Freedom to Differ

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CLINTON’S “DAMN LESBIAN”
Politics and Visibility in the Achtenberg Debate

The price of increasing power is increasing opposition.
—from *The I Ching* (in Lorde 1984, 158)

Introduction

In May 1993, a debate raged for three days in the U.S. Senate chamber, marking what its participants proclaimed a “historic” event. With Bill Clinton’s choice of Roberta Achtenberg for the position of assistant secretary for Housing and Urban Development (HUD), Achtenberg became the first “out” lesbian in history to be nominated for a United States cabinet post. During the nomination hearing held before the Committee on Banking, Housing, and Urban Affairs on April 29 and the subsequent Senate filibuster that continued for nine and a half hours on May 19 and 20 and concluded with more discussion and a vote on May 24, Achtenberg’s professional qualifications for the post became intimately tied in debate to her identification as a lesbian, despite the efforts of her supporters to keep her sexual orientation in the background. In its candid discussion of the relevance of Achtenberg’s “homosexual lifestyle” to her personal and political competence, the Senate debate offers a rare glimpse of the political and social construction of homosexuality in general, and lesbianism in particular, in process.

As the first openly gay or lesbian person ever nominated for the president’s cabinet, Achtenberg faced hostility and severe censure from conservative members of the Senate, most notably Senator Jesse Helms and other
conservative Republicans. During the acrimonious debate on the Senate floor over Achtenberg’s nomination, Helms and others expressed their opposition to confirming someone whom Helms had referred to in a newspaper interview as a “damn lesbian.” Thus the issue of sexual orientation and its relationship to politics was raised even before the official debate began, setting the tone and framework for the discussion and positioning the “lesbian issue” at the forefront of the debate. The language and meanings that shaped the debate, as well as the outcome of the confirmation proceedings, reflect existing cultural meanings of lesbianism and produce new ones.

In this way, Achtenberg’s ultimate confirmation tells only part of the story. The discussion surrounding a presidential nomination, while ostensibly centering on the nominee herself, also conveys the senators’ approval or disapproval of broader policy matters. “Without a doubt, the Senate interprets its role in the confirmation process as not simply screening the personal qualities of the nominees but is instead using the confirmation process to highlight its policy differences with the administration” (King and Riddlesperger 1991, 197). Indeed, an article in the New York Times relates that “Republican strategists have noted that President Clinton has suffered political damage from his support for gay rights, and the campaign to defeat Ms. Achtenberg appeared to be part of a strategy to underscore differences between the two parties” (Krauss 1993, A12). Such observations are particularly meaningful in light of the fact that Achtenberg’s nomination was announced during the controversy over lifting the ban on gays in the military, at a time when Clinton was faced with “fierce resistance” from both “top military officers and some lawmakers” (Reuters 1993). At the time of the Achtenberg confirmation proceedings, the Senate Armed Services Committee was in the process of holding hearings on lifting the military ban. Because “the confirmation process provides the Senate with a forum to express its opinions on the president’s policies” (King and Riddlesperger 1991, 192), the Achtenberg debate must be viewed in the context of a larger struggle for political control.

In this understanding of the political process, the Achtenberg confirmation proceedings, like the nomination itself, were at once remarkable and quite predictable in their reassertion of heterosexuality as the unmarked norm, in relation to which homosexuality exists only as a deviant “Other.” What bear examination here are the somewhat surprising ways in which Achtenberg’s supporters, as much as or more than her opponents, attempted to limit the understanding of lesbianism to its narrowest possible definition,
all the while congratulating themselves for their progressiveness. In framing her sexual orientation as a private and (therefore) irrelevant matter, Achtenberg’s supporters de-emphasized or erased implications of challenge and change that her nomination presented to the deeply ingrained heterosexism and homophobia of politics as usual. At the same time, her most vitriolic opponent, Jesse Helms, was the first, and seemingly the only, member of the Senate to acknowledge (and often, indeed, to exaggerate) the extent of the challenge her confirmation posed.

The discourse of the Achtenberg debate presents a persuasive and appealing, but at times contradictory and self-defeating, argument in support of gay and lesbian rights. The predominant strategy of Achtenberg’s Senate supporters employs a civil rights perspective, calling on the familiar argument of liberal tolerance that often takes center stage in the rhetoric of lesbian and gay rights. A gay and lesbian civil rights argument implicitly draws on, at the same time that it creates, an essentialized understanding of gays and lesbians as constituting a distinct and identifiable class of people. It then deploys this understanding as a means of seeking “suspect class” status and of gaining legal protections for gays and lesbians based on equal protection laws.

Within this argument lies an ambiguous and often troubling relationship between “identity” and “behavior.” One goal of civil rights appeals is precisely to establish homosexuality as an identity. Such appeals seek to gain suspect class status for gays and lesbians in order to associate them with other, more “established” minority groups based on identity features such as race. Being gay or lesbian, this argument runs, is much like being Asian or African American. It is a distinct, apparently “biological” characteristic that designates one decisively as a member of a particular group. From this perspective, being gay or lesbian is a characteristic that refers to a state of being, describing “who one is” apart from any particular actions one might take.

However, civil rights initiatives also seek protection for behaviors, in this case sexual behaviors, under the right-to-privacy laws. Such an argument was made unsuccessfully in the infamous Supreme Court case of *Bowers v. Hardwick*. As this case made clear, the government is unwilling to extend the right to privacy to gay or lesbian sexual acts, just as it is unwilling, as yet, to endow homosexuals with suspect class status. Despite this hostile context, arguments for gay and lesbian civil rights have continued to proceed on both the identity and the behavior fronts simultaneously. The result is an oddly ambivalent and, at times, indecipherable relationship between identity and
behavior, in which the two are presented as neither clearly connected to nor decisively separable from each other. Nor, therefore, is either framing of the issue clearly predominant during the debate on the Senate floor.

Achtenberg's most ardent and vocal Senate supporters employ such civil rights strategies to insist that her political experience and qualifications are the only appropriate matters for discussion at her confirmation hearing. They argue not only that sexual orientation is irrelevant in judging a candidate's ability to perform a job well but also that the addition of Achtenberg and other out gays and lesbians to the political system makes no difference, that ultimately it neither challenges nor changes that system. This argument reassures skeptical senators that only “good” gays and lesbians, that is, those who will not agitate for change, will be considered acceptable candidates for government posts. It thus establishes early the limits of tolerance, not only for Achtenberg but for gays and lesbians generally: public participation comes at a cost, and that cost, ironically, is the inability to advocate for change for a broader constituency. Although the senators ultimately confirmed Achtenberg, their discussion reveals that the admission of a lesbian into the president's cabinet marks the beginning and the end of the changes they are willing to contemplate. Responding to these limits, Achtenberg supporters hasten to reassure their colleagues that this apparent change is really no change at all.

At the same time, and perhaps paradoxically, supporters frame Achtenberg's nomination as an occasion for celebration. “This is a nomination that is heroic . . . this nomination is important, because it really is a challenge,” asserts Senator Carol Moseley-Braun (S6214).7 Supporters portray the nomination as a significant change in policy that marks the beginning of a new political era of equality and the end of a long history of intolerance and discrimination. Such a framework is particularly resonant in the context of this particular nomination, because the position Achtenberg has been nominated for, assistant secretary of HUD, would place her in the role of arbiter of fairness and justice by implementing anti-discrimination and equal opportunity laws in housing. The backdrop for this discussion, therefore, is the role of HUD as an organization specifically designed to fight discrimination and guarantee equal access to fair housing, particularly for racial minorities, low-income families, and families with children.

Importantly, however, while the laws enforced by HUD are designed to prevent discrimination, they do not include protection for gays and lesbians. Currently, discrimination based on sexual orientation is still permissible in all arenas under the law. This situation explains the seemingly paradoxical
need for Achtenberg’s supporters to celebrate the breaking down of barriers that her nomination represents while simultaneously insisting on the irrelevance of her sexual orientation to any of the “real” issues under discussion. The apparent contradiction is unscrambled if we examine the rhetorical consequences of this juxtaposition. The effective message is that sexual orientation is private, therefore irrelevant, therefore insignificant to the discussion. What is significant, according to supporters, is that after centuries of discrimination, the Senate has recognized that sexual orientation is, after all, a private matter. As such, it is unrelated to the affairs of the government and so provides no justification for excluding gays and lesbians from holding high political office. In other words, Achtenberg’s supporters frame her nomination as a progressive policy change that will bring about, finally, no structural change at all.

The Senate debate offers a specific instance of the broader rhetorical structure of gay and lesbian civil rights discourse, bringing forth many of the most familiar arguments of a liberal lesbian/gay rights position. As such a representative instance, it allows us to examine the effects of various rhetorical strategies employed in making the liberal case for “tolerance.” These effects include the particular understandings of lesbian identity that such strategies produce; their impact on the possibilities of voice and visibility for this underrepresented group; and the overall gains and losses associated with the use of such strategies for the lesbian/gay rights movement. It is important to remember that those who speak on behalf of Roberta Achtenberg in this forum are speaking neither as representatives nor as advocates of gay and lesbian rights per se; they may or may not support such rights. Nevertheless, their arguments are valuable here precisely because they adopt the most prevalent discourses generated by the lesbian/gay rights movement as a means of defending Achtenberg’s right to serve in this government post. The arguments of these lawmakers may have a tremendous influence on the creation of public policy and in the setting of precedents for the Senate’s handling of future gay and lesbian nominees.

This chapter analyzes the texts of the two formal discussions of Achtenberg’s nomination: the Banking Committee’s nomination hearing (hereafter referred to in references as Nominations) and the subsequent debate on the Senate floor, as recorded in the Congressional Record. I examine how the language used in the hearing and in the debate establishes Roberta Achtenberg as a visible, highly placed role model, whose achievement marks a shining moment in the struggle for gay and lesbian civil rights. I also examine how the language employed in the Senate chamber, in particular the metaphor of
“crossing the line,” used repeatedly to describe the accomplishment of Achtenberg (and, by extension, the gay and lesbian community), becomes a means for both supporters and opponents to establish a narrow definition of lesbian identity that restricts the possibilities for voice and visibility as components of an acceptable lesbian existence.

ASSIMILATING DIFFERENCE

Of particular interest in this case is what happens in the wake of the increased and increasing visibility of gays and lesbians, a group whose historical oppression has been based in part on our invisibility. No one on either side of the debate contests the fact that gay and lesbian visibility has increased markedly in the 1990s. Tom Stoddard, writing in the Advocate, a leading gay and lesbian magazine, put it most clearly when he dubbed 1993 “the Year of Visibility” (1993, 45). In an article naming Achtenberg the Advocate’s 1993 Woman of the Year, Stoddard announced, “This was the year we conquered our heritage of invisibility. We seemed to be everywhere—demanding an end to the Pentagon’s policy of discrimination, marching on Washington, boycotting Colorado, and generally causing political trouble.”

