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Producing expert capital: how opposing same-sex marriage experts dominate fields in the United States and France

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ABSTRACT

This paper examines experts testifying before U.S. and French courts and legislatures on same-sex marriage debates between 1990 and 2013. Experts provide special weight to political arguments, which I call expert capital. For this reason, social movements and decision-makers solicit them. Yet, because of specific national conditions, this article shows that not all experts have the capacity to use their respective academic and professional resources to impact policy-making. Drawing on 71 in-depth interviews and ethnographic observation in both the U.S. and France, I analyze how progressive and conservative experts have struggled for dominance in their fields. Results show that American progressive experts have achieved a degree of power in their fields as their conservative counterparts turn to resources outside the academic mainstream. In France, progressives have only recently challenged conservatives' dominant position. This power distribution is due to: 1) size and centralization of knowledge regimes; 2) disciplinary and university reactions to research on gender and sexuality; 3) academic and professional organization strength; 4) social acceptance of gay families; and, 5) division among allied experts. These findings show that nationally specific knowledge production fields constrain and enable the ability of experts to provide expert capital to their activist and decision-maker allies.

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In 2013–14, U.S. federal judges heard the cases *Hollingsworth v. Perry* (2013) and *DeBoer v. Snyder* (2014), to determine the constitutionality of bans against same-sex marriage and adoption.[1] During the trials, litigators on both sides called expert witnesses – including historians, psychologists, and sociologists – to argue that the science about, for example, outcomes of children raised by same-sex couples supported their stance. Of twenty academic experts, fourteen testified in favor of marriage while only six testified against. The judges thus faced overwhelmingly favorable scientific evidence that likely contributed to the proponents' ultimate success, culminating in the Supreme Court's *Obergefell v. Hodges* (2015) decision striking down same-sex marriage bans nationwide.[2] American attorneys fighting against gay family rights found few accredited academics and professionals willing to testify. The science, or at least the scientific establishment, appeared not to support them.

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At almost the same time, lawmakers in France's Parliament were considering legalizing same-sex marriage and adoption. For months before the vote, which ultimately passed in May 2013, the Judiciary Committee held hundreds of hours of live streamed hearings featuring experts whose testimony made the nightly news and talk shows. The social scientists, psychoanalysts, and jurists testifying were almost evenly split ideologically with some variation by discipline. Jurists and mental health professionals, for example, were less supportive of the bill than sociologists. Thus, relative to American judges, French lawmakers faced expert discourse less clearly favorable to their reform. Moreover, conservative experts gave a scientific veneer to anti-gay family backlash that caused in part the Socialist majority to abandon plans to legalize assisted reproduction technologies (ART) for lesbian couples.

These examples illustrate the particular role of experts in shaping human rights law. While much scholarship acknowledges that academics and professionals impact policy-making on technical issues (Fischer, 2000), such as global warming (Dilling & Lemos, 2011), experts are also central to so-called morality politics (Mucciaroni, 2008). They give evidentiary weight for or against arguments – such as same-sex marriage opponents who say children need a mother and father – that decision-makers use as justifications. Furthermore, because of this symbolic power, which I call 'expert capital,' social movements target experts in order to legitimize their positions (Armstrong & Bernstein, 2008). Yet, the availability of expertise and its ideological balance, as the above examples demonstrate, seem to depend on national context. Indeed, despite dealing with the same legal questions, decision-makers in each country faced different expert pools. That American litigators – but not French lawmakers – had more testimony in favor of gay families suggests differences in knowledge production fields.

Given these differences in the ideological orientation of experts testifying in the United States and France on gay family law, I ask: 1) What power do experts supporting and opposing same-sex marriage and parenting have in their national knowledge production fields? 2) How has that power changed over time, if at all? And, 3) What explains their current positions? Answers to these questions shed light on nationally specific barriers and opportunities knowledge producers face when doing their work. Understanding this should make clear that experts' capacity to speak from a position of power on major reforms is contingent on context. People analyzing or mobilizing expert capital, including decision-makers and social movements, may benefit from knowing how experts they solicit navigate their knowledge production fields.

Expert capital and gay family rights

International variation in gay family rights – defined as laws recognizing same-sex couples (i.e. marriage and civil-unions) and their parent-child relationships (i.e. access to ART, surrogacy, and adoption) – is in part due to the ways in which people pushing for and against change interact with nationally specific political and legal institutions, cultural frameworks, and each other (Bernstein & Naples, 2015; Hull, 2006; Mucciaroni, 2008; Paternotte, 2011; Smith, 2008). Experts – people decision-makers call upon usually because of their scientific or professional qualifications (Eyal & Buchholz, 2010) – play a key role in advancing or hindering these rights (Becker, 2015; Borrillo & Fassin, 2001; Richman, 2009; Yoshino, 2015). Indeed, everyone staking a claim in

these debates makes arguments in order to justify themselves (Boltanski & Thévenot, 1991). To gain credibility, people try to deploy knowledge they believe will be convincing in their national institutional context (Ferree, 2003), which is why they sometimes turn to experts, who are the focus of this article.

Expertise, especially when grounded in peer-reviewed science and backed by recognized disciplinary or professional organizations, can be persuasive in these debates. For example, a variety of social science, such as that focusing on the demographics of same-sex couples, their parenting, the outcomes of their children, and the social effects of legalizing same-sex marriage, appear central in debates globally (Adams & Light, 2015; Badgett, 2009; Borrillo & Fassin, 2001; Bottoms, Kovera, & McAuliff, 2002; Mezey, 2009). Both supporters and opponents (Fetner, 2008; Kuhar, 2015) of gay family rights claim the science supports them. These advocates thus behave like those in other social movements, such as climate change activism (Dilling & Lemos, 2011; Dunlap & Jacques, 2013), who engage expertise as part of their strategy toolkit (Armstrong & Bernstein, 2008).

In this way, expertise functions as what I – inspired by Murphy, Kickul, Barbosa, and Titus (2007) – call 'expert capital.' Activists and decision-makers mobilize experts' knowledge, making expert capital a form of objectified cultural capital (Bourdieu, 1986). Yet, because only experts can produce it, expert capital depends on experts' perceived legitimacy, credentials, and access to resources in their fields. That also makes it embodied within experts themselves. Although activists can forge alliances with experts that share their ideological perspectives (Gregorio, 2014; Meyer, 2004), sometimes through mediating groups like think tanks (Medvetz, 2012), academics and professionals form their own 'epistemic communities' (Knorr-Cetina, 1999) within knowledge production fields that overlap with but are distinct from political fields (Fligstein & McAdam, 2012; King & Walker, 2014). Furthermore, though some activists can become experts themselves (Cresswell & Spandler, 2013; Epstein, 1996), doing so requires that they operate within the norms of knowledge production fields. Because of this relative autonomy, to complement research on social movements, I investigate the fields in which experts work to understand how they gain expert capital for policy purposes.

