Chapter Two

Identity and Difference in the Politics of Sexuality

Different strengths we respect. Not weakness.
What is the use in not actively engaging life?
It passes anyhow.

-- Marge Piercy, *Woman on the Edge of Time*

Every man I meet wants to protect me. Can't figure out what from.

-- Mae West

The increasing recognition that 'sexual orientation' cannot be thought of as a singular characteristic of human beings across time and space has had severe implications for the politics of sexuality. These implications can be understood in terms of historical debates about 'difference'. Early forms of gay and lesbian politics were relatively simple, based as they were on the idea that while most people were heterosexual, some were homosexual and that either should be OK. These politics were relatively simple, because they focused mostly on a singular difference, which in turn depended upon an assumption that the categories on either side of the line it drew were also singular. This was not the case. Lesbian feminists questioned what they had in common with gay men who held gender privileges within patriarchal social relations. Sex radicals challenged lesbian feminists who promoted a particular ideal of anti-patriarchal sexuality. Men and women of colour, and working-class people of various genders challenged the white and middle-class biases of gay and lesbian politics. Bisexual (e.g., Eadie, 1993) and transgender (e.g., Bornstein, 1996) people demanded inclusion, joining with lesbian and gay groups as well as creating their own movements. New forms of queer activism, such as Queer Nation and ACT UP, focused on practices and relationships rather than identities. Inspired by activism and French poststructuralist theory, queer theory criticised all forms of sexual identity as 'normalising' categories that prioritise identity, deemphasising differences

within these categories. Thus, the recent history of sexual politics in the English-speaking, overdeveloped world, can be seen in terms of a trajectory of increasing emphasis on difference. This is without even getting into debates around the globalisation of sexual identities inspired by postcolonial theory.

This trajectory is not without its critics. While early forms of lesbian and gay politics were very simple, the potential for politics compatible with poststructuralist queer theory is unclear to many. Indeed, the very concepts upon which contemporary Western left-wing 'politics' depends, including collective identities and interests, representation, and human rights, are all criticised by poststructuralist theory for placing limitations on difference. There are also far-reaching debates around the globalisation of sexual identities, inspired in part by postcolonial theory, which add further criticisms. While acknowledging the importance of these criticisms, many activists and theorists attempt to include emphasis upon difference within more traditional liberal frameworks compatible with left-wing political traditions. 'Citizenship' can be revived, some suggest, through an emphasis on inclusion of difference and recognition of the personal as political.

This chapter, focussing primarily upon writings from the United States and Great Britain, attempts to trace particular highlights of these debates offering a flavour of the complex arguments and other forms of political practice involved in the recent history of sexual politics. Beginning with debates within the feminist movement in the 1980s over issues of sexuality, commonly referred to as the 'feminist sex wars', I examine how the development of understanding sexual politics as integral to other forms of political domination has advanced through debates around difference. Second, I take a look at the development of queer theory and its critiques of identity politics as one potential inspiration for a radical politics of difference. And finally, this chapter includes an examination of arguments surrounding 'intimate' or 'sexual' citizenship as the basis for a more practical politics of difference.

Feminist Sex Wars

Historically, sexuality has been a fraught topic for feminism. What has since become known as the 'feminist sex wars' involved intense debates on topics such as pornography and sadomasochism. These debates were, and still are, situated within wider questions of

difference and power. This is best understood in the context of the development of lesbian feminist politics in the US. Gay identity politics depended on an assumption of a singular shared oppression and issues of sexism were often ignored. This meant that women in 1970s US gay organisations were often expected to fulfil traditional female roles of secretary and cleaner. Furthermore, lesbian women were often told that they were homosexuals just like gay men and therefore their oppression was no different (Phelan, 1989). In response, many lesbian women began to emphasise gender as a source of their oppression, if not *the* source. Unfortunately, the (heterosexual) feminist movement was not particularly welcoming to lesbian women. Liberal organisations such as the National Organisation for Women were very image-conscious and, thus, not very lesbian-friendly (ibid.). Such experiences of exclusion encouraged the development of a separate, and exclusive, lesbian feminist subculture.

In response to exclusion and belittling of their oppression, lesbian women began to develop analyses of the 'relationship between their position as women and their status as lesbians' (Phelan, 1989: 39). In the early 1970s, lesbian feminist organisations in America (The Furies in Washington D. C.) and the United Kingdom (the Leeds Revolutionary Feminist Group) were perhaps the first to challenge the natural status of heterosexuality, arguing that it is a 'political institution' rather than an essential sexual orientation of women (Rust, 1995). Adrienne Rich developed and popularised this argument in her influential essay, *Compulsory Heterosexuality and Lesbian Existence* (1999 [1979]). In demonstrating the social, economic and political pressures on women to be heterosexual, Rich convincingly argues that heterosexuality as an institution does not allow for the possibility of active consent. Thus, the erasure of lesbianism from social representation, and, in particular, feminist writing, cannot be understood purely as a lesbian issue, but a women's issue. Thus, she argued that compulsory heterosexuality is a keystone of universal patriarchy.

> It will require a courageous grasp of the politics and economics, as well as the cultural propaganda, of heterosexuality to carry us beyond individual cases or diversified group situations into the complex kind of overview needed to undo the power men everywhere wield over women, power which has become a model for every other form of exploitation and illegitimate control (p 217).

Like heterosexuality, then, lesbian existence should not be understood as a sexual desire, but as a political counterculture, as resistance. In fact, Rich argues for the recognition of a *lesbian continuum*, by which she includes

> a range -- through each woman's life and throughout history -- of woman-identified experience, not simply the fact that woman has had or consciously desired genital sexual experience with another woman. If we expand it to embrace many more forms of primary intensity between and among women, including the sharing of a rich inner life, the bonding against male tyranny, the giving and receiving of practical and political support, [...] we begin to grasp breadths of female history and psychology which have lain out of reach as a consequence of limited, mostly clinical, definitions of lesbianism (p 210).

Thus, in one paragraph, Rich desexualises and despecifies the concept of lesbian in a move to escape clinical (read patriarchal) definitions. Alternatively, one could argue that Rich does not desexualise the lesbian figure, but reinterprets the notion of sexuality altogether. Female sexuality is an 'energy which is unconfined to any single part of the body or solely to the body itself' (p211). Alice Echols (1992 [1984]) argues that this redefinition is central to a particular strain of feminist thought during the feminist sex wars.