The recent increase in the visibility and outspokenness of many gays and lesbians goes a long way toward combating long-held prejudices against us. As that which is unknown becomes more often seen and heard, and thus better known, it has the potential to dismantle stereotypes and prejudice. When that which was once frightening, alien, or unfamiliar becomes commonplace, those who were “Other” are more likely to be perceived in all their human complexity, instead of through the single lens of their difference. When a group becomes visible and audible, its members can more readily be judged by their character, skills, and abilities, by their minds and spirits, instead of by false images and prejudice. Negative stereotypes dissociate gays and lesbians from the values extolled by much of middle America: values of love, caring, and family. Gaining visibility and voice enables gays and lesbians to express our own allegiance to such values, even if the forms of this love and caring and the structure of these families may differ. When people begin to discover, across chasms of apparent difference, that we all share the same fundamental needs for food, shelter, safety, and love; when the recognition of common humanity leads not to assimilation and the annihilation of difference but to the ability to communicate with and learn from one another while respecting our differences; when those in positions of power and privilege genuinely desire such understanding and
begin to recognize what has been lost for everyone through the marginalization of entire communities; when these elements are in place, the “Othering” process that maintains prejudice and discrimination can begin to be dismantled.8

Equally crucial for the goal of social transformation is the impact of voice and visibility on gays’ and lesbians’ own empowerment. The power to speak for oneself and the right to be oneself openly are crucial components in the process of overcoming internalized oppression. “Internalized oppression” refers to “the incorporation and acceptance by individuals within an oppressed group of the prejudices against them within the dominant society . . . the mechanism within an oppressive system for perpetuating domination not only by external control but also by building subservience into the minds of the oppressed groups.” The consequences of such internalization may include “self-hatred, self-concealment, fear of violence and feelings of inferiority, resignation, isolation, powerlessness, and gratefulness for being allowed to survive” (Pheterson 1990, 35).

The overcoming of internalized oppression may represent an even greater threat to the status quo than does the altering of heterosexuals’ attitudes. With visibility come pride and an unwillingness to remain hidden or to feel ashamed. This leads to greater numbers of gays and lesbians coming out and an ever-increasing gay and lesbian presence in all aspects of public and private life. Closeted gays in high-profile positions might therefore feel freer to come out, as has occurred in the entertainment industry with celebrities such as Ellen DeGeneres, k.d. lang, Melissa Etheridge, and Elton John and in the sports world with athletes such as Martina Navratilova, Muffin Spencer-Devlin, Rudy Galindo, and Greg Louganis. Just as important, when young gays and lesbians see that an out lesbian such as Achtenberg can be appointed to a high government post, they, too, might aspire to such positions, including those that would enable them to bring about changes in government policy regarding gays and lesbians. The argument about Achtenberg and the outcry against her activism, then, may be read as an argument not only about what she might do personally but also about what those who follow her might do. What is apparent to all present is that once Achtenberg has been confirmed, others will follow. Once the first step has been taken, there can be no grounds for excluding future candidates based on sexual orientation alone.9

The Achtenberg debate illuminates the quick and effective means by which a new level of rhetorical oppression can be implemented and can take hold when one level is challenged or undermined. In the war of words
against Roberta Achtenberg and those she is seen to represent, it becomes clear that when members of an oppressed group achieve a certain degree of visibility in spite of attempts to deny or erase their existence, alternate means of oppression are imposed. Some, which take the form of overt verbal or physical attacks, are all too familiar and recognizable to us. Yet other, more insidious forms also appear. These subtler, encoded forms may be equally destructive but more difficult to identify or decipher. The silencing and erasure of gays and lesbians have long been effective means of perpetuating negative stereotypes, promoting the prejudices of heterosexuals, and maintaining the internalized oppression of gays and lesbians themselves. By keeping so many lesbians and gay men hidden even from their families and friends, these forms of oppression ensure that vast numbers of those who live or work with gays or lesbians believe that they have never met a member of this group, that they share no common bonds, and that the lives of gays and lesbians are utterly alien to their own.

Even those senators who support Achtenberg’s nomination employ language that reinscribes boundaries around the possibilities for tolerable or acceptable difference. As a result, the lesbian “Other” who is admitted into the ranks of the dominant group remains subject to their control, her difference constrained within permissible limits of heterosexual dominance. A civil rights argument is highly effective for achieving this objective. Accessing the rhetoric of civil rights means relying implicitly, and often explicitly, on an analogy with race. For the purposes of the liberal senators, this analogy serves well. It is, after all, a popular and well-rehearsed liberal argument that race is “simply” a difference in skin color, and that therefore racial minorities can and should achieve success within white institutions (although preferably not in overwhelming numbers). According to this argument, discriminatory policies prevent minority group members from fulfilling their potential, and once such policies are dropped and the playing field is, presumably, level, minorities will be equally able to compete and succeed within such institutions. The goal of progressive liberal institutions, within this framework, is to implement anti-discrimination policies as a means of integrating racial minorities into existing institutions.

Such a framing of the problem might be thought of as the “white light” metaphor for assimilation. In a society where difference was valued, all of the “colors” of American society would combine to produce a rainbow of color; that is, to create institutions that represent the values, beliefs, and practices of Americans of genuinely diverse racial backgrounds. Yet just as combining all the colors of light yields not a multicolored spectrum but white
light, assimilation absorbs difference to uphold the continuing dominance of white institutions, along with their attendant values and practices. White light is thus a vivid metaphor for assimilation; only by refracting it, by breaking it apart, can we recapture the varied colors of the spectrum.

A similar anti-discrimination/assimilation approach is adopted in the Achtenberg debate. In this version, which is possible only in the case of a white woman whose race is rendered invisible, sexual orientation replaces race, and the rationale runs as follows: sexual orientation is only about whom one has sex with, but this difference in choice of sexual partners does not and should not affect public life. Thus gays and lesbians willing to fit into heterosexual institutions must be allowed to do so, but only insofar as their presence is not disruptive to heterosexual privilege, to the ways in which heterosexuality is enforced and assumed in American culture. Again, the civil rights paradox is at work: the presence of even out gays and lesbians can be tolerated only as long as compulsory heterosexuality, that is, heterosexuality as a presumption and a norm, remains firmly entrenched. The notion of liberal tolerance demands a trade-off: the marginalized group are rewarded for conforming to dominant values and behaviors, and the dominant group recognize the minority group on the condition that the latter aspire to be just like them, that they choose to assimilate. Within these parameters, something like tolerance is possible only for those who successfully mimic the dominant group’s behaviors and values.

The advantages of this approach for members of the dominant group are manifold. Most immediately, it excuses them from the need to educate themselves about other groups or to seek a greater awareness and understanding of those who are unlike themselves. On a societal level, dominant institutions need not be questioned or challenged; they remain intact and unchanged, while minority individuals must adapt in order to fit into them.

To the extent that marginalized group members can accommodate themselves to these institutions, they may gain the privileges (education, employment, political influence, etc.) such institutions bestow. While such an approach to equality necessitates a high degree of self-negation for members of a minority group, it requires the fewest genuine concessions from members of the dominant group while allowing them to maintain the appearance of concern for the oppressed. This strategy circumvents demands for the dominant group to engage in self-questioning or other self-reflection, as well as any need to sacrifice existing privileges or status. Even where diversity is ostensibly welcomed, it is simultaneously erased, becoming yet another band of color that disappears into white light.
The effort to maintain control over and assimilate difference while claiming respect for diversity produces a civil rights discourse that is riddled with contradictions. While civil rights arguments draw upon the assumption of an identity-based community, for instance, their guiding objective of assimilation undercuts the very principle of difference on which such a community is based. The discourse of Achtenberg’s Senate supporters upholds, without acknowledging, this contradiction in her status. On the one hand, her supporters maintain the significance of the difference based on sexual orientation. They do so by positioning Achtenberg as a member and a representative of an identifiable gay and lesbian community and by presenting their acceptance of her as a reason for self-congratulation. On the other hand, they insist that although her sexual orientation does introduce difference, it is not a difference that makes a difference. By portraying Achtenberg as “mainstream” (S6208) and separating her from activism and social change, her supporters insist that sexual orientation is an inconsequential feature of identity—a characteristic that has acquired the veneer of importance only through its years of exclusion and discrimination by political bodies such as their own. Within this framework, homosexuality both does and does not need to be explained away, excused, or justified, because although it is a difference, it does not make a difference.

The root of this contradiction lies in the conflicting interpretations of sexual orientation as an activity or a fundamental element of identity, a behavior or a state of being. This issue underlies the discussion here as it does the broader argument of lesbian and gay civil rights, yet Achtenberg’s supporters never explicitly address or resolve the issue. When supporters separate Achtenberg’s “mainstream” politics from her presumably nonmainstream personal characteristics, they access a framework of identity as private, irrelevant, and insignificant, as the difference that makes no (real) difference.

This strategic choice makes sense given the legal and political context, for behaviors are precisely what are not protected here. While at least one court has ruled “that homosexual persons, as a particular kind of person, are entitled to Constitutional protections under the Equal Protection Clause,” the Supreme Court has resolutely refused to offer the same sort of protection for homosexual acts. “The Supreme Court in Bowers v. Hardwick notoriously left the individual states free to prohibit any acts they wish to define as ‘sodomy,’ . . . with no fear at all of impinging on any rights, and particularly privacy rights, safeguarded by the Constitution” (Sedgwick 1993, 57). Such a ruling presents a potent opportunity for attacks based on homosexual be-
behavior, broadly defined. This division of agent from act, and private from public, sets up a dichotomy in which one’s protection as a lesbian or gay man, even if granted, nevertheless does not extend to any acts one might perform within the context of that identity—acts that include not only sexual activity but also political activism.

Achtenberg’s opponents use the behavior/identity, or public/private, distinction as a means of expressing their disapproval of her based on her “lifestyle” (a term implying behavior and willful choice), while seemingly maintaining a sympathetic stance toward her minority identity. The strategy of splitting behavior from identity pays homage to the protections that have generally been granted to minority identity by the courts. While lesbian and gay identity is not legally protected, attacks on identity have largely fallen out of favor in public discourse. Civil rights/identity discourse calls on this trend and asks that it be extended, formally, to protect the rights of lesbians and gays. It justifies this application of equal protection law by claiming, implicitly if not explicitly, that sexual orientation provides the basis for defining a particular class of people as analogous to racial minorities. Achtenberg’s supporters use this comparison between gays and lesbians and more established or “legitimate” minorities to highlight her nomination as a progressive political moment, and to portray her opponents as steeped in old prejudices and outdated modes of discrimination.

**Homosexuality as a “Natural” Category**

On the Senate floor, as elsewhere, “homosexuality” is frequently conceptualized as a “biological” category, similar to those of race and sex. As in discussions of race or sex, the biological designation suggests a fixed and unchanging category, a “natural” and incontestable distinction, and therefore a means by which people can be classified and organized in a purely “objective” fashion. Biological categories are viewed as given, subject to neither social construction nor individual judgment. They are understood as entirely confined by identifiable and universally recognized boundaries, such that transgressing these boundaries may be described as “crossing a line.” In the case of sexual orientation, the line divides heterosexuality and its attendant privilege clearly and absolutely from its ostensible and inferior opposite, homosexuality.

One implication of a biological category is that it refers to an attribute of an individual agent, a feature of identity rather than a description of behavior. This distinction accounts for a fundamental difference between the
rhetoric of gay rights supporters and that of opponents. “Pro-gay” rhetoric often considers homosexuality to be innate and immutable, a characteristic of the individual that is not under his or her control. In contrast, anti-gay rhetoric locates homosexuality in particular sexual acts that are seen as freely chosen (Brummett 1979). In this way, gays and lesbians are portrayed by their detractors as willfully stepping outside the realm of constitutional protection and therefore accountable for what is viewed as voluntary nonconformity and rebellious, immoral behavior.

