

Alternatives to Marriage Update

Quarterly Newsletter of the Alternatives to Marriage Project

Summer 2007

Meet an AtMP Board Member

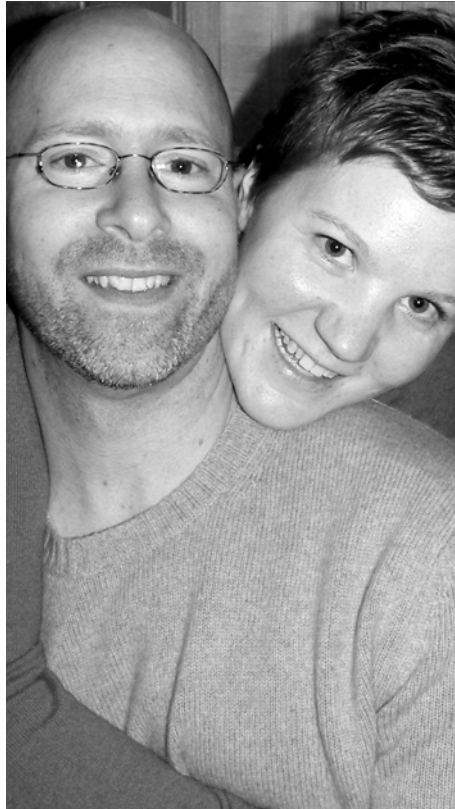
JULIE BLUHM

I have been a member of the AtMP Board of Directors since September of 2006. I live in Minneapolis, where I work as a Clinical Social Worker, providing assessment and therapy to individuals, couples and families. I share a home with my partner of eight years, Stephen, and our two cats, Sadie and Max. We enjoy working on home improvements, gardening, traveling, working out, discovering new local restaurants, music and dance scenes, driving fast cars and motorcycles and indulging in good food (thanks to Stephen's culinary skills!).

I first heard about AtMP on National Public Radio in 2001. It caught my attention because Stephen and I are very happy with our relationship as it is and have no intention of marrying. Originally I was hoping to find support and connect with like-minded people, learn more about advocating for the development of policies that better reflect the realities of families today and get information about how to make our relationship legally secure. Discovering an organization that was addressing something so personal to me was quite validating; I visited the AtMP website and joined the listserv right away. Shortly after visiting the website I emailed Dorian Solot, wondering if there was a Minneapolis chapter of AtMP. She said there wasn't, but asked if I would be willing to start one. I have been involved ever since.

AtMP appeals to me because of its inclusive mission. The organization is focused on greater recognition of alternative family structures that already exist, rather than promoting one lifestyle decision over another. I have personally chosen not to marry because that has been the right decision for me. I believe that my relationship deserves the same recognition and to be taken as seriously as those who choose to marry. I appreciate that AtMP advocates for the rights of GLBT couples to be recognized legally, and believes that everybody should have the choice whether to marry. More than that, though, I like AtMP's strong position that marriage should not be required for couples to be recognized. Finally, I appreciate the legislative advocacy that AtMP does regarding issues such as health care, marital status discrimination, marriage incentives and same-sex marriage bans.

My goals as an AtMP board member in-



Julie and Stephen

clude greater engagement of members. I am interested in continuing to develop forums for people who share in AtMP's mission to meet and support each other. I am also working on the development of a professional network so we can offer referrals to legal and financial professionals who are invested in our mission. If you are interested in helping, please let me know by calling 718-788-1911.

The board of directors keeps AtMP focused on its mission and accountable to the public. Board committees do important work such as developing policy statements, networking with other organizations, and raising funds. You don't have to be a board member to join a committee! If you are good at virtual team work (a mix of independent efforts, two-way conversations, and group discussion via e-mail and phone) please call 718-788-1911 to join a committee!

