us very suspicious of ritualized disciplinary practices that fix our identities in relation to norms (mental and physical health, intellectual development, sexual orientation, acquisition of "marketable skills") and of practices that aim to channel our future development in relation to such norms. In fact, it should make us suspicious of any ritualized process of identification, even supposedly liberatory ones such as "coming out of the closet" or "owning" one's addictions. These practices subject us to institutionalized control even while they subjectify us, making us into the type of individual that normally bears such an identity. Perhaps, given the specificity of Western industrial society, ritual examination and self-disclosure inevitably increases the docility of participants and therefore diminishes freedom. Perhaps in our society any ritual that emphasizes confession of self-identity or profession of one's emotional state, convictions, or beliefs will reinforce rather than oppose normalizing regimes. Perhaps any ritualized disciplinary regime will end up doing nothing more than eliminating whatever in us is unpredictable or spontaneous or creative or open to the new.

When we stop to consider this state of affairs, we may be appalled. We may look at the sites Foucault points out where rigid schedules, highly routinized action, and strict hierarchy are standard – sites such as hospitals, schools, military installations, and prisons – and imagine that if we could disrupt their

ritual practices, we could put an end to the ways in which they control lives and infringe on freedom. Ritual itself looks like a potentially effective point of counter-attack. If we could eliminate ritual, perhaps we could disable powerful institutions and regain a lost measure of human liberty.

For all his criticism of normalizing ritual, however, this is not Foucault's response.<sup>18</sup> In his last works Foucault explores ritual activity precisely as a means of practicing freedom, especially for those whom our society tends to oppress – homosexuals, for example. He proposes disciplined self-cultivation – what he calls *askeses* – as a counter to contemporary Western regimes of normalizing power, in particular the regime of power he calls the *dispositif de sexualité* (Foucault 1976: 30), which subjects each one of us to a supposedly essential sexual identity and truth. In a 1981 interview with the French gay magazine *La gai pied*, he stated,

Asceticism as the renunciation of pleasure has bad connotations. But the *askesis* is something else: it's the work that one performs on oneself in order to transform oneself. . . . [I]t's up to us to advance into a homosexual *askesis* that would make us work on ourselves and invent, I do not say discover, a manner of being that is still improbable.

(Foucault 1989: 206)<sup>19</sup>

Foucault calls the process of creating and sustaining a way of life "ethics." Ethical practice is a kind of self-stylization, an attempt at transforming oneself and one's life. Sometimes it has a telos – such as personal purification, salvation, or attunement with the unchanging Logos – but even when there is a set goal, processes of self-transformation, undertaken by oneself, are always open-ended, never fully under anyone's control. Ethics tends, therefore, to open up new possibilities, to render the future a bit less predictable, and so to introduce an element of risk and play into the world. Because of this opening toward the unknown and the unmanageable, Foucault characterizes ethics as "a practice of freedom." It is inherently resistant to the totalization and identification that characterizes normalizing regimes. The task for those who would oppose the power of normalization is to maximize ethics' tendencies to resist identification – in other words, to place the emphasis on ethical practice as self-transformation rather than on whatever outcome such practices might be hoped to have. The task is to find ways of living, exercises, *askeses* that unsettle us, move us, change us in ways that keep us perpetually open to some degree of unsettlement, movement, and change, rather than tie us firmly to one identity, one truth, and one life trajectory.

We know that ritual practices have the power to transform. In fact, Victor Turner seems to hold the view that all genuine ritual is transformative and that liminality is ritual's very essence.<sup>20</sup> We do not have to go that far, though, to affirm the value of ritual in any project of self-transformation and even to view ritual as a key aspect of a way of life that maintains an openness to unprogrammed possibility. Nor do we have to valorize ritual and deny its role in maintaining a sometimes oppressive status quo; it may be

that most ritual practices have been instituted as a way of managing passage and confining liminality so that order could be enforced through what might otherwise be disruptive change. We need only affirm that there is no necessary connection between ritual and rigid control. The point of ritual might not be successful *passage* but rather perpetual *passing*, transformation without an ultimate telos. Ritual might, then, be a part of an anti-normalizing ethical way of life. It might be a practice of freedom.