A parallel distinction characterizes the rhetoric of the Senate debate. Achtenberg’s supporters hold firmly to a perspective that labels homosexuality a biological, and therefore private and protected, category of identity. Their position follows from a standard argument of lesbian and gay rights supporters. “An important theme in Pro[-gay] rhetoric compares the plight of gays with other, more ‘established’ minorities: blacks, Jews, Indians, etc. Pros thus argue that gays ‘find themselves’ in that condition, as do blacks, and must be accepted on those terms” (Brummett 1979, 254). This stance is articulated in the Senate discussion through the comparison between Achtenberg and Carol Moseley-Braun. Senator Don Riegle, chair of the Banking Committee, remarks to Achtenberg, “In a sense, you’re crossing one of those invisible lines that we have in our society in terms of . . . sexual orientation,” an accomplishment he compares to that of “Carol Moseley-Braun . . . [who] has been the first person in effect to cross the color line” (Nominations 1993, 30). Before the full Senate, he explicitly equates sexual orientation with other forms of discrimination, asserting, “If you are qualified and you step forward, you ought to be judged only on the basis of your qualification, not skin color, not ethnic background, not sexual orientation” (S6102). His comparison is given even greater authority by Moseley-Braun’s response: “You made probably one of the most eloquent statements I’ve heard . . . about this country and the challenge we face as senators, and crossing the line. I mean, I know from firsthand experience being both a woman and an African-American, what it’s like . . . to cross lines that have kept people out.” She explicitly connects various forms of prejudice, referring to “racism and sexism and all the isms that divide us and pit us against one another” (Nominations 1993, 31).

In the same vein, Senator Dianne Feinstein implicitly compares discrimination on the basis of sexual orientation with racial discrimination when she alludes to “bleak periods of prejudice and bigotry” in U.S. history. She pleads, “Let us not today create another ugly chapter in this country’s history” (S6201). In the discourse of the confirmation process, the gains of gay
and lesbians precipitated by the nomination are framed as parallel to those of other, “similar” minority groups. Senator Joseph Lieberman announces that “this is . . . an historic nomination because of Roberta Achtenberg’s sexual orientation” (Nominations 1993, 21). He compares strides made to eliminate racial and gender inequalities with the issue “in our time” of discrimination based on sexual orientation (S6212).

Feinstein suggests that with Achtenberg’s confirmation, “the doors of opportunity will open once again.” She urges, “Let us swing those doors open today, once and for all” (S6297). In the double inflection that characterizes much of the language of the confirmation process, the “doors of opportunity” are perceived as opening both for Achtenberg as a lesbian in government and for those minority families whom she would serve as assistant secretary of HUD. However, Lieberman, who supports Achtenberg’s nomination despite his stated disapproval of homosexuality, notes, “This question of discrimination based on sexual orientation is in some ways like the earlier questions of discrimination based on race or gender, but in some ways they are quite different” (S6213).

While such a comment attempts to dissociate gays and lesbians from other, more “legitimate” or established minority groups, most of Achtenberg’s Senate supporters emphasize her capacity for empathy with her constituents, drawing a strong parallel between her situation and theirs: “She knew what it meant to be discriminated against, to be told that you weren’t wanted, that you were not the right type of tenant” (Nominations 1993, 20). Here the comparison between Achtenberg and other minorities draws its strength from a common experience of victimization. In several of her supporters’ statements, the problems of housing discrimination and discrimination against Achtenberg are merged, so that their words appear to address both issues at once. Senator Barbara Boxer argues, for instance, that “when we confirm Roberta Achtenberg . . . we will be taking a real step forward because we will be saying that discrimination is unacceptable, and we will be saying that the promise of equal opportunity is alive and well” (Nominations 1993, 20). Likewise, Lieberman asserts that Achtenberg “is superbly qualified to serve . . . as Assistant Secretary of Fair Housing and Equal Opportunity, and . . . that of course I think is the larger message of equal opportunity that speaks out from this nomination” (Nominations 1993, 21). Both statements leave unclear whether the “promise” and “message” of equal opportunity apply to Achtenberg or to the people she will serve, and this ambiguity strengthens the identification between them.

Like other categories of identity already protected by law, homosexual-
ity is located by Achtenberg’s supporters in the realm of the private, which they discuss as entirely distinct and separable from the public realm: “Sexual orientation . . . is essentially a matter of privacy” (S6213). Boxer reinforces this distinction by reassuring her colleagues that “Roberta Achtenberg is supported by the mainstream. This is not someone who had dedicated her life to the fringes of our society . . . in her public life . . . she is mainstream” (S6208). Senator David Durenberger, likewise, asks rhetorically, “When the Senate considers a Presidential nominee, are we undertaking the task of moral policemen—endorsing or condemning the private conduct of nominees? . . . It is not up to me to judge her private behavior” (S6216, emphasis mine). The senators argue that sexuality should be treated as a matter of personal preference, devoid of political significance. Boxer urges, “We are all God’s children. We are. And let us not judge each other based on our differences. Let us all put aside differences that do not matter” (S6118). Senator Patty Murray remarks bluntly, if less eloquently, that Achtenberg’s “private life is about as important to me as her hair color or her style of shoes” (S6335).

In this liberal discourse, homosexuality is defined as an individual preference, an “eccentricity” with no implications beyond the bedroom. The doctrine of privacy “excuses” Achtenberg for her private tendencies, as long as her politics and her commitment to public life remain unquestionably mainstream. However appealing this discourse might appear—and there are indisputably seductive elements of an ideology like that articulated by Boxer—it is important to recognize its limitations. The goal of setting aside differences is a worthy one, if the attribution of “difference” is evenly distributed; that is, if there is no standard or norm against which difference is measured. Too often, however, difference is ascribed only to the minority, the “Other,” while the dominant group remains unmarked. That which is male, white, and heterosexual maintains its privilege as the unspoken norm. It is possible to maintain this inequity despite an apparent commitment to Boxer’s principle because the power to judge, and to support that judgment with material rewards and sanctions, remains unequally distributed among “different” groups.

This recourse to private identity, moreover, is not without its risks. In defining lesbianism as properly located within the private realm, supporters inadvertently encourage criticism of any public actions Achtenberg undertakes that are influenced by her “private” sexual orientation. Her opponents, unsurprisingly, make the most of this opportunity. With the exception of Jesse Helms, who is unreserved in his absolute condemnation of homosex-
uals, Achtenberg’s opponents claim that it is her public actions, not her homosexuality per se, that ground their opposition. Nevertheless, all the activities for which they condemn her are explicitly connected to her sexual orientation. They are able to uphold these seemingly contradictory claims by calling on the deliberate separation of public actions from private identity maintained by her supporters.

For example, having referred to Achtenberg as “neither qualified nor temperamentally fit for this position” and as possessing a record “of intolerance, discrimination, and vendetta against those who do not share her values and beliefs,” Senator Trent Lott says, “I want to reemphasize that the issue before us today is not one of sexual preference or orientation” (S6093). Yet his criticism is based on a conflict in which Achtenberg voted to revoke United Way funding for the Boy Scouts unless they changed their discriminatory policy against homosexuals (discussed below). Later Lott concedes, “My problem is not just with her lifestyle” (S6180; emphasis mine). Opponents insist that it is not her sexual identity but her public actions that raise doubt about her ability to do the job. Lott addresses the issue of “temperament” by asking rhetorically, “Is she tolerant of the views of others? Can she administer her duties fairly and without bias? Or will she be a militant extremist promoting a narrow special interest agenda?” (S6093).

The distinction drawn here between private identity and public actions is premised on the condemnation of a supposed gay and lesbian lifestyle that is characterized by immorality and depravity. Attacks on lesbian and gay individuals as such may be difficult for lawmakers to defend, given Americans’ general mistrust of government interference in “private” lives. However, advocacy of such an ostensibly corrupt lifestyle is another matter entirely, suggesting an influence on the government, and on society more broadly, that many people are unwilling to grant to gays and lesbians. Senator Strom Thurmond states, “I would like to note that my opposition to Ms. Achtenberg’s nomination lies not with her personal lifestyle but with her radical activism in pursuing her own political agenda” (S6218). An article in the Washington Times on May 24, subsequently entered into the Congressional Record, quotes Martin Mawyer, president of the conservative Christian Action Network, taking the dichotomy lesbian/homosexual, or public/private, one step further. Mawyer’s statement divides the terms into two meanings with still greater specificity: “We’re not opposed to gays and lesbians holding federal office, but her performance in that [San Francisco Gay and Lesbian Pride] parade is evidence she’s a lesbian activist, not just a lesbian” (S6333; emphasis mine). In addressing the issue of activism, we reach a key point in the con-
troversy over Achtenberg’s nomination: her political activities become the site of displacement for her opponents’ negative responses. Activism becomes the reservoir for their suppressed attitudes toward her unacceptable (sexual) behaviors that are at all times implied but always unstated.

Notably, the characteristics that make Achtenberg’s “lifestyle” objectionable are never explicitly laid out; nor is the particular narrow “agenda” she is expected to pursue clearly defined. The ambiguity of these concepts is not a result of oversight but the consequence of a rhetorical strategy that enables the artificial separation of identity from behavior. The flimsiness of this distinction is evident in the comment of Senator Pete Domenici, who, while voting to confirm Achtenberg, nevertheless asserts, “I cannot accept, as I believe the majority of the American public cannot accept, the promotion of alternative lifestyles as appropriate surrogates for what we refer to as ‘the traditional’ American family. And, I want to add that this has nothing to do with the issue of gender or sexual preferences” (S6534). The bandying about of terminology such as “alternative lifestyles” offers evidence that “gay lifestyle,” which has been described as “the most respectable of current homophobic slogans,” is “a phrase promulgated by the antigay right to alarm heterosexual Americans by associating gay civil rights claims with extreme sexual practices” (Nava & Dawidoff 1994, 127). Lifestyle carries a connotation of particular behaviors, presumably sexual, that are too offensive to mention by name. By leaving the definition unspecified, the implication (but not the outright accusation) of objectionable and extreme sexual practices is raised, while the discussion of Achtenberg’s behavior ostensibly remains focused on her political activism. In this way, sexuality and activism are subtly but effectively linked.

This connection is even more powerfully reinforced by the discussion and the accompanying video of Achtenberg’s participation in the San Francisco Gay and Lesbian Pride parade. In the parade, Achtenberg hugs and kisses her partner, Judge Mary Morgan, while riding on a float with their seven-year-old son, Benjie. In the portion of the video shown to the senators by Jesse Helms, the image of the women’s embrace is juxtaposed with the image of another float, elsewhere in the parade, that portrays God sodomizing Uncle Sam while a Boy Scout looks on. In the not-so-subtle parallel implied here, Benjie is equated with the Boy Scout, the icon of young, “uncorrupted,” heterosexual masculinity, watching a (presumably offensive or perverted) expression of love between women, an expression that is equated with the sexual act depicted by the other float. The importance of this link and the power of these images were not lost on Helms,
who sent a copy of the parade video to every senator’s office and threatened to send copies to the hometown newspapers of any senator who voted in favor of Achtenberg (Franken 1993). These images provided visual reinforcement for the claim that it was Achtenberg’s actions—her “lifestyle,” her activism, and, implicitly, her sexual acts—and not her identity that made her an inappropriate candidate for the job. In this way, the split between “homosexuality” and “lesbianism,” between private and public, marks a division between what is, at least arguably, a constitutionally protected “identity” and unprotected “actions.” Such actions provide something of a dumping ground for the unexpressed and inexpressible condemnation generated by identity.

