Freedom to Differ

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CONCLUSION
Envisioning Our Future

You can’t live in a post-revolutionary fashion in pre-revolutionary times. —Rita Mae Brown (in Ponce 1978, 188)

A button marketed recently at gay and lesbian events declares, “If we give gays and lesbians civil rights, everyone will want them.” In fact, it is difficult to identify any other group of American citizens who are currently less protected under the U.S. Constitution than are gays and lesbians. “There is nothing in current constitutional doctrine that prevents those otherwise bound by the Constitution (public or state entities) from discriminating on the basis of lesbianism” (Robson 1990, 39). Despite the substantial progress achieved by lesbians and gays over the past thirty years, there remains no legal protection for homosexuals as a group. Instead of moving toward eliminating discrimination, the pendulum sometimes seems to be swinging in the opposite direction.

The backlash against gay and lesbian rights forces the movement, along with individual gays and lesbians, to reassess our goals, strategies, and vision for the future. Lesbian and gay rights advances have prompted a forceful reaction from a well-organized and well-funded radical right, whose resources increase in direct proportion to its constituents’ fears. As anti-gay forces grow increasingly hostile, the gay and lesbian movement’s response will lie somewhere on a continuum that runs from affirmations of difference to assurances of sameness. At one end of this spectrum, the assertion of difference correlates with an insistence on greater political voice and cultural vis-
ibility for the group and all its members. It demands not only rights, though certainly rights are central, but also liberation. At the other end lies the effort to assimilate, a kind of political and cultural “laying low.” This approach takes a road less contested, in the hope of gaining legal protections even at the sacrifice of more fundamental social change.

In recent years, influential segments of the gay and lesbian movement have committed themselves to the latter end of the spectrum, concentrating on legal challenges and political access. Activist and writer Urvashi Vaid distinguishes between a politics focused on rights, which she terms a strategy of “legitimation,” and one whose goal is liberation:

Gay and lesbian legitimation seeks straight tolerance and acceptance of gay people; gay and lesbian liberation seeks nothing less than affirmation, represented in the acknowledgment that queer sexuality is morally equivalent to straight sexuality. Legitimation seeks to change hearts and minds by educating the general public to understand that gay and lesbian people are human beings. Liberation seeks that same shift in consciousness, but it also looks for a transformation in social institutions—in government, family, religion, and the economy. (1995, 37)

Despite the limitations of legal action in effecting social change, “rights-focused strategies continue to be adopted by groups seeking reform. . . . Legal guarantees are secured as symbolic victories and as the initial step for powerless groups seeking improved social status” (Bumiller 1988, 51).

For many of us who have suffered oppression or discrimination in any form, it is easy to understand the attraction of rights-based approaches. Civil rights initiatives have an immediate, concrete appeal. They promise to secure the basic constitutional rights that lesbians and gay men have previously lived without: freedom from discrimination in areas such as housing, employment, child custody, military service, legal marriage, and spousal benefits. For individuals who live in a country that ostensibly provides these protections to all of its citizens, yet in practice denies them to particular groups, the simple granting of such rights often seems like the ultimate luxury: all we can hope for and, at the same time, too much to hope for. We continue to fight for the privileges others take for granted. These include, but are not limited to, medical and other insurance coverage for our partners and families, rights of hospital visitation, the ability to adopt children as a couple, and the recognition of a family relationship in issues of guardianship and inheritance. For gay and lesbian couples, the possibility of having
our relationships legally recognized and afforded all the benefits granted to heterosexual couples is, as yet, only a dream. Because even these most basic rights are often denied, it is difficult to look beyond the desire for such fundamental securities to pursue a broader vision. Yet this is precisely what we must do. While civil rights initiatives are a necessary part of this social movement, an element of our struggle that need not and should not be abandoned, they represent only one, partial approach to gaining freedom. In prioritizing civil rights strategies over other tactics, we risk abandoning necessary demands for change in favor of assimilation and token concessions. Vaid terms the contemporary situation of gays and lesbians, brought about by the movement’s emphasis on civil rights, “virtual equality,” which she describes as a condition that “simulates genuine civic equality but cannot transcend the simulation” (1995, 4).

The cases of Roberta Achtenberg and Grethe Cammermeyer provide unusually vivid illustrations of how civil rights initiatives can simultaneously advance and constrain the movement for gay and lesbian liberation. In both of these cases, a civil rights approach is the necessary avenue of response, because both women are fighting to advance within traditional institutions, seeking access to the rights and privileges these institutions grant to heterosexuals. Achtenberg, a politician, and Cammermeyer, a soldier, are not pursuing what we generally think of as “radical” change, or change that goes to the roots of the system. They are, in fact, wholly committed to the mainstream institutions they serve. They seek to better, rather than to undermine, these institutions through the eradication of discriminatory policies. So dedicated are they to the ultimate good of the institutions that they are willing to risk personal vulnerability and professional ruin, offering up their own futures as sacrifices to what they perceive as a greater good.

The juxtaposition of these two case studies illuminates the larger dynamics of gay and lesbian oppression that persist even in the presence of liberal perspectives. One of the clearest threads that runs through the discourse of both cases is the implicit and explicit insistence on “not telling” as a condition of liberal tolerance. For Grethe Cammermeyer, the act of telling was quite literal, as her single statement of identity represented the entirety of her misconduct. For Roberta Achtenberg, her introduction of her “beloved partner” provided the gateway to criticism of the countless ways she had “told.” She had told through her professional activism (working as a lawyer for lesbian causes), her political activism (appearing at the San Francisco Gay
and Lesbian Pride parade), and her personal life (choosing a woman as her
life partner and deciding to have a child with her).