#### IV. A queer rite of passage/ing

As a way of putting Foucault's assertion to the test, I want to examine a ritual practice that has become important in recent years in the gay/lesbian/bisexual/transgendered community of Richmond, Virginia, namely, that of the commitment ceremony.<sup>21</sup> The purpose of my examination is to consider both the risks and dangers of such rites in light of ritual's involvement with normalizing regimes and the transformational potential and possibility for resistance that may lie within them. The question is whether such ritual practices, as techniques or exercises of power, are or can be *askeses* that would help invent a homosexual ethics or way of life.

First it is necessary to provide some context. Richmond, together with its suburbs, is a city of about 600,000 people. It is one of the oldest cities in the US, only a few miles up river from Jamestown, with a history that dates back to the early seventeenth century. Its downtown streets are paved with cobblestone ballast from British tobacco ships; on the hill above those streets stands St John's Church, where Patrick Henry made his famous speech in support of raising a militia to fight King George III: "Give me liberty, or give me death!" Virginians are very proud of their history, and that pride shows in the way that historic monuments, museums, and battle sites are preserved and maintained. Richmond itself boasts over twenty museums and numerous historic districts. Monument Avenue, stretching through several blocks of the Victorian neighborhood known as The Fan, displays a collection of enormous effigies of Confederate generals and statesmen (Robert E. Lee and his horse tower over a circular green as large as a small city block) and one highly controversial statue of native son Arthur Ashe, an African-American tennis champion and city benefactor who died of AIDS.

As the 1996 controversy surrounding erection of the Ashe statue demonstrated, that history is not without blemish. And Virginians' – particularly white Virginians' – dedication to it is not without oppressive effects. It must be remembered that, while Virginia had no George Wallace and Richmond had no Bull Connor, the state and city put up an amazingly stubborn if relatively non-violent resistance to integration from the 1950s through the 1970s. Several counties simply canceled public school altogether for several semesters rather than educate blacks alongside whites. Richmond schools did not finally integrate until the mid-1970s. While many private colleges and universities in the Deep South rushed to integrate early on in protest of their local governments' recalcitrance, Richmond's largest private institution,

the University of Richmond, refused to integrate until after the city schools did, in 1978.

The state (which prefers to be called the Commonwealth, although its wealth is concentrated in few and quite uncommon hands) holds a special place in the history of the regulation of marriage. Like many Southern states, it long claimed the right to refuse marriage licenses to interracial couples, a right the Supreme Court finally took away in *Loving v. Virginia* (1968), the case that invalidated all anti-miscegenation laws across the country. But in 1975, twenty-one years before Congress decided to protect heterosexual marriage against the allegedly corrupting effects of same-sex unions by passing the Defense of Marriage Act (DOMA), the Virginia General Assembly enacted a law restricting the issuance of marriage licenses to heterosexual couples only. It followed up in 1995 (again, a year before the federal government's DOMA) with a law that gave the state the right to disregard the Full Faith and Credit Clause so as not to afford recognition to same sex marriages that might be performed elsewhere.

Devotion to tradition has not prevented the Commonwealth from setting a number of legal precedents, especially regarding homosexuals. It has been as innovative in child custody as it has been in marriage law. In 1993, a circuit court denied Sharon Bottoms custody of her son on the grounds that as a lesbian she is a felon under the state's Crimes Against Nature Law, despite having never been charged with such a crime.<sup>22</sup> While denial of custody to homosexual parents is not unusual in itself,<sup>23</sup> this was the first case in which custody was granted not to the child's other biological parent but to the child's grandmother, thus opening the door for any relative to sue a homosexual parent for custody. Ms Bottoms' visitation rights were also severely restricted, and the boy was not permitted to see his mother's life partner at all. All these provisions were substantially upheld in appeals in 1995 and 1998.<sup>24</sup>

Given the lengths to which the state has gone to control its citizens' sexual and affectional expression and living arrangements, it makes sense that Richmond's gay, lesbian, bisexual, and transgendered residents tend to keep a low profile. Any public revelation of homosexual status (and all of the above would be considered a homosexual status) is risky. Homosexuals have no job protection, no right to equal treatment in housing, and no right to use public facilities. Under these circumstances, making a public declaration of life commitment to someone of the same sex in a church, park, or hotel ballroom might be seen as an act of great courage and resistance to oppression. But, given Foucault's disturbing analyses, we cannot reach such a conclusion without further inquiry. Defying repression, as he shows very clearly in *The History of Sexuality, Volume 1*, is simply playing into the larger networks of power that regulate sexuality in our society (Foucault 1980: Part IV). So we must ask: is such a ritualized profession of one's commitment, which is automatically also a declaration of one's homosexual status or identity, a way of opposing normalization – or of playing into it? And to the extent that these rites *are* marriage ceremonies,<sup>25</sup> do they simply affirm and reinforce the state's right to regulate so-called private life?