By invoking the separation of public and private spheres, the undesirable qualities associated with homosexuality can be displaced from a realm that is relatively protected onto one that is not. Achtenberg’s behavior is referred to again and again as indicting her, and it is discussed as though it were a matter entirely separate from her identity. Senator Bob Dole states that “we must show respect and tolerance for those among us who happen to be gay. But showing tolerance and respect should not force us to embrace an ideological agenda that most Americans do not accept” (S6348). Senator Frank Murkowski agrees: “Ordinarily . . . questions of personal life or lifestyle would not be at issue. However the nominee goes beyond the point of just choosing a lifestyle, but, in fact, advocates her lifestyle forcefully, as an activist. What disturbs me is that she promotes that lifestyle and suggests it represents family values” (S6169). He insists bluntly that “her activism is inappropriate . . . and therefore I feel it is necessary that I vote against the nominee” (S6170).

The discourse of nonconformity or outright perversion often used to condemn homosexuality but inaccessible to the senators in the (semi)protected realm of identity is shifted instead onto the category of lesbian behaviors that remain available for critique. For example, in a discussion on the first day of the debate, Lott quotes a purported editorial in the San Francisco Chronicle that refers to Achtenberg as having a “twisted mind” and “tearing down what is good and wholesome in others” (S6093).13 Achtenberg is characterized later by Senator Robert Smith as having a “twisted value system,” as illustrated by her refusal to support the closing of San Francisco’s gay bathhouses after the outbreak of AIDS (S6215). Here again, the accusation links the overt description of “twisted” values and public actions with the implication of sexual perversity and disease.

Most of the senators carefully avoid using the word lesbian at all, their
discomfort with the term sometimes resulting in obscure or convoluted speech. In a striking example of one such verbal contortion, committee chair Riegle says to Achtenberg, “I think it’s important that we separate what’s important from what isn’t, in terms of you here as a nominee, and the fact that you may be the first person to come and to sit in a nomination seat in a situation, such as you do” (Nominations 1993, 30–31). Senator William Cohen also seems disinclined to use the term and attempts what is no doubt intended to be a more neutral approach: “She has a sexual orientation that is not followed by a majority of people in this country” (S6212). Helms is one senator who is willing to use the word, and with no one actively contesting his usage, the term assumes the negative connotations with which he endows it, ultimately sounding like a curse itself: “damn lesbian,” “militantly activist lesbian” (S6352). While others talk around the word, and around the issue entirely, Helms uses the term repeatedly and effectively. A reporter for the San Jose Mercury News observed, “On the Senate floor, Feinstein and Boxer spoke eloquently on [Achtenberg’s] behalf, as did other senators. But Helms shouting the ‘L’ word was what grabbed national attention” (Shepard 1994, A2). Whereas homosexual becomes a depoliticized term in this discussion, just the opposite effect occurs for lesbian, which becomes a threatening category imbued with strong political overtones. If it is true that “it is the goal of the gay and lesbian movement to make ‘gay’ and ‘lesbian’ words one expects to hear, registers, and considers without reluctance,” it is nevertheless also the case that, “at this point, the religious right still controls these words” (Nava and Dawidoff 1994, 105).

Among Achtenberg’s opponents, only Helms refuses outright to maintain the public/private split, condemning equally “homosexuality” and “lesbianism.” Helms appropriates a variant of the metaphor of “crossing the line” in articulating his concerns: “Any Senator who assumes that this is not a national issue should be advised that it is. Not because it is just a nomination, but because we are crossing the threshold into the first time in the history of America that a homosexual, a lesbian, has been nominated . . . for a top job in the U.S. Government. That is what the issue is” (S6099). While this quotation indicates that Achtenberg’s identity itself is “the issue,” he later identifies “the issue” as her behavior, suggesting that he draws no distinction between identity and actions: “That is what this issue is . . . how she has acted in public” (S6207). While taking a less provocative stance, Domenici also cautions against an overly rigid delineation between public and private spheres. He argues that “nominees do not come neatly sliced—they come as a whole loaf. Their personal value systems and their profes-
sional capabilities cannot be compartmentalized” (S6354). Domenici continues, “The debate on this candidate portrays clearly that professional expertise and private values are not easily separated or seen in isolation of one another. They are, instead, intricately intertwined” (S6355).

Despite the attempts of both supporters and opponents to deny the relevance of Achtenberg’s private life to their evaluation of her competence, the centrality of sexual orientation to the tenor of the debate did not go unremarked, either by those in the Senate chamber or by those outside. The San Francisco Chronicle of May 20 observed, “Much of the Senate hearing into her nomination has not involved her qualifications to serve, but her sexual orientation” (S6177). Lieberman likewise notes on the second day of the debate that “the question of discrimination based on sexual orientation . . . is not explicitly on the line in this nomination but it is, in my opinion, implicitly on the line” (S6212–13). In her closing statement on the second day, Boxer concurs: “We know what this is all about. . . . It is not about qualifications. It is not about tolerance. It is not about demeanor. It is about a private lifestyle that some feel disqualifies this woman” (S6223).

When the Senate returns to the issue three days later, Riegle reiterates this view, noting, “I think the only real challenge against this nominee boils down to her sexual orientation. . . . I believe all the other arguments that have been raised here are a smokescreen” (S6350). Boxer echoes his comment, remarking, “This kind of name-calling is a smokescreen for disapproval of her private life” (S6350). Feinstein, too, supports the view that “the focus has not been on her qualifications. . . . Instead, critics have tried to use Roberta’s sexual orientation to deny confirmation” (S6351). Through the representation of Achtenberg as a lesbian activist, the association of activism with bizarre sexual acts, and the added characterization of her “twisted” mind and values, opponents condemn Achtenberg for an implied and occasionally stated perversity that undermines her fitness to serve in high political office, even as they continue to insist that her sexual orientation is irrelevant to their condemnation.

The focus on identity raises another problem for supporters, one that arises from the very analogies with race and gender that they employ to fortify their position. Despite the progress of white women as well as people of color, it is still widely assumed that these groups constitute “special interests,” and that the political vision of their representatives is largely bounded by these interests. Put differently, women are often seen primarily, if not solely, as spokespersons for other women. Their ability to represent or speak
for a broader constituency is often questioned. This is equally true for racial
and other minorities, who are often required to prove themselves able to ad-
dress issues beyond those of particular interest to their group. Thisexpecta-
tion is striking because white, middle-class, heterosexual males are never
asked to do the same. They are not seen as representing (or even belonging
to) a particular constituency based on their race, class, sexuality, or gender,
nor are the concerns of this group characterized as “special interests.”

Achtenberg’s supporters equate her with other qualified minority can-
didates, comparing her appointment to the appointment of women, of blacks,
and, finally, of a black woman. However, the difference between Achtenberg
and Carol Moseley-Braun is that Moseley-Braun represents a constituency
whose right to a political voice is at least given lip service by mainstream pol-
litical representatives. For minority candidates, it is widely assumed that
one’s marginalized characteristic influences one’s political interest and vi-
sion, and that one therefore speaks at least in part, if not primarily, for a par-
ticular constituency. The question then becomes whether or not this con-
stituency has been granted the right, or at least a token right, to such polit-
ical representation and public voice.

In the cases of gender and race, most politicians today would assert pub-
licly (whatever their private views) that women and racial minorities have a
right to such representation. Members of minority groups who speak out
on behalf of racial and gender equality are increasingly admired for further-
their civil rights causes. However, this is not the case for gays and les-
bians, who constitute one of the last groups against whom public condem-
nation remains acceptable. Certainly, there is no consensus among even
mainstream politicians that gays and lesbians deserve political representation
or voice. In fact, even Achtenberg’s Senate supporters are unwilling to make
such a claim. To address this difficulty, they need to assert that, unlike women
or African American politicians, Achtenberg’s marginalized characteristic is
irrelevant to her politics. They must show that her political views are not
affected by her sexual orientation, and that she therefore will not become a
spokesperson for a gay and lesbian constituency or an advocate for the pur-
ported “gay agenda.”

Achtenberg’s supporters are caught in a dilemma: they need at once to
claim that sexual orientation is an identity like other marginalized cate-
gories, such as gender and race, and to assert that it is different. They need
to reject one particular implication of the identity claim without disman-
tling the framework of identity that enables them to compare gays and les-
bians to other oppressed minorities. The strategy is, needless to say, a risky
one. While moderate senators might be persuaded to cease discrimination based on the claim that sexual orientation is an irrelevant characteristic of identity, they will not then grant that “irrelevant” characteristic a political voice. In granting this degree of visibility to a lesbian politician, they claim the right to withhold voice, a strategy that permits lesbians and gays to be seen but not heard. Achtenberg may be confirmed as an out lesbian, but she may not speak as a lesbian or on behalf of lesbians.

This tacit compromise effectively forecloses any public conversation that could arise from Achtenberg’s confirmation. It therefore leaves the compulsory nature of heterosexuality and the dominant definitions and institutions that privilege heterosexuality intact. It frees the senators from having to concede that homosexuality is an acceptable or equal alternative to heterosexuality. Many of the senators seem to find it incumbent upon them to condemn homosexuality even if they support Achtenberg’s nomination. Lieberman, who votes in favor of Achtenberg and even identifies himself as her friend (Nominations 1993, 20), distances himself and his colleagues from any tacit approval of homosexuality: “This is not a vote on whether a Senator accepts homosexuality, approves of it, accepts it as the equal of a heterosexual lifestyle. I do not” (S6213). Some senators might be convinced that Achtenberg, and lesbians and gays generally, should not be disqualified from holding office on the basis of sexual orientation (as is the case with race). However, they are largely unwilling to suggest that lesbians and gays as such be given a voice in national politics—a concession all but the most profoundly right-wing politicians generally grant to racial minorities, at least in public discourse.

Thus Achtenberg’s Senate supporters, while willing to grant her visibility as a lesbian through their self-congratulatory discourse about social progress, are uniformly reluctant to grant her voice as a lesbian. She must promise not to advocate for gay and lesbian rights, and her supporters must explain away and defend her past activism on behalf of such rights. The ostensible social progress achieved through Achtenberg’s confirmation is thereby held in check by the understanding that one attains such high status only by sacrificing one’s right to speak as a lesbian. On the one hand, as Torie Osborn, former director of the National Gay and Lesbian Task Force, asserts, “A young lesbian coming up, secretive at college, can come out and have more hope for her life because there’s a Roberta Achtenberg at HUD” (in Shepard 1994, A4). Stoddard likewise writes that Achtenberg’s achievement “set new levels of aspiration for young lesbians and gay men who yearn for success without sacrificing their identities” (1993, 45). Yet, on the other hand, if
Achtenberg becomes a role model for gay and lesbian youth through her success, she does so at the cost of her activist politics, and those who wish to model themselves after her learn a harsh lesson about the sacrifices such an achievement entails.

The danger here for the lesbian and gay rights movement is not only that the language of this debate denies Achtenberg the right to speak on behalf of lesbians and gays. Through her supporters’ own rhetoric, her identification with a broader gay and lesbian community is itself eroded. The result is that her legitimacy as a nominee for this position is premised on the contrast between her and the members of such a community. Achtenberg’s supporters go to some lengths to differentiate and isolate her from other gays and lesbians. In addition to their characterization of sexual orientation as “private conduct” (S6216) and their assertion that “her personal life should have nothing to do with this nomination,” they build an argument for her integrity as a politician precisely upon her distinction from other gays and lesbians. Boxer, responding to the characterization of lesbian and gay rights as a “special agenda,” does not deny this description but instead argues that Achtenberg does not share this agenda, thereby disengaging the nominee from the struggle for gay and lesbian rights. Boxer notes that “it is an issue of great importance to all of us that we do not confirm people for the position of Assistant Secretary, or as Cabinet members, if they have a special agenda and they are going to push that agenda.” In Achtenberg’s testimony, Boxer reminds the senators, the candidate asserted her understanding that if confirmed, her job will be “to enforce fair housing laws, not to push any envelopes” (S6212).

