

# **Sprinkle: A Journal of Sexual Diversity Studies**

Vol 3 – April 2010

The Paulo and Nita Freire International Project for Critical  
Pedagogy

Montreal, Quebec, Canada

<http://freireproject.org/sprinkle>

## **Supervising Editor**

Elizabeth J. Meyer

## **Managing Editor**

Tess Peterson

## **Associate Editors**

Sarah E. Adams

Emma Gray

Cassandra Kuyvenhoven

~~~~~

## **Reviewers**

Tahereh Aghdasifar

Quinn Albaugh

Mysta Anderson

Tanya Bindra

Melanie Bodi

Wanda DeLeon

Linda Eder

Maria Frank

Marie-France Guenette

Pamela Gordon

Esther Harvey-Peake

Jai Hui Kee

Mark Harris

Ahdia Hassan

Tracy Kent

Emily Kinsler

Marie Leaf

## **Events & Finance**

### **Coordinators**

Anna Hodgins

Valerie Lippman

~~~~~

Becca Lee

Annabel Levine

Elyse Lewis

Michel Mallet

Sofia Mazamauro

Andrew McLean

Stefaine Murawsky

Pierre Hong Minn

Ramona Pimentel

William Reynolds

Anna Robinson

Elizabeth Roscoe

Cheston Saunders

Salomeya Sobko

Amanda Unruh

Kevin Wylie

Olivier Vallerand

Natalie Zacchia

## **Table of Contents**

- 4 Editorial: The Revolution Will Not Be Televised...But It  
Might Be Published  
*Sarah E. Adams, Emma Gray, Cassandra  
Kuyvenhoven*
- 7 Developing Sprinkle: Notes on creating an undergraduate  
student journal  
*Elizabeth J. Meyer*
- I Am, Therefore I Resist: Identity as Activism**
- 10 Dismantling the Closet and Understanding Queerness  
*Kyle Bella*
- 19 Fucking Utopia: Queer Porn and Queer Liberation  
*Cherie Seise*
- 30 Two Movements, Two Futures: Assimilationist and  
Liberationist Views of Capitalism and the State  
*Liam Mina*
- And It All Falls Down: Queering Political Structures**
- 41 From Radical to Sabbatical: A Historical Look at the Political  
Identity of Lesbianism  
*Julie Matson*
- 51 (Anti) Queer Violence: Canadian hate crimes legislation,  
state ‘protection’, and queer collaborations with policing  
and carceral mandates  
*Liam O’Grady*
- 69 Sexual Diversity in Canadian Healthcare: The Policing and  
Pathologising of Gender-/Sex-Variant Lives  
*Lynsey Grosfield*
- “Toto, We’re Not In Kansas Anymore”: Exploring  
“Othered” Sexualities**

*Sprinkle*

- 86 Penetrating the Land: Representations of Indigenous Sexuality  
*Andrea Waling*
- 100 Love Laws in *The God of Small Things* and *Clear Light of Day*  
*Liyun Jin*
- Neo and Morpheus Were “Just Friends”: Challenging the Matrix of Sex/Gender/Desire**
- 110 Queer Voices in Glenn Ligon’s ‘Untitled’ (I Am A Man)  
*Alex Fialho*
- 121 Choosing What to Wear  
*Jonathan Green*
- 136 Why Gender Testing? Examining the Historical Regulation of Women’s Track and Field by International Athletic Organizations  
*Kate Fernhoff*
- 144 Dudes, Bros, Boyfriends and Bugarrones: Redistributing the Stigma of Same-Sex Desire  
*Matthew Stern*
- 154 Acknowledgements

## **Editorial:**

# **The Revolution Will Not Be Televised...But It Might Be Published**

Genderqueer pornstars, Bros, and Caster Semenya. You may be asking yourself, "What in the world do these three things have in common?" As the Associate Editors of the third volume of *Sprinkle*, we are delighted to inform you that all three reside here in the pages of this journal. Before you delve into the gritty heart of the publication, we would like to provide you with some context; how this journal came to be. As a peer-reviewed, undergraduate publication born of the McGill University community in 2007, this journal of Sexual Diversity Studies aims to be a source of resistance, inspiration and accessible education. Through the pieces therein, we hope to enrich queer scholarship, shedding light on diverse identities, and creating a space for non-normative expressions within a multiplicity of disciplines.