Marriage, as both a rite and an institution, has been critiqued extensively in feminist literature from the eighteenth century to the present. Feminists have been extremely wary of the ways in which government aids individual men in dominating women by giving them rights over women's property, labor, sexuality, and reproductive capacity. Marriage in British common law was the union of a man and a woman which resulted in the legal disappearance of the woman – she lost her property rights, could not determine her own domicile, and could be subject to severe beatings without recourse; if she ran away, she could be forcibly returned or lose her means of support and her children. For centuries, marriage laws in both Europe and the US made women virtual slaves. Accordingly, Frances Wright's abolitionist utopian community Nashoba, founded in 1825, refused to recognize marriage. Wright declared, "[N]o woman can forfeit her individual rights or independent existence, and no man can assert over her any rights or power whatsoever beyond what he may exercise over her free and voluntary affection" (Rossi 1973: 93). In 1851, feminist utilitarian J. S. Mill expressed extreme distaste for the institution even while entering into it with Harriet Taylor,

the whole character of the marriage relation as constituted by law being such as both she and I entirely and conscientiously disapprove, for this among other reasons, that it confers upon one of the parties to the contract, legal power and control over the person, property, and freedom of action of the other party, independent of her own wishes and will.  
(Rossi 1973: 191)

In the twentieth century, feminists often drew on the work of Friedrich Engels, who identified marriage as "the first class oppression" in human pre-history. Marriage, he asserts, "is based on the supremacy of the man," its "express purpose being to produce children of undisputed paternity" (Rossi 1973: 479). For this purpose, women's sexual and economic liberty was eliminated and their right to defend themselves against their husbands' physical and sexual assaults denied. Simone de Beauvoir writes,

In primitive societies the paternal clan, the gens, disposed of woman almost like a thing: she was included in deals agreed upon by two groups. The situation is not much modified when marriage assumes a contractual form in the course of its evolution; when dowered or having her share in inheritance, woman would seem to have civil standing as a person, but dowry and inheritance still enslave her to her family. During a long period the contracts were made between father-in-law and son-in-law, not between husband and wife. . . .

(de Beauvoir 1952: 426–7)

Marriage laws were modified in the industrialized West over the course of the twentieth century, with women gaining some property rights and some

rights to divorce, child custody, and self-defense, but long after mid-century marriage was far from egalitarian. In 1969, a group called The Feminists staged a protest at the New York City Marriage License Bureau. They distributed a leaflet entitled "Women: Do You Know the Facts About Marriage?" in which they listed a number of legalized inequities enshrined in marriage law. These included the legality of marital rape and differential grounds for divorce for husbands and wives. The leaflet proclaimed: "We can't destroy the inequalities between men and women until we destroy marriage" (Morgan 1970: 602).

More recently, Claudia Card has argued that marriage is essentially licensed access to another human being. Such unbridled access, which the state does not grant to parties in any other type of contractual relationship, makes it impossible to protect people from abuse, stalking, and even murder. She writes, "Although many states now recognize on paper the crimes of marital rape and stalking and are better educated than before about marital battering, the progress has been mostly on paper. Wives continue to die daily at a dizzying rate" (Card 1996: 15). She contends that since intimacy is the essence of marriage, access will never be regulated sufficiently to make marriage safe.