The distinction made in the rhetoric directed against Achtenberg—that
she is not just a lesbian but a lesbian activist—parallels the distinction drawn
in the military compromise between being a homosexual and being an
avowed or admitted homosexual. The key in both instances is the insistence
on silence and invisibility as the conditions of tolerance. When shame and
societal condemnation can no longer be counted on to silence gays and les-
bians—an internalized “don’t tell” that was highly effective historically—
other tools of oppression appear to reinforce invisibility and silence. One
such tool has been a rhetoric that offers tolerance at a high price: continued
“discretion.” Such discretion translates into hiddenness and constant self-
censorship, into keeping the “private” lives of gays and lesbians removed
from view. The demand for this kind of trade-off in both of the cases ex-
amined here alerts us to the limits of pursuing legal solutions to oppression,
warning us of the dangers we court by putting too much faith in such sol-
lutions. It should remind us, as well, of the need to develop a long-term vi-
sion that exceeds the horizons of civil rights gains alone.

The Limits of Legal Strategies

Ruthann Robson, a lesbian attorney and legal scholar, reminds us that “the
law is a limited remedy for our marginalization” (1990, 45). As this analysis
shows, relying on legal discourse raises a number of concerns for the pur-
suit of gay and lesbian liberation. Participation in the legal system entails the
adoption of legal categories and concepts, despite the fact that legal ideolo-
gies are often too narrow to describe or encompass gay and lesbian lives. The
legal system classifies groups through a myopic focus on a single shared char-
acteristic, emphasizing commonality at the expense of difference. The
process through which such classification is accomplished has a number of
consequences, few of which are beneficial to gay and lesbian advancement
in the long term.

The legal arguments that emerge from a guiding civil rights agenda seek
to protect gays and lesbians by fortifying the boundaries that divide human
beings into distinct, inflexible classifications based on sexual orientation.
Through their characteristic double gesture, such approaches champion
equality by simultaneously highlighting the existence of a distinct group of
“homosexuals” and veiling this group behind the cloak of “privacy,” invis-
ibility, and silence. The act of classification these initiatives undertake thereby
reinforces a dominant belief system that wants to separate, clearly and finally, an identifiable group of insiders from an equally unambiguous group of “Others.” The uncertainty and uneasiness that characterize American attitudes toward sexuality heighten and make more urgent this impulse to split “us” from “them.” The fluidity of sexual categories and the instability of their membership, the impossibility of identifying “outsiders” with certainty, and the general anxiety around sex and sexuality in this culture all contribute to the firm resolve of dominant institutions to keep difference clearly in focus, and to keep those bearing the mark of difference at bay. Civil rights arguments strengthen distinctions between categories of “heterosexual” and “homosexual,” in legal cases and public discourse, in the name of equality.

Classifying human beings into convenient legal categories has a number of troublesome consequences. To begin with, these categories fail to acknowledge either the differences between lesbians and gay men or the diversity within these groups. Yet these differences are as important as, and often more important than, the commonalities among those with a shared sexual orientation. In Chapter 1, I outlined the historical obscuring of lesbian specificity under the generalized terms homosexual or gay. This error of merging the category of “lesbians” into that of “gay men” is committed not only by opponents but also by the lesbian and gay rights movement itself, when it mistakes solidarity for sameness.

Where opponents and supporters fail to draw distinctions between gay men and lesbians, it is difficult to locate particular constructions of “the lesbian” or representations of lesbianism. This trouble itself reveals how civil rights initiatives produce a discourse that ignores the particularity of lesbian oppression, that is, the oppression of roughly half its constituents. A vast distance separates the work of the lesbian feminist theorists cited in Chapter 1 from the approaches of powerful segments of the gay and lesbian rights movement that emphasize civil rights strategies leading to assimilation. Too often in these portions of the movement, lesbians are viewed primarily as “gay women” or even “female gays,” with no attempt to understand how the two components of these terms might interact. An infusion of lesbian feminist perspectives would enhance the sophistication and precision of a civil rights discourse that claims to represent both gay men and lesbians.

New approaches are also needed to address the issue of diversity among lesbians, which is largely overlooked by civil rights approaches. Differences of race, age, ethnicity, religion, class, physical ability, and other social distinctions may play a key role in the formation of sexual identities, sexual poli-
tics, and even sexual practice. As a result, notable differences exist among lesbians, and the same is true for gay men (Clarke 1983). Therefore, it may make little sense to ask or answer questions about the origins, identity, or conduct that characterizes “homosexuality.” The false assumption is that one answer could apply to all those who label themselves or are labeled “gay” or “lesbian.” As in the case of heterosexuals, such questions will inevitably have a multitude of answers, perhaps as many answers as there are gays and lesbians. Accounting for such differences requires conceptualizing a plurality of homosexualities—rather than a single, uniform homosexuality—along with a multiplicity of heterosexualities (Epstein 1987; Phelan 1994).

By adopting legal and other categories to name ourselves, we also obscure the multiple differences within individuals that the systems themselves cannot accommodate. Classifications such as “gay” and “lesbian” claim to represent complex individuals by extracting one particular aspect of our behavior or identity, while blatantly ignoring all the rest. For some individuals, this single element might seem, subjectively, to be a dominant or even the dominant aspect of their experience or identity. For others, it will seem less important or even completely unimportant. In all cases, sexual orientation is misrepresented when it is discussed as though it exists in isolation; it is always intertwined with race, class, gender, age, religion, and numerous other variables (Herman 1994).