The variety of entries that we received demonstrates the vast diversity of sexual studies itself, and the obvious need for a publication such as ours. The pieces within this volume represent this diversity, and the journal itself serves as a form of resistance to the Western, heteronormative constructs that so often dominate formal academia. The arrangement of the pieces reflects the reaches of structural resistance possible at every level. Therefore, the journal begins at the level of the individual, and expands its scope outwards.

Our first section begins by exploring identity on an individual level, looking at the ways in which these identities can act as an impetus for coalition-building and social change. In exploring the self in relation to others, we begin to acknowledge our own power and create a space in which change can occur. These pieces illustrate the numerous

## *Sprinkle*

intersections that reside within every person. It is these intersections that hold the most revolutionary, discursive potential.

From this place of self-awareness, we move forward to critique and dismantle larger social structures. The second section of this journal examines the way in which queerness interacts with and destabilizes Western political institutions. The voices within this section expose the mystified struggles of non-normative communities operating within quite normative structures.

Something that was missing from previous editions of *Sprinkle* that we are excited to include in this volume, is a space for acknowledging and critiquing the Western Gaze and subsequent 'othering' of non-Western sexualities. Our next section attempts to at least scratch the surface of these issues. We strongly believe that it is important to appreciate a range of lived realities beyond Western constructs, while acknowledging that this journal is itself a product of the West.

The last section of this journal attempts to expose the faulty assumptions implicit in the perceived "inherent" connection between one's identity and actions. Societal structures often aim to control and contain "deviant" voices. The pieces featured within this final section challenge these connections and highlight sites of contention that plainly exist in the world around us. Through the acknowledgment of discord, we can collectively begin to dismantle structures that are ultimately harmful to all.

Although we are satisfied with and very excited about the contributions of our talented authors, we acknowledge that this journal is by no means exhaustive of queer voices or sexual diversity studies. It is important that we recognize our own privilege, even in the ability to produce an academic journal such as this one. In the future, we would be ecstatic to feature experiences of differently-abledness, a broader array of critical race analysis, class issues and all of the intersections in between.

Sprinkle is first and foremost a forum for young, undergraduate voices. This is of note, because these are the people poised on the cusp of creating real and lasting social change. With that thought in mind, we wish you happy reading. Remember kids, wear protection...like eyeglasses. Or Dental dams. Or condoms.

Sincerely,

Associate Editors, *Sprinkle*

Cassandra Kuyvenhoven, Emma Gray and Sarah E. Adams

## **Editorial:**

### **Cultivating Sprinkle: Notes on sustaining an undergraduate journal**

Another year has passed and it is time for the next volume of *Sprinkle*. As I look back on last year's publication and review this year's articles, I am impressed and inspired by the contributions of the authors in this volume. I didn't get to teach *Introduction to Sexual Diversity Studies* this year, so I wasn't sure if the momentum for this project would continue or if the wave of interest that we'd gotten from the first online edition we published (2009) would be enough to sustain another high-quality volume of *Sprinkle*. After the associate editors had made their selections and sent them for my review, my doubts were erased. Although there were fewer submissions from students at McGill, undergraduates from all over North America filled that gap with exciting, creative, and well-written articles.

We were thrilled to get submissions from a greater diversity of institutions and disciplines this year. This enriches the quality of the journal and bodes well for its sustainability. There is a lot of amazing thinking and writing going on in universities around the world in the field of sexual diversity studies, and I hope that *Sprinkle* will continue to play a role in highlighting this work, and building connections between the professors, undergraduates, and graduate students engaging in this field of study.

In my new role this year as a full time Assistant Professor in a teacher education at Concordia University, I rarely got to teach and think about sex, gender, and sexuality in the same critical and complex ways that I did as a graduate student and part time lecturer. I miss having these conversations and engaging with passionate students around these deeply emotionally and intellectually engaging

topics. I've started to build some connections at the Simone de Beauvoir Institute and look forward to pursuing future collaborations in my new institution. That being said, I am so happy that I got to continue working with the students at McGill on this journal project. The topics, approaches, and quality of thinking demonstrated by the authors in this volume demonstrate that this is a respectable and rigorous field of study that can extend and challenge the way we understand bodies, relationships, identities, power, knowledge, and culture.