Like political (Swartz, 2013) and scientific fields (Bourdieu, 1975), I conceptualize the gay family knowledge production field as competitive and hierarchical. Within it, access to power, such as symbolic and materials resources including funding, disciplinary recognition, or professional promotion are unevenly distributed. Like other knowledge production fields on contentious subjects (Dilling & Lemos, 2011), political ideologies organize these hierarchies. When experts of a particular stance dominate their field, they produce more research and prestige, increasing the value of their expert capital relative to their ideological rivals, whose power is reduced (Eyal & Buchholz, 2010). These dynamics, therefore, have repercussions on those who use expert capital. Furthermore, similar to the political mobilizations with which they interact, knowledge production fields vary across national contexts (Jasanoff, 2004) and are therefore best understood comparatively.

Comparing American and French knowledge regimes

Drawing on comparative political science (Doherty & Hayes, 2014; Tarrow, 2010) showing the merits of focused international comparison for revealing mechanisms of

social phenomena, I compare gay family knowledge production fields in the U.S. and France. These countries share characteristics that form a baseline for comparison (Lamont & Thévenot, 2000). They are both rich industrialized countries whose democracies formed after revolutions in the same era based on the Enlightenment principles of freedom and equality. Yet, they also diverge in key ways that may reveal factors affecting gay family experts as they strive for power in their national fields.

First, they diverge in their political approaches to inequality and difference (Lamont, 2002). American policies tend to recognize and count people according to social characteristics based on the idea that overcoming discrimination requires acknowledging differences. In contrast, French traditions of republican universalism, discourage the acknowledgement of race, religion, and sexuality (Brubaker, 1992; Gunn, 2004; McCaffrey, 2005) because doing so would, from this perspective, engender discrimination. As a result, French academics researching racial minorities, for example, are restricted in their capacity to study people of color relative to Americans (Simon, 2008). Experts studying gay families may face similar limitations.

Second, they differ in political and legal systems. The U.S. has a federal, common law system, with significant legal variation across states. This decentralized, court-centered approach allowed early legalization of some gay family rights in some states (Mezey, 2009). France's centralized, civil law, legal system has prevented any recognition of gay families until the legislature passed the Pacs in 1999 – a law recognizing same and different-sex civil unions but not gay parenting – and marriage and adoption in 2013. Differences in legal recognition could also impact the capacity of people studying these groups in each country.

Third, the U.S. and France differ in their 'knowledge regimes' (Campbell & Pedersen, 2014) that organize the production, dissemination, and purpose of expertise (Fourcade, 2009). In the U.S., with a large and decentralized knowledge regime, 'structural fragmentation' – the federal system with many outlets for reform and separation of power between government branches – decreases the relative importance of state-sponsored experts relative to Europe (Brint, 1996, p. 134). Indeed, activist and professional organizations as well as think tanks on both sides of gay rights, especially those involved in 'cause lawyering' (Cimmings & NeJaime, 2009), developed strong ties to researchers and academics. These factors contribute to the on-going development of research on sexual minority issues both within American universities as well as professional and academic organizations.

In contrast, the smaller, more centralized French knowledge regime favors bureaucracies where technocrats and elite intellectual experts exert direct influence on the policy process. France, is a representative case of a technocracy where state institutions, generally in Paris, produce most influential knowledge (Brint, 1996, pp. 192–193). For example, opponents of gay family rights found strong allies in the corps of high-ranking officials of the states' social services (Commaille, 2006). Further, French think tanks are relatively small and new. They are less able to counter state-produced knowledge or act as mediators between elite experts and decision-makers, as they do in the U.S. (Bérard & Crespin, 2010). How progressive and conservative gay family experts navigate the barriers and resources created by these knowledge regimes – and the effects they have on their relative power in their national fields – is the focus of this article.

Data and methods

To understand how American and French experts contributing to gay family policy debates work, I conducted 72 in-depth interviews (35 in the U.S. and 37 in France) with people who testified before U.S. and French courts and legislatures between 1990 and 2013. I also interviewed key lawmakers and lawyers who organized bills and litigation on these issues. Tables 1 and 2 provide the list of interviewees organized by public stance on same-sex marriage (56 were in favor and 15 against at the time of the interviews).

I complemented these interviews, conducted in 2013–2014, with ethnographic observation at events organized by universities, professional organizations, think tanks, and activist groups featuring experts focusing on gay families. Table 3 lists events I attended. At these events I informally interviewed over 100 participants inquiring about their work and involvement in policymaking. Finally, I gained insider perspective on family sociologists, a subset of these experts. In the U.S., I co-authored a review of the literature (Moore & Stambolis-Ruhstorfer, 2013), which led to many informal

Table 1. Interviewees in U.S. debates (n = 35).

Name	Profession/Activity	Organization/Affiliation
Opponents		
Allen, Douglas	Professor Economy	Simon Fraser University
Duncan, William	Activist Organization Researcher	Marriage Law Foundation
Gallagher, Maggie	Activist Organization Founder/Scholar	Institute for Marriage and Public Policy
Lund, Nelson	Professor Law	George Mason University
Morse, Jennifer Roback	Activist Organization Founder/Scholar	The Ruth Institute
Wardle, Lynn	Professor Law	Brigham Young University
Supporters		
Anderson, Clinton	Professional Organization Staff	American Psychological Association
Avery, Shannon	Judge	State of Maryland
Badgett, Lee	Professor Economy/Think Tank Researcher	UMass Amherst/The William's Institute
Boaz, David	Think Tank Executive Vice President	The Cato Institute
Bonauto, Mary	Activist Lawyer	Gay and Lesbian Alliance and Defenders
Carpenter, Dale	Professor Law	University of Minnesota
Cherlin, Andrew	Professor Sociology	Johns Hopkins University
Cooper, Leslie	Activist Lawyer	American Civil Liberties Union
Cott, Nancy	Professor History	Harvard University
Egan, Edmund	City Government Economist/Professor Economy	City of San Francisco
Eskridge, William	Professor Law	Yale University
Galatzer-Levy, Robert	Professor Psychology/Psychoanalyst	University of Chicago
Gates, Gary	Think Tank Researcher	The William's Institute
Haider-Markel, Donald P.	Professor Political Science	University of Kansas
Herek, Gregory	Professor Psychology	University of California Davis
Hillsman, Sally	Professional Organization Executive	American Sociological Association
Hunter, Nan	Professor Law	Georgetown University
Lamb, Michael	Professor Psychology	Cambridge University
Manning, Wendy	Professor Sociology	Bowling Green State University
Meyer, Ilan	Professor Psychology	The William's Institute
Patterson, Charlotte	Professor Psychology	University of Virginia
Pepleau, Letitia Anne	Professor Psychology	University of California Los Angeles
Pizer, Jennifer	Activist Lawyer	Lambda Legal
Rosenfeld, Michael	Professor Psychology	Stanford University
Shapiro, Ilya	Think Tank Researcher	The Cato Institute
Stein, Edward	Professor Law	Cardozo School of Law
Stern, Marc D.	Activist Lawyer	American Jewish Committee
Stewart, Therese	City Government Lawyer	City of San Francisco
Zia, Helen	Author/Activist/Average Person	None

Table 2. Interviewees in French debates (n = 37).