This reduction of complexity to a single category is not accidental. It is precisely the function of the law to achieve this oversimplification. “The representation in law does not reflect any ‘whole’ conception of the person. When individuals come before a court, they do not present themselves as they would in everyday life; instead, they come before the court in one of their roles.” Within the framework of the legal system, “victims of discrimination struggle against their exclusion, not by asserting what they believe to be their true self-image, but by aspiring to the idealized victimization acknowledged within the law” (Bumiller 1988, 61–62). In this way, legal categories necessarily obscure the self-identities of legal supplicants, replacing them with identity categories that a patriarchal, heterosexist legal establishment imposes.

Instead of offering a mode of empowerment, a legal discourse that imposes the role of the victim may reinforce a lack of control that gays and lesbians already feel in so many aspects of our lives, reinscribing our status as powerless outsiders (Bumiller 1988). Such a discourse inaccurately portrays the position of gays and lesbians in relation to structures of power, denying the abundant and incontrovertible evidence that lesbians and gays are already
It promotes a view of lesbians and gays as a preexisting, identifiable class of outsiders rather than a group constituted through processes of exclusion and discrimination. Within this framework, heterosexuality remains the invisible and unchallenged norm, while the focus remains on the gay and lesbian “victims” who must appeal for the granting of our rights. In refusing to question the supposed “naturalness” of heterosexuality, this strategy fails to expose the unstable and provisional nature of sexual categories, underscoring instead the distinction between “us” and “them.”

This failure is a crucial one because “there is a profound need to address the social construction of all sexualities and, in particular, heterosexuality. If we are to really assault the notion of the naturalness of sexuality, it is the ‘unnaturalness’ of heterosexuality that needs asserting and not the ‘naturalness’ of homosexuality” (Edwards 1994, 157). This rethinking of heterosexuality holds great promise yet has barely begun to be undertaken. We must begin to ask “questions [that] usefully shift the focus from lesbian identity to heterosexist social institutions,” for “this shift has the signal virtue of avoiding the constructions of lesbianism that trap us” (Phelan 1993, 771). The language of the law and the structure of legal institutions are unable to bring about this shift of focus. The social construction of all sexual identities is ignored by privacy arguments and claims of immutability, so that these strategies offer at best limited solutions to the problems confronting gays and lesbians.

Our faith in legal avenues of change must also be tempered by an awareness of the substantial difference between the awarding of rights per se and the distribution of actual benefits (Herman 1994). While a growing number of institutions have added sexual orientation to their anti-discrimination statements, these same institutions have been much less willing to support this stated equality with material benefits. Few of these organizations formally recognize domestic partnerships, and many continue to deny to partners of gay or lesbian employees the health insurance and other benefits routinely granted to the spouses of heterosexual employees. This inequity is further magnified in the case of the federal government. According to the government’s General Accounting Office, there are 1,049 federal statutes that confer rights, benefits, and privileges on individuals who have the legal right to marry—benefits that are denied across the board to gays and lesbians (Advocate Report 1997, 17).

Another limitation of legal approaches is that in court cases involving lesbian and gay rights, victories may impact primarily on those involved in the
current or in subsequent legal action. Losses, in contrast, may have widespread impact even on those not involved in legal action. The denial of rights gives license to homophobia culture-wide. It legitimizes forms of discrimination that range from the relatively passive (e.g., the refusal of housing) to the violently aggressive. In contrast, the granting of rights, while certainly a cause for celebration, does not necessarily hold the promise of widespread dissemination. This is the case because when rights are granted to a specific plaintiff, it does not mean they will be available to all gays and lesbians. It means only that other gays and lesbians who are denied rights and wish to (and have the means to) pursue legal action may have a precedent on which to draw.

Moreover, many lesbians and gay men will be unable or unwilling to pursue legal action even if laws are enacted to protect them. Legal battles are prohibitively time-consuming and expensive, with costs that are psychological as well as financial. Fighting discrimination on the basis of sexual orientation necessitates coming out as a gay man or lesbian not only to family and friends but also to one’s community and, in cases of widespread media attention, to the entire nation. As a result, gays and lesbians “may be too intimidated by virulent homophobia even to make use of their rights under such [anti-discrimination] laws since it would require coming out to do so” (Nava and Dawidoff 1994, 208–9). The risks involved in coming out are such that even if the legal battle can be won, the personal cost may ultimately be too high.

While noting the limitations of our successes, however, we must also recognize our potential for turning losses into triumphs. Community activism spurred by injustice can transform an apparent defeat into merely a temporary setback. Short-term losses can energize our movement, yielding unanticipated gains in the long run. In one example, an anti-gay resolution passed in 1993 by the commissioners of Cobb County, Georgia, declared that the “gay lifestyle” was “incompatible with the standards to which this community subscribes.” As a result of the resolution, anti-discrimination activists joined together in that county for the first time, forming the Cobb Citizens Coalition. The group worked to rescind the resolution and attracted a great deal of national support for its efforts. It also sought to effect positive change in the community through educational and other outreach efforts. Both supporters and opponents of the resolution now agree that the resolution served as a springboard for anti-discrimination organization and activism that would not otherwise have occurred (Manuel 1997, F5).

In another case of turning defeat into victory, in 1992, Colorado voters passed an anti-gay initiative known as Amendment 2. The amendment
banned all state and local laws protecting gays and lesbians from discrimination. Although this vote represented a clear and painful loss for gays and lesbians, it launched a flurry of gay and lesbian activism both in Colorado and across the country, attracting the support of many straight allies as well. A national boycott of Colorado tourism was organized, costing the state an estimated $40 million in convention business and drawing even greater national attention to and support for gay and lesbian rights. An appeal prevented the law’s enforcement while the Supreme Court debated its constitutionality. Finally, in what has been called “the most significant legal victory ever for gays and lesbians in the United States,” in May 1996 the Supreme Court declared Amendment 2 unconstitutional (“Civil Rights or Special Rights?” 1996).