MEMBER NEWS

Celebrating Single Working Women's Week

BY BARBARA PAYNE

SWWAN the Single Working Women's Affiliate Network, celebrates the passion and courage of single self-supporting women: women who use their creativity to meet the challenges and overcome the sometimes significant societal hurdles of living singly. SWWAN shares AtMP's belief that no one should feel embarrassed or ostracized for being single. SWWAN resonates with AtMP's mission to make alternatives to marriage - including living single - more socially accepted.

Single by choice or by chance doesn't matter to SWWAN. Many single working women will marry if they meet the right man, some want to stay single forever, and some are interested in other women. Our organization celebrates the many qualities it takes to successfully negotiate life as a single woman in a couples-oriented world.

Last year SWWAN approached Chase's Calendar of Events, the official guide to U.S. holidays published by McGraw-Hill. We submitted the idea for celebrating a holiday during which single working women could become the focus of attention...and possibly even gifts. Chase's rigorously screens proposals, and agreed that this was a demographic worthy of a holiday: Single Working Women's Week.

So now, just as we celebrate Mother's Day, Father's Day and so on, the U.S. has a holiday just for Single Working Women. The first official celebration was July 29 to August 4, 2007.

SWWAN is looking for ideas for celebrating the new holiday. For example, chocolates and flowers are fine, but how about these ideas: Take a single woman friend to dinner (or cook for her). Take her garbage out. Walk her dog. Take her car to the car wash, or watch her kid(s) for a couple of hours. What can you imagine as a way to give a break to people who are not only the sole breadwinner but responsible for all of life's household duties?

To send an idea for celebrating, to get more information, or to join (basic membership is free) email membership@swwan.org, or visit www.swwan.org. Welcome to all AtMPers—single or not!

OPINION

Looking Toward the 2008 Elections: Reflections on Politics, Death, and Taxes

BY JACLYN GELLER AND LISA J. EHRLICH

AMERICANS are gearing up for the 2008 elections, and the pundits are, of course, prognosticating about the recent crop of presidential hopefuls. It seems that this will and will not be an election year unlike any other. It is common to hear that this is a year of landmarks and "firsts." Whether she succeeds or not, Hillary Clinton remains the first "First Lady" to run for and win a seat in the United States Senate. Whether he earns a nomination or not, Barack Obama is the first African American to serve as President of the *Harvard Law Review*.

Real as they are, these landmarks can lead to a false complacency, a belief in inexorable progress accompanied by the misconception that, in the political arena, all major barriers have been removed and a meritocracy prevails. If this were the case, there would, of course, be unmarried candidates throwing their hats into the ring. There are none. James Buchanan, who served from 1857 to 1861, was our nation's last – and sole – unmarried president. Today, each political candidate is married in the conventional sense, with a license, a gold wedding band, and a public promise to remain monogamous to a spouse until "death do them part."

Americans assume – and demand – that each presidential hopeful and each president, vice president, and even senator and congressperson beam from the podium with an adoring spouse at his or her side. Demonstrations of marital bliss are the rage in American politics. Who could forget the lengthy, cinematic kiss between Al and Tipper Gore at the 2000 Democratic National Convention? The message of such theatrical moments is as unmistakable as it is irrational: as a happily married man I am the candidate best-suited to manage the nation's economy, select judges, oversee foreign policy, and safeguard national security. It is an assumption so deeply embedded in our

WHAT YOU CAN DO:

YOU can shape the 2008 presidential race by joining AtMP's Candidate Watch! Expose ridiculous media coverage of candidates' marital status. Applaud presidential candidates who show respect for singles, unmarried partners and diverse families. Chide candidates who promote marriage-only policies. Re-frame the family values debate by writing the lines you'd like to hear politicians say. You can submit a one-time idea or join the Candidate Watch team by emailing candidate@unmarried.org or calling 718-788-1911.

culture that it is all but invisible.