Name	Profession/Activity	Organization/Affiliation
Opponents		
Collin, Thibaud	Professor Philosophy	Collège Stanislas
Dekeuwer-Defossez, Françoise	Professor Law	Université Catholique de Lille
Flavigny, Christian	Psychoanalyst/Hospital Psychiatrist	Hôpital de la Pitié-Salpêtrière
Fulchiron, Hugues	Professor Law	Université de Lyon III
Lacroix, Xavier	Professor Philosophy/Theology	Université Catholique de Lyon
Levy-Soussan, Pierre	Psychoanalyst/Psychiatrist	Psychology practice/Université Paris-Diderot
Neirinck, Claire	Professor Law	Université de Toulouse I
Ménard, Claire	Agency Staff	Union National des Associations Familiales
Vallat, Jean-Philipe	Agency Under Director	Union National des Associations Familiales
Supporters		
Badinter, Elisabeth	Professor Philosophy	École Polytechnique
Binet, Erwann	Legislator	Assemblée Nationale
Bloche, Patrick	Legislator	Assemblée Nationale
Borrillo, Daniel	Professor Law	Université Paris Ouest Nanterre
Brunet, Laurence	Researcher and Scholar Law/Bioethics	Université de Paris/Hôpital Cochin
Cadoret, Anne	Professor Anthropology	Centre National de le Recherche Scientifique
Courduriès, Jérôme	Professor Anthropology	Université de Toulouse II
Delaisi de Parseval, Geneviève	Psychoanalyst/Professor	Multiple
Descoutures, Virginie	Researcher Sociology	Institut National d'Études Démographiques
Fassin, Eric	Professor Sociology	Université Paris 8
Godelier, Maurice	Professor Anthropology	École des Hautes Études en Sciences Sociales
Gross, Martine	Researcher Sociology	Centre National de le Recherche Scientifique
Hefez, Serge	Psychoanalyst/Hospital Psychiatrist	Hôpital de la Pitié-Salpêtrière
Héritier, Françoise	Professor Anthropology	Collège de France
Jouannet, Pierre	Doctor/Professor	Université Paris Descartes, Multiple
Le Déroff, Joël	Activist Organization Staff	ILGA – Europe
Mécary, Caroline	Lawyer	None
Michel, Jean-Pierre	Legislator	Sénat
Nadaud, Stéphane	Psychoanalyst/Hospital Psychiatrist/ Philosopher	Hôpital de Ville-Évrard
Neiertz, Nicolas	Activist Organization President	Association David et Jonathan
Quinqueton, Denis	Activist Organization President	Association Homosexualités et Socialismes
Roudinesco, Élisabeth	Professor of History	Ecole Normale Supérieure, Multiple
Sanguinetti, Patrick	Activist Organization President	Association David et Jonathan
Schulz, Marianne	Ministry Staff Member	Ministère des solidarités
Seban, Pablo	Average Person/Activist	None
Théry, Irène	Professor Sociology	École des Hautes Études en Sciences Sociales
Urwicz, Alexandre	Activist Organization	Association des Familles Homoparentales
Wintemute, Robert	Professor Law/Lawyer	King's College, London

conversations with American family sociologists. In France, I joined an interdisciplinary team in 2014 conducting the first cohort study of children raised by same-sex couples.

To select interviewees, I analyzed archives of same-sex marriage and parenting reforms from 1990 to 2014 to identify which people provided and/or organized testimony in each country (Stambolis-Ruhstorfer, 2015) and contacted them directly.

Table 3. Conferences, seminars, and events attended in person.

Type	Organization/Event	Title	Date	Location
United States				
Think Tank Conference	The Williams Institute	14th Annual Update: Marriage and Beyond	4/17/15	Los Angeles
Public Conference	KPCC Radio	Forcing the Spring: Inside the Fight for Marriage Equality. Featuring Terry Stewart, Torie Osborne, and Jo Becker	4/28/14	Los Angeles
Think Tank Conference	The Williams Institute	More Progress, More Stagnation, More Setbacks: A Global Picture of Legal Recognition of Same-Sex Orientation	4/13/14	Los Angeles
University Seminar	UCLA School of Law	Comparative Sexual Orientation Law. Featuring Robert Wintemute	4/8/14	Los Angeles
Think Tank Conference	The Family Research Council	Pro-life Con	1/22/14	Washington
Professional Conference	American Sociological Association	When the Professional Becomes Political: Responding to the New Family Structures Survey	8/19/13	New York
Professional Conference	Eastern Sociological Association	Infertility and Assisted Reproductive Technologies	2/21/13	Boston
Think Tank Conference	The Williams Institute	11th Annual Update: Fair Play? LGBT People, Civic Participation & Political Process	4/13/12	Los Angeles
Academic Conference	The Williams Institute UCLA Department of History	Why History Matters. Same-Sex Marriage: Past, Present, and Future	2/24/11	Los Angeles
Academic Conference	UCLA School of Law	The Aftermath of Prop 8: Is Gay Really the New Black?	11/13/08	Los Angeles
France				
Professional Conference	Association Française de Sociologie	Vers une dénaturalisation du genre, de la sexualité et de la famille?	7/2/15	Saint Quentin en Yvelines
University Seminar	EHESS 'Genre, Personne, Interlocution,' directed by Irène Théry	'Etat civil des enfants nés de GPA: quand la politique interfère dans l'application du droit positif' Featuring Caroline Mécary	5/26/15	Paris
University Conference	Centre de recherche « Droit, sciences et techniques » de l'Université de Paris I and Centre d'études et de recherches en sciences administratives et politiques de l'Université de Paris II	Don, contre-don et rémunération des gamètes dans l'assistance médicale à la procréation: Perspectives de droit comparé	12/10/14	Paris
Professional Hearing	Académie Nationale de Médicine	Audition sur l'accès aux PMA et la GPA aux couples homosexuels	11/16/13	Paris
University Conference	EHESS	History Politics and the Supreme Court in the US Debate over Same-Sex Marriage	10/25/13	Paris

(*Continued*)

Table 3. (Continued).

Type	Organization/Event	Title	Date	Location
University Seminar	Université de Toulouse, Master Anthropologie	Procéation et parentalité	10/9/13	Toulouse
Professional Conference	Association Française de Sociologie	La science au service de la religion	9/4/13	Nantes
University Conference	EHESS	Contre la tyrannie du genre	6/5/13	Paris
University Conference	Université de Toulouse	Les familles homoparentales aujourd'hui: les enjeux	4/18/13	Toulouse
University Conference	Association Master 2 Droit Privé at Droit Privé Général de l'Université Panthéon-Assas, Paris II	L'ouverture du mariage aux personnes de même sexe	4/15/13	Paris
Activist Conference	Manif Pour Tous	Grand Meeting Régional La Manif Pour Tous	3/12/13	Toulouse
Think Tank Conference	Terra Nova	'Poings de vue,' PMA-GPA: un débat en gestation ?	3/6/13	Paris

I sought to speak with people from multiple disciplines and think tanks and who had been involved in the debates on either side of the issue for different lengths of time.

The final sample reflects the variety of categories of experts, including professionals and academics, as well as people straddling research and activism, such as think tank and organization leaders, who participated in policy debates. It does not, however, completely capture the scope of views in any given discipline or field; I only formally interviewed people participating in decision-making arenas, which limits my capacity to discus the experiences of professionals not taking part in policymaking.