I am grateful to have had the opportunity to work with yet another dedicated, thoughtful, and hard-working student editorial board. This year, the returning editors played a much larger role in guiding us through this process and spent time carefully mentoring and developing relationships with the new editors so their voices and ideas could emerge. Emma, Tess & Val you did an incredible job – we couldn't have done it without you! I want to thank the new editors, Sara, Cassandra and Anna, as well as all of the reviewers for your contributions in creating another excellent compilation of student work.

As you read the pieces in this publication, I hope you will continue to stretch the ways you think, understand, and examine issues related to sex, gender, and sexuality. I encourage you to engage in dialogue with each other via posting comments on the Freire Project website or on our Facebook page. The strength of an online journal in a Web 2.0 world is that these ideas can continue to evolve through critical conversations and feed into the next publication.

We hope these articles will inspire and provide support for more scholarly work and community action in this field. Thank you for reading and sharing *Sprinkle* with your friends, professors, and social networks. We look forward to seeing you online!

Elizabeth J. Meyer  
Supervising Editor

**I Am, Therefore I Resist: Identity as  
Activism**

---

# Questioning the Closet: *An Architecture of Queerness*

By Kyle Bella

**ABSTRACT:** In gay politics and theory, the closet is a space that has been explored extensively. However, such discussions have been largely absent in exploring queer subjectivity. This paper provides an important discussion of how queerness questions the existence of the closet. In using my own personal experiences with changing identity and the closet, the physical and psychical landscapes of the closet are illuminated. In analyzing discussions on orientation philosophy, queer politics, and the concept of “feeling backward” developed by Heather Love, this paper demonstrates the differences between physical embodiment of the closet and the act of remembering the closet. These discussions effectively rewrite, redefine, and redirect the term queer and provide an escape for queer skeletons from the closet, a process that empowers queer actors to write their own lives.

“Queers face a strange choice: is it better to move on toward a brighter future or to hang back and cling to the past?”  
(Love 27)

While the closet has been a major focus in the field of LGBT scholarship, few academics have explored what it means to queer the closet. A lack of movement toward the queer closet is problematic because so many of the discussions on this closet revolve around the production of knowledge: how the closet produces subjects (or how subjects produce the closet for themselves), and the way in which queer projects are enacted *because of* this closet. Queer individuals discuss these themes extensively and interact with the idea of the closet daily. I am writing this piece to stress the importance of the closet in queer subjectivity, effectively assisting an escape of the queer

## *Sprinkle*

skeleton into the world to render a new architectural blueprint of queer politics and justice.

I've been intrigued by the closet for quite some time. Given the fact that before identifying as queer I considered myself gay, coming out of the closet was the defining moment of my life in many ways. I cannot help but recount the bitterness I experienced in my early to mid-teens as a result of being closeted (and closeting myself)<sup>1</sup> and the terrible isolation that led me into depression. I cannot forget the months leading up to my coming out, constantly overwhelmed by physical and psychological fear, or the moment I told one friend my orientation. I cannot forget the moments after, the relief that I felt when my heart seemed to quiet down so suddenly and I was at peace. It seemed a door had been unlocked and I was free to explore the world for the first time. In recounting these memories, I am demonstrating the emotional intensity and importance that the closet holds for me through today.

I've also been touched by films that have illuminated my own difficult experiences. One of the best examples of a "coming out" story is the French-Canadian film *C.R.A.Z.Y.* that was released in 2005. Set in the 1960s and 1970s in Quebec, it chronicles the adolescence of Zac Beaulieu, and his struggles with sexual identity. The film beautifully juxtaposes the dominant Catholicism of the era that contributed to a complex sexual political structure within family life. But the film is most successful in conveying the experience of the closet without words. Marc-André Grondin, who plays Zac, is able to convey the pain, loneliness and isolation of marginalization. In so many instances, I viscerally remembered my own experiences just by seeing the isolation present in his face.

---

<sup>1</sup> Society willingly and knowingly closets gay individuals by creating public spaces that are unsafe for uncloseted subjects. The erasure of gay experiences and desires are evident in the most basic of societal functions, but the gay individuals themselves also self-closet. I strongly believe all gay subjects come into the closet the moment they realize their desires, but the choice rests in each subject on when to let others know of their desires.

However, even this representation of the closet fails to include queerness in the context of the closet, and the ideas of queer orientation, space and architecture. As such, I must begin with my own experiences to develop how it is that I came to switch from a gay orientation to a queer one, and the implications that this has for the idea of the closet. In “speaking of my existence,” I am able to explore a queer borderland that charts recognition of the past at the same time that it imagines futurity (Anzaldua 20). This task involves both dismantling the closet and recognizing its continued importance in queer memory.