Journalists seem eager to enshrine the candidates' marriages. In 2000 a celebratory article in *People Magazine* contrasted Laura Bush and Tipper Gore, proclaiming, "One's reserved, the other's outspoken, but Laura Bush and Tipper Gore have one thing in common: a commitment to family and their husbands' ambitions." In 2006 *The New York Times* featured a glowing portrait of Hadassah Lieberman as Joseph Lieberman's "closest advisor," a "doting wife and mother" who addresses her spouse publicly as "Joey." That same year the *Times* ran a lengthy piece examining Bill and Hillary Clinton's marriage in absurd detail, as if the couple's conjugal habits (fourteen days per month together on average in 2005 including a Valentine's Day date) were indicators of Mrs. Clinton's ability to govern. In 2007 *Ebony Magazine* named Barack and Michelle Obama "the hottest couple in America." In the piece Obama characterized himself a reasonably "well-trained" husband who, nevertheless leaves his socks on the floor and hangs his pants on the door. Putting a positive spin on the multiple marriages she and Rudy Giuliani had both experienced prior to their own union, Judi Giuliani recently told *The New York Daily News* that she and her husband "believe in the institution of marriage."

What's beneath candidates' pro-marriage

rhetoric? Often it's just cynical pragmatism. Republican presidential candidate Mike Huckabee and his wife, Janet, received media attention in November 2006 for creating wedding registries at Target and Dillards even though they had already been married for 32 years. The registries were clearly a means to circumvent Arkansas' \$100 cap on gifts to political leaders.

In the face of these blandishments it is important to remember that American marriage is anything but neutral; its laws and customs contain inherently political assumptions about sexual behavior, gender roles, and conjugality as the organizing principal of American society. The pro-marriage bias that cuts across the American legal system, offering and withholding very real benefits, is an expression of these beliefs. For example, just look at something as basic and all-encompassing as the tax code. (See side note.) Perhaps we should not be surprised that the existing system of taxation blatantly favors the married, providing powerful incentives to relationship conformity. Our elected representatives pass laws that benefit the way of life that they themselves have chosen.

Another expression of these beliefs can be seen in the jeremiads against women on welfare, which have become commonplace in our political landscape. Low-income women are often castigated for their

SIDE NOTE

A system now prevails in which tax benefits afforded the married amount to a full-scale array of subsidies. AtMP's website, www.unmarried.org, explains how basic income taxes employ marital status discrimination. Capital gains taxes and estate taxes also discriminate. Here's how:

Thanks to the recent national boom in the housing market, it is now especially attractive and beneficial for married people to sell their property. They don't have to pay capital gains tax on the first \$500,000 of the increase in value of a primary residence. An unmarried person can exclude only \$250,000 of gain on the sale of a primary residence. Thus, a husband and wife who purchased a home for \$700,000 and sell it for \$1.4 million are taxed on only \$200,000 of the \$700,000 gain on the sale. However, an unmarried person, or unconventional partners where only one partner owns the property, would pay taxes on more than twice as much: \$450,000.

Even in death – supposedly the great



Photograph by Carlos Arias
Jaclyn Geller (right) and Lisa Ehrlich

leveler – the married are taxed preferentially; wealth passes from the deceased to the non-deceased spouse with no tax consequence. Those who are unmarried but living together – romantically or platonically – are penalized if they do not take specific steps to protect their estates. To protect themselves, unmarried people have to create trusts, a process that entails consulting both a financial planner and an attorney. These are expensive processes that the married can sidestep.

unmarried status and their willingness to accept governmental assistance to provide for their dependents. Ironically, political pundits rarely target the married, who receive government subsidies simply because they are...married, and therefore assumed to be virtuous and deserving of help.

In fact, politicians and pundits want more Americans to get and stay married. Huckabee has repeatedly bemoaned no-fault divorce; during his tenure as Governor of Arkansas he supported that state's "Covenant Marriage Act," which allows couples to divorce for only a limited number of reasons and requires them to seek counseling and wait two years before the divorce is granted. In a May 2007, *New York Times* opinion piece, journalist David Brooks urged the promotion of marriage as "the best educational institution we have." Brooks offered no analysis or statistics to substantiate this claim. He assumes it is self-explanatory that the married are (magically!) intellectually and professionally fortified, hence "better." His view expresses a popular prejudice that tends to go unchecked.