Boxer goes so far as to quote from a letter written by Art Agnos, the former mayor of San Francisco, relating an incident in which Achtenberg was criticized by other gays and lesbians. Agnos writes that “the sharpest opposition to her work [as a city supervisor] came from a small sector of the lesbian and gay community” who criticized her for “failing to subscribe to a single-issue approach that advanced their own narrow agenda and which would have ignored the needs of other families. It is consistent with the integrity that characterized Roberta Achtenberg that she withstood such criticism” (S6222). In citing this example, Boxer dissociates Achtenberg from the pursuit of “special” rights, at the same time highlighting the selfish appeals of other lesbians and gays. This rhetorical strategy effectively divides “good” lesbians and gays—those who do not work to advance their own rights—from “bad” ones—those concerned only with their own special interest agenda. This particular discourse of “support” simply repeats a histor-
ical pattern of oppression, familiar to numerous minority groups, that advances one individual at the expense of the group rather than enhancing the group’s status through her success.

**Displacing the Closet**

Notably, in the discourse of both Achtenberg supporters and opponents, the figure of the closet is displaced by the metaphor of “crossing a line” to describe the liberal invitation, extended to various minority groups at various points in history, to assimilate and therefore attain heightened political status. Only one reference is made to the figure of the closet, midway through the three-day debate, and even in that instance, the allusion is quite vague. Senator Tom Harkin, speaking in support of Achtenberg’s nomination, states, “This is one Senator who believes there is more to housing than just closets.” He continues, “I have always believed that people should be judged on the basis of their abilities, not upon the basis of fear or prejudice, unfounded accusations or centuries-held beliefs that we now find should not be held any longer” (S6200). In contrast to the closet metaphor, Riegle introduces the notion of crossing a line in his opening statement during the committee’s nomination hearing. Addressing Achtenberg, Riegle states, “In a sense you are crossing one of those invisible lines that we have in our society in terms of this issue that is there raised by some with respect to sexual orientation” (*Nominations* 1993, 30). He repeats his opening statement at the beginning of the Senate confirmation proceedings, establishing at the outset the framework within which Achtenberg’s “difference” and her accomplishment are to be viewed.

Rather than suggesting the act of coming out, the metaphor of a line represents an act of coming over or coming in, emphasizing an entrance rather than an exodus. More specifically, while “coming out” leaves ambiguous the nature of the new location, “coming over” is quite explicit in identifying the site at which the act concludes. Coming over clearly indicates the assimilation of that which was “Other,” distant and distinct, to that which is self, nearby and similar. The figure of a line solidifies, in a different manner than does the closet, the opposition between heterosexuality and homosexuality. In the closet metaphor, the relationship between inside and outside allows for some complexity. This metaphor implies that gays and lesbians are “locked away” by those who condemn us, but it also suggests that we achieve a degree of safety by locking those same people out. The closet may suffocate us yet it may protect us; it may be externally imposed or strategically
chosen. This understanding continually undermines a unified or stable meaning, making the determination of perspective always ambiguous and undecidable.

Although the metaphor of the closet has its own limitations as a means of representing the complexities of lesbian and gay oppression, it does communicate the feeling of being wholly surrounded. It thereby hints at the numerous and interconnected forms of oppression that impose invisibility and silence. The figure of the closet conveys a sense of how heterosexual institutions envelop lesbian and gay individuals and communities. It suggests how our hiddenness places us in a particular “outsider within” status that is not entirely comparable with the experience of other, more easily identifiable minority groups. Such a status may seem particularly threatening because gays and lesbians are already within our society’s most intimate spaces: families, schools, workplaces, synagogues, and churches. For this reason, we cannot be excluded by the same means and with the same certainty as are members of other minority groups; our exclusion must be accomplished through alternate means. To be in a closet, in this context, is to be sequestered within, rather than exiled without. It is at once treacherous for those “inside” and threatening to those “outside,” because it is banishment to a place very close to the oppressor. The “closet” is inside the oppressor’s own home, and so it represents a very particular and highly contradictory position of marginality. The closet metaphor acknowledges that those whom the mainstream attempts to exclude are always within, making the dividing lines between “us” and “them” extremely precarious. The maintenance of these lines demands constant vigilance from those who desire to keep such boundaries intact.

The notion of crossing a line, in contrast to the closet metaphor, rhetorically situates the oppressed group at a more distanced position. Lines are used, literally and figuratively, to divide “us” from “them” (Nava and Dawidoff 1994, 70). This implicit division is borne out blatantly in a comment made by Senator Alan Simpson. Despite his stated belief that “sexual preference . . . should not be a disqualifying factor,” Simpson makes the startling assertion that “Ms. Achtenberg will not be simply presiding over and making judgments that effect [sic] people who are solely citizens of her country. It is our country, and our Government” (S 6355). Simpson offers no further explanation of what he means by this reference to “her country.” However, his comment offers vivid evidence that “in this (hetero)sexist social ontology, there are two distinct groups: ‘Americans’ and ‘gays and lesbians’” (Phelan 1995, 196).
Because it creates false oppositions and simplifies complex relationships, the metaphor of crossing a line misleads in a variety of ways. The image presumes not only an infallible definition of homosexuality but also a clear biological differentiation between heterosexuals and homosexuals. It thereby fortifies the bounds of heterosexuality, such that “we” and “they” are distributed on respective “sides.” There is no possibility of confusion, no need for potentially uncomfortable questioning of the self. This view precludes any suggestion that apparently biological categories are themselves constructed, that “what we believe to be a physical and direct perception is only a sophisticated and mythic construction, an ‘imaginary formation’” (Wittig 1993, 104). Nor can there be any possibility of perceiving the categories of biology not as bipolar but as dispersed and differentiated across a spectrum of possibilities. The presumably “natural” binary opposition of heterosexuality/homosexuality is never called into question.

This linguistic division recurs throughout the Achtenberg debate. The clear distinction represented by the figure of a line is particularly necessary to establish in this case because, as the metaphor of the closet suggests, gays and lesbians are not identifiably outsiders but are hidden instead within society’s most sacred institutions. The metaphor of a line erases the ambiguity that surrounds the definition and classification of homosexuals and substitutes a distinctive “Otherness.” Through this alternate metaphor, visible and/or vocal gays and lesbians can be perceived as exiled without, observably different, and clearly distinguishable through what are perceived as their “reprehensible” actions and the flaunting of their infamous “lifestyle.” The images and locales that Achtenberg’s opponents reference—most notably those of the gay bathhouses and the gay and lesbian pride parade—are used to represent gays and lesbians as visibly different (not like us) and as outsiders (not among us). This rhetorical exile is a crucial strategy for opponents, a means of establishing and maintaining clear boundaries despite the existence of gays and lesbians within all institutions, despite the resounding accuracy of the lesbian and gay rights slogan “We Are Everywhere.”

The metaphor of crossing a line, however, oversimplifies not only through the deceptive clarity of its insider/outsider dichotomy. It also misleads by forwarding an understanding of oppression not as a systematic network of obstacles but rather as a single barrier to be overcome. Once a group has crossed the line, the barrier is instantly removed. As an expression of any oppressed group’s experience, such a model is misrepresentative and reductive. “The experience of oppressed people is that the living of one’s life is confined and shaped by forces and barriers which . . . are systematical-
ly related to each other in such a way as to catch one between and among them and restrict or penalize motion in any direction. It is the experience of being caged in” (Frye 1983, 4). This description illuminates the complex and systemic character of oppression and suggests the unyielding quality of oppression that may persist after one or more of the barriers are removed.

The metaphor of crossing the line replaces the ambivalence surrounding the relative gains and losses involved in coming out of the closet with a clear-cut notion of movement from a worse to a better place, an image of achievement that suggests the unequivocal and irrevocable success of crossing a finish line. It suggests as well the linearity of a group’s progress, in which hard work and good behavior are rewarded with permission to cross over into a position of greater privilege and, implicitly, of greater moral uprightness. This is suggested by Lott’s remark that his job is to consider the appropriateness of the candidate based on “their ethical conflict, if they have any, and whether or not they have any legal problems” (S6092). Similarly, Simpson, opposing confirmation, complains that “we are all entitled to public servants who at least listen and try to be objective” (S6355). Such statements imply that gay and lesbian political candidates, like other minority candidates historically, are morally suspect by virtue of their difference, their presumed allegiance to a special interest group, and their consequent ulterior motives. If they can overcome the inherent moral inferiority conveyed by their difference and free themselves of these purported biases, then they may be judged capable of serving as political representatives.

Although the expression “crossing a line” often signifies a transgressive act, this sense of the phrase is virtually absent from the discourse of Achtenberg’s supporters, who use the phrase only to convey a sanctioned traversal. The line represents a degree of expected conformity, as Murkowski’s comments illustrate: “I think that we all have an obligation to some degree for conformity within bounds. . . . If we are too out of conformity . . . somebody is going to say hey, you are a little out of line.” Such lines, then, mark off “certain bounds within which we should be expected to conform” (S6169). In this sense, the very possibility of coming out as an act of self-determination chosen by gays and lesbians is steadfastly suppressed. It is replaced, instead, by a benign crossing in response to the beckoning of the powers-that-be, where the initiative and impetus are clearly on the side of the senators.

While Achtenberg’s supporters avoid the transgressive connotations of “crossing the line,” her opponents deploy the metaphor in a quite different manner. The notion of transgression is both implicitly and explicitly pre-
sent in opponents’ discourse, portraying the crossing of established boundaries as an unacceptable incursion into sacred territory. Helms turns Riegle’s words around when he characterizes the Banking Committee’s nomination hearing as a “love-in” for Achtenberg. Helms tells his Senate colleagues, “I wish you could read the statement that the chairman made just like it was a time for celebration that the President of the United States has crossed a line and has nominated a lesbian for high Government office” (S6207; emphasis mine). Senator Slade Gorton also emphasizes what he sees as inappropriate public behavior on Achtenberg’s part, arguing that “there is a crucial distinction between legitimate advocacy of an agenda and a hostile and irresponsible intolerance of those who do not share that agenda, between spirited advocacy and punitive harassment. Ms. Achtenberg crossed this line” (S6349; emphasis mine).17

Significantly, both supporters and opponents suggest that the line being crossed with this nomination is one of inclusion rather than visibility. That is, Achtenberg’s nomination is seen as significant in that it ostensibly marks the “first time” a lesbian or gay man has been nominated for a cabinet post (S6099), crossing from outsider to insider status. This contention is most likely incorrect. What makes Achtenberg’s nomination a first is that she is openly lesbian, and that this fact is therefore a subject of open discussion among the senators. It is highly unlikely that in the history of American government there have been no nominees to high office who would fit the most common definition of homosexual—one whose sexual and affectional preferences are for members of one’s own sex. In this way, the metaphor of the line misleads us into accepting the narrowest possible definition of homosexuality by suggesting that only “announced” or “out” gays and lesbians are gay or lesbian. This interpretation permits supporters and opponents to agree confidently that Achtenberg’s nomination is unprecedented, thus avoiding the disquieting possibility that closeted gays and lesbians have held important political appointments historically and that they do so currently.