I came into a queer identity my freshman year of college. I use the word “came into” because it is important to emphasize that a queer orientation is in fact a choice. This is in contrast to gayness, which is an identity one enters into because it has been established and distributed through popular discourses. I am not suggesting that people do not determine for themselves whether or not they are gay; instead, I am suggesting that behaviors outside of sexual desire pave an easy path to gayness in a way unlike queerness. For example, while gayness may be established in the context of schoolyard sexual politics expressed in the development of masculinities, as C. J. Pascoe argues in *Dude, You’re a Fag: Masculinity and Sexuality in High School*, queerness remains distinctly absent in popular discourses (outside of conflicted, discordant definitions of what queerness is). Because of this fact, I *came into* queerness through a process of intense discovery, whereas I *was* gay the moment I accepted my desire for other men because that desire was so carefully defined already.

Another part of this idea of *coming into* queerness is the ambiguity of the term itself. To be “queer” is to be something that has not been clearly defined or defined in many different ways. In *Queer Phenomenology: Objects, Orientations, Others*, Sara Ahmed explains that the term queer “comes from the Indo-European word ‘twist’” and that as a sexual term it means a “twisted sexuality that does not follow a ‘straight line,’ a sexuality that is bent and crooked”

*Sprinkle*

(67). Due to the fact that queerness as an academic discipline arose from postmodern philosophy, this definition seems to unify many discussions on queerness because of its openness and ambiguity. But the idea that the most important aspect of queerness is sexual orientation is questioned by other theorists. Particularly since Judith Butler's *Gender Trouble*, queerness has been expressed through the lens of understanding gender complexities. That is to say, the central focus of queerness is providing new opportunities for gendered bodies through an evisceration of the binary between male and female. Gender performativity is not the only avenue through which queerness is defined and expressed, but a particularly strong avenue through which feminist heterosexism is challenged (Butler xxxi). Similarly, in the work *Queer Theory/Gender Theory: An Instant Primer*, author Riki Wilchins uses gender politics to envision an understanding of queerness as politics and activism when ze describes in detail hir strategies working with the GenderPAC coalition, an organization that is committed to transgender rights (142).

Given my unique subjectivity as a white male, none of these definitions "fit" my life experiences. While I initially identified as gay, and borrow from Ahmed's etymology of the term gay, I began moving beyond an identity of sexual orientation that Ahmed seems to stress. In the process of exploring and challenging my identity, I read transgender/genderqueer literature but could not identify with the unique struggles of these individuals. This was because I possessed a relatively stable gender identity and was never discriminated against because of my gender presentation. As such, I was left looking for a new politics of embodiment, a process in which I adopted the term "queer" out of its ideological openness and made it my own. The process by which this occurred is important to the underlying architecture of the closet and queer politics.

Gayness afforded me many advantages, given its re-appropriation of heteronormative ideals and erasure of ethnic voices. However, when I began college at Bard College

at Simon's Rock, I began giving up many of those privileges and comforts because I was tired of female, racial, ethnic, and genderqueer experience being written out of

gay representations. I developed an understanding of my own privilege through an introductory course that explored themes of gender, feminist, and ethnic theory. Part of it was an exercise in understanding the theoretical underpinnings of gay experience, and part of it was celebrating the feminism that inspired many of my friends to action.

One of the works that resonated with me strongly was Gloria Anzaldúa's *Borderlands/La Frontera*. When Anzaldúa talked about 'the borderland' as a "vague and undetermined place created by the emotional residue of an unnatural boundary," I understood my body and experience within her own experience (25). In doing so, I understood my body as white and male for the first time. I was able to see the way in which white male bodies dominated popular queer movements, how people of color were subjugated to patriarchy within queer movements, the ways in which Third World bodies and cultures were appropriated by Western narratives, and how even the most simple of things (such as a turn of phrase) could be perceived as privileged language.

From that moment on, a new orientation and politics was possible in my consciousness. I was so uncomfortable with patriarchy in gay culture that I embarked on academic and personal inquiries that challenged every conception I had of life. I believed that if I shared understanding with a middle-aged, Chicana, lesbian, feminist, something new was possible. I know now that my privilege as white and male is inescapable, but I've been involved in feminist groups, coalition-based groups of diverse individuals, and the creation of theory that breaks down the boundaries between bodies that I was previously separated from. I am now compelled to twist my body and thinking in order to counter the exclusion of marginalized identities that my privilege implies.