> Cultural feminists define male and female sexuality as though they were polar opposites. Male sexuality is driven, irresponsible, genitally oriented, and potentially lethal. Female sexuality is muted, diffuse, interpersonally-oriented, and benign. Men crave power and orgasm, while women seek reciprocity and intimacy. [...] women's sexuality is assumed to be more spiritual than sexual, and considerably less central to their lives than is sexuality to men's (59-60).

But the analysis of male and female natures as opposites is not limited to sexuality. 'Lesbian-feminists see men and women as being at odds in their whole approach to the world: men, as a rule, are authoritarian, violent, cold, and women are the opposite' (Faderman, 1981:412). Male domination of women, including compulsory heterosexuality, is rejected as inherently authoritarian, providing a model for all forms of domination.

The recognition of the coercions involved in the production of 'heterosexuality' easily slides into the rejection of the possibility of women's active consensual participation in romantic/sexual relationships with men. The libertarian impulse behind the statement 'No woman is free unless she is free to be a lesbian' (Alison, 1995) somehow became the dogma of

slogans such as 'feminism is the theory, lesbianism is the practice'. This might be explained by the lesbian feminist strategy of joining forces with homophobic and often erotophobic heterosexual feminist networks. (Echols, 1984). Lesbianism had to be downplayed as an active sexual possibility, because sexual desire was labelled male-identified. Redefining it as female bonding and resistance to patriarchy, as Rich and others have done, made it palatable to those more comfortable thinking about cultural politics than cunnilingus. At the same time, this resulted in the production of new forms of domination. Echols argued at this point that lesbian feminism shifted from its roots in radical feminism to what she calls 'cultural feminism', as expressed in the writings of women such as Susan Brownmiller, Mary Daly, Janice Raymond and Adrienne Rich. Key elements of cultural feminism are the essentialist gender division described above as well as a collapse of the personal and the political. She argues that radical feminists tended to be careful to maintain a distinction between personal solutions and political ones. They also rejected essentialist constructions of female sexuality, seeing women's sexual conservativism not as a spiritual quality of women but as the effect of sexist socialisation. Cultural feminists tend to look at social change through developing alternative female consciousness in individuals. The solution to patriarchy, in these terms, is for women to exorcise their internalised male consciousness and nurture their 'femaleness'. This focus on individual solutions to political problems led to the conception of 'liberated' behaviour and justified the policing of personal actions.

The lesbian continuum is arguably more of a lesbian hierarchy (e.g. some feminists are more woman-identified than others). By defining certain human characteristics, relationships, gender expressions and sexual practices as either man-identified or woman-identified, cultural feminists claimed authority to judge and police other women, acting, in effect, as an unofficial feminist government. These positions of authority are justified because, as women separate from institutionalised heterosexuality, lesbians have a privileged perspective as outsiders. This perspective is necessary to recognise the extent of male power and to develop a revolutionary consciousness (Frye, 1983). Fortunately for women other than lesbians, they can also develop this consciousness by learning to identify with women instead of men. The Radicalesbians (1970 cited in Rust, 1995: 132) wrote that women can give each other a new sense of self which has 'to develop with reference to ourselves, and not in relation to men'. By identifying with women and escaping from the male-defined representations of women which they have been taught living in a hetero-patriarchy, women can discover their true (essential) nature as women. Women who know themselves, who have freed themselves

from patriarchal false consciousness, can work together to build a feminist movement and overthrow patriarchy. Of course, lesbian women will find the project of 'developing feminist self-knowledge and self-love' (Rust, 1995: 133) easier than their less pure counterparts.

This authority-claim, and the resultant forms of domination, did not go uncontested. Women of colour resisted the demand that gender be recognised as the primary source of oppression, and criticised white, middle-class women who claimed to represent the oppression of all women (e.g., hooks, 1981; Moraga, 1981). Furthermore, women who worked with men to challenge racism resented the efforts of feminist governance to dictate to which struggle they should devote their energies, or indeed that these struggles were separate. Many women felt betrayed by this police state form of feminism.

> What drew me to politics was my love of women, that agony I felt in observing the straitjackets of poverty and repression I saw people in my family in. But the deepest political tragedy I've experienced is how with such grace, such blind faith, this commitment to women in the feminist movement grew to be exclusive and reactionary. (Moraga, cited in Allison, 1995:101).

Similarly, lesbian feminist critiques of butch/femme relationships and sexual desire have been criticised as classist. Butch/femme was an integral part of US working-class lesbian bar culture (Davis and Kennedy, 1993; Feinberg, 1993), while lesbian feminist politics were primarily developed by middle-class university educated women.

Failure to recognise inequalities of race and class were not the only sources of discontent among women.Sex-positive feminists, along with working-class and ethnic minority women, contested the authority-claims of lesbian feminism to define feminist politics. The so-called 'feminist sex wars' developed from a radical rejection of cultural feminism's sex policing. Butch/femme, BD/SM (bondage and discipline, domination and subordination, & sadomasochism), pornography, penetrative sex (by penis or dildo), casual sex and sex with men have all been reviled as male-identified forms of sexual practice (Johnston, 1973; Dworkin, 1988; Daly, 1988, 1992). Perhaps the most frequently highlighted event in the American academic history of the feminist sex wars, the Scholar and Feminist IX Conference 'Towards a Politics of Sexuality' held at Barnard College in New York in 1982, provided a forum for the questioning of cultural feminism's authority-claims of sexual correctness. From

this conference came *Pleasure and Danger* (Vance, 1999 [1984]), a collection of papers which defended women's sexual diversity, while, at the same time, acknowledging the dangers involved in sexuality, especially for women.

Probably the most influential sex-positive feminist text, written for this conference, has been Gayle Rubin's (1999 [1984]) 'Thinking Sex: Notes for Radical Theory of the Politics of Sexuality'. Rubin dissects claims that feminism must be the definitive source for analysis of the politics of sexuality. Instead, she argues that gender and sexuality should be understood as distinct axes of oppression. While arguing that sexuality is not reducible to gender, Rubin does recognise that there are, of course, intersections between the two. 'Because sexuality is a nexus of the relationships between genders, much of the oppression of women is borne by, mediated through, and constituted within, sexuality' (pp 300-301). At the same time, she clearly demonstrates the ways in which sexuality is constructed hierarchically and describes the oppression that results from these hierarchies.