The sample is also unbalanced in terms of interviewee ideological orientations. Although strict parity between interviewees would not accurately reflect the current field – research suggests more experts testifying in support of gay families in recent U.S. court cases and more against in French legislatures (Stambolis-Ruhstorfer, 2015; Yoshino, 2015) – my sample over represents supportive experts.

Despite considerable effort to reach them, limited representation of conservative experts may reflect an assumption about my politics as an American sociologist having published on sexuality and a resultant suspicion of my motives. Because professional reputations are crucial for establishing expert credibility in certain contexts, such as courts, giving an interview has high stakes, which explains their caution. It may also explain why Maggie Gallagher and Jennifer Morse, who left the academy but provided expertise in briefs and legislatures, agreed to interviews. Perhaps they felt they had less to lose.

Many interview solicitations to conservatives went unacknowledged and unanswered. Four acknowledged my request but declined an interview and two – Americans Mark Regnerus, a sociologist, and Robert George, a professor of jurisprudence – agreed to an interview but stopped responding during scheduling. One retracted after the interview expressing concern about their reputation. Among progressives I solicited, four declined to participate. Two interviewees, one on each side, requested to review full interview transcripts or approve direct quotes in published work. These recruiting circumstances reveal the level of political polarization and tension among experts, which I analyze below. Note, although I refer to 'progressive' and 'conservative' experts, these labels only relate to their stances relative

to support (progressive) or opposition (conservative) to gay family rights. Interviewees did not necessarily use these labels themselves.

I conducted interviews in person, over the telephone, and via videoconference. I asked about their work (motives, support systems, experiences in their respective domains, etc.), their involvement in providing or organizing expert testimony, and their views on gay families debates. I had the interviews fully transcribed and used HyperResaerch to code and analyze them thematically along with the ethnographic fieldnotes.

Power struggles in knowledge production fields in the 2010s

In the U.S. and France of the 2010s, experts face nationally specific fields where balances of power between gay family rights opponents and supporters differ. While American expert supporters are more dominant relative to opponents within mainstream universities and professional organizations, in France they are more marginalized and have less power relative to conservatives. These configurations, reflecting the status quo at the time of data collection, are not static; they have changed over time and are likely to evolve as the factors that cause them, which I discuss in the next section, shift.

Relative to France, over the last 30 years in the U.S., work on sexual minorities, same-sex couples, and their children has become an established part of academic and professional research agendas. Among the experts I interviewed, this newfound recognition within their disciplines was acquired slowly and after resistance in the 1970s and 1980s, including difficulty publishing, securing funding, and getting jobs. For example, William Eskridge, a pioneer of LGBT law as a subfield, was denied tenure in the 1980s in part because he was gay. Similarly, Gregory Herek's research (Maher et al., 2009) on the psychology of anti-gay attitudes was 'not a very respected area of study' in the early 1980s. Resistance, however, became less frequent by the 1990s, interviewees said. By then, many were receiving funding from major organizations, such as Herek from the National Institute of Mental Health (NIMH), and publishing in major journals.

The growing American mainstreaming of research on sexuality and gender has benefited progressives. Today, progressive American interviewees described a field where their work is lauded, often funded, and usually supported by most of their universities. Their descriptions echo research (Cardiff & Klein, 2005; Klein & Stern, 2005) suggesting support for progressive stances in the American academy especially among social scientists in non-religiously affiliated institutions. Almost all progressive interviewees also said their work is currently welcomed by their respective organizations, such as the American Sociological Association (ASA), the American Psychological Association (APA), the American Psychiatric Association, and the American Bar Association (ABA). Some of these organizations have welcomed working groups devoted to gay family research for several decades, though sometimes after contentious debates and dissention.

Progressive American interviewees have also reached prestigious positions within their universities and organizations. For example, Eskridge, is now a professor at Yale, currently the highest ranked law school in the country. They also pointed to the multiplication of gender studies programs in American universities and faculty members specializing in gender, sexuality, and gay families as proof of their professional mainstreaming. Many have received top prizes in their fields, such as Charlotte

Patterson, one of the first psychologists to study same-sex parenting, who was awarded the APA's 2009 Award for Distinguished Contributions to Research in Public Policy. Similarly, Patterson and Gary Gates – a demographer formerly at the William's Institute, UCLA's sexual orientation law think tank – have joined committees at the U.S. Census Bureau, one of the most crucial sources of data on the U.S. population. These distinctions reflect the growth of their power in U.S field over time.

As the topic of gay families has become more respected, interviewees espousing public positions against gay family rights are more marginalized. Their support for 'traditional' family views and opposition to the funding, publication, and praise for gay family research have lost a platform for action within mainstream American universities and professional organizations. Indeed, as major groups take organizational-wide stances in favor of same-sex marriage and parenting, conservatives working in corresponding disciplines are by definition outside those institutional stances.

They said they felt increasing resistance to their work and stances. Academics, such as Brigham Young University law professor Lynn Wardle, and conservative think tank founders, such as activist Maggie Gallagher and former George Mason University professor Jennifer Roback Morse, who both have ties to scientists and lawyers involved in conservative politics, said those sharing their stances were more marginalized in mainstream fields. Some described personally experiencing or hearing about allies facing challenges from colleagues over tenure – particularly sociologists Bradford Wilcox and Mark Regnerus who work in mainstream universities – as well denunciations of their research in trade publications. Some said progressive scholars refused collaboration. For example, Douglas Allen, an economist at Simon Fraser University, claimed to have contacted sociologists, including Michael Rosenfeld, whose work (2013, 2010) he and colleagues critiqued (Allen et al., 2013) to ask for their data and feedback 'and over all the years *not a single one* has ever replied [his emphasis].' Some progressives share the perception that conservative stances are currently more marginalized. Eskridge, for example, explained that among law scholars, 'Almost nobody…will sit up and say I think gay people ought to be excluded from marriage. Some might believe it and would vote that way in private, but almost no one will say that in print or publically.'

Despite their sense of marginalization, U.S. conservatives have developed alternative parallel structures to traditional academic institutions. Conservative or religiously affiliated groups have created their own large and well-funded universities, such as Liberty University in Virginia and Brigham Young University in Utah. These universities have been an institutional home for some of the conservative interviewees. Moreover, they have also founded American and international alternative professional, advocacy, and funding organizations. Examples include the American College of Pediatrics, the International Society of Family Law, and the Witherspoon Institute, which funded Regnerus's study (2012) on childhood outcomes that advocates unsuccessfully wielded in U.S. courts to argue against same-sex marriage. These venues allow them to collaborate but do not provide the same professional and scientific recognition as mainstream spaces even as they offer organizational resources.

In France, the balance of power between progressive and conservative experts is flipped. Although the situation has slowly begun to change, in general, relative to the U.S., experts working on gay families still experience significant professional

marginalization. This situation is especially limiting for progressive interviewees. As recently as the 2000s, sociologists, such as Martine Gross, and anthropologists, including Anne Cadoret, had significant difficulty securing any funding for research on gay families. They described senior colleagues publically greeting their work on same-sex couples and their children with 'violent' hostility. For example, during a seminar at the *Collège de France*, in the early 2000s, one of Cadoret's colleagues shouted at her to 'stop talking' because the colleague 'could not stand what [she] was saying.'