Whether one is feminist or not, one has to acknowledge that historically the institution of marriage has been catastrophic for women, a governmental means of controlling their labor, sexuality, and reproductive lives, generally to their detriment. Much has changed in recent years. Some feminists now maintain that marriage under current US law is an egalitarian institution.<sup>26</sup> But given its history as a tool of oppression and exploitation, we still might wonder if it has any merit, egalitarian or not. We might well be suspicious of marriage still, and therefore of marriage rites as well, as part of a disciplinary system designed to give bureaucrats information about and normalizing control over the sexual, affectional, domestic, and reproductive lives of citizens. One might still wonder (as have many Canadians since the Ontario Supreme Court ruled on July 12 2002, that refusing recognition of same sex marriage violates the Charter of Rights and Freedoms) why government should play any role in legitimizing (and illegitimizing) any life partnership at all (Tibbetts 2002). Perhaps the best way of reducing the power of normalizing discipline in our lives, regardless of who we are, is simply to eliminate government's authority to issue (or withhold) marriage licenses and thus to abolish the legal institution of marriage altogether as some Canadian governmental officials have suggested.

I am not going to take a position on that issue here. Instead, I am simply going to point out that same sex commitment ceremonies are *not* initiation into the legal institution of marriage, and they need not be interpreted as an expression of desire for initiation into that institution. A couple may have no wish to invite state regulation of their relationship and yet may still want to have a ritual through which they acknowledge, announce, solidify, or somehow transform their relationship and themselves.

That granted, we must explore what the positive – that is, non-normalizing, freeing – effects of such rites might be. Can they serve as *askeses*, ethical

practices, a mode of transformation that emphasizes *passing* rather than *passage*, open possibility rather than *finality*, completion, or static goal?

No purely theoretical answer to this question will be conclusive, for we can only know what difference such rites make if we or someone we know undergoes them. On this point, Ronald Grimes is surely right (and is perhaps surprisingly in agreement with Talal Asad) that the differences that ritual makes are bodily, physical, emotional, and life-shaping. To know the difference they make may require not just thinking about but living them. Therefore, I will depart from academic decorum and describe my own experience.

My partner Carol Anderson and I had a commitment ceremony in the summer of 2002. For almost a year in advance we planned the ceremony as well as the reception and trip that would follow it. I entered into the project with some apprehension, not about the decision to spend my life with Carol (which I had made two years before), but about how we would frame the event and what meaning it would take on in the Richmond GLBT community and among our heterosexual families and friends. What would they think we were doing, I wondered; and what *were* we doing?<sup>27</sup> What would a ritual do that a simple announcement of our love and commitment would not do? These questions weighed on me, which is one reason why in the spring of 2002 I accepted the invitation to write this essay, to spend some time reading and thinking about ritual practices in relation to my philosophical work. I welcomed the opportunity to make the research and writing of this essay part of the preparatory process.

Here are some of my fears and worries over the course of that year:

- 1 How would our straight friends and family perceive what we were doing? Would they think we were just play-acting and thus view this expression of our love as something vaguely juvenile or pity us because we could not manage to pull off "the real thing"? How could we make this ceremony something they would recognize and respect – a powerful "rite of passage" like marriage ceremonies are – when there is no legal institution of marriage that we could pass into? How would we communicate to others, especially others to whom GLBT communities are foreign, what new state or phase of life we felt we were entering?
- 2 Why were we inviting people to watch us express our commitment? What was the role of the witnesses physically present at this event? In legal ceremonies, the witnesses' job is simply to vouch for the identities of the two parties joined, but we had no need of that. More troubling, in conventional weddings, guests form an audience of spectators often eager to critique the proceedings. The last thing we wanted was for people – especially straight people – to assume the role of detached and critical spectator, as if Carol and I were just actors in some kind of play.
- 3 How could our ceremony honor both Carol's religious beliefs and my virtual lack of them? This is a concern any couple with differing beliefs would have, but my concern went further than simply how could we integrate two different traditions or creeds. Christian marriage ceremonies

typically invoke – in fact justify themselves with reference to – some sort of metaphysical timelessness; the couple is entering into an eternal bond blessed by an eternal being. Transformation, therefore, is ideally highly contained and severely limited. Of course, some of what finds its way into Christian ceremonies is not particularly Christian; it comes out of a tradition of romanticism that embraces not only timelessness but also quite often the fusion of identities and metaphysical pre-destination, leaving room for little or no open possibility at all. But whatever the source, if our ceremony was to be a rite that emphasized the transformational power of ritual and celebrated the transforming of each of us, we needed to minimize that kind of language. Yet at the same time, of course, I did want to speak in superlatives and celebrate the senses in which Carol and I are fused together, and I did want to make a lasting commitment. Furthermore, I knew the people we invited would expect those things. Why else have a commitment ceremony?