Throughout Western history, Rubin argues, certain sexual behaviours have been harshly punished as sin or crime. Outside religious or legal control, sex is still considered an exceptional category. For example, she argues that while 'people can be intolerant, silly or pushy about what constitutes proper diet, differences in menu rarely provoke the kind of rage, anxiety, and sheer terror that routinely accompany differences in erotic taste ' (p 279). Rubin argues that sexual identities are arranged in a hierarchical system ranging from monogamous married heterosexuality at the top to sex workers, sadomasochists, fetishists and those who desire across generational boundaries at the bottom. Those at the top of the hierarchy are privileged while those at the bottom are stigmatised and punished. Both privileged and stigmatised categories are produced through representation, including of governmental, religious, medical and psychiatric discourse and interventions; privilege can be understood partly in terms of mental health while stigma is associated with psychological dysfunction. Of course, the placement of categories changes over time. Monogamous, long-term, same-sex couples are, in many social contexts, increasingly considered normal and healthy. At the same time, many people fear that shifting the barrier between acceptable and unacceptable sexual activity is the beginning of a slippery slope. This is what Rubin terms 'the domino theory of sexual peril'. This in turn relates to Rubin's final ideological structure: the lack of a concept of benign sexual variation. Rubin argues that it is difficult to work toward a pluralistic sexual ethos when *different* is seen as inherently *bad*. 'Variation is a fundamental property of all life,

from the simplest biological organisms to the most complex human social formations. Yet sexuality is supposed to conform to a single standard ' (p 283).

Central to Rubin's conception of a radical politics of sexuality is the development of new sexual ethics. She argues that 'a democratic morality should judge sexual acts by the way partners treat one another, the level of mutual consideration, the presence or absence of coercion, and the quantity and quality of the pleasures they provide' (p 283). Other aspects of sexual behaviour, she argues, should not be of ethical concern. This sex-positive feminist argument not only allows for a much greater diversity of sexual expression than 'lesbian feminism', it overcomes the limitations of a feminist politics that constructs gender as *the* oppression suffered by women to which there can be a singular response. Gayle Rubin's argument was heavily influenced by Michel Foucault's work, *The History of Sexuality*. In turn, both have been major influences on the development of 'queer theory.'

All About Queer

Queer, in its academic use, can be understood as a shift in theory and other forms of political practice towards the destabilisation of gender and sexual orientation identity categories. The newest label for intersections of poststructuralism and sex-positive feminism, queer criticises identity politics for producing new forms of domination. 'Queer theory', a term generally credited to Teresa de Lauretis (Weigman, 1994), was used in her introduction of a special issue of *differences* to describe the conference from which the articles came. 'The project of the conference was based on the speculative premise that homosexuality is no longer to be seen simply as marginal with regard to a dominant, stable form of sexuality (heterosexuality) against which it would be defined either by opposition or homology' (de Lauretis, 1991: iii). The development of queer is part and parcel of a general questioning of politics based on identity categories including woman (Butler, 1990, 1993; hooks, 1981; Riley, 1988; Spelman, 1988) and black (Gilroy, 2001). This poststructuralist politics of difference also includes a focus on sex/uality.

One of the most important contributions of queer theory, in rejecting identity politics, comes from its sex-positive feminist heritage: a radical sexual ethics. Like the lesbian feminist transformation of lesbianism from sexual to political identity, contemporary mainstream lesbian/gay political organisations tend to talk about identities and equality and avoid much

discussion of sexual acts or desires. Michael Warner (1999) criticises sexual identity politics for focusing on identity to the exclusion of sex. For him, sexual shame is the key issue to be addressed in a politics of sexuality. The political value of queer and public sex cultures is not in their transgressive nature, but in their development of alternative sexual values that attempt to move beyond sexual shame. 'In queer circles... sex is understood to be as various as the people who have it' (p 35). As Rubin (1984) noted, many of the forms of sexual pleasure expressed in these queer circles (e.g. sex in parks or toilets, SM, role playing, making or using pornography, having sex with friends, etc) are perceived to be immoral at best and amoral at worst. Warner further notes that, 'the frank refusal to repudiate sex or the undignified people who have it, which I see as the tacit or explicit ethos in countless scenes of queer culture, is the antithesis of identity politics' (p 75). The value of queer sexual ethics for straight-identified women (and men) is explored in Kath Albury's writing about heterosexuality (2002). Highlighting the connections between the feminist sex wars and queer ethics, Albury argues for the possibility of moving 'from compulsory heterosexuality to ethical hetero-sex' (p 170).

In contrast to cultural feminists, Albury cites ethical BDSM (bondage and discipline, domination and submission, and sadomasochism) as one potential source of inspiration for the queering of heterosexuality and the practice of ethical hetero sex. Feminist critiques of heterosexuality, including those of cultural feminists, rightly point out the problems inherent in the normative conception of hetero-sex as involving of an active male, passive female and linear progression towards vaginal intercourse. BDSM, on other hand, offers a more consensual and participatory approach to sex. Unlike the high level of risks -- of unplanned pregnancy, STIs, regret or insufficient consent -- involved in traditional heterosex, where sex 'just happens' (Holland et al, 1998), BDSM is generally expected to involve advanced negotiation and preagreed signals (i.e., a 'safeword') to indicate slow down or stop (Califia-Rice, 2000, 2002; Miller, 1995; Wiseman, 1998). This participatory approach offers a radical alternative to relationships, sexual or otherwise, in our lives in which we do not feel empowered to negotiate, sexual or otherwise.

Queer and sex-positive feminist accounts of sexuality often emphasise the positive and the pleasurable in defence against right-wing and cultural feminists' attacks on sexual diversity. As in the 1980s sexuality debates, it is important to remember the risks involved in all social relationships, including sexual ones, sadomasochistic or otherwise. What constitutes ethical BDSM, or indeed ethical sex of any sort, is certainly not a straightforward question.