Only in the last decade have some recent graduates secured permanent positions. Senior colleagues of younger progressive scholars, including child psychiatrist, Stéphane Naudaud, anthropologist Jérôme Courduriès, and sociologist Virginie Descoutures all explicitly discouraged them from working on these topics. One jurist interviewee, who currently studies surrogacy law and did not want to be named on this issue, said her former dissertation advisor recently told her she now works on 'perverted subjects.' When Nadaud – whose supervisor was 'a proponent of Anglo-American psychiatric [norms]' – published his 2001 dissertation on the outcomes of children raised by same-sex couples, leaders in his field, such as conservative psychoanalyst Caroline Eliacheff (2001) decried his findings in national newspapers as naïve, unreliable, and partisan (Garnier, 2012).

In terms of prestige, it has been rare for these experts to receive recognition from French institutions. Some notable exceptions began in the wake of the 2013 legalization of same-sex marriage and adoption when President François Hollande awarded the *Ordre de Mérite* to Gross in 2014 and to gay family lawyer Caroline Mécary in 2013. He gave the *Légion d'honneur* in 2013 to the sociologist Irène Théry, who, as I analyze in the next section, switched from opposing to supporting gay family rights in the mid-2000s. Nevertheless, these recent accolades notwithstanding, progressive academics have had less peer recognition than their American progressives.

Conservative French experts have long held central positions within their fields. They continue to dominate the most important venues organizing French knowledge production, including top universities, public research institutes, prestigious Parisian hospitals, governmental commissions, and powerful public service advisory boards allocating state funding. Contrary to the American field, this is especially true 'among jurists, [where] there are lots of people on the right,' Françoise Dekeuwer-Défossez, a family law professor opposed to same-sex marriage, argued. Claire Neirinck is an illustrative example. Unlike her conservative U.S. colleagues, she has not suffered professionally because of involvement in anti-gay family mobilizing. She is a distinguished family law professor at the *Université de Toulouse*, a member of the editorial board of the flagship journal in her specialty, *Droit de la Famille*, and author of the adoption sections in the civil law edition of *JurisClasseur*, the reference manual for legal professionals. Emphasizing conservative strength, interviewees on both sides cited an open letter written by 170 jurists to the *Sénat* in protest against the 2013 marriage bill (AFP, 2013). Because 'very well-known law professors at the *grandes universities*' signed the letter, progressive law scholars, such as Laurence Brunet, said they felt isolated. This dominant position has not gone uncriticized. For example, several progressive French law scholars rebutted the jurist's open letter online (Millard, Brunet, Hennette-Vauchez, & Champeil-Desplats, 2013). Moreover, Neirinck and Dekeuwer-Defossez both

suggested their junior colleagues behind the letter campaign may have created professional trouble for themselves in the long term by opposing same-sex marriage.

Among French mental health professionals, conservative psychiatrists and psychoanalysts have long spearheaded their professions' resistance to gay family rights (Borrillo & Fassin, 2001; Robcis, 2013) and psychologists hold comparatively conservative attitudes toward gay families (Vecho & Schneider, 2015). They say their dominance is fading. For example, Christian Flavigny, a psychiatrist at a major Parisian hospital and member of advisory boards on adoption policy, said his peers privately supported his stances but 'let him go to the fire' alone before media and lawmakers. One of his well-connected conservative colleagues, Pierre-Lévy Soussan, agreed that conservative psychoanalysts are losing legitimacy because of progressive attacks. Elisabeth Roudinesco, a famous historian of psychoanalysis popular in the media has, in her words, made 'permanent enemies in the psychoanalytic milieu,' because she has denounced experts using psychoanalysis to argue against gay parenting.

These reactions suggest a potential wane in conservative dominance in France, which may accelerate as public support for and legal recognition of gay families increases. Furthermore, contrary to Americans, French conservatives lack alternative knowledge production organizations they can mobilize as they lose ground to progressives in official state agencies and organizations that make up the French knowledge production field. Recent events, however, may slow this decline. For example, Valérie Pécresse, the president of the Paris region who ran on an anti-gay family platform – eliminated her region's funding for research on gender and sexuality, which was one of the few French granting sources (Daumas, 2016). Thus, despite recent slippage, French conservative experts continued to wield more power in fields than progressives. We now turn our attention to the factors that led to these power distributions.

Achieving field strength: national factors constraining and enabling experts

The relative strength, in the 2010s, of progressive gay family experts in the U.S. and conservative experts in France is the result of nationally specific resources and obstacles they faced in each country. The data indicate five interrelated but analytically distinct types: 1) size and centralization of knowledge regimes; 2) disciplinary and university reactions to research on gender and sexuality; 3) academic and professional organization strength; 4) social acceptance of gay families; and, 5) the degree of division among allied experts. In what follows, I describe how interviewees confronted these factors to arrive at their current circumstances.

Size and centralization of knowledge regimes

The size and centralization knowledge regimes in the U.S. and France have benefitted or hindered different experts. The large, decentralized, and less state-centered American system has advantaged progressives and conservative alike. In a large field with more opportunities than France, American progressives gained traction in some regions and grew their footholds over time while conservatives

found homes in alternative organizations. In contrast, in France, the centralized, hierarchical, and state-centered system of universities has limited progressives. Because conservatives continue to occupy high-ranking seats in university policy boards and state-run commissions, almost all of which are in Paris, progressives have had, until recently, fewer opportunities within a smaller academic job market relative to Americans.

Americans on both sides described working in institutions across the country, sometimes when attracted with funding, promotions, or more acceptance. Eskridge, for example, moved to Georgetown University from the University of Virginia where he found support for his work on LGBT law. On the other side, Morse moved from George Mason University to the Hoover Institution, a conservative think tank at Stanford University, before leaving the academy and founding her own advocacy organization. The number and variety of higher education and research institutions gives American experts more possibilities than their French counterparts for developing careers and cultivating spaces that fit their agendas.

French interviewees have not had such flexibility because universities are less numerous, less independent, and more homogenous there. Key steps in academic hiring and promotions, for example, are nationally centralized. Many progressive interviewees, including law professor Daniel Borrillo and sociologist Eric Fassin, claimed their careers were stifled for decades because well-placed conservatives prevented their promotions. They had few options for overcoming these barriers.

Furthermore, most French non-university knowledge production organizations are linked to the state. Conservative experts have held key positions within commissions acting as official governmental advisors, which, in the words of one progressive expert, means, 'People who are against a certain social evolution are in strategic positions.' For instance, the state nominated Lévy-Soussan to the *Agence de la biomédecine*, the state administrative board responsible for regulating ART. Similarly, Xavier Lacroix, a philosophy professor and theologian, was appointed in 2008 to the *Comité consultatif national d'éthique pour les sciences de la vie et de la santé* (CCNE), a legally-mandated advisory board authoring non-binding declarations on all bioethics legislation that has opposed ART for lesbians until 2017. Finally, the *Union nationale des associations familiales* (UNAF), a powerful state-mandated family association federation the government is required to consult when drafting policy, over represents conservative family groups. It has worked with conservative law professors, such as Claire Neirinck, to draft official stances on gay family rights (UNAF, 2012). Within this system, progressive experts have only begun advancing as conservatives retire or end their terms.