Such complexities highlight the ways in which legal change and social change are distinct yet interrelated. Achieving either one without the other is insufficient for shedding our second-class status (Vaid 1995).1 We must refuse, finally, to sacrifice advances in one area in order to make gains in the other. “We must enter the arena of public discourse without vanishing. Strategies of simple assimilation are unacceptable” (Phelan 1993, 779). Using the legal system as an instrument of equality demonstrates participation and belief in the authority of dominant institutions. It thereby reinforces the key role of the system in regulating the social order, inevitably strengthening the system itself (Smart 1989).2 Moreover, it works toward the assimilation of an outside group, whose identity is reshaped and rearticulated through the terms and concepts of that dominant institution. Although the law can bring about important changes, then, it cannot be a panacea for the problems of exclusion and oppression that gays and lesbians suffer. It can right only the wrongs that law itself creates or perpetuates (Bumiller 1988). Thus we see the continued existence of racism decades after the legal implementation of civil rights; thus widespread prejudice remains against groups based on gender, religion, national origin, and physical disability years after such groups were granted legal protections.

Disagreement persists between those gays and lesbians who believe “the real challenge is to change attitudes, not laws,” and those who identify legal changes as “the first step toward changing hearts and minds” (Shapiro, Cook, and Krackov 1993, 48). Legal battles can positively influence social attitudes and behaviors. Those who proceed from a legal viewpoint thus argue that “progressive law reform signals to bigots, and to those who would discriminate, that such attitudes and behaviours are no longer acceptable” (Herman 1994, 4). However, the law has a limited range of influence, so that “even
where there are few legal impediments to homosexuality, social mores may still constitute a very powerful force for intolerance” (Mendus 1989, 4). As a result, “even after law reform and antidiscrimination ordinances, a whole fabric of discrimination remains” (Altman 1982, 25).

Neither legal nor attitudinal change alone is sufficient to achieve liberation. If rights are granted but individuals are unable to exercise them because they fear violence or ostracism, then such rights are of little use. Conversely, if social attitudes change but rights are not granted, the situation will at best simply commodify gays and lesbians. In viewing us as “trendy” without offering any more deeply rooted or lasting guarantee of rights, such a context would neither reduce the prevalence of anti-gay violence nor combat other forms of discrimination. At worst, it could create a situation similar to that which Clinton produced when he promised to lift the military ban. Some gay and lesbian service members were lulled by his words into thinking it was safe to come out, and then were punished for having done so. For all these reasons, “the gay movement must be concerned not just with specific legal and electoral battles, but also with the far broader and more amorphous ways in which homophobia is maintained through a complex structure of institutions, values, and often unconscious prejudices” (Altman 1982, 130–31).

In evaluating the extent and the limits of legal change, we are reminded as well of the geographical boundaries that circumscribe our legal initiatives. Although the lesbian and gay rights movement in the United States has focused almost exclusively on the concerns of American gays and lesbians, the arguments we make within our national borders will inevitably impact on lesbians and gays internationally as well. It is especially crucial to keep this global perspective in mind when making arguments about the nature and origins of homosexuality. In particular, arguments that support a biological basis for homosexuality may help protect gays and lesbians in the U.S. based on this country’s equal protection laws. However, while these claims will undoubtedly influence perceptions and treatment of lesbians and gays in other countries, any legal protections we gain through such contentions will end at our national borders (Schüklenk and Ristow 1996). It takes only a cursory knowledge of history to envision the actions that some countries might take against those who are perceived to have an inherent, genetic deficiency that makes them inferior beings. Thus claims about the biological basis of homosexuality may endanger gays and lesbians in other countries even as they extend the rights of American gays and lesbians.

A final danger of employing legal categories is the risk of confusing the
terms and concepts that are legally or politically expedient with the terms and concepts that provide a fuller picture of gay and lesbian life. “Because the dominant culture is infiltrated by legal concepts, we also use legalism as part of our common sense. . . . We use legal concepts without thinking” (Robson 1992, 19). The danger in adopting these terms as our own is that we are enticed into “substituting legal categories and concepts for our lesbian ones” (Robson 1992, 17–18). When these vital distinctions are lost, we easily become constrained by our use of dominant categories in our own self-explanations. Indeed, even with vigilance some such effect is inevitable, for “dominant frameworks of meaning cannot be harnessed by social movements without those frameworks in turn shaping and reconstituting actors and communities” (Herman 1994, 6). Despite the possibilities that may lie in the legal system and other existing institutions, these institutions are unlikely to provide us with useful or enlightening means of understanding ourselves. We must recognize the limitations of these frameworks for naming ourselves, defining our experiences, and representing our lives.

Resisting the Mainstream

The cases investigated in this book reveal how arguments for privacy uphold the second-class status of gays and lesbians. The insistence on keeping lesbian and gay expression and affection hidden can produce only inequality, unless we implement a policy that enforces on everyone’s personal life equal “closetedness.” There would be little joy in such a repressive society. It would have to prevent any displays—symbolic, verbal, or nonverbal—of personal feelings or affection in any public forum: workplaces, airports, restaurants, movie theaters, sidewalks, even front porches or yards. It would effectively impose on everyone the kinds of constraints under which most lesbians and gays live now, an idea that evokes the climate of George Orwell’s 1984.