These questions can only be addressed in environments that encourage open communication, critical thought and emotional support. While the rigidity of identity politics, including state-centred lesbian/gay strategies and lesbian feminism, often constrain the possibility of developing such spaces, sex-positive approaches can also become rigid through efforts to defend identity borders. Annie Sprinkle, US sex-positive feminist icon, cautions against this rigidity in an open letter.

> I had a lot of fun, gave and received a lot of pleasure, and had a lot of great orgasms, but I have also come to see that I was sometimes quite naive, very immature, and in denial about a lots of things. [...] I now realise that I was often motivated more by a low self-image, the need for money, a desire for power, fear of intimacy, the need for attention, an addiction to intensity, etc. than I was aware of, or cared to admit. As I began to speak out about these realisations to my friends and colleagues, I am often met with resistance. [...] It is so precious to have a place to speak out about, and perform about, our 'mistakes,' doubts, hurts, angers, fears, bullshit and dislikes, and to feel free to be critical about all the stuff we've been so busy defending. How precious to have a place which is so sex positive that we can be 'negative' (Sprinkle, 2001: 79).

Indeed, perhaps it is a recognition of the dangers of rigidity, whether 'gay', 'feminist' or 'sex-positive', that characterises the ideals of queer theory.

Queer is more than a promotion of a radical sexual ethics, significant though this is. Central to the arguments that have come to be called queer theory is a critique of sexual orientation identity politics for reifying the very categories, the rigid division between heterosexuality and homosexuality, that enable relationships of domination. Indeed, this division is not only instrumental in the production of sexual domination, but is integrated into the hierarchical binary logic that underpins the very basis of knowledge, identity, practices and social relations in the overdeveloped world (Seidman, 1997). In an either/or world, queer calls for the inclusion of both/and/neither and any other possibilities people can invent. Rather than promote gay and lesbian identities as resistance to compulsory heterosexuality, queer theory focuses on the disciplinary character of all sexual orientation identities.

> Minoritizing epistemological strategies stabilises a power/knowledge regime which defines bodies, desires, behaviours, and social relations in binary terms according to a fixed hetero/homo sexual preference. Such linguistic and discursive binary figures inevitably get framed in hierarchical terms, thus reinforcing a politics of exclusion and domination.

> Moreover, in such a regime, sexual politics is pressured to move between two limited options: the liberal struggle to legitimate homosexuality in order to maximise a politics of inclusion and the separatist struggle to assert difference on behalf of a politics of ethnic nationalism (Seidman, 1997: 149).

In these terms, any form of identity politics is a dead end. The hetero/homo division inhibits the open discussion of sexual diversity, both in terms of gendered desire and in acknowledging the extensive range of social factors that shape sexual desire and practice beyond binary gender division (Sedgwick, 1990). Furthermore, a strategic focus on gay and lesbian identity excludes differences based on other social hierarchies (e.g. race, class, gender, etc.), not to mention bisexual and transgender identities which potentially undermine hetero/homo and male/female divisions. Finally, as Seidman points out, this strategy allows for very limited political options. Jeffrey Weeks has argued that sexual politics must always include both a 'moment of citizenship' and a 'moment of transgression' (1995). However, either wanting to be included within the social order (citizenship) or breaking the rules (transgression) reifies the legitimacy of the social order and its rules. Queer theory, on the other hand, seems to argue for the possibility of social order based on difference, with minimal discipline and constraint (Seidman, 1997).

Such a suggestion is highly counterintuitive and unsurprisingly brings lots of questions. What form of political action might bring about such an order? Is the cultural politics of knowledge that is the basis of much queer theory sufficient? Indeed, how could such a social order function? And who would work to bring about such change, if not 'gays and lesbians'? And, finally, if 'gays and lesbians' find value in their identities, which they may imagine to be essential, who are queer theorists to tell them otherwise? While the insights of queer theory are broadly acknowledged among academics researching sexual politics, the possibility of translating these theories into political practice is less frequently accepted.

In an article that exemplifies this debate, Joshua Gamson (1996) argues that queer produces a dilemma: that the logic of both ethnic/essentialist boundary maintenance and queer/deconstructionist boundary destabilisation make sense. Queer, Gamson acknowledges, is important for exposing the limitations of ethnic-style gay and lesbian identity politics through the inherent reinforcement of binary divisions including man/woman and hetero/homo that produce political oppression. But he does not see many pragmatic possibilities for action

in queer theory. 'Deconstructive strategies remain quite deaf and blind to the very concrete and violent institutional forms to which the most logical answer is resistance in and through a particular collective identity' (409). As he notes, Gamson is not the only one to have questioned the necessity of giving up identity politics. Others who question the basis of identity politics have advocated an 'operational essentialism' (Spivak, cited in Butler, 1990) a 'strategic essentialism' (Fuss, 1989) or a recognition that identities are 'necessary fictions' (Weeks 1995). Gamson see the strength of queer politics primarily in the realm of the 'cultural'. 'At the heart of the dilemma is the simultaneity of cultural sources of oppression (which make loosening categories a smart strategy) and institutional sources of oppression (which make tightening categories a smart strategy)' (412-413). He does, however, ask whether it might be possible that deconstructionist approaches could effectively resist regulatory institutions.

Gamson is right to suggest that certain cultural tactics such as kiss-ins and 'Queer Bart [Simpson]' t-shirts do not address violent regulatory institutions including law and medicine. His argument presumes that the organisation of these institutions produces the necessity of identity politics. 'Interest-group politics on the ethnic model is, quite simply but not without contradictory effects, how the American socio-political environment is structured' (409). His argument follows primarily with examples of attempts to utilise State systems through voting blocs, lobbying groups and antidiscrimination laws. Gamson acts as though 'the State' were a solid structure, lying outside of everyday social practice, that determines avenues of resistance. Thus, the biological determinism of essentialist models of sexuality is replaced by a social determinism in structuralist models of society. A poststructuralist position would suggest that the State does not determine politics, but that certain practices (including, but certainly not limited to, voting and lobbying) *produce the State*. At the beginning of *Gender Trouble*, Judith Butler (1990), drawing upon Foucault, makes an explicit link between the representational politics of feminism and of government. For feminism, representation of women is both to seek recognition as a political category and to present or produce 'women' as a political category. Likewise, a State claims to represent a set of subjects for their benefit, '[b]ut the subjects regulated by such structures are, by virtue of being subjected to them, formed, defined, and reproduced