Disciplinary and university reactions to research on gender and sexuality

Disciplines and universities in each country have historically reacted to gender and sexuality research in ways that have aided American progressives but limited their French colleagues. Mirroring national differences in size and centralization, interviewees experienced the American system as more accommodating to path-breaking research on gay people and their families. Illustrating this, Patterson, one of the first U.S. psychologists to study children raised by same-sex couples, described institutional

support for her novel work. For example, during a 1989 sabbatical at UC Berkeley her peers in the psychology department and the Beatrice Bain Research Group, a feminist studies community, encouraged her to publish the first review of the extant literature on the outcomes of children (Patterson, 1992). Patterson's experience was not uncommon among U.S. interviewees who were the first in their fields to work on these issues. While all said they experienced skepticism, especially in previous decades, they ultimately found support for their unusual work.

Relative to their French peers, this support allowed them to conduct significant empirical research on gay families creating the 'scientific consensus' (Adams & Light, 2015) that children raised by same-sex and different-sex couples fair equally well, which proved central for progressives in trials. Respondents having testified before U.S. courts on this consensus, including Gates and Rosenfeld, described how hard-won acceptance of such research in American social sciences multiplied studies with increasingly better data. Both pointed to some open-mindedness from journals, grant providers, review boards, and data collectors. Had U.S. disciplines rejected this research, scholarship on gay families would likely have stagnated, falling short of the perceived critical mass that has buttressed the progressive legal case and given progressive scholars strength in their fields. Indeed, the French case suggests as much.

French experts researching sexual minorities have faced chronic skepticism from their peers and institutions. Each had stories of resistance from colleagues and mentors. Like their American peers, they conducted research on marginal topics but did so in a markedly more hostile environment that remained resistant to their ideas and methodology for longer (Perreau, 2016). Contrary to the U.S., French universities did not develop minority studies programs in the wake of post-1960s social movements. Thus, few French universities have opened women and gender studies programs, which could have helped progressive experts. Furthermore, French disciplines have continued to disregard such topics. For example, unlike some U.S. law school curricula, according to Dekeuwer-Defossez, 'It's unimaginable in France to open a course on LGBT oriented law.' Similarly, decrying the conservativeness of the French academy, renowned anthropologist Maurice Godelier explained that 'in the U.S. … you have a veritable [literature on] "gay kinship, lesbian kinship."' Illustrating this erasure, several cited the omission of gay families from François de Singly's authoritative *Sociologie de la Famille Contemporaine* until the 3rd edition (2007), despite his supervision of Descoutures's dissertation on lesbian mothers and awareness of gay family organizations. Refusals to grant academic recognition to sexual minorities in general, and gay families in particular, are consistent with French republican universalism's downplaying of social differences.

As a result of these circumstances, French scholars have had fewer opportunities and produced less research on gay families than peers in other countries (Vecho & Schneider, 2005). French conservative experts have historically benefitted from this environment because academic and professional resistance to gay parenting research aligns with their ideological stances.

Academic and professional organization strength

The strength of academic and professional organizations in the U.S. and their relative weakness in France has also shaped power distribution. Organizational strength has been beneficial to Americans on both sides, but especially for progressives. They have used official academic and professional organizations to further the acceptance of gay family research while also pushing their professions to advocate on behalf of gay rights. Working within their decision-making frameworks, they built a collective structure for both producing and mobilizing their research. There are many examples in the data but the APA and ASA are particularly illustrative.

The APA has an established unit devoted to sexual minority issues: the Lesbian, Gay, Bisexual and Transgender Concerns Office. Its associate executive director, Clinton Anderson, described how the APA used this office and its in-house legal team to issue public policy statements and *amicus curiae* briefs supporting many gay right issues, including same-sex marriage and gay parenting (American Psychological Association, 2005). To create these documents, Anderson has cultivated psychological experts, including Patterson, Herek, and Anne Peplau, for decades.

The ASA has also intervened in gay family debates. For example, in 2013, ASA's Executive Council decided to respond to demands from ASA members that the organization take an official stance rejecting Regnerus's claim in *Social Science Research* (2012) that children fare poorly when raised by same-sex couples. This stemmed in part from a campaign Gates, Patterson, and other social scientists organized leading the journal to investigate the review and editorial process behind the article's publication. Agreeing that his stance mischaracterized the sociological research, the Council funded Wendy Manning, a family sociologists who, unlike other equally qualified colleagues, had not taken a public stance on Regnerus's article, to review the literature. Manning's review (2014), which was ultimately published, found no evidence of harm to children, debunking Regnurs's claims. It also formed the basis of an amicus brief ASA filed in support of same-sex marriage.[3]

As official organizations have taken increasingly progressive policy stances, American conservatives have used their own organizational power. They leverage a network of think tanks, advocacy organizations, and alternative professional groups from the Heritage Foundation and the Family Research Council to the Witherspoon Institute and the Marriage Law Foundation. Yet, despite the significant budgets of some, they do not carry the symbolic weight of official organizations that speak in the name of entire disciplines or professions. That credibility can be important in litigation where the standards of evidence require each side to substantiate their claim that science supports their case (Yoshino, 2015). U.S. progressive interviewees were also involved in their own think tanks, such as Lamda Legal and the William's Institute, which produces peer-reviewed social science for progressive gay rights causes. But, unlike conservatives, they also had official disciplinary organizations to undergird their stances.

Relative to their American counterparts, many French professional groups, such as the *Association Française de Sociologie* and the *Société Française de Psychologie*, are small, low-budget, lack professional staffs, and have not produced significant contributions of any stance on gay family policy. Furthermore, consistent with other research

(Béland & Cox, 2010), the few respondents involved in think tanks, such as Théry and Geneviève Delaisi de Parseval at *Terra Nova*, said they have less impact than state-run advisory boards. French progressive experts thus could not leverage significant organizational resources to influence their fields like Americans. As a result, their capacity to collectively create progressive momentum in the disciplines that could impact policy-making and counter on-going conservative dominance has been limited. Absent strong professional organizations receptive of their work, French progressives' best option is to increase their representation in state advisory commissions where conservatives have dominated until recently. Yet, because appointment to such positions is both political – elected officials are responsible for nominating some members – and collegial, this long-term strategy is contingent, in part, on elections.

Social acceptance of gay families

Social acceptance – or not – of same-sex couples raising children, as measured by their legal recognition, visibility in the media, and representation in organizations affects the capacity of experts studying them to gain traction in their fields. This factor is most salient in France, where the social, political, and scientific erasure of gay couples and their families has been a lasting feature of the French – but not U.S. – case. Indeed, U.S. experts enjoy both a comparatively more supportive academic environment and work in a country where gay families were legally recognized in some jurisdictions for decades. This made finding and studying them easier than in France. Indeed, academic barriers facing progressive French scholars are exacerbated by a social climate less sympathetic to gay parenting.