It is unlikely that anyone, of any sexual orientation, would advocate such restrictions if they were uniformly applied. An alternate and infinitely more reasonable solution would be to allow all individuals to make the kinds of statements and display the forms of affection that are today considered permissible and appropriate only for heterosexuals. I am not suggesting that we permit or encourage sexual displays that would now be considered lewd or indecent if heterosexuals performed them publicly. I am proposing that we permit or censor equally all displays of affection and statements of sexual identity by anyone, regardless of sexual orientation.

The privileges granted to heterosexual individuals and couples must
either be revoked or distributed fairly to all. This is but one element of a larger strategy to dismantle compulsory heterosexuality in all its many forms (Rich 1986). It is unlikely, and possibly undesirable, that we could entirely do away with the institutions that create the social fabric—those of romantic partnership and family, structures of community, and systems of law and education, to name just a few. Instead of trying to envision a world without these, we might instead imagine ways to redefine these institutions in fundamental ways. In some cases, the problem lies primarily in recognizing and legitimizing new forms that are already taking shape—a question of ideology lagging behind practice. The title of Kath Weston’s *Families We Choose* (1991), for example, coins a phrase that accurately describes the formation of many families today, and not only gay and lesbian families (see Collins 1991). The concept of domestic partnership, while theoretically based on the model of heterosexual marriage and often employed this way in civil rights arguments, represents in practice a tremendous range of committed relationships that patriarchal ideology does not account for. Some of these relationships between gay men or lesbians may look very much like the heterosexual model. Others resemble it very little or not at all. It is equally important to note that many of today’s heterosexual relationships bear little resemblance to this alleged “norm.”

If our goal is not simply to reproduce the structure of the nuclear family in our own communities, neither is it to replace one privileged family form with another. The term *family*, like the concept of a committed partnership between two adults, needs to be understood in much more varied and multifaceted ways than it has been in the past. The fact that there is no term that most gays and lesbians find appropriate to express the nature of their intimate relationships suggests that the recognition of these relationships has the potential to transform available understandings of relationships more broadly, for all kinds of people. Nonetheless, we surrender the transformative potential inherent in these other ways of living and loving when we trade pride in ourselves and our own ways of being for provisional tolerance from the mainstream.

It is the cost of this limited acceptance, as the cases of Achtenberg and Cammermeyer illustrate, that we must keep in the forefront of our consciousness. If we do not, it will exact its price from us unaware. The very language of the military ban, its label as a “compromise,” alerts us to its failings. Constitutional rights are not available for negotiation or compromise. They can be neither partial nor conditional, for when compromised, they no longer represent the full freedoms guaranteed to all of us. We must therefore
always be dissatisfied with acceptance at the price of assimilation, or with any partial granting of institutional access that demands the sacrifice of other basic rights. This is not to say there will not be compromises and half steps along the way or that we should reject all but total liberation. Undoubtedly, change will occur only incrementally. The notion of a total Marxist-style revolution neither is realistic nor, possibly, is it even in our best interest. But we must not be misled into believing that provisional tolerance is authentic acceptance or that the denial of difference makes difference disappear.

As much as we might wish it were otherwise, assimilation offers no protection against the most terrible manifestations of prejudice and discrimination—a lesson we take from the assimilated Jews in Nazi Germany. We can be “model” citizens, hide or deny our difference, and silence ourselves. Still, the stereotypes that incite hatred and violence against us will persist and resurface at the moment we ask for too much or seem to have acquired too much power or privilege. The myth, and consequent danger, of a civil rights approach is the belief that if we ask “nicely” enough, show that we can “behave” well enough, and demonstrate obedience within the framework of compulsory heterosexuality, then we will be accepted as “normal” people who simply have unusual bed partners. The potential for even such provisional acceptance can be tempting. For those of us forced to live with rejection, “the notion that homosexuality has been mainstreamed is an illusion we yearn to believe because we are so tired of being vilified, loathed, and marginalized. We want to be accepted and loved” (Vaid 1995, 5).

Nevertheless, this is a temptation to be resisted. We must resist it not only because of the psychic damage involved in hiding our loves, restricting our lives, and silencing our voices; we must also reject it for more pragmatic reasons. Despite its apparent promise, this assimilationist approach will not make us safe. Disappearance does not erase difference, nor does it substantially alter its consequences. Try as we might to “blend in” and be like “everyone else,” even those of us who can succeed are never assured of safety. As long as our difference can be targeted, discovered, and punished, we will not be safe. Just as important, the apparent blending in of some of us only accentuates the difference of others who cannot or choose not to blend in. We abandon this group when we make assimilation our aim (Vaid 1995).

Those of us who most closely resemble the mainstream seemingly have the most to gain from assimilation, but we are also at the greatest risk for developing a false sense of security. Assimilation entices us to sacrifice our own
brilliantly different “colors” in exchange for the perceived safety of mainstream acceptance. However, our fragmentation and self-denial are too high a price to pay for such conditional and tenuous “acceptance.” Our best efforts to “blend in” must always remain illusory and fleeting. At any time, we may be plucked out of the complacency of perceived assimilation by those whose perspective on difference sees not complex human beings but only isolated elements of identity. When these elements are perceived as fearful and threatening, they are despised and therefore targeted for destruction.

**The Power of Openness and the Protection of Speech**

Another issue this book raises is the need to protect lesbian and gay self-expression. Visibility and voice are often sacrificed in civil rights strategies through their designation as prohibited conduct. This leaves dominant hierarchies of power and privilege intact. The trade-off demanded by the dominant ideology is the granting of rights only on the condition that other demands are withdrawn. For rights to be awarded, the more disruptive challenges raised by political voice and visibility must be quieted. “Sex and gender outsiders—gay men, transsexuals, lesbians, bisexuals—are constantly invited to lose their voices, or suffer the consequences (job loss, baseball bats) of using them.” Consequently, “‘don’t tell’ is more than a U.S. military policy; it remains U.S. public policy, formally and informally, on sex and gender nonconformity” (Gamson 1996, 80).