This bias probably prevents myriad worthy unmarried political candidates from attempting to penetrate the higher echelons of national politics. Americans appear willing to consider only leaders who conform to the matrimonial mold.

The nation faces very real, very polarizing issues: reproductive rights, the war in Iraq, the environmental crisis and more. Perhaps the Democrats' and Republicans' tacit agreement on marriage as a timeless civic good enables consensus, providing an apparently neutral, apolitical zone in which politicians can agree on something.

When we begin to support unconventional partners, uncoupled, unmarried candidates, things may start to change. Until then, we should at least demand that our public officials acknowledge that there are different kinds of households, unions, and families, all of which need support, all of which should be taxed fairly. And when a politician blithely announces that he or she is "pro-marriage," we should interrogate this candidate's rhetoric, pointing out that many of us no longer wish to vote for a society that celebrates only one model of relationship.

Jaclyn Geller is an assistant professor in the English Department at Central Connecticut State University, where she specializes in Restoration and Eighteenth-Century Studies. She is the author of *Here Comes the Bride: Women, Weddings, and the Marriage Mystique*. Lisa J. Ehrlich is a New York State-certified C.P.A. with fifteen years of experience in institutional financial services. Their mutual love and respect has created a deep and enduring bond, a friendship that has enriched both their lives immeasurably but, sadly, will not qualify either of them for a tax deduction.

REPORT FROM THE FIELD

Congregations Boycott Marriage

BY SHANNON CARLIN

THE Park Slope United Methodist Church's (PSUMC) Creed states: "Hand in hand, we the people of the Park Slope United Methodist Church – black and white, straight and gay, old and young, rich and poor . . . we commit ourselves to the humanization of urban life and to physical and spiritual growth." A discriminatory addition to the religion's Book of Discipline, though, threatened the church's emphasis on inclusion.

In 1996, the General Conference of the National United Methodist Church added Paragraph 332.6 to the Book of Discipline. It stated, "Ceremonies that celebrate homosexual unions shall not be conducted in our churches."

"The congregation was looking to make a statement," Park Slope Pastor, Herb Miller said. "Something to show a strong solidarity."

Members of the Park Slope community are known for being liberal and progressive. Residents of the area explore a variety of family structures and stay politically active. Miller explained that everyone was in favor of doing something, but what could they do?

Many wanted to shun the Church rules by going ahead and performing marriages and holy unions for anyone and everyone. Others chose an alternative:

stop performing marriages and holy unions all together.

After a Congregational vote in 2001, the Park Slope parishioners agreed to a new policy on weddings and holy unions. "Until all can be married within our church walls, none shall be married within our church walls."

The policy established an explicit non-discrimination policy, celebrating holy unions and legal weddings under equal guidelines. Vows for all covenant services, including legal weddings, for all couples in the church community would be performed in places other than in the church. The pastor would no longer conduct legal marriages or holy union ceremonies.

The PSUMC has established itself as an "inclusive Christian" community where many different kinds of "human relationships are celebrated." Although some people are at first surprised by the Church's bold decision, most appreciate and support the stand that they have taken.

"Gay couples (in the church) are hurt



The Park Slope United Methodist Church

by the fact that they are not allowed to celebrate in the church," Miller said, "But so are heterosexuals who see friends and family struggle with this." The policy shows that everyone is affected by the Church's decision. It sends the message that discrimination against anyone will not be tolerated.

A handful of churches, in Chicago, Minneapolis, Nashville and Sacramento, have also stopped performing weddings. In a 2006 article Pastor Don Portwood of the Lyndale United Church of Christ in Minneapolis explained that he would no longer sign marriage licenses. "Opposite gender couples will have to go to the judge at City Hall and have them signed."

The White Bear Unitarian Universalist Church, also in Minneapolis, stopped signing marriage licenses in 2003.