Gay family invisibility in French media and political spheres, noted by other scholars (Garnier, 2012; Vecho & Schneider, 2005), is both a symptom and cause of the illegitimacy of sexual minorities as research topics. French bans on surrogacy, adoption, and ART for same-sex couples have made it especially difficult for French gays and lesbians to have children in the first place. In addition, relative to the U.S., French public opinion has been historically more negative towards gay parenting. For example, from 2012 to 2014, support for same-sex adoption reached a high of 63% in the U.S. but sunk to 46% in France in May 2013 just before the legalization of marriage and adoption.[4] Furthermore, counter to the U.S – where, as Gates and Rosenfeld described, scholars have constructed a picture of gay family demographics with the Census and other national surveys that either indirectly capture or explicitly ask about gay families – French interviewees said national research centers, like the *Institut National d'Études Démographiques*, have not historically gathered data allowing such measurement. Despite hoping they might eventually do so, some interviews argued administrators usually refuse to ask such questions, just as they do with race, because doing so would recognize a minority category and thus violate principles of French universalism. Complicating matters further, the UNAF, which is statutorily required to represent all French family associations, systematically refused to admit gay family organizations until the last few years, eliminating their voices from officially sanctioned discourse (Garnier, 2012; Robcis, 2013). In this climate, it has been especially difficult for French researchers to study the experiences of same-sex couples and their children.

Despite the ongoing and historical efforts of France's two gay family organizations – the APGL and the ADFH – to encourage researchers to study their families (Gross, 2007), most French interviewees, including gays and lesbians, said gay families have long been socially invisible there relative to countries like the Netherlands, Canada, and the United States. During the late 1990s, it was especially acute. Most interviewees working then, including those who conducted research with the APGL, such as Nadaud and Cadoret, said few people imagined gays and lesbians wanted or already had their own families. Both said gay parenting was 'not a visible phenomenon.' Gross, also a former president of the APGL, argued that gay parenting was largely underground. This relative erasure seems to have been true even as late as the last few years. For example, in the words of Erwann Binet, the lawmaker responsible for organizing the *Assembée Générale*'s Judiciary Committee hearings in 2012, gay families have been, 'totally abstract and inexistent in the minds of the French … For them, homosexuals could not have children.' This invisibility, and the lack of research it helps cause, serves French conservatives. Unlike in the United States, they can more easily minimize the phenomenon of gay families altogether and make claims that are difficult for progressive experts to counter without the data and social support to do so.

Division among allied experts

Finally, the degree of fragmentation among experts on the same ideological side also shapes their position in the field. In the U.S., despite some notable discord among progressive scholars over gay marriage, the struggle between gay rights supporters and opponents appears more salient. This progressive-conservative polarization characteristic of the U.S., and consistent with the national knowledge regimes literature (Campbell & Pedersen, 2014), appears to limit weakening effects inter-left division have on progressive experts' current position in the field. In France, however, longstanding public division among left-leaning experts over gay family rights has made countering conservative dominance more difficult. Contrary to progressives, the data do not reveal any notable, public divisions among conservative experts over these issues in either country. Fragmentation thus appears to constitute a specific hurdle for progressive experts, especially in France.

American progressive experts described opposition stemming from concerns about perceived negative normative and political effects of their research, which sometimes limited their work. For instance, in the 1980s, psychologist Ilan Meyer encountered peer resistance in reviews and conferences when his research on 'minority stress' cast doubt on accepted theory that gay and straight people had the same risk of psychiatric disorders. Some worried it could hurt gay people's image. He found, in fact, that 'gay people [were] suffering [from] the impact of homophobia.' Similarly, Peplau explained that prior to 1990s, psychologists hesitated comparing same-sex and different-sex couples to avoid, 'imply[ing] heterosexuals were the standard.' More radical scholars, such as critical theorist Michael Warner (1999) and sociologist Judith Stacey (Stacey & Biblarz, 2001), criticized American gay family research for not fully embracing the queer potential of non-heteronormative parenting. Several interviewees, including Manning, Patterson, and law professor Nan Hunter, personally experienced or witnessed Stacey, who they all knew personally, suggest that most gay family scholarship

reinforces heteronormativity by overemphasizing similarities between straight and gay families and their children's outcomes. Patterson in particular said Stacey criticized her and her colleagues' work in articles and conferences.

American conservative experts have unsuccessfully tried to exploit these academic divisions in courts. Attempting to cast doubt on the reliability of Patterson and others' research, they frequently cite Stacey in amicus briefs[5] and in expert testimony in federal marriage trials.[6] These strategies, nevertheless, appear to diminish the effects of intra-left fragmentation. For example, Stacey has responded by rejecting conservative manipulation of her work and emphasizing her support for her progressive colleagues. She lays some of this out in a video denouncing anti-gay distortions of research[7] and in interviews (Schilt, 2017). Furthermore, the way family sociologists reacted to the Regnerus affair – by rallying together through interpersonal networks and the ASA to critique his methods, findings, and conclusions via review boards, journal articles, amicus briefs, and expert testimony – suggests that partisanship can override progressive divisions.

The French field, in contrast, is characterized by historic and enduring conflict on the left caused by several famous, high-ranking, and politically connected experts – including anthropologists Françoise Héritier and Maurice Godelier, and sociologist Irène Théry – who changed their stances on same-sex marriage in the early 2000s. Before supporting it, they vehemently opposed same-sex marriage and parenting in the press and before parliament, denouncing their more progressive peers as radicals. With the exception of sociologist David Blankenhorn, few American academics have publically shifted this way.

The conflict originated at a time in the 1990s when these people, especially Théry, were family policy experts for the state and unofficially the Socialist Party. Sylviane Agacinski, a feminist philosopher and wife of then Socialist Primer Minister Lionel Jospin, who has never stopped fighting against gay families, echoed their views. Théry, though now a strong supporter of gay families, opposed the Pacs and same-sex marriage in the 1990s. '…We must continue to refuse homosexual marriage,' she explained in an interview to *Le Monde*, 'because matrimony is the very institution of sex differences, linking together the couple and *filiation* through the presumption of paternity, which is the heart of marriage' (Aulagnon, 1997). She stressed the 'finiteness of [homosexual] relationships' and wanted to limit all childrearing to heterosexual couples.

Many interviewees discussed the origin of the division and rivalry within the field around the time of the Pacs debates, before Théry and others changed their stances, and when both sides were openly fighting with each other in the press as well as in public and academic conferences (Borrillo & Fassin, 2001; Borrillo & Lascoumes, 2002; Gross, 2007; Prearo, 2014; Robcis, 2013). In particular, they described a two-day conference in 1999 on gay couples and parenting, hosted by the APGL, as an especially striking example. At the conference, Théry, Fassin, and Borrillo confronted each other in a debate about whether supposed sex differences between men and women justify prohibiting same-sex couples from joint-adoption and full marriage rights or whether principles of equality trump such considerations (Peerbaye, 2000). The debate, which was 'explosive' and dramatic according to several interviewees, led Fassin, Borrillo and their supporters, to leave the conference the next day and not publish in the proceedings. They were also simultaneously organizing their own conferences, one in 1998 and

another 1999, which involved a critique of the role of experts, including Théry, in the Pacs debates. They also published several academic articles developing these arguments (Fassin, 1998, 2000a, 2000b) and an edited volume (Borrillo & Fassin, 2001). At the same time, Théry was reiterating her critiques of them, for example, in an interview with the French intellectual journal *Esprit* (Abel, Coq, Garapon, & Théry, 1998).