At stake here is not only the self-identity of lesbians and gay men as such but also the ability to tell our stories and share our lives. The ability to speak of oneself in one’s own terms, to tell the story of one’s life, marks the difference between existence and nonexistence, community and isolation, pride and shame. Both our self-images and the images others have of us depend on our freedom to share our stories. The importance of stories in changing others’ attitudes cannot be overestimated, for “our stories hold the power of persuasion. We must counter disinformation with the truth of our lives” (Vaid 1993, 28). Ensuring that such speech is protected must remain a primary goal of the lesbian and gay rights movement, for “openness has enormous power in the politics of personal relationships,” an arena that legal initiatives cannot reliably access or influence (Kopkind 1993, 8). This is why individual acts of coming out as lesbian or gay have always comprised a key strategy of the movement. Despite their ambiguities, such acts are still recognized as one of the most effective means of increasing support for gay and lesbian rights. They facilitate an understanding of gays and lesbians as mul-
tifaceted human beings instead of one-dimensional sexual creatures. For these and other reasons, “the first need for our politics is the guarantee that [our words and voices] will be heard” (Phelan 1993, 779).

What can we do to create space for these stories and an audience for these voices? We must begin by critically examining our own individual filters, the lenses through which we perceive and classify difference and the ways in which we talk about difference. We must recognize, perhaps with some surprise, that although we may not be politicians or lawyers, the language we choose and the thoughts we express may have a tremendous influence on those around us. Our choice of language speaks volumes to our children and families, our friends and coworkers, and all the various communities of which we are a part. We need to be aware of how the public discourse around us shapes our own attitudes and beliefs and how the expression of our opinions influences the attitudes of others. We need to make choices about how we represent ourselves and each other, rather than uncritically adopting the ready-made categories and distinctions our culture imposes.

Ultimately, all sexuality and sexual orientations need to be understood as falling along a continuum of possibilities, rather than as a set of categories by which to divide and label human beings (see Kinsey, Pomeroy, and Martin 1948; Institute for Sex Research 1953; Snitow, Stansell, and Thompson 1986). The idea that identities are socially constructed is not an abstract theory divorced from the everyday world. On the contrary, varying understandings of identity permeate all of our lives. They influence the degree of freedom we have in our choices of whom we can become and whom we can love. The act of coming out often implies choosing a category, rejecting one label or box only to adopt another. To foster a liberatory vision, this concept might be better understood as an ongoing process, a becoming, or a “coming into oneself.” In such a reinterpretation, rather than selecting from among preexisting, ready-made categories, we would refuse the system of categorization for the purposes of self-understanding. Coming out would then denote a process of transition and growth accessible to anyone, not only gays and lesbians. It would be a process of learning to trust our own voices and listen to our own hearts. Instead of a transition that closes one off from loving half the world, coming into oneself means opening oneself to loving those whom we were formerly forbidden to love. It represents an expansion, not a reduction, of possibilities.

Allowing individuals to name themselves is a tremendously empowering act that has applications to a variety of concrete settings. When we label people, we narrow their possibilities, presenting them with a limited selec-
tion of categories from which to choose. To a degree, this is a necessary process. Labels lend order and predictability to our world. They allow us to recognize and ally ourselves with others who share our self-identification, fostering personal as well as political empowerment. Nevertheless, the labels and categories our culture provides are neither natural nor sacred. They are constructions of language and the other institutions that organize our society, from education to religion to law. They are not universal, either across cultures or across history. Thus these labels must be presented and used with considerable care and mindfulness, when used at all. When we extend them to others as possibilities, we must exercise particular tentativeness, attentive to the ways in which the complexity of individuals exceeds the bounds of any given category. The need for such caution extends to all who are entrusted with educating others about difference: teachers, counselors, religious leaders, and parents, to name but a few. How we learn to think and talk about difference, whether our own or someone else’s, leaves an indelible impression on how we perceive ourselves in relation to the world around us.

Our responsibility extends beyond reconsidering our own uses of the labels and stereotypes that reduce the richness of individual variation to a meager set of options. We must also actively resist and challenge the reductive definitions and misleading representations that others perpetuate. This act requires a courageous willingness to speak out against bigotry and hatred. The word courage is derived from the Latin word cor, meaning “heart.” It is in the brave act of standing up for ourselves and for other oppressed groups that we truly act with heart. In the debates surrounding Achtenberg and Cammermeyer, opponents disseminated a litany of destructive and demeaning stereotypes of gays and lesbians. While supporters denounced such negative images, they often failed to advance alternative, diverse representations of lesbians and gays. The support we see in these cases amounts most often to tolerance of difference, but few seem willing to embrace difference actively. Instead, they are silenced by the fear of familiar accusations: of “flaunting” sexuality, of ramming it down others’ throats, of advocating a “homosexual lifestyle.” Such phrases coerce us all into invisibility and silence by suggesting that if only we would behave correctly, if only we would be appropriately quiet, discreet, and private, we would somehow win the favor of the mainstream and be granted our rights. This is the premise that underlies an assimilationist agenda. It encourages us to believe that, indeed, our silence will protect us.