The 120-year-old church voted unanimously to stop performing marriages on the church grounds. "We are no longer going to discriminate against same gender couples," Reverend Victoria Safford of the church said. "What we have found is that the members of our congregation have supported the decision wholeheartedly."

The new marriage policy is an important step towards change. The PSUMC took this stance to support all its parishioners. But they have also reached beyond their pews and established a Reconciling Com-

Continued on Page 4

REPORT FROM THE FIELD

North Dakota Repeals Anti-Cohabitation Law

BY KATHLEEN MCDONOUGH

UNDER North Dakota's 118-year-old cohabitation ban, it was considered a sex crime for two unmarried persons to live together. March 2007 saw a successful repeal of the anti-cohabitation statute, which had been on the books relatively unchanged since the state's inception in 1889.

North Dakota's move towards legal protection for unmarried households started over a decade ago. In 1997, with the passage of the North Dakota Human Rights Act (N.D.C.C. Chap. 14-02.4), the state legislature established a Human Rights Division responsible for the enforcement of the new anti-discrimination law in matters of employment, housing, public accommodations, public services and credit transactions. Soon after, the legislative assembly also passed the North Dakota Fair Housing Act (N.D.C.C. Chap. 14-02.5), progressive legislation that, unlike the Federal Fair Housing Act, explicitly designates marital status as a protected class under the law.

There is an obvious conflict between the long-standing cohabitation ban and the human rights and fair housing laws: which laws take precedent when the legal code is self-contradictory? In 2001, the case of the North Dakota Fair Housing Council v. Peterson posed this very question to the state Supreme Court. The results were disappointing. In 1999, a then-unmarried couple, Robert and Patricia Kippen, had applied for rental housing in Fargo and had been denied by landlords David and Mary Peterson on the grounds that they were an unmarried couple seeking to cohabit. The Kippens sued, citing that the Petersons acted in violation of the North Dakota Human Rights Act. The Petersons countered that the Kippens were acting in violation of the cohabitation ban. Because of the inconsistency within the legal code, it seemed both parties were right.

The majority of the state Supreme Court

ruled in favor of the Petersons, concluding that because of the cohabitation ban, "status with respect to marriage" could not be a protected class as outlined in the anti-discrimination statute. As a result, the provisions on marriage discrimination contained in the Human Rights Act and Fair Housing Act were rejected; they could not be enforced until the repeal of the cohabitation ban.

23,000 NORTH DAKOTANS FREE TO LIVE OPENLY, NOTORIOUSLY, LEWDLY AND LASCIVIOUSLY!

This case left unmarried and single North Dakotans in a legal black hole, without recourse to contest unfair housing practices. Although the text of each bill remained the same, the language of marital neutrality was only a vestige of legislative intent until the cohabitation ban was finally repealed this past March.

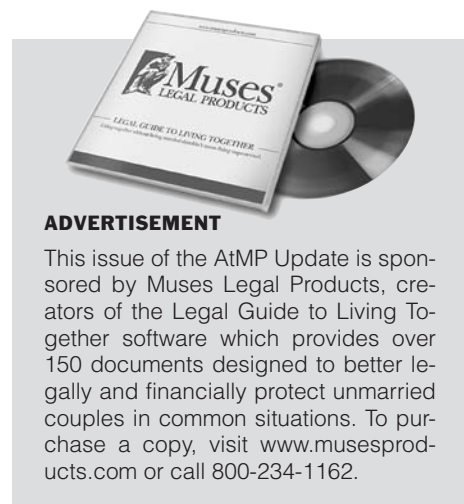
Senator Tracy Potter of Bismarck, North Dakota, the sponsor of the repeal bill, said about the incongruous enforcement of the cohabitation ban, "We're saying that we have optional laws, laws that we don't really mean. We shouldn't have laws like that."