Gradually, over several months, some answers to these questions evolved through conversation between Carol and me and also with other members of our community and through reading books on same-sex commitment ceremonies.<sup>28</sup> We were able to write a ceremony that reflected both our differing religious views and our common spirituality. Throughout the ceremony, both in visual symbols and in words and music, we invoked natural cycles of transformation – birth, growth, seasonal renewal, passage – and natural, mortal images of strength, endurance, and fidelity, while at the same time repeatedly acknowledging that the forces of life of which we are a part always transcend us and are never completely under human control. We decided that the role of the guests was to pledge their support of our relationship and to promise to bear witness in the larger community and world to the reality of our love and commitment, so we had the minister charge the congregation with this responsibility and solicit their oral acceptance of it. Given the hostility to same-sex relationships that exists in that larger world, our witnesses (unlike mere spectators) were thus taking on a serious political responsibility.

The process of creating our ceremony together and with our friends was a deeply transforming one for me. I had to confront my fears about whether my straight friends would take our relationship seriously. I had to talk with Carol about our differences and work to establish common ground. I had to deal with vendors and service providers who might be hostile to me when they realized my “intended” was a woman. Doing these hard things had some important effects on me, both my thoughts and feelings *and* my physical comportment, bearing, self-presentation. But most importantly, Carol and I together created something – something I would call a work of art – that expressed our love and our selves in ways I doubt I would ever have been able to articulate otherwise. I came to understand her and myself and our relationship differently than I had understood it before, to live an awareness of its dimensions that I did not have before.

I would not say this was a process of identifying what already existed. I don't feel that that year was a process of discovery of who we really are together; there were elements of discovery, but it felt much more creative than that. Just as artists suddenly see in ordinary things around them a solution to some aspect of a project they are working on, at times we suddenly saw something in an entirely new way, in new relation to other things. And consequently the world we live in changed. Further, friends volunteered to work on parts of the ceremony and accompanying celebrations independently of us, so the event as a whole was not under any one person's direction. It became a large, cooperative enterprise to which many people brought their talents and imaginations. It was a community project; our community was building something together.

In retrospect, I realize that initially I had thought of the ceremony as something like a formal public announcement of a relationship that already existed, not really as what Arnold van Gennep called a "rite of passage."<sup>29</sup> I wanted public recognition of a relationship that many people with whom I have daily contact refuse to respect. In other words, I wanted to change the behavior of some of the people around me. But I didn't anticipate changing *myself* in any deep way. As we and our friends planned and prepared, however, I began to realize that changes were occurring and that the ceremony might turn out to be a rite of passage in van Gennep's sense after all – *except*, not only the movement of passing through but also the space to be passed into was evolving as we prepared. We would be initiated not into a pre-fabricated institution of marriage but into something that had not existed before, something unique that we, our close friends, a few members of our families, and our community would make for us and that we would continue to make and sustain throughout our lives.

When that thought occurred to me, I began to feel more deeply attended and cared for than I have ever felt. Carol and I had each put ourselves into the ceremony – we had exposed some of the most vulnerable and precious parts of ourselves – and those selves were being taken up and affirmed and given place in a larger world. That was not something my life as a lesbian had led me to expect from anybody anywhere at any time. How could that experience fail to change me?

It wasn't just thoughts that affected me, however, and not even just thoughts about actions we were taking. I believe the practice of standing before eighty people, including many straight people, and more or less commanding them to pay attention to an aspect of myself and my life that even still I have an instinct to shield and protect from any scrutiny was a way of unlearning and re-learning how to comport myself in the world. It was a way of embodying my sexuality that made it something to celebrate and share rather than something to keep out of other people's (and therefore harm's) way. For as long as I can remember, being the center of attention in any context has meant being categorized and evaluated – usually with negative consequences. To walk the thirty feet from door to altar holding

Carol's hand, therefore, to be looked at by all those people, was not easy. That I stood up to do it at all is a testament to my hope – actually it was a living enactment of my hope – that not all relations have to be normalizing relations. For that hope to be reinforced – for me to be able to take those steps – required every one of the smiles I saw and every pair of shining eyes. I needed every ear to hear what Carol and I had to say. I needed every tongue and every set of lips and lungs to exclaim loudly in affirmative response to the minister's charge to support us and bear witness on our behalf. The process of creating the ceremony enabled me to arrive at the site and present myself, my happiness and conviction, to our friends and loved ones, but the ceremony itself produced new happiness and new conviction. It was not simply the final enactment of what we had planned; it exceeded its design in the transformative effects that it had. It was an embodiment, however brief, of a community of love and joy assembled around and encompassing Carol and me.