in accordance with the requirements of those structures (p2)'. That produces two particular problems for feminism. First, the representation of the category 'women' is always exclusive, resulting in resistance to the domination of these representation claims. Second, if the category 'women' is constituted by a political system, including 'the State', then a politics taking this category as its foundation assists in the continual production of a hierarchical gender division. Rather than seeking emancipation through structures of power, Butler argues that feminism should understand how the category of 'woman' is produced and restrained by these systems. Again, Butler compares the foundationalist claims of feminism (e.g. that 'women' exist prior to social production) to those of liberal democracy. 'The performative invocation of a nonhistorical 'before' becomes the foundational premise that guarantees the presocial ontology of persons who *freely consent* to be governed and, there by, constituted the legitimacy of the social contract' (p3 my emphasis). Returning to Gamson, it cannot be a workable strategy to tighten categories in the face of institutional oppression, if indeed tight categories are the basis and effect of institutional oppression. Questions of queer politics are part of a larger debate on sexuality and citizenship.

Debating Citizenship

Theorists such as Ken Plummer (2003) and Jeffrey Weeks (1995; Weeks et al, 2001) advocate something which is a compromise between the limitations of liberal identity politics and the radical critique of queer theory, and which is compatible with contemporary sexual orientation political activism: a call for 'intimate' or 'sexual citizenship'. They credit queer politics, as a part of the 'moment of transgression,' with challenging the status quo and stretching the boundaries of inclusion. What is ultimately more important in their eyes is the

> moment of citizenship: that the claims equal protection of the law, to equal rights in employment, parenting, social status, access to welfare provision, and partnership rights and same-sex marriage. Without the transgressive moment the claims of the hitherto excluded would barely be noticed in apparently rigid and complacent structures of old and deeply entrenched societies. Transgression is necessary in order to face traditional ways of life with their inadequacies, to expose the prejudices and fears. But without the claims to full citizenship, difference can never be fully validated (Weeks, Heaphy and Donovan, 2001:196).

In the language of intimate or sexual citizenship, then, queer transgression is important for shaking up the public sphere and making space for sexual inclusion. This project must then redefine citizenship, altering its traditional masculine and heterosexual character (Richardson, 1998; Walby, 1994) in order to validate gendered and sexualised differences.

Ken Plummer (2003), a strong advocate of changing definitions of citizenship, argues that it can be made more flexible and fluid. Poststructuralist positions that emphasise fragmentation, lack of coherence and difference could invalidate conceptions of citizenship. But, he suggests,

> the recognition of a plurality of groups living in the global world where notions of national citizenship are breaking down is surely becoming more common, and thus the poststructuralist approach is likely to be the most fruitful *starting point* for building newer ideas and citizenship, such as the notion of intimate citizenship (p 53).

Plummer also argues that using difference as a starting point for understanding citizenship cannot be taken too far. He cites liberal sociological critic Alan Wolfe, who argues that boundaries between groups are necessary.

> Inclusive democracy and exclusive group centredness are necessary for a rich but just social life. Without particular groups with sharply defined boundaries, life in modern society would be unbearable.... Yet if the boundaries between particular groups are too rigid, we would have no general obligations.... We would live together with people exactly like ourselves, unexposed to the challenge of strangers, the lure of cosmopolitanism, and expansion of moral possibility that comes with responsiveness to generalised other (1992:311-12, cited in Plummer, 2003: 55).

This argument assumes that there are groups which can be defined in terms of sameness, that it is possible to have sharply defined boundaries. Such a view, I suggest, would be contested by poststructuralist positions. Plummer, on the other hand, argues that this intersection of poststructuralism and liberalism is not only possible, but productive for theorising an intimate citizenship with flexible boundaries. Indeed, he argues that such citizenship is already developing, with increased public recognition of diversity of sexual identities and practices, family and relationship forms and gendered identities. Like Weeks (1995; Weeks et al, 2001),

Plummer argues for the importance of transgression in order to continuously encourage a more inclusive and flexible conception of citizenship. Thus, they suggest that the concept of citizenship can be reclaimed and radicalised by implementing queer insights.

Citizenship Transformed?

One of the arguments that underpins the possibility of more inclusive and flexible notions of citizenship is that we live in a time and space characterised by 'postmodern ethics' (Bauman, 1993).

> Under the emerging conditions of late modernity, more and more people are now charged with becoming responsible beings in their own right. They have to ask not 'What should I do or not do?' but 'How should I deal with this?' They have to look to a range of competing claims about how to live a good life, rather than simply following preordained patterns. Citizenship becomes a form of identity that stresses self-determination (Plummer, 2003:96).

This argument dovetails nicely with those of Anthony Giddens (1992) who argues that there has been a 'transformation of intimacy' in recent years. According to Giddens, the late 20th century has seen the rise of 'plastic sexuality' separated from the demands of reproduction, and also 'pure relationships' characterised by egalitarian 'confluent love' and complete disclosure. This represents an ideal of democracy in the 'private sphere' which is interconnected with liberal democracy in 'public sphere'. Indeed, he suggests it might even drive further democratisation in a global revolution.

> Yet the radicalising possibilities of the transformation of intimacy are very real. Some have claimed that intimacy can be oppressive, and clearly this may be so if it is regarded as a demand for constant emotional closeness. Seen, however, as a transactional negotiation of personal ties by equals, it appears in a completely different light. Intimacy implies a wholesale democratising of the interpersonal domain, in a manner fully compatible with democracy in the public sphere. There are further implications as well. The transformation of intimacy might be a subversive influence upon modern institutions as a whole. For a social world in which emotional fulfilment replaced the maximising of economic growth would be very different from that which we know at present. The changes now affecting sexuality are indeed revolutionary, and in a very profound way (p 3).
>
> Democratisation in the public domain, not only at the level of the nation-

> state, supplies essential conditions for the democratising of personal relationships. But the reverse applies also. The advancement of self autonomy in the context of pure relationships is rich with implications for democratic practice and the larger community (p 195).

This revolution in process might be seen in the rise of the self-determining citizen and egalitarian intimate relationships in a world where truth is contested. But, to what extent is that actually happening? Indeed, to what extent can 'public' and 'private' be so neatly divided?