Such a belief is but another weapon in the armory of our oppressors. As
we have seen repeatedly, no matter what we do or refrain from doing, no matter how discreet we attempt to be, nothing less than absolute silence and complete closetedness is acceptable to those who condemn us. As a result, accusations of “flaunting it” will occur in response to any kind of honesty about ourselves, any verbal or physical expression that can be interpreted as conveying who we are. We know, as well, from the experiences of other minority groups that attempting to win favor from those in power through “good behavior” or patience has never been a successful strategy for attaining equality or liberation.

We must refuse to be cowed into silence and invisibility by such accusations. Such a response will gain us nothing, despite what our opponents would have us believe. We need to abandon the belief that silence, discretion, and patience will eventually win us our rights. Instead, we must speak up, come out, and present our society with alternatives to the narrow, stereotypical, hypersexual images of gays and lesbians that still dominate public discourse and the public imagination. We need to be advocates, to “flaunt it.” We need to counter forcefully the destructive portrayals that reduce us to sex, that deny the complexity of our lives, that ignore the diversity within our movement, and that force us into a single mold that is male, white, and middle-class.

In providing alternatives, we must offer not one but many, so as not to repeat the mistake of homogenizing our movement. We need to offer a multitude of different perspectives and different representations of lesbians and gays. This means that in our own movement, we need to promote diverse expression and actively pursue diverse representation. We must not depend on a few celebrities to come out for all of us or permit a small number of high-profile professionals to provide our primary representations. As many of us as possible, from all of our varied lesbian and gay communities, need to come out so that we may be seen in all of our diversity and our whole-ness. We need to come out in different forums, so that we can be seen for “all of who we are” (Beck 1982, xxx). We need to present ourselves as parents, grandparents, daughters, sons, teachers, clergy, and workers in every field; as rich and poor, young and old, able-bodied and disabled; as women and men of different religions, races, and nationalities. We must refuse to collaborate in or to promote stereotypes of others in our movement or of other minority groups. In bolstering and perpetuating stereotypes, we demean not only others but also ourselves.

We must, finally, demand to be seen and to be heard, not only erasing the picture that hatred has painted of us but providing our own, more accurate
and more complete portrait of ourselves and the world that we hope to create. Far from the ugly, threatening image our opponents advance, lesbian and gay visions of the future have much practical and moral value for the rest of the world. Their components include the freedom of self-expression, newfound respect for families of all configurations, encouragement to listen to our hearts and trust where they lead, an escape from the constraints of those labels and boxes that confine or suffocate individual minds and spirits, and the right to love whomever we choose without penalty or fear.

This is not some monstrous “gay agenda” that attacks families, children, religion, and morality. However, that is what our opponents would have the public believe, must have them believe in order to perpetuate hatred and fear. The way to counter these predominant images is not to remain silent or hidden but to make our own visions come alive by speaking honestly of ourselves, our lives, and the transformations we hope to achieve. This is our duty regardless of our own sexual orientation, regardless of the breadth of our sphere of influence. Every one of us must participate in this effort, in every possible forum, at every possible opportunity, wherever we can do so without unduly risking our safety or sacrificing those things we must have to survive. In creating this alternative image, a portrait forever in process, the artistic vision of each of us is not only welcome but vital. When we all speak and act, when we create a vivid and colorful mosaic with the stories of our lives, only then will those around us begin to see us and hear us as we are, and as we can be.

Conclusion

Clearly, resolving the issue of how best to pursue liberation is beyond the scope of any single study, calling for broader and more varied perspectives than can be provided by any one individual. These are issues for gays and lesbians and our communities to ponder and for legal scholars and activists to debate. They are questions that must concern all of us who advocate an end to homophobia, sexism, racism, and other forms of oppression. They must inevitably be of concern to those who count a lesbian or gay man among their family or friends. They must, finally, concern all of us who work with or care about young people, those who are at the greatest risk from the perilous effects of oppression. This includes not only gay and lesbian youth themselves but also the legions of young people who are questioning and uncertain. Among this generation, the ravages of homophobia may become the roots of unmanageable, ultimately insurmountable self-hatred and fear.
These young people stand as reminders to us, in their innocence and, often, their despair, of what we might otherwise overlook in analyzing the movement. What is at fault is not the behavior or “conduct” of lesbians and gay men, any more than desperation is the fault of these youth. It is not activism, speech, or self-identification that creates the “problem” of homosexuality. What does create the problem is the enforcement of rigid sex-role stereotypes and the condemnation and labeling of those who do not conform to them. The “symptoms” of such nonconformity will vary. They may lie in the gender of one’s sexual or affectional partner. But they may lie as well in how one dresses or wears one’s hair, in one’s organizational membership or participation in certain “suspect” events, in the restaurants or bars one frequents, in one’s fondness for or aversion to sports, or even in one’s choice of friends. The attitude supporting this rigid enforcement views heterosexual love and heterosexual behavior as natural and normal, while any alternative is deviant and perverse. It is an attitude whose dual components, heterosexism and homophobia, are instilled in all of us and enforced with all the strength that our society’s most powerful institutions—the government, military, schools, religion, law, and many others—can muster.

Individually and collectively, we need to accept responsibility for “outing” homophobia and heterosexism wherever we find it. We must shift the burden of justification and accountability from those who seek an equitable application of constitutional principles to those who would deny it. We need to banish formulations that blame the victims for the problem and vigorously reject proposed solutions that compromise our basic rights and freedoms. We must identify bigotry and hatred, not lesbian and gay self-expression or activism, as the villains, models of unacceptable conduct that requires regulation and expulsion. We must expose prejudice and discrimination as the true examples of offensive and reprehensible acts. Finally, we must identify the instilling of hatred and fear of difference as the real dangers that threaten to corrupt our children’s hearts and minds.