Such legal discrepancies are not unique to North Dakota. Six other states – Florida, Michigan, Mississippi, North Carolina, Virginia and West Virginia – have similar anti-cohabitation statutes. All also have contradictory legislation on the books, and unpredictable enforcement similar to that which stirred North Dakota to repeal its ban. For example, in Florida, the 1992 Civil Rights Act included marital status as a protected class under its Fair Housing law and yet the state ban on cohabitation remained unchanged and can currently be invoked to annul such statutory provisions on marital neutrality. The American Civil Liberties Union (ACLU) has challenged

West Virginia's cohabitation ban; the case is still pending.

In North Carolina, the ACLU won a case on behalf of Deborah Hobbs, who had lost her job as an emergency dispatcher because she was not married to her live-in partner. An NC state court ruled in her favor, finding the state's 202-year-old cohabitation ban to be unconstitutional. An entire year has passed since the 2006 court ruling and no legislative action has been taken to repeal the statute or enforce the court's judgment. In July 2007, a couple in Stanley, NC, emailed AtMP requesting help: they were being denied the right to live together. AtMP coordinated with the ACLU of North Carolina to provide sound advice for this couple; we also offered to support the ACLU's efforts towards legislative repeal of the ban.

Kathleen McDonough is a graduating senior at Hunter College.

**ADVERTISEMENT**

This issue of the AtMP Update is sponsored by Muses Legal Products, creators of the Legal Guide to Living Together software which provides over 150 documents designed to better legally and financially protect unmarried couples in common situations. To purchase a copy, visit www.musesproducts.com or call 800-234-1162.

Congregations Boycott Marriage

Continued From Page 3

mittee, a national movement of Lesbian, Gay, Bisexual and Transgendered members looking to change church policy. The Reconciling Committee celebrates the gifts of all persons regardless of sexual orientation or gender identity. PSUMC embraces a "wide table" approach that makes room for all who want to join the community. This motion could finally make good on the Methodist motto of "open hearts, open minds, open doors."

Miller believes the policy will eventually change, but knows it will be a difficult process. The National Committee who makes the decisions does not meet every year. "If nothing passes at that time, we must wait another 4 years [till] we meet again," Miller said. "But we're in it for the long haul."

Shannon Carlin is an aspiring journalist and graduating senior at St. Joseph's College on Long Island.

WHAT YOU CAN DO:

If you are denied housing because you are unmarried or penalized because you live together, tell AtMP! We'll help you complain through your local ACLU, fair housing or human rights office.

If you live in Florida, Michigan, Mississippi, North Carolina, Virginia or West Virginia, ask your legislators to repeal all bans on cohabitation. Living together is not a sin, and shouldn't be a crime.

UPCOMING EVENTS

Celebrate National Unmarried and Single Americans Week with AtMP in California.

For details on these events, send a note to rsvp@unmarried.org or call 718-788-1911

Los Angeles,
September 16th

San Francisco,
September 18th

Berkeley,
September 19th



Jessica & Charlie

Meet an AtMP Intern

JESSICA GAFKOWITZ

ON February 1st, 2007, I briskly walked out of my high school, with a diploma in my hand and a smile on my face. The feeling of relief was both pleasant and overwhelming. I managed to finish my secondary education six months early, and left myself with an abundance of free time on my hands. I stumbled upon AtMP's page on www.volunteermatch.org, and have interned here ever since.

I spend two days each week in the AtMP office in Brooklyn. Ms. Grist types away on the desktop, while I work alongside her on the rickety laptop, sipping exotic tea. She never fails to provide me with both the independence and guidance I need to complete each task successfully. Due to her help, and my budding confidence, I can now walk down the street wearing my AtMP t-shirt with pride.

Interning for AtMP is a truly interesting experience. I have been given the opportunity to discover how non-profits are run. Over the course of these past few months, I have helped maintain the database, manage the online store, edit the homepage, log donations, conduct research for new projects, make important calls, and more. After completing each task, I develop a greater interest in and understanding of AtMP: its mission, accomplishments and future projects.