Arguments for the potential of new forms of citizenship in a postmodern era put little emphasis on constraint, suggesting that 'tradition' was perhaps the key constraining factor that is now gone in late (or post) modernity. This lack of constraint is what enables a democratic reading of 'public' and 'private' life. Giddens' notion of the pure relationship might even constrain the possibility of an ethics of care for the other. A 'pure relationship' is defined as a contractual agreement and thus it can be easily broken by either party. '[W]hat holds the pure relationship together,' he argues 'is the acceptance on the part of each partner, “until further notice”, that each gains sufficient benefit from the relation to make its continuance worthwhile' (p 63).

Pro-citizenship arguments fail to acknowledge the ways in which contracts are produced in the context of a legalistic framework that constructs individuals in terms of rational independence, and this in itself is constraining. While the arguments that we in the wealthy countries of the world live in a time and space qualitatively different from most of human history, and from our global contemporaries, are established in sociological literature, this assumption is looked at more critically within anthropology. David Graeber (2004), for example,argues that the division between traditional and postmodern societies is a false dichotomy. What are social divisions of race, class, and gender if not kinship systems, a term usually associated with 'primitive' societies. What is a contract if not a tradition?

Such an argument is compatible with Lynn Jamieson's (1999) critique of *The Transformation of Intimacy*. This is most apparent in her historical contextualisation of Giddens' claims to new forms of relationships as part of a long tradition of such claims including examples from 18th-century Scotland. Giddens' further claims that constructions of gender and sexuality are now much more open to negotiation within newly egalitarian relationships are challenged by Jamieson through extensive review of literature on

relationships that suggest the contrary. The traditional definition of sex as penis plus vagina until male ejaculation is far from being consigned to the dustbins of history in many (heterosexual) contexts. Likewise, gender inequalities in heterosexual couples persist according to the empirical work she has mobilised in her critique. Finally, the therapeutic discourse upon which Giddens draws and, arguably, reproduces, is compatible with the individualistic logic of Enlightenment ideals. Such criticisms put into doubt the possibilities of transforming citizenship.

Sexual Rights

Integral to arguments for sexual citizenship is an advocacy-of-rights discourse as a somewhat problematic but necessary tool for social inclusion. Diane Richardson (2000) has investigated how rights language has been deployed in order to demand change in the realm of sexuality. She categorises demands for sexual rights in terms of sexual practices, identities and relationships. First in terms of sexual practices is of course the right to participate in sexual acts. The claims to such a right have depended upon problematic justifications, including that sexual gratification is an essential need or that the State should not interfere in what people do in their bedrooms (reifying a public/private division). Furthermore, what constitutes an appropriate or 'natural' sexual act has been defined by State apparatuses in terms of sodomy laws, the criminalisation of sadomasochism, and the regulation of sexual practices by people with disabilities. Second, is the right to pleasure. This has been justified again in terms of essentialist constructions of sexuality or through arguments of the citizen as consumer who has the 'right to engage in non-reproductive sexual activities for pleasure' (p 114). Historically, this has been used to justify men's access to women's bodies, including through definitions of 'vaginal orgasms' experienced through penis-vagina intercourse being more 'mature' than those experienced through other forms of sexual practice. Third, is the right to sexual and reproductive self-determination. Particularly evident within feminist politics, these include the right to sex without fear of unwanted pregnancy, sexually transmission infections, or sexual violence or harassment. They also include positive rights of access to contraception and abortion, as well as choice of sexual practices and partners. Identity-based claims, Richardson argues, problematically depend on on a conception of identity as stable and singular from which interests and issues can be determined. They include the rights to self-definition, self-expression and self-realisation. These rights claims

have come from lesbian gay and bisexual campaigning groups attempting to find ways to be included within the public sphere. Finally, Richardson explores sexual rights in terms of relationships. First is the 'right of consent to sexual practice of personal relationships' (p 123), defined in terms of age of consent laws. Second, the right to freely choose sexual partners is a demand to prevent racial or gendered categorisations inhibiting sexual relationships. And last is a right to publicly recognised sexual relationships. Richardson focuses on debates concerning same-sex marriage. Her article demonstrates that claims to sexual rights are problematic, not only because the concept has so many meanings, but also because they so often depend upon justification through theoretically dubious arguments.

The advocacy of intimate or sexual citizenship by Plummer and Weeks depends upon analysis of late modernity as a time of moral renewal, allowing for more flexible and negotiated constructions of citizenship. Challenging this assumption, Carole Smith (2002) argues that the rise in rights talk in late modernity has continued to sequester moral choice and debate from everyday life. Giddens' (1992) claim of the 'pure relationship' as an ethical autonomous space is difficult to sustain in view of relations of governmentality in the realm of intimate relationships. Indeed, relationships are increasingly spoken of in terms of rights, particularly in anticipation of the relationship's end and the inevitable division of property and, possibly, children. Through the language of rights, moral issues are translated 'into ethical codes that are not designed for moral debate but for public consumption' (Smith, 2002:60). In this sense, rights can be seen to serve dual purposes: to both enable political participation for the disfranchised and to disguise systematic inequality while maintaining privilege (Brown, 1995: 99). The myth of the liberal subject, dependent on an a notion of human essence, suggests that we are all equal. Any inequalities that may exist must not then be the product of systematic social relationships, but of individual choices. A demand for rights, then, is to ask to be elevated to the status of a liberal subject.

Focusing on rights as an aim of social movements has the effect of obscuring the wrongs that are entwined with the myth of the liberal subject. Not only do identity politics run the risk of maintaining borders between categories of people; in lobbying for rights, they run the risk of maintaining the walls of the liberal, isolated, rational and individual self.

> Thus, if the provision of boundary and protection from 'bodily and spiritual intrusion' offered by rights are what historically subjugated

> peoples most need, rights may also be one of the cruellest social objects of desire dangled above those who lack them. In the very same gesture with which they draw a circle around the individual, in the very same act with which they grant her sovereign selfhood, they turn back upon the individual all responsibility for her failures, her condition, her poverty, her madness -- they privatise her situation and mystify the powers that construct, position, and buffet her (Brown, 1995: 128).