Because the metaphor of crossing a line equates the politics of gays and lesbians with those of other minority groups, it highlights intergroup similarities while suppressing distinctive features. Such a discourse obscures those elements that are specific to gay and lesbian identities, such as “closetedness” and a particular insider/outsider status. In this way, it neutralizes the intrinsic challenge that homosexuality presents to heterosexist institutions. Homosexuality is already hidden within heterosexuality and its institutions. The nature of its challenge to dominant culture thus differs in important ways from the challenges presented by differences of gender or race. The
metaphor also disguises the way in which heterosexuality itself is a default category that can be perceived only in relation to its opposite, homosexuality. The category of “heterosexuals” relies for its definition and clarity upon the existence of a group of “homosexuals” who constitute a distinct and observable category of outsiders. Only through their exclusion can heterosexuality define its borders. Upholding the category of “homosexuality” is thus crucial for shoring up these inherently unstable boundaries (Halley 1991).

By presenting homosexuals as a single entity, the line metaphor borrows from the closet metaphor a tendency to subsume lesbians’ and gay men’s experiences under the broader category of “homosexuality,” thus denying each its particularity and difference. “Heterosexuality is the paradigm, and all deviations from it constitute a single category.” Within such a framework, “that lesbians, gay men, and bisexual women and men might have legally distinct concerns is unimagined” (Robson 1992, 85). The result is most often a privileging of white, professional gay male experience, while attention is diverted away from lesbian specificity. This is an especially disturbing omission if we accept Rita Mae Brown’s assessment that “lesbians are as different from gay men as straight women are from straight men” (in Kasendorf 1993, 35).

In the identification of Achtenberg as a representative of lesbians and gay men, lesbianism is concealed within the male-identified category of homosexuality. This is evident in Helms’s use of the male image in the gay pride float to sabotage the female image of Achtenberg’s family. Equating lesbian sexuality with gay male sexuality obscures important differences in how the two are perceived and publicly discussed. Lesbian sexuality and relationships are often portrayed quite differently than, and evoke responses quite different from, gay male sexuality and relationships. At the same time, this equation ignores or denies the connections between lesbianism and feminism and between lesbians and heterosexual women.18

Such a rhetorical strategy conceals the fact that not sexuality alone but gender itself is at stake in this debate. Attacks on homosexuality are undergirded by a condemnation of those who are perceived as refusing or failing to fulfill their assigned gender role. Achtenberg is condemned by opponents for her inadequacy as a woman, as evidenced by both her “poor judgment” and her failure to conform to political propriety. If lesbianism is linked to rebellious behavior and poor judgment, it is additionally and unsurprisingly associated with insufficient femininity. Achtenberg is repeatedly criticized for actions that are viewed as falling outside the range of acceptable feminine behavior. Yet in a classic example of oppression’s double bind (Frye 1983), Achtenberg is also criticized for failings associated with a feminine
gender role. She is represented at various places in the discussion either as 
exhibiting insufficiently feminine behavior or, conversely, as embodying too 
many of the negative stereotypes of women.

As a woman, Achtenberg is depicted by opponents as irrational, enslaved 
by her emotions, and possessing inferior powers of judgment. Such charac-
teristics have long been associated with stereotypes of women. Senator 
Christopher Bond comments, “Ms. Achtenberg has a tendency to let her 
passions and ideological inclinations overshadow her judgment” (§6176).
Rather than being admired for her convictions and commitment, Achten-
berg is censured for standing up for her beliefs. Senator Don Nickles states, 
“She has been so adamant in her belief and her activism that her judgment 
and impartiality are clouded” (§6210). Moreover, some opponents employ 
language that explicitly belittles her. In one example, Simpson states, “I am 
not personally convinced that Ms. Achtenberg has demonstrated that level 
of maturity, objectivity, and fairness as to warrant my support of her confir-
mation to this important position” (§6355). On another occasion, Helms 
refers to her demeaningly as a “lady” who, he implies, threw the equivalent 
of a temper tantrum when “her little resolution” was vetoed (§6101).

In critiquing her unfeminine demeanor, Helms characterizes Achtenberg 
as “pushy, demeaning, demanding; she is a mean person, mean-spirited” 
(§6100). Such terms describe the antithesis of the feminine ideal in Western 
culture. Achtenberg herself viewed this comment as an attack on her not 
only as a woman but, in particular, as a Jewish woman. In an interview with 
the Jewish Bulletin of Northern California after her confirmation, she com-
mented on the implied anti-Semitism of this characterization: “There was 
no question it was anti-Semitic, and there was misogyny as well.... Every 
chance they got, they called me pushy. I don’t think I’m the only Jewish per-
son who has thought it [is anti-Semitic] when someone says ‘pushy.’ Jewish 
people know what that means” (Wolkoff 1993, 1). Achtenberg’s rabbi, Yoel 
Kahn, who was present at the Banking Committee’s nomination hearing, 
agreed that pushy is one of the “code words for Jews as well as for women 
who are in leadership positions” (Wolkoff 1993, 41).

The Republicans’ theme of “meanness” continues with Lott’s criticism 
that Achtenberg “has not been just a passive lawyer. ... She has been an ag-
gressive activist in representing a lot of extremist positions” (§6179; emphasis 
mine). This familiar passive/active opposition provides a clear parallel to the 
dichotomy of femininity/masculinity, condemning Achtenberg for failing 
to be feminine in her predominantly male profession. One wonders who 
would applaud a “passive lawyer” or nominate her for an influential gov-
ernment job. Nevertheless, Lott uses this assessment to assure the senators that “this is not some nice middle-of-the-road, pleasant[,] well-educated, well-trained, well-qualified person that has never shown any indication of intolerance or extremism.” Instead, he warns, “there is too much of a record of aggressive advocacy that involves punishment, retribution, intimidation and . . . intolerance of different views” (S6180). Achtenberg is also accused by Senator Malcolm Wallop of carrying out “coercion” and “threats” (S6104), by Senator Charles Grassley of “persecution” (S6354), and by Senator Phil Gramm of having “a long history of engaging in vendettas against people with whom [she] disagreed” (S6222).

Achtenberg’s supporters respond to such attacks by emphasizing those positive traits she possesses that are stereotypically feminine. They focus in particular on her nurturance and her skill at gaining cooperation from various people. Feinstein remarks that those who know Achtenberg best “know her as a sensitive individual, a caring individual. We also know her as a rather quiet individual” (S6200). Boxer notes, “Roberta Achtenberg is a healing person. She brings people together.” She highlights Achtenberg’s “abilities to bring people together, to solve problems, to build coalitions, to listen to all sides” (S6092). She explicitly rejects Helms’s characterization of Achtenberg, arguing, “She is a good person . . . she is not pushy and she is not demeaning and she is not demanding and she is not mean” (S6115). She quotes from a letter to defend Achtenberg against a negative female stereotype: “Roberta is neither shrill nor uncompromising” (S6116). It is difficult to imagine any man needing to respond to accusations that he is shrill. Finally, Boxer characterizes the Senate debate, in brief, as an act of “tearing down a good woman” (S6208). While these claims are not harmful or demeaning in themselves, they illustrate the constraints that are placed on her supporters. They feel they must portray Achtenberg as conforming to an appropriate gender role yet not falling victim to the stereotypical weaknesses of that role.

Achtenberg’s actions as a politician, as well as her association with what is viewed as a hostile and threatening community of gays and lesbians, discredit her in the eyes of opponents as an acceptable woman. The argument of Achtenberg’s opponents that lesbians and gay men promote their lifestyle by enforcing their own political agenda invokes a conspiracy theory, fashionable in some right-wing political circles, that gays and lesbians are attempting to impose a secret agenda on unsuspecting Americans, particularly on susceptible American youth. While the accusation of a conspiracy is never explicitly expressed in this debate, it is insinuated by her opponents, with Achtenberg seen as a leader of these subversive forces. There is more
than a hint of “unladylike” aggression and even violence in the discussion of the gay and lesbian community’s alleged efforts to impose a particular lifestyle on the American public. This aggression is attributed directly to Achtenberg, as well as to the gay and lesbian community with whom she is associated. Grassley, for example, accuses Achtenberg and gays generally of “forcing homosexuality upon those who oppose this lifestyle and all it entails” (S6354). Helms insists more forcefully, “The homosexual community is trying to ram their way of life down someone else’s throat” (S6207). This “way of life” and its representatives are viewed as insidious, thoroughly immoral, and utterly destructive. The gay and lesbian community and its representatives are thereby portrayed as the oppressors rather than the oppressed. This reversal is accomplished through a “devious process of inversion,” by which “gays and lesbians are cast as not . . . vulnerable to discrimination, violence and indignity, but as aggressors against a vulnerable society, able to ‘force our agenda down unwilling throats’” (Cerullo 1990, 13–14). In the service of this reversal, Smith characterizes Achtenberg as “one who, if she had her way, would shut down all the Boy Scout troops in America and replace them with sex clubs festering with disease” (S6216).

Achtenberg’s conflict with the Boy Scouts is the example her opponents use repeatedly to illustrate the threat she poses to American values. Achtenberg served on the board of directors of the United Way of the Bay Area, which had a policy requiring all organizations it funded to practice nondiscrimination based on “race, national origin, gender, age, status of having been involved in military service, marital status, sexual orientation, disability and the like” (Nominations 1993, 36). It came to the board’s attention that the Boy Scouts, a recipient of United Way funds, refused to provide services for gay or bisexual boys and prohibited openly gay men from becoming scout leaders. The United Way then directed a task force (of which Achtenberg was not a member) to investigate the matter. The task force reported to the board that the charges of discrimination were true. The board, including Achtenberg, then voted unanimously to cease funding the Boy Scouts organization unless and until it changed its rules to provide services for all boys on a nondiscriminatory basis (Nominations 1993, 36). In addition, Achtenberg introduced a resolution to transfer $6 million of city money out of the Bank of America, which continued to fund the Boy Scouts despite their discriminatory policies. At her nomination hearing, Achtenberg is also accused of urging the San Francisco School Board to bar the Boy Scouts from using public school facilities, although this charge is not borne out by the evidence presented (Nominations 1993, 36–37).
Achtenberg’s opponents argue repeatedly that her “efforts to destroy the Boy Scout troops in the San Francisco Bay Area” (S6215) represent a “vendetta” (Nominations 1993, 79; S6093; S6222). They cite this incident to confirm their accusations of both her perversity and her poor judgment. She is reproached for being “more than a critic. She has been the ringleader of an ideological crusade to remake the Boy Scouts in her own image” (S6348). One quotation from Achtenberg, taken from an Associated Press article published in August 1991, is repeated seven different times in the transcript of the debate.19 The quotation reads: “Do we want children learning the values of an organization that provides character building exclusively for straight, God-fearing male children?” Her attitude toward the Boy Scout organization is characterized by Smith as that of a “Scoutophobe . . . hacking away at the values held by Boy Scouts” (S6216).