Even though Carol and I had already shared a home and a life for three years, the ceremony marked a beginning for us. We both have the sense that we are embarked on something new together, with the support of people around us. Our ceremony was not just an announcement, a way of symbolizing or representing for an audience what we already knew to exist. It wasn't just a "confession" of love or a self-declaration. Its primary purpose and effect was not the fixing of our identities. It created something new and set in motion a joint, perhaps communal, creative process. And in doing so, it challenged fixed identities and enabled us to claim some power to re-create ourselves.

Based on my own experience, I can endorse same-sex commitment ceremonies as potential practices of freedom in Foucault's sense. I believe that because of this experience – because of the discipline, if you will, of creating and going through the ceremony (as well as the accompanying parties and honeymoon trip and the rather strange and wonderful process of researching and writing this essay at the same time) – my life is more open to possibility now than it was a year ago. I am a little less sure what the future will be like and a little more willing both to throw myself into it come what may and to take some responsibility for shaping it. For I know, in my marrow, as Grimes would say, that all is not set and unchangeable. There is something new under the sun, and there are neither identity categories nor norms nor statistics to predict what it will become. Therefore I firmly believe that ritual can be an *askesis*, an ethical practice of freedom.

On second thought, then, I *would* like to take a position on the question of the abolition of marriage. The whole thing should be done away with – no more government licensing but also no more standardized liturgies and no assumptions about vows or rings or clothes or cakes or clergy. Let it all be gone, so that heterosexual people, too, can have the kind of experience that I have had – so that they too can invent their own places within their own communities to love each other and to create themselves.

## V. Summation

In this essay, I have considered the widespread belief that Western industrial societies are less characterized by ritual than are non-Western non-industrialized societies. I have suggested that whether that belief is true depends on how the word *ritual* is defined. If ritual is held to be primarily representational (symbolic or expressive) rather than materially productive, it might well appear that Western society has become increasingly less ritualized since the Renaissance. The grand pageantry of monarchy and pre-Reformation Catholicism has been largely lost, and most rites that recall those traditions have been streamlined, truncated, marginalized, or reduced to mere formality or elegant diversion.

However, if we understand ritualization as a means of exercising power – as not merely symbolic but more importantly economically and/or politically productive – the allegation of a decline in ritual since industrialization is dubious. As Foucault's work indicates, ritual – a technology historically continuous with though different from religious monasticism – operates at the very heart of contemporary power networks to produce the types of human subjects needed by dominant institutions (industry, including medical and other therapeutic industries, the military, the bureaucratic state with its welfare system and police force). What has happened, then, might be best described not as a decline of ritual but as a shift of focus from the top of the political hierarchy (the sovereign) to the bottom (the individual normalized subject). Our society's rituals both reflect and enable and sustain that shift.

This way of approaching the question of the place of ritual in modern society may lead to cynicism. Viewing ritual as a technology of management or social control certainly de-romanticizes it, to say the least. So our first response might be to advocate what our predecessors have already falsely proclaimed: a reduction of ritual practice, perhaps an end to it altogether.

That is not what Foucault himself recommends. Ritual, like any technology of power, is dangerous; it can be put to oppressive and exploitative uses and can produce obedient, uncritical human selves proficient in furthering projects of oppression and exploitation. But if we are to oppose such projects and their stultifying effects, we must exercise a counter-power. We must employ technologies of power to re-shape our world and the selves we have become. Foucault has asserted that ritual, as a technology of self- and community-shaping, can be part of an ethical *askesis*, part of a transformative discipline; ritual can be a practice of freedom.