My most recent major project involves researching marriage programs funded by the federal government. This money was extracted from anti-poverty programs. Marriage is unfortunately seen as a solution to our nation's poverty. Suggesting marriage as the proper way to conduct one's life just dismisses individuals' decisions about how to seek comfort in another. The vast number of unmarried people all over the world proves the need for such an organization as AtMP to exist today. We keep a close eye on topics such as health care, employment, housing, and law, and how each topic affects unmarried people.

I am both proud of and loyal to AtMP for its unique quality: our members and staff acknowledge, respect and help represent today's multitude of families. We advocate acceptance of diversity. The inequalities existing between married and unmarried people justify our mission to fight for social change.



AtMP board members, volunteers, donors and friends gathered in Chicago in May. L to R: Meaghan Lamarre, chair of AtMP's Board of Directors; Dan Skinner, guest editor of this newsletter; Searah Deysach, owner of www.early2bed.com; Yasmin Nair, author of "Marriage and Immigration."

ATMP NEVER SENDS SPAM

ATMP sends mail only to people who provide their contact information. If you really don't want to receive newsletters, action alerts or event invitations, please email atmp@unmarried.org with the word "unsubscribe" in the subject line, or call 718-788-1911. If you do want AtMP's occasional emails but haven't been getting them, send us your email address and be sure to add "unmarried.org" as an approved domain in your email program's list of friends or safe senders.

ATMP IN THE MEDIA

AtMP staff, board and members were recently quoted in these outlets. Radio: CFRB (Toronto), KTLK (Los Angeles), KVPR (central CA); print: Ms. Magazine, Women's Health Magazine, Associated Press, Washington Post, Hartford Courant, Rocky Mountain Chronicle, University Daily Kansan, Campus Progress, Best Practices in Compensation and Benefits; Web publications: Salon.com, Floridatoday.com.



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Summer 2007



LOCAL ACTIVISM

WOULD you like to see less marital status discrimination in U.S. immigration & income tax policies? Check out on our new web pages on these issues. These detailed, action-oriented materials were compiled by several smart and dedicated volunteers – a big thanks to all of them!

www.unmarried.org/immigration.html
www.unmarried.org/taxation/index.html

HHEY Floridians! Do you know Florida Red & Blue (www.floridaredandblue.com)? It's the nonpartisan, independent campaign against the marriage discrimination amendment that's being proposed for your state Constitution. AtMP is on the advisory board of FR&B. We encourage our Florida members to support this campaign because the amendment will take away important rights from all unmarried Floridians. Opponents of equality are petitioning for a referendum on this ...harmful amendment: DON'T SIGN THAT PETITION!

ABOUT THE ALTERNATIVES TO MARRIAGE PROJECT:

THE Alternatives to Marriage Project (AtMP) advocates for equality and fairness for unmarried people, including people who are single, choose not to marry, cannot marry, or live together before marriage. We provide support and information for this fast-growing constituency, fight discrimination on the basis of marital status, and educate the public and policy-makers about relevant social and economic

issues. We believe that marriage is only one of many acceptable family forms and that society should recognize and support healthy relationships in all their diversity. AtMP is a national 501(c)(3) nonprofit organization.



EVERYTHING YOU NEED TO KNOW ABOUT THIS NEWSLETTER

- Special thanks to Dan Skinner, who served as guest editor for this issue. We wish him well in his journeys, and hope he'll come back to edit another issue soon!
- Articles written by individuals are the opinion of the authors and do not necessarily represent the opinions of the Alternatives to Marriage Project.
- The Alternatives to Marriage Project Update is sent periodically to everyone on our mailing list. To start, stop, or change a subscription, just send a note to atmp@unmarried.org or call 718-788-1911.
- Archives of Update are available at <http://www.unmarried.org/newsletters/>
- AtMP also has an interactive online discussion list, available in regular or digest form. To subscribe, send a message to listserv@lists.netspace.org that says (in the message text) SUB ATMP-TALK.

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