In the last decade, experts who had always supported gay family rights now find themselves on the same side as their former political and academic rivals. As a result of this conflict, progressive interviewees on both sides described episodes of career blockages, negative professional side effects, and defamation from their rivals. This clash – regardless of the veracity of each side's claims – limited progressives' capacity to resist conservative dominance in French knowledge production fields. First, in the 1990s, anti-gay marriage progressives provided intellectual coverage to conservative arguments. Second, according to every progressive French interviewee, the conflict leaves people feeling caught in an on-going battle requiring one to take sides. This fragmentation continues to complicate work for progressive French knowledge producers in a small field where research is already underfunded, marginalized, and under attack by conservatives.

Conclusion

By testifying for and against gay families in the United States and France, academics and professionals provide expert capital – specific symbolic and material resources – to activists and decision-makers. Yet, as this article demonstrates, their capacity to produce, accumulate, and share that capital depends on how they overcome barriers and mobilize resources specific to their national knowledge production fields. Just as activists contend with political opportunity structures in the political field to accomplish their goals (Meyer, 2004; Swartz, 2013), experts I interviewed produced expertise in a contentious field where competition for resources and recognition is partisan and conditioned by nationally specific knowledge regimes. Circumstances in the United States and France relative to university and professional organizational structure, social and academic acceptance of gay families, and ideological division have all shaped how progressive and conservative experts have fared.

In the 2010s, American progressive experts had leveraged their way into a position of relative strength by pushing their universities and professional organizations to gradually acknowledge their work. They did so in a large field that presented more opportunities for better data collection than their French peers, who found themselves limited by a smaller, more hierarchical field where their institutions have been less receptive to their work, which already suffers from a chronic lack of social acceptance. Progressives in both countries also faced fragmentation within their ranks that hindered their work but which proved especially constraining in France. American conservative experts, though facing some marginalization from mainstream academics and official organizations, have mobilized networks that are stronger in a decentralized American system in order to counter progressive expert capital with varying degrees of success. Conservative French experts are also facing criticism for their views but, because they have historically held top academic and advisory board positions in the top-down French field, they have been able to maintain some dominance.

The current relative positions of experts in their fields, I argue, are the result of historical processes continent on the nationally specific circumstances described above. Their positions are likely to continue to change. For example, the relative strength of American progressive experts may only be temporary if conservative scholars and their allies successfully attack funding for research on gay families or sexual minorities more generally, as they have done in the past (Epstein, 2006). Recent right wing attacks (Schmidt, 2017) on progressive American academics and tepid university administrative responses in defending them could signal a shifting climate. In France, legalization of same-sex marriage and parenting as well as recent positive shifts in public opinion – the most recent poll finds a majority of French people support gay parenting – may help reduce the invisibility of gay families there.[8] That could lead to more support for gay family research in the long run especially if conservative experts continue to lose ground on official advisory boards.

Explaining the degree of power experts of different ideological categories have in their fields and how they acquired it, which this article does, only captures one aspect of expert capital. It is equally important to analyze how experts interact with the people, such as activists and decision-makers, and institutions, such as courts and legislatures, that use their expertise.

First, research on social movements suggests that activists and experts interact through organizations, exchange ideas, learn from each other, and sometimes occupy both positions (Cresswell & Spandler, 2013; Epstein, 1996; Holli, 2008). Building on my findings about the challenges experts within the academy and professional organizations face, the next analytical step could focus more specifically on the ways expert and social movement fields overlap and how national context conditions that intersection. For the U.S. case, this article points in the direction of people at think tanks and professional organizations, such as Clinton Anderson at the APA, who connect experts to each other and potentially with movement organizations. In France, the relationship between Martine Gross and gay family organizations as well as between Claire Neirinck and the UNAF are also a point of overlap between the two fields. In all cases, my research suggests that the relatively autonomous knowledge production field poses specific constraints that will likely shape interactions between experts and activists.

Second, my findings point to the fact that strong progressive expert capital grounded in the scientific consensus on childhood outcomes was especially useful for pro-gay marriage advocates in the context of U.S. courts. I argue here that circumstances in the American knowledge production field helped progressive experts create that consensus. Going forward, research should explore how courts, as opposed to, say, legislatures may be a more effective venue for this kind of expert capital. This would help explain why American gay rights advocates, who can take advantage of powerful scientific expertise on sexual minorities and their families, seek success through litigation (Mezey, 2007). In addition, feedback loops between policy outlets and knowledge producers (Jasanoff, 2004) may also have an impact on expert capital. For example, the strong demand for peer-reviewed social science created by American courts and the high bar they put on standards of evidence (Ramsey & Kelly, 2004) has led both progressive and conservative experts and their allies to produce research. The Regnerus affair is a good example of this process. To counter the scientific consensus, the Witherspoon institute funded the data collection for Regnerus's article, which appears to have been motivated precisely for use in courts.

This comparison between the U.S. and France highlights factors impacting experts' power to produce knowledge in their countries. These results have implications for making sense of how they do so in other countries. In order to understand why conservative and progressive experts gain and lose power in other places, scholarship might examine the knowledge regimes, institutional embrace of research on minorities, organizational power, gay family visibility, and ideological fragmentation there. Other national cases would also show which of these factors is perhaps idiosyncratic to the U. S. and France and reveal novel ones. This study also has implications for different issues. Extending this comparison to other highly politicized debates involving expertise, such as climate change or autism, may also bring to light common dynamics all experts navigate as they produce knowledge for decision-makers.

Notes

1. *Hollingsworth v. Perry*, 133 S. Ct. 2652 (2013); *DeBoer v. Snyder*, 973 F. Supp. 2d 757, 775 (E.D. Mich. 2014).
2. *Obergefell v. Hodges*, 135 S. Ct. 1039 (2015).
3. Brief of The American Sociological Association as *Amicus Curiae* in Support of Perry and Windsor, *Hollingsworth v. Perry* and *Windsor v. Bipartisan Legal Advisory Board*, 570 U.S. 12–144 (2013).
4. Sources: Gallup, http://www.gallup.com/poll/170801/americans-say-sex-couples-entitled-adopt.aspx?utm_source=marriage&utm_medium=search&utm_campaign=tiles; Copyright © 2015 Gallup, Inc. All rights reserved; Ifop, http://www.ifop.com/?option=com_publication&type=poll&id=2839; Copyright © 2015 Ifop, Inc. All rights reserved.
5. See for example: Brief of Robert P. George, Sherif Girgis, and Ryan T. Anderson as *Amici Curiae* in Support of Hollingsworth and Bipartisan Legal Advisory Board, *Hollingsworth v. Perry* and *Windsor v. Bipartisan Legal Advisory Board*, 570 U.S. 12–144 (2013).
6. *Perry v. Schwarzenneger* 274 F. Supp. 4 (U.S. D.C. N. CA. 2010).
7. http://respectmyresearch.org/scientists/dr-judith-stacey/. Accessed 10/18/2015. See also http://www.prweb.com/releases/2006/07/prweb412920.htm. Accessed 06/25/2017.
8. Ifop, http://www.ifop.com/media/poll/3798-1-study_file.pdf; Copyright © 2017 Ifop, Inc. All rights reserved.

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