This discussion portrays the Boy Scouts as the embodiment of all that is admirable about heterosexual masculinity and, by extension, heterosexuality in general. Achtenberg’s politics presumably attack all this: “The Scouts teach young men to value important things, such as honor, integrity, honesty, duty, God, country, and family” (S6215). Thus Achtenberg’s statement is interpreted as a rejection of that which is good and right about patriarchal America. Helms argues, “The Scout oath says ‘On my honor as a Scout, I will do my best to do my duty to God and my country and to obey the Scout law; to help other people at all times; to keep myself physically strong, mentally awake, and morally straight.’ . . . These are the values that were—and still are—under assault” (S6206). Finally, Lott complains, “This lady is not attacking some extremist group, for heaven’s sake. She is going after the Boy Scouts. She might as well be going after motherhood” (S6180).20

In contrast to the equation of heterosexual masculinity and duty to God with the clean-cut image of the Boy Scouts, homosexuality is represented by the sex clubs or bathhouses that Achtenberg fought to keep open at the beginning of the AIDS crisis, and by the values presumably associated with them: “Sex clubs encourage anonymous sex, promiscuity, unsafe sex and the spread of AIDS” (S6352). Achtenberg’s one-time support of these clubs is presented as further evidence of her perversion and of the kind of America she would impose, given the chance. She is described as “a radical liberal who is hostile to the values held by the Boy Scouts yet would fiercely defend promiscuous, dangerous sex” (S6216). Despite the fact that lesbians did not participate in the bathhouse culture, Achtenberg is seen as doubly implicated. She is found guilty based on both her presumed membership in the subculture that perpetuated the “immoral” lifestyle of the bathhouses and her de-
cision as a politician to try to keep them open. Smith claims Achtenberg is “the only” American who could believe that “the Boy Scouts are an insidious group bent on undermining society while sex clubs are a valuable institution that provides important cultural stability” (S6216). Helms refers to her as a “militantly activist lesbian” in the same sentence that he discusses her refusal “to shut down the so-called public bathhouses in San Francisco, where hoards [sic] of homosexuals were engaging in their perverted activities” (S6352). In a similar vein, he condemns “the pornographic and blasphemous activities during last year’s San Francisco Gay Pride parade led by Roberta Achtenberg and her partner—and their son” (S6332; emphasis mine).

As the Boy Scouts become the repository for a sacred heterosexual masculinity and Achtenberg’s own femininity is attacked, the discussion inevitably turns to Achtenberg’s son. Opponents question her capability and even her legitimacy as a parent. In fact, Achtenberg’s own unconventional family structure and the questioning of her parental judgment in bringing her son to a gay and lesbian pride parade coincide neatly with Lott’s suggestion that Achtenberg, through her actions related to the Boy Scouts, has as good as attacked motherhood. The issues of Achtenberg’s views regarding families and her relationship with her own partner and son take on considerable importance for a cabinet position largely concerned with helping families, particularly families with children.

This issue marks yet another site at which the public/private distinction begins to rupture. The continuity between private values and public commitments is highlighted by the long-standing debate over American “family values.” The debate over families and family values permeates the confirmation hearing, although it surfaces only intermittently. Attention is focused on Achtenberg’s own family, including her partner, Judge Mary Morgan, and their son, who was born after Morgan was artificially inseminated. Achtenberg’s opponents condemn the parenting behavior of Achtenberg and Morgan. They particularly criticize the women’s decision to ride with their son in the San Francisco Gay and Lesbian Pride march on a float carrying a banner that read: “Celebrating Our Family Values.” During the parade, Achtenberg and Morgan “hugged each other and at one point, they embraced and kissed each other fervently” (S6100) in the presence of their son. Nickles asks, “What kind of environment is that to be showing a 7-year-old?” (S6210). Helms adds his condemnation by presenting a newspaper article in which the family relationship itself is challenged, through a reference to Achtenberg and Morgan’s “claim to be his ‘parents’” (S6333). Even biological kinship is thrown into question, as though a lesbian who bears a child is
not legitimately the child’s mother. At the same time, the claim of a gay or lesbian partner to a family relationship with the child is ridiculed outright.\textsuperscript{21}

Achtenberg’s relationship to this nontraditional family is the inevitable lead-in to the question of family values, the catchwords of George Bush’s presidential campaign and of the religious right in opposing homosexuality. Both sides draw on issues of family to support their positions. Achtenberg’s supporters are careful to specify her involvement in the Parent-Teacher Association (PTA) at her son’s school when referring to her involvement in “numerous organizations” (S6091). They also emphasize her loyalty to her family of origin, particularly her brother: “Because of Ms. Achtenberg’s familial experience with a brother who was disabled, she has been sensitive to disability issues” (S6109). Her opponents’ contrasting view is stated bluntly by Helms, quoting a Boy Scout spokesman: “We don’t believe homosexuals provide a role model consistent with … family values” (S6099). Achtenberg’s “attack” on the Boy Scouts translates into a rejection of all things American, from masculinity to motherhood. It serves as the representative case of her undermining of family values, which organizations like the Boy Scouts are seen to uphold.

Yet the first mention of family values during the nomination hearing is made not by an opponent but by Boxer, an Achtenberg supporter, most likely in an attempt to forestall the inevitable family values debate. At the beginning of the discussion she asserts, “Roberta Achtenberg already has been a champion for families with children” (S6092). Boxer reads a letter she wrote with seven other Achtenberg supporters, in which they emphasize that Achtenberg has been “a strong advocate for the rights of families and children” (S6098). Boxer asks Achtenberg to tell the committee “about your very important fight that made history in San Francisco, which was to pass a local ordinance which stopped discrimination against families with children. Because when I think of family values, I very much think about it… I think that shows where your priorities are” (\textit{Nominations} 1993, 39). Boxer, like other supporters, counters the right-wing discourse of family values by presenting evidence of Achtenberg’s positive work in helping disadvantaged families gain equal access to fair housing.

As the discourse of femininity ultimately comes to rest in the issue of motherhood, so the discourse of family values gains much of its legitimacy from its religious foundation. In this way, religion inevitably makes its way into the debate as well. Here again lies hotly contested territory, particularly in light of the standard Christian anti-gay argument that homosexuality is prohibited by the Bible, that it defies the will of God and so is inherently
sinful. It is hardly surprising, then, that both opponents and supporters attempt to stake a claim to this influential territory, despite the constitutional separation of church and state that should render the issue irrelevant. Supporters deny what they perceive as “implications that Roberta Achtenberg does not love God” (S6116). They portray Achtenberg as “a Jewish woman . . . [who] freely professes her own belief in God” (S6179) and who is actively involved in her synagogue (S6091; S6116). They emphasize, “Roberta is deeply respected by the Jewish community in San Francisco and is greatly admired as an advocate for civil rights and for Jewish concerns” (S6114). In contrast, opponents quote her favorable comments about the group ACT-UP as evidence of her endorsement of “harassment and terrorism of Catholics and other religious groups.” They cite her participation in the gay and lesbian pride parade as evidence of her intolerance toward those who hold religious views (S6094). Lott argues that “Roberta Achtenberg has participated in events and parades where those with religious views were ridiculed and parodied.” To illustrate his point, he cites the “San Francisco parade where she was an honored guest and participant, [where] there were graphic depictions of God sodomizing Uncle Sam while a Boy Scout looks on” (S6094). In highlighting this illustration, Lott summarizes the views that Achtenberg’s opponents express implicitly and explicitly throughout the debate. They strategically portray Achtenberg and the entire gay and lesbian community she represents as subversive to America, menacing to the traditional values embodied by the Boy Scout organization, and hostile to God and believers in God.

In the Senate debate, supporters and opponents remain locked inside traditional gender roles and dominant social institutions. They struggle to represent Achtenberg as either in sympathy with or a menace to so-called American values. By arguing with opponents over Achtenberg’s femininity, supporters more firmly validate and entrench ideals of femininity in American culture, rather than challenging these ideals as anachronisms. Even in their efforts to defend Achtenberg as a good mother and a religious woman, supporters are put on the defensive, forced to uphold traditional gender stereotypes. It remains clear that opponents control much of the discourse and determine the ways in which the issues in this debate are framed. This constraint is inherent in civil rights arguments that strive for equality for marginalized groups within existing institutions, rather than challenging the authority of the structures themselves. As a result of this strategy, the terms of the argument and the classifications assigned to minority groups remain those imposed by the dominant ideology. In the final section of this chap-
ter, I investigate some of the drawbacks that attend these civil rights approaches to lesbian and gay liberation.

**Civil Rights: Limits and Contradictions**

The clash that takes place in the Achtenberg nomination is over the separation of that which Achtenberg’s supporters claim is private—lesbian identity—from that which is public—lesbian activism. The rhetorical moves of Achtenberg’s supporters reflect the strategies that dominate gay and lesbian civil rights discourse more broadly. The Achtenberg case thereby provides an opportunity for us to examine how such strategies function and what their effects might be, in practice rather than in theory. As in lesbian and gay civil rights discourse generally, Achtenberg’s supporters create and uphold the category of “homosexuals” as a discrete and protected class and simultaneously dismiss or erase the potential challenge this class presents to dominant ideology and institutions.

The mismatching of political strategies captured here occurs at numerous levels. First, Achtenberg’s own politics have consistently been, as her opponents correctly observe, activist. Her appearance on a float at the San Francisco Gay and Lesbian Pride parade, her kissing and embracing of her partner during that parade, her seven-year-old son Benjie’s presence on the float, and the banner that proclaimed “Celebrating Our Family Values” are, in fact, public behaviors. As Helms points out, despite her supporters’ insistence that sexual orientation is a private matter, her actions during the parade neither were private actions nor were carried out in a private space (S6351).

In interviews, moreover, Achtenberg praises the actions of such groups as ACT-UP, an organization that utilizes direct action, such as demonstrations and other forms of street activism, to increase AIDS funding. She acknowledges her belief in the limitations of working within the system to bring about social change, and she notes that politicians are inherently limited in their ability to bring about such change. In an interview with the Advocate she states, “I am very cautious about the role of electoral politics in our own liberation movement. . . . I remain extremely concerned that people are inclined to turn over our movement to elected officials. People who have been elected to office are extraordinarily incapable of being leaders of indigenous movements” (Stoddard 1993, 49). Her desire for the position at HUD, she explains, is based on her commitment to implementing the existing fair housing policy—a policy that currently excludes any reference to sexual
orientation. A civil rights lawyer by trade, her own politics nevertheless strongly support extragovernmental action. Thus, while the Achtenberg nomination is employed as a means of arguing for the irrelevance of sexual orientation to the political process and Achtenberg’s behavior is defended under the mantle of “privacy,” her own statements and actions suggest a stance not entirely sympathetic with this position. “Achtenberg is someone whose life and work have balanced on the edge between inside and outside, between professional politics and grassroots activism, between confrontation and coalition” (Miles 1995, 70).

But the juxtaposition of Achtenberg’s own politics with the politics of her nomination represents only part of the often self-defeating paradox of her supporters’ arguments. As her opponents observe, Achtenberg’s nomination by Bill Clinton came, in part, as a payoff to gays and lesbians who had contributed both money and support, in the form of a strong voting bloc, to help him get elected. Achtenberg herself was the first elected official in California to support Clinton and was instrumental in advancing his campaign in that state (Brown 1993). Moreover, at the time of her nomination, Clinton was embroiled in the battle over the ban on gays and lesbians in the military, a ban he had made a campaign promise to lift. Unable or unwilling to fulfill this commitment to an important constituency, his credibility with gays and lesbians had faltered badly. By appointing Achtenberg, Clinton could fulfill at least one campaign promise, which was to appoint more gay and lesbian officials to high government posts. Thus, although Achtenberg was clearly an excellent and well-qualified candidate for this position, it also seems likely that Clinton’s choice of a lesbian for this position was more than coincidence—that he particularly needed this timely nomination.