We cannot know whether Foucault is correct in his assertion, I have maintained, unless we experiment with ritual practices to undergo whatever freeing effects they might have. I have reported that my own experience of a same-sex commitment ceremony confirms my belief that Foucault is right. My experience has shown me that careful, deliberate, thoughtful ritualization is one way in which to live more creatively and more ethically.<sup>30</sup>

## Notes

- 1 Peter Burke notes several hypotheses in his essay "The Repudiation of Ritual in Early Modern Europe," where he writes, "It is often said that ritual has declined in modern societies, as a result of the rise of rationalism or technology or of the increasing value placed on individualism, privacy, spontaneity, authenticity and sincerity, 'the true voice of feeling,' as Keats called it" (Burke 1987: 223).
- 2 Grimes cites Schlegel and Barry (1980: 696–715), as evidence for this claim. One might also cite Shils (1975). Shils asserts, "It is very probable that there are fewer ritual acts per capita practised nowadays than several centuries ago."
- 3 Bell may be relying here on the work of Peter Burke, who also attributes this view first of all to Herbert Spencer (Burke 1987: 223).
- 4 Rain dances, for example, are an ill-adaptive use of energy and time as compared to development of technologies for water storage and irrigation.
- 5 David Martin was one of those scholars. He also lists Peter Berger, Bryan Wilson, Karel Dobbelare, Rodney Stark, Thomas Luckmann, Richard Fenn, and Steve Bruce as contributors to the debate over the secularization thesis (Martin 1995: 295).
- 6 As an example of this view, Bell offers the statements of Rev. Deborah A. McKinley, spokesperson for the Presbyterian Church (USA), who says members of her denomination "are discovering the importance of ritual action and its ability to draw us beyond the cerebral" (Bell 1997: 257). Here is her gloss on McKinley: "Reverend McKinley's comment reflects the attitude, popular since the early 1970s, that ritual is basically good for you."
- 7 Grimes offers numerous examples of the hollowness of contemporary North American ritual practice. One such example is that of a young girl's confirmation (Grimes 2000: 96–7).
- 8 To be fair to Grimes, his position is much more complex than this quotation indicates. As was clear in the first quotation above, he notes that in some areas of the industrialized world, ritual has increased. For example, in Japan "modernization does not necessarily imply a reduced place for ritual" (Grimes 2000: 177). Furthermore, even in the US some types of ritual have increased with modernization; in relation to funeral rites, he notes, "The shift from the Puritan era to the present is in the direction of increasing, not decreasing, ritual" (Grimes 2000: 267).
- 9 Burke cites Douglas (1982: 34). A similar impatience with historical denunciations of ritual practices is evident in Douglas's better known work *Purity and Danger: An Analysis of the Concepts of Pollution and Taboo* (Douglas 1966: 63ff.).
- 10 According to Goody, this definition is from Turner (1967: 19).
- 11 Bocock actually focuses on religious ritual in his book, not teeth cleaning and sherry drinking, and argues that ritual still must be seen as much more central in the lives of twentieth-century British citizens than most anthropologists suppose. He does, however, retain the view that ritual – however widespread it might still be – is non-rational action (Bocock 1974: 17).
- 12 This passage can be found in the French in Foucault 1975: 8.
- 13 I take it that Catherine Bell would concur in this characterization of ritualization. In *Ritual Theory, Ritual Practice* (Bell 1992: 204), she writes, "Ritualization is a strategic play of power, of domination and resistance, within the arena of the social body." This comment occurs in the midst of a discussion of Foucault's work.
- 14 This can be found in the French in Foucault 1975: 187. The French terms are almost identical to the English – *ritueliser, rituel*.
- 15 This latter he calls "an ostentatious form of the examination" (Foucault 1979: 188).