Plummer (2003) argues that this individualism is not necessary to the concept of rights. He suggests, rather, the value of thinking in terms of 'group rights' and of a 'multicultural citizenship' (Kymlicka, 1997). How this might work in terms of individualistic legal frameworks, however, is unclear. Furthermore, it fails to response to the question of how some 'groups' continue to be 'socially excluded, inferiorised, marginalised, or otherwise severely disadvantaged '(Plummer, 2003:136).

Importantly, feminist scholars have argued that the language of rights emphasises masculine values of individualism, rationalism and formality, inhibiting capacity for moral expression in terms of an ethic of care (Gilligan, 1982; Porter, 1999). Indeed, as Bentham (1962, cited in Smith, 2002) has argued, rights only have meaning if enforced by law; in other words, rights depend upon the coercive threat of punishment by the State apparatus, a masculine institution (Ferguson, 1984; Brown, 1995). Rights enforced by the State are dependent upon national citizenship, also frequently, if not always, based upon a masculine and heterosexual standard (Richardson, 1998).

The impartiality of rights is not only masculine in nature, but depends upon a myth of ahistorical, acultural and acontextual status. In this way, they return to notions of timeless universalism rather than the empathy and flexibility upon which ethics might be understood to depend (Bauman, 1993). This universalism contradicts the social constructionist arguments put forth by advocates of citizenship such as Weeks and Plummer. Wendy Brown poses the rhetorical question,

> If contemporary rights claims are deployed to protect historically and contextually contingent identities, might the relationship of the universal idiom of rights to the contingency of the protected identities be such that the former operates inadvertently to resubordinate by renaturalising that which it was intended to emancipate by articulating? (1995:99)

Plummer (2003) suggests that rights may indeed represent universal values of tolerance and mercy, as the Universal Declaration of Human Rights was written including representatives from a variety of religions and cultures. Regardless of whether or not these values are indeed universal, the notion of expressing these values in terms of rights is a historically specific construction. Furthermore, this fails to recognise the ways in which the category of 'human' is socially constructed and historically contingent. As Diane Richardson (1998) points out, this construction often includes gendered and sexualised (along with racialised and classed) elements. Human rights provide little protection as long as some humans are constructed as more equal than others. As rights are ultimately defined by the State, we also need to be wary of how the State apparatus constructs 'human'. A recent history of violations of human rights by the British State suggests that this State constructs some humans as people and others as 'unpeople' (Curtis, 2004). The ongoing war/occupation in Iraq is an obvious contemporary example of the Third World genocide upon which privilege in the UK and other G8 countries depends (Jensen, 2005).

Finally, the notion of rights comes attached to a presumption of a constant potential for violation. From where might this violation come? And to whom are we looking for protection? Brown argues that the answers these questions may be very similar.

> Whether one is dealing with the state, the Mafia, parents, pimps, police, or husbands, the heavy price of institutionalised protection is always a measure of dependence and agreement to abide by the protector's rules. As Rousseau's elegant critique of 'civil slavery' made so clear, institutionalised political protection necessarily entails surrounding individual and collective power to legislate and adjudicate for ourselves in exchange for external guarantees of physical security, including security in one's property. Indeed, within liberalism, paternalism and institutionalised protection are interdependent rights of the heritage of social contract theory, as 'natural liberty' is exchanged for the individual and collective security ostensibly guaranteed by the state (p 169).

She suggests that State-centred feminist politics are problematic for a number of reasons. First, the State is characterised by features that 'signify, enact, sustain, and represent masculine power as a form of dominance' (p 167). Second, women have particular cause to be concerned about a politics of protection. Traditionally, claims of women's frailty and need for protection by some men from others have been used to justify various forms of exclusions and

inequalities. Third, citing the work of Foucault, Weber and Marcuse, State-centred politics also involve a politics of regulation. Each of these reasons provides cause for concern for any politics of sexual freedom.

If we take seriously Foucault's analysis that the individual does not preexist relations of power, but is constituted through them, then we should question the effects that rights discourses have on the development of individuals' understandings of themselves and consequently their relationships with others. If these critiques of rights claims are accurate, the risk of rights discourses is the construction of the individual as disengaged from moral debate and in constant need of protection, while at the same time individually responsible for their own experiences of oppression.

State-centred sexual politics

The plausibility of intimate citizenship as a compromise between identity politics and queer theory and activism is not simply a theoretical question. Various activist groups in the UK and elsewhere have attempted to utilise citizenship strategies to achieve social justice. The relationship between the politics of sexuality and the State has been severely under-explored (Cooper, 2002). It is not my aim here to take on this task with a comprehensive analysis of State-centred sexual orientation activism. Nor do I offer a 'balanced' account of the potential of State-centred activism to achieve equality. Rather, I conclude this section on citizenship debates with three examples that cast doubt on Weeks' and Plummer's optimism about the possibilities of intimate citizenship and encouraged me to look elsewhere for inspiration for a radical sexual politics.

I begin with a 'personal' example. One victory claimed by gay/lesbian campaigning organisations in the UK is the recognition of same-sex partnerships in immigration law and, arguably, a move towards equalising heterosexuality and homosexuality. While my life has been made easier than it would have been if I had been unable to obtain residency here and thus maintain my relationship, the process which I had to undergo to request recognition of my relationship involved numerous inequalities. First of all, I had to find ways to remain in the country legally for an initial two-year period before the Immigration Office – one disciplinary apparatus of the State – would begin to consider my claim of partnership. I was able to do this only because my partner's salary was sufficient to support both of us during this period while

I was unable to work legally, and because my privileged levels of education allowed me to register for a postgraduate degree in the UK. Because my justification for remaining in the UK during this initial two year period each had a limited timespan (three-month work permit, three-month tourist stamp, six-month prospective student stamp, and one year student stamp) I regularly had to travel to the immigration office at Glasgow airport where I handed over the application forms and my passport to someone who had the power to reject my application to maintain my chosen home. On one particularly painful trip to the immigration office, all applicants were forced to wait outside because there were apparently insufficient staff for us to be allowed inside the building. The indignity of waiting outside was bad enough, but it was also snowing and many of the people, including small children, were insufficiently dressed for the weather. This was a radically disempowering and dehumanising set of experiences. So was sending off a package to the Home Office containing photographs, postcards, 12 letters of support indicating that our relationship was 'akin to marriage' (obtained from as many people in high positions, such as professors, as possible), evidence of our shared abode and economic entanglement, and narratives produced by me and my partner including how we would feel if we were forced apart. For many months we waited for authorities' response to our plea. After numerous experiences of subordination, my application was accepted. Not only does a claim of legal equality in terms of immigration law obscure the numerous inequalities exemplified through my own personal case, in particular inequalities of class, race, nationality, education and the division between bureaucrats and others, it is not in fact an equality - married heterosexual couples do not face the same delays to recognition - but most importantly it fails to question the initial source of inequality. There is a great irony in praising the State for granting individuals the rights to cross the border, when the ongoing production of State and border are inseperable. Borders are incompatible with substantive equality. The numerous inequalities involved in this victory for 'intimate citizenship' suggests that State-centred efforts to achieve diversity and equality suffer severe limitations.