By supporting a presidential candidate with time and money, by creating organizations such as the Gay and Lesbian Victory Fund to help elect openly lesbian or gay political candidates, and by employing lobbyists on Capitol Hill to represent their interests, gays and lesbians have worked to attain political power and to establish an influential political identity. In organizing around a shared sexual orientation to support particular political candidates and causes, lesbians and gay men are proclaiming and, indeed, creating identity as an outgrowth of political concerns. This identity, then, cannot be defended as private or irrelevant to politics. Achtenberg’s achievement, her ability to stand before the Senate Banking Committee as a candidate for a highly placed political office, came about precisely because of the political nature of claiming a gay or lesbian identity. Her opportunity resulted from gays’ and lesbians’ insistence on being recognized as an influential con-
stituency, from efforts to bring gays and lesbians together as a political force to be reckoned with. From this perspective, the claim that sexual orientation is private and irrelevant is not only unconvincing but in direct contradiction to gay and lesbian political initiatives.

Achtenberg herself opened the Banking Committee hearing by introducing Mary Morgan to the committee as her “beloved partner” in the same way that other nominees introduce their spouses. In doing so, she asserted openly and publicly her love for and commitment to another woman. In an interview with the *San Francisco Examiner* after her confirmation, Helms described Achtenberg’s introduction of Morgan as “rubbing her ways into the noses of heterosexuals and other people who don’t approve of that lifestyle” (in Satter 1993). Women’s strength and assertiveness have long been held in check through the threat of being labeled a “lesbian.” Lesbianism has been portrayed as a source of shame and thus expected to be kept hidden. Heterosexuality, in contrast, has been made compulsory by a multitude of interlocking institutions and expectations. In this context, to speak with pride of one’s lesbian partner or of oneself as a lesbian is itself an act of rebellion and challenge. Where only silence is acceptable, speaking openly as a lesbian or gay man is automatically interpreted as advocacy or activism, as “flaunting it”; or worse, as imposing or forcing one’s sexual orientation on others. Where identity is relegated to the private realm, public acts that lend visibility and voice to lesbians as lesbians are inevitably seen as “ramming it down people’s throats.” Such public actions are viewed by opponents as unacceptable, unnatural, and “out of line.” Thus, in this single act of proudly claiming voice and visibility for the relationship between herself and her “beloved partner,” Achtenberg took a rhetorical initiative long forbidden to gays and lesbians. In doing so, she illuminated the artifice of a public/private division that is not imposed on other candidates. Despite her supporters’ intentions to isolate and insulate her “private” life from public discussion, Achtenberg’s introduction rejected such confinement.

Within the framework of a civil rights discourse that relegates identity to the private realm, such public actions are left open for attack, undefended and indefensible. This framework enables the criticism that Achtenberg is “a lesbian activist, not just a lesbian.” Perhaps more to the point, as long as supporters fail to challenge the equation of homosexuality with private sexual acts, publicly expressing or affirming homosexuality is akin to being publicly sexual, or at least publicly explicit about sex. Achtenberg’s supporters never challenge the equation of lesbian identity with lesbian sex, as though sexual
acts between women exhaust the meanings of the word *lesbian*. With this equation intact, public lesbianism (whether marching in a gay and lesbian pride parade, hugging in front of one’s son, or introducing one’s partner) equals public sex. As in the gay and lesbian pride parade video, this scenario equates the hugging and kissing of committed lesbian partners with illicit sex. This connection is reinforced by the discussion that associates Achtenberg with the gay bathhouses of San Francisco. The bathhouses, and often gay men in general, are linked in the public imagination with promiscuous and dangerous sex; here, lesbians are drawn into the picture as well. With lesbianism undefined and activism, or even visibility, undefended, all that is public is subject to condemnation and censure.

Civil rights arguments leave intact these negative associations and fail to challenge the misleading notion of a single, homogeneous gay and lesbian “lifestyle.” They preclude exploration of the wide range of differences between and among gays and lesbians, prohibiting the formulation of broader definitions and better understandings of the gay and lesbian movement. They foreclose any interrogation of heterosexuality, refusing to challenge its compulsory nature or privilege. The framework provided by civil rights lacks the means to examine critically the hierarchical opposition between hetero- and homosexuality. It fails to question the illusory clarity of these categories or to reveal how slippery the distinctions might be.

A civil rights discourse, moreover, forestalls any investigation of how and why a class of persons distinguished by particular sexual practices came to be created. “Since homosexual *practices* are widespread but socially threatening, a special, stigmatized category of *individuals* is created so as to keep the rest of society pure” (Epstein 1987, 16). Rather than revealing the arbitrariness of this system of classification and undermining its apparent stability, a civil rights approach reinforces existing boundaries and categories by solidifying the distinctions and validating the labels the dominant group imposes. In this way, such a strategy may actually enhance the power and status of the dominant group, further entrenching the subordinate status of the oppressed.

But the civil rights argument as it is presented here not only neglects the need for social change; its splitting of identity from action actually condemns or prohibits the very means through which such change can be accomplished. This is where such an approach becomes most limiting, and perhaps even counterproductive, for the cause of gay and lesbian rights. “Homosexuality has been recast as a civil rights issue. But this is accompanied by a new distinction between conduct and orientation, between *being*
homosexual and acting homosexual” (Fejes and Petrich 1993, 405). As identity is split from action, acceptable or “good” gays and lesbians are differentiated from those whose activities render them disruptive and, consequently, “bad” or unacceptable. Just as “‘good’ blacks in the 1960s civil rights movement were not supposed to be angry or militant” (Fejes and Petrich 1993, 405), in the civil rights movement of the 1990s, “‘good’ gays and lesbians are not supposed to be angry, militant, or sexual.

It is precisely the public/private distinction, so earnestly set forth by Achtenberg’s supporters, that her opponents seize upon in their attacks on her. They attack her for her voice and her visibility as a lesbian, emphasizing public behavior that they judge inappropriate. In this way, opponents turn the identity argument around and use it against Achtenberg. They insist that they do not object to her identity; in doing so, they clear the way to attack her for her actions. They thus displace their disapproval onto her activism, which they recast as “terrorism,” “vendetta,” or simply “meanness.”

It is her activism, finally, that enables an open season to attack Achtenberg. Her opponents use it to justify their critiques of her conflict with the Boy Scouts, her efforts to keep the bathhouses open, her appearance in the gay and lesbian pride parade, her alleged irresponsibility as a mother, and her inadequacy as a woman. It is here that sexuality is smuggled back into the discussion through the accusations of “twistedness” and “perversion.” Opponents attack not her lesbianism per se but her activism on behalf of lesbian and gay issues. Activism is thereby equated with perversion in an indirect but reliable way. While sexual perversion is not explicitly mentioned, it always waits just offstage in this debate, and activism becomes its camouflaged code word. Activism is set on the side of perversion, in opposition to the “morally straight” values of the Boy Scouts: “In the twisted value system of Roberta Achtenberg, the Boy Scout tradition is a menace to society that needs to be quashed, and the sex club tradition is one which is beneficial and deserving of our protection and encouragement” (S6215). Activism is aligned with plague, as opposed to health—a particularly potent opposition in the AIDS era. Activism is linked with aggression and meanness, as opposed to passive heterosexual femininity. Finally, activism becomes a synonym for heretical activity, as opposed to religious belief. Through this series of associations and oppositions, “lesbianism,” as it can be tolerated within the framework of civil rights, is limited to its most narrow sense. Its existence is momentarily affirmed, only to subject it to vicious condemnation before returning it decisively to its former status of invisibility and silence.
Conclusion

During the Achtenberg debate, contests over the meanings of “homosexuality” and especially “lesbianism” illustrate vividly how politics and power help create the categories and provide the frameworks within which we define experience and organize knowledge. Such contests serve as startling reminders of the degree to which “our” identities, and the identities of “Others,” are constructed by dominant institutions. Interlocking social, political, legal, and historical discourses interact with the accidents of our personal histories to produce in each of us a sense of who we are and how we do or do not “fit” in the larger world.

In the case of Roberta Achtenberg, the significance of this single event lies both in its positioning as a “historic nomination” and in the perception of Achtenberg as representative of gays and lesbians as a group. While on one level the debate can be said to conclude with Achtenberg’s confirmation, in fact this debate produces a multiplicity of results. The participants and audience in this debate are American lawmakers and the American body politic, collectively. The debate’s consequences therefore are wide-reaching, ranging far beyond this particular historical site or moment. The outcomes of this debate must be judged on more than the single issue of Achtenberg’s personal success. Ultimately, the discourse of this historic moment creates at once a broadening and a narrowing of possibilities for a burgeoning lesbian and gay rights movement.

Ironically, Achtenberg’s supporters and opponents do not produce respectively these two contrary outcomes. Rather, the discourse of each group yields both consequences. Both supporters and opponents invoke the metaphor of crossing a line. This creates the boundaries of a group’s identity by defining them through difference yet simultaneously invites their participation, if not full inclusion, in sameness. In this framework, crossing the line implies tolerance, perhaps even equality. Where the arguments of the two sides diverge, those who support Achtenberg’s nomination “mainstream” her as much as possible, downplaying and depoliticizing her lesbianism. Achtenberg’s supporters are caught in a double bind. Their means of creating a liberating discourse, understood here as one that will win confirmation for a publicly identified lesbian, relies on their ability to uphold the category of “homosexuality” while restricting it to its most confining and least threatening definition. Their position calls for a resolute underscoring of sameness and the attendant denial of difference. Achtenberg’s op-
ponents take the opposite approach, presenting “lesbianism” as politically radical and extraordinarily subversive.

The Achtenberg debate encompasses a broad array of issues surrounding gay and lesbian rights, offering a sometimes startling insight into the continuing acceptability of homophobic expression in the political realm. Achtenberg is the target of tremendous hostility in these hearings, as gay and lesbian lives are depicted as antithetical to family values and anathema to righteous Americans. Such portrayals cause incalculable harm to the images of gays and lesbians that heterosexuals hold and dispirit the hearts and minds of countless gays and lesbians. They constrict the horizons within which any of us can see gay and lesbian individuals and hear gay and lesbian voices. In doing so, these representations effect a narrowing, rather than a broadening, of human potential and self-understanding.

Although this debate ostensibly addresses one candidate’s qualifications, it ultimately raises questions about the interwovenness of gender roles, sexual identity, and political subjectivity. On the positive side, the nomination forced a staid Senate to confront the complex relationship between minority identity and political commitments. By confirming Achtenberg, the senators stopped short of demanding the absolute suppression of activism for unpopular causes among would-be political candidates. On the negative side, however, the senators’ efforts at grappling with these issues maintained Achtenberg, and gays and lesbians as a group, as “Others.” Throughout the debate, sexual orientation is a characteristic associated only with gays and lesbians. At no point in the discussion does anyone acknowledge that everyone present, not only Achtenberg, has a sexual orientation. Nor do the senators recognize how their own arguments and opinions are influenced by their own sexual orientation. Finally, none of the senators demonstrate any awareness of the ways in which other privileged elements of their identities might directly or indirectly influence their political views and decisions.

Inevitably, the social changes that can be identified with “lesbian and gay liberation” will be as contradictory as the phrase itself. Every effort to be free of the confines of categorization only creates a new set of “regulatory imperatives.” The invocation of identity in an effort to free oneself of its limitations is an act with both the clear promise of success and the inevitability of failure. To free oneself is always to subject oneself again, though to a more acceptable or desirable level of subjection—a repositioning rather than a release. Like the closet metaphor, “liberation” is always elusive; locking oneself in begins to look more and more like being locked out.
For Roberta Achtenberg, and for those who aspire to her honesty and achievement, it is crucial to remain constantly watchful of the forces that construct our meanings. These meanings provide the range of possibility for defining who we are and who we can become.