- 16 Bell insists on the point that what I have here loosely referred to as staging a habit is a practice not of communicating submission to a subject but of infusing his or her body with submissiveness (Bell 1992: 99). She cites Bourdieu 1977: 94, where Bourdieu discusses the process of the embodiment of principles. He writes, "If all societies and, significantly, all the 'totalitarian institutions,' in Goffman's phrase, that seek to produce a new man through a process of 'deculturation' and 'reculturation' set such store on the seemingly most insignificant details of *dress, bearing, physical and verbal manners*, the reason is that, treating the body as a memory, they entrust to it in abbreviated and practical, i.e. mnemonic, form the fundamental principles of the arbitrary content of culture."
- 17 The statement from Victor Turner is quoted at length in Asad (1993: 128), and comes from Turner (1969: 52-3).
- 18 Nor would it be Bell's response. She insists that despite how ritual might at times have been used to exercise social control, it can be a way for individuals to empower themselves. See Bell (1992: 116).
- 19 This can be found in the French in Foucault (1994: 165).
- 20 This is Ronald Grimes' interpretation of Turner's work (Grimes 2000: 121). There he refers only to Victor Turner, *The Ritual Process*, but he implies that this view develops through Turner's work into the 1980s. In *The Ritual Process*, Turner does not make such a sweeping claim, but it is implied, especially in Chapter 5 where he discusses liminality in relation to several very different types of ritual, applying the idea well beyond van Gennep's use of it to understand rites of passage.
- 21 Many of these occur under the auspices of the Richmond Metropolitan Community Church and in such cases they are also called Rites of Holy Union.
- 22 *Bottoms v. Bottoms* (1993), Circuit Court of Henrico County, Virginia. Judge Buford Parsons opined, "I will tell you first that the mother's conduct is illegal. It is a Class 6 felony in the Commonwealth of Virginia. It will tell you that it is the opinion of this Court that her conduct is immoral. And it is the opinion of this Court that the conduct of Sharon Bottoms renders her an unfit parent."
- 23 Other cases through the 1990s were infamous, but probably most infamous among them was the Florida case in which an 11-year-old girl was placed in the custody of her father, a convicted murderer, rather than her lesbian mother. Escambia Circuit Court Judge Joseph Tarbuck said, "This child should be given the opportunity and the option to live in a non-lesbian world" (Davey 1996: A-1). The father, John Ward, had shot his first wife Judy twelve times during a dispute over the custody of their children. Although the lesbian mother, Mary Ward, was shown to be an attentive and responsible parent, an appeals court in Pensacola upheld Tarbuck's decision in August of 1996 (Epstein 1996: 1). Mary Ward later died of a heart attack. The child, Cassey Ward, is 18 years old at the time of this writing and therefore no longer in anyone's custody. She recently took part in the 25th anniversary celebration of the National Council for Lesbian Rights, the organization that provided attorneys for Mary Ward's unsuccessful custody battle. At that event, she spoke in defense of her mother, saying, "Being a lesbian did not make my mother, or any mother, unfit" (National Council for Lesbian Rights 2002).
- 24 See *Bottoms v. Bottoms*, No. 1930-93-2 (Va. Cir. Ct. (Henrico) September 7, 1993), "Judge rules against Lesbian mom," *The Washington Blade*, March 13, 1998, p. 14.
- 25 And they certainly can be construed that way, despite refusal of legal recognition. As Ronald Grimes writes, "although the legal and moral status of same sex marriage is currently debated, their social reality cannot be denied" (Grimes 2000: 171).
- 26 Calhoun writes, "Heterosexual marriages have largely been *de-gendered* under the law. All of the nineteenth- and early twentieth-century laws have been eliminated that made married women legally dead on the assumption that man and

wife are one and that that one is the husband. The law no longer compels married women to adopt their husband's name, to share his domicile wherever he chooses it to be, to provide domestic services, and to submit to marital rape. The elimination of long-term alimony and the introduction of alimony for needy ex-husbands both resulted from abandoning the assumption that only husbands are economic providers within marriage. Repeated court refusal to employ sex-based classifications in family law has meant that all that is left of gender in marriage laws are the constructs 'husband' and 'wife,' evacuated of substantive content" (Calhoun 2000: 118).

- 27 This question was explicitly asked on the questionnaire Carol and I had to fill in for Rev. Gillian Storey of the Metropolitan Community Church of Richmond. It took me several weeks to answer.
- 28 We happened upon three books, although there are others: Butler (1990), Sherman (1992), and Ayers and Brown (1994).
- 29 See van Gennep (1960), in which the phrase *rites de passage* was first introduced. This book was originally published in French in 1908.
- 30 I would like to extend special thanks to my life partner Carol Anderson for her painstaking critiques of several versions of this essay and to my student assistant Martin Hewett for his helpful research and careful editorial work on parts one through three.

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