Matthew Waites' (2003) recent work on the debate surrounding the sexual age of consent in the UK further illustrates the inequalities and borders inherent in the approach of gay and lesbian lobby groups. The belief that legal reform must be a central focus of social change clearly demonstrates the centralised conception of power held by groups that claim to promote 'equality'. This is further emphasised by the vanguardist position taken by Stonewall who claim to represent interests of the gay and lesbian community. This campaign encouraged supporters to draw upon established discourses in order to win the support of individuals

within established institutions (i.e. politicians). In particular, biological and psychological medical discourses on the fixity of sexual orientation, particularly by the age of 16, were utilised by Stonewall as well as by health policy interest groups including the British Medical Association. These discourses were a reactive defence against heterosexist fears of homosexual contagion. Rather than addressing this underlying problem, campaigners accepted these terms and colluded with a 'logic of containment' (p 651). Thus, this strategic approach is active in the continual construction of a border between heterosexuality and homosexuality, which has two key consequences. It denies the possibilities of bisexuality, queerness and other experiences that cannot be contained within this binary. It also encourages us to ignore the concrete ways in which heterosexism damages people of all ages regardless of sexual identity or desires. At the same time, this approach supports the continual construction of a second border, between adults and children. This illustrates how a statist approach, through its emphasis on legislative equality, fails to recognise the complex and intersecting relationships of power that produce diversity, both within the realm of sexual desires, experiences and identities as well as experiences of domination, oppression and exclusion. Furthermore, this binary production of 16 as a dividing line between childhood and adulthood seems to have had further repercussions in supporting the government's current plans to criminalise all sexual behaviour (including sexual touching) involving two or more people where at least one of them is below the age of consent (fpa, 2003; UK Parliament, 2004). Government rhetoric of protecting children in order to justify this legislation depends upon a clearly marked boundary where childhood ends. By failing to understand the nature of power and the continuous production of 'structure', the ethics of the statist approach are deeply problematic. In fact lobbying the elite members of the State apparatus, which necessitates working within established discourses, ultimately results in the continued production of hierarchical social divisions and thus multiple forms of domination, oppression and exclusion. This fact is hidden by the short-term reformist agenda of the State-centred campaigning organisation. They are able to claim a victory for equality. In statist terms, the ends -- legal reform and the spectacle of equality -- justify the means -- discourses of fixed sexuality and claims to authority and representation.

Finally, Davina Cooper's (1994) research on lesbian and gay activist attempts to utilise local government to achieve equality in the 1980s shows that these efforts were largely frustrated. Indeed, she summarises the problem as 'the paradox of a hierarchy 'imposing' equality' (p 173). The organisation and remit of local government was such that it was nearly

impossible to mobilise any form of action within it that fell outwith certain boundaries.

> It is clear that certain approaches to sexuality were deemed inappropriate for local government. On some occasions this was a conscious process, whereby activists, councillors and officers chose not to articulate politics that they purposefully advocated in a non-state setting, such as, within a community organisation. At other times, ideas seem so outrageous to municipal politics that they were not even thought within *that* context (p 148).

Although lesbian and gay policies were targeted by the corporate media as examples of the 'loony left', Cooper argues that these were entirely compatible with broadly liberal paradigms. Any practices or discourses which challenged dominant constructions of gender and sexuality were systematically excluded from policy debates.

Conclusion

This chapter has described three debates about 'difference' in the politics of sexual orientation. Each can be understood in terms of argument about how far to take the logic of difference. Lesbian feminism largely promoted a singular difference in emphasising gender division as the most fundamental oppression. Working-class women, women of colour and women who enjoyed sexual pleasures outwith those defined by some as 'feminist' challenged this emphasis and argued for a recognition of multiple differences along lines of class, race, gender and sexuality. Queer theory, inspired by poststructuralist philosophy, largely advocates an even more radical politics of difference, challenging any notions of unity. Critics asked how this can be put into political practice: is it not necessary to have some degree of unity? Thus, advocates of intimate citizenship attempt to develop a compromise between a radical promotion of difference and a recognition of the constructed nature of identity with a more sophisticated liberal paradigm of human rights. Poststructuralist critics respond that such a compromise results in the ongoing (re)production of relationships of domination rather than the egalitarian ideal advocates of citizenship promote.

My aim in this chapter has not been to provide a comprehensive overview of the politics of sexuality, but to explore my discomforts with identity politics and to search for inspiration for alternatives. Lesbian feminism was very valuable for providing an analysis of relationship between 'sexual orientation' and macro level forms of social organisation. Rather

than seeing 'sexual orientation' as an individual trait, 'compulsory heterosexuality' was recognised as integral to other relationships of domination. Meanwhile, sex-positive critics of lesbian purity highlighted the significance of sexuality as a realm of oppression in its own right, not entirely definable in terms of gender. Queer theory and activism has developed and expanded on each of these points. Finally, while the potential of queer in achieving radical social change is unclear to many, intimate citizenship, I suggest, provides an unsatisfactory alternative. To fulfill it's radical potential, it is necessary to find ways of supporting and encouraging difference without falling into some form of competitive individualism. One political tradition emphasises both individual freedom and cooperative social organisation without the limitations I have suggested are inherent in intimate citizenship. Rarely acknowledged in academic work, in terms of the politics of sexuality or elsewhere, I turn now for inspiration to anarchism.