The critique of civil rights presented in this analysis is not intended to advocate the abandonment of legal avenues for change. On the contrary, I support the assertion that

lesbians need to fight for civil rights legislation. These rights are part of our collective empowerment. We need to fight for them even when the terms of legal discourse do not square with our understandings of ourselves (which is to say, most of the time). We need to do this quite simply because without the safety afforded by these minimal guarantees we will never get to change anything else. (Phelan 1994, 126)
Nevertheless, a civil rights approach is ultimately inadequate for achieving genuine social change because it can do little to undermine the existing classifications that dominant institutions have assigned to us. Rights-based arguments have the effect of reforming the existing system rather than creating a new vision, making them a necessary but not sufficient element for a liberatory agenda. Because a movement for liberation requires a broader vision than legal initiatives alone can achieve, “rights look more attractive when we consider them as one moment in oppositional politics rather than the whole and only goal” (Phelan 1994, 125).

The emphasis on legal strategies may explain what some have identified as the lack of a coherent or overall vision of transformation within the mainstream of the lesbian and gay rights movement, in particular among official, nationally organized gay and lesbian rights groups. The absence of a vision may be both a reason for and a consequence of the predominance of civil rights strategies. If influential sectors of our movement lack a vision, they can do little else but reform the existing system. Likewise, if reform is their primary goal, there is little need to expend energy on imagining what deeper social change might look like. Relying on the established legal system and its categories contributes to reform at the cost of a more expansive vision. Similarly, focusing on homosexuality as different without challenging heterosexuality as the unmarked norm preserves a view of the world in which gays and lesbians can be seen only as minorities and as victims. This viewpoint conceals the pride and empowerment that also characterize gay and lesbian lives and reduces the complexity of who we are to a single element out of the many that comprise our identities. As a result of the limits that civil rights approaches have imposed on self-expression, “our biggest challenge remains communication of who we are, of what it means to be gay, of what the society will look like when we achieve the full equality we seek” (Vaid 1993, 28).

If we seek to change attitudes, if we seek to eliminate gay bashing and other forms of violence against gays and lesbians, if we seek to do away with subtle forms of prejudice and discrimination that often escape the reach of the law, if we seek to create a genuinely safe environment for lesbians and gays to come out to their parents and families, if we seek to prevent lesbian and gay youth from being thrown out on the streets, if we seek to protect such youth from the hopelessness and fear that often lead to death by their own hands—if we wish to bring into being this kind of world, then we must pursue a more profound form of social change. We must make accessible a vast variety of representations of gay and lesbian individuals, relationships,
families, and communities—representations created by lesbians and gays for ourselves, for heterosexuals, and for our youth. “The importance of educating the public, young heterosexuals, and all segments of the population in the truth about homosexual lives and our aspirations for equality cannot be overstated. Straight people still believe dangerous and mistaken myths about homosexuals. Our exclusive focus on legal, legislative, and administrative policy reform helps end blatantly discriminatory practices, but it leaves these myths intact.” In contrast, “by engaging homophobia in the cultural spheres, we challenge such myths where they originate and where they are perpetuated” (Vaid 1995, 25).

For this reason, cultural visibility—the dissemination of the widest possible range of our voices, our faces, and our life stories—must be made available, even ubiquitous, in a culture that today often seems only too ready to relegate gays and lesbians anew to the invisibility of the closet. To achieve the visibility we desire, gays and lesbians must be represented and be able to represent ourselves openly and proudly, in all arenas, in every aspect of national life—from the media to the government to the military—as well as in our own families, schools, workplaces, religious institutions, and local communities. We must be able to reeducate our society to recognize that our families are families, that our relationships are relationships, that love and not merely sex lies at the heart of who we are. “Until the goodness and worth of our relationships can be perceived, we will continue as second-class citizens” (Becker 1995, 149). Only when we can be seen and heard in our genuine diversity, rather than through the stereotypes inflicted on us by a repressive, dominant ideology, will such an awareness inscribe itself widely in our culture.

Mary Newcombe asks, “What is a lesbian vision?” She answers as follows: “It is first a voice. We have been silent (and silenced) for too long. We must affirm our identities and speak the truths of our lives or we will continue to suffer the invisibility that has permitted the development of a legal system that does not even acknowledge our existence” (1991, 7). Ultimately, legal and nonlegal goals must be intertwined, yielding a vision of a future in which we all share the freedom of self-expression. The project of creating this future must be the responsibility of all of us who, like Roberta Achtenberg and Grethe Cammermeyer, share a dream of another kind of society—a society where difference is valued and embraced and where minds and attitudes are broadened by the peaceful coexistence of different kinds of relationships, families, households, and communities. In such a vision, invisibility and silence can play no part. It is painful and even absurd to sug-
gest that a group exclude itself from its own liberatory vision, that it should organize on behalf of its own rights only to disappear again as a condition of its legal advances. Nor should such a vision accept the silencing of those who create it. As anyone who has tried to maintain such a silence knows all too well, doing so fosters a feeling not of safety but rather of constant fear and dread. Silence is inevitably accompanied by the terror of discovery. No liberatory vision can, or should, accommodate the psychic space and energy that such a fear entails.

Instead, in such a vision, legal equality will represent only one component of a new kind of openness that today most lesbians and gays can only imagine. This vision, our vision, will foresee and incorporate many ways of loving, many ways of being a man or a woman—ways that do not depend on the constraints of “appropriately” gendered roles of sexual conquest and submission. Finally, such a vision will not suppress but will celebrate same-sex desire and emotion. It will embrace and rejoice in that which is central to our existence as human beings and crucial to the fulfillment of our human potential: the ability to love.