## *Sprinkle*

Because of this experience, I define queerness as the belief in patriarchy as the root cause of injustice in this world, and the striving for localized coalition building of (apparently) dissimilar marginalized groups affected by patriarchy. Patriarchy is defined here as the control and shaping of discourses by white, male privilege. Structures of patriarchy can be governmental, economic, artistic, or discursive. Beyond an opposition to a root cause of injustice, queerness is deliberately undefined to allow for theoretical mobility, a fact that emerges from the way my own experiences in academic study have been shaped by theoretical mobility. Strategies for correcting injustices, minutia of theory, ways for seemingly dissimilar groups to converge, and representations of queerness remain to be written. Given this fact, queerness is an ideological anarchy<sup>2</sup>, but even anarchy is not meaningless. Queerness is both a skeleton in the closet that defines gayness and the new blueprint of imagining the future; if queerness had no structure and held no blueprint in its hand, it would cease to have any functional value.

Given my definition of queer, and the struggle I encountered coming into that identity, the queer closet seems a non-existent space. In traditional definitions of the closet, an individual silences hirself and avoids disclosing sexual orientation. There comes a moment when hir courage propels hir to disclose the particular orientation, an action that moves hir from the isolated space of the closet into a space of honesty and openness. It is a moment of self-liberation that changes hir life forever. While films like *C.R.A.Z.Y.* help to dispel such a modernist viewpoint of coming into the gay closet, the structure by which this closet operates remains a well-defined structure. In a sense, the

---

<sup>2</sup> Anarchy is generally perceived as a state of chaos by people outside of anarchist circles. It is defined, often in the context of “disasters” as lawless abandonment. However, anarchy, as it is understood by its participants, is a people-focused movement that liberates subjects from state discourses. There is a very real structure to anarchism that is often neglected in popular discourses.

closet, traditionally conceived as psychological, becomes a physical space—whether an actual bedroom where an individual may masturbate without disclosure of identity, or a physical closet which may conceal androgynous clothing and make-up from unsupportive parents or the world at large.

This new imagining doesn't necessarily eliminate the idea of the closet. Particularly if one adopts the model of feeling backward—"embracing loss, risking abjection"—that Heather Love emphasizes in *Feeling Backward: Loss and the Politics of Queer History*, isolation and loneliness that typically define "closeted" experience are emphasized (30). However, this movement backward in the context of openness and futurity that defines queer experience is not a re-embrace of the closet. This is because queerness is defined in the context of a postmodern politics which challenges the linear architecture of the closet. Even if past, present, and future are blended together and imagined as a non-linear exploration, it is not antithetical to say that as a queer individual I am always in the closet. But it is important to discuss how the space of the closet is traditionally conceived. In doing so, I am able to establish the ideological weight of the closet and what this does to queerness as politics.

Most often when I think of my own experiences in the closet, they are negative. I think about my self-imposed isolation. I remember how I felt disconnected from anyone else. I imagine my innards in one big knot, not knowing what to feel, do or think. While it is true that for many, a lack of disclosure of identity—particularly those who are transgendered or live in rural and conservative communities—has proved a safe-space, a haven from the harshness of patriarchal discourses, in my own life the closet was never marked by positivity or openness. This is because the very nature of the closet is to be shut off from everyone else. When envisioning an actual closet, you imagine doors that are closed. You imagine darkness, whereby the "deviant" aspects of oneself are cordoned off. If a queer

### *Sprinkle*

individual always inhabits the closet, they are always closed off from others. But queerness writes in and demands openness: to other people, to new ideas, to building communities and enriching lives. Queer demands that every door be kept open; essentially, queer skeletons burst out of the closet to demand exploration of the world, and a chance to create a new architecture that is conscious of the pitfalls of the manufactured politics of gayness, and the artificial protections that the closet provides.

Still the question lingers: why not re-appropriate the closet? It is certainly possible to remake the closet as I have made my own definition of queerness, but what would be the purpose? Queerness already makes it clear that to be queer is to inhabit a marginalized space in society. What ideological function would a new closet serve? More specifically, what does it do to inspire queer individuals to serve as agents of change within their communities? While I enjoy the theoretical discussions of queerness, I am also interested in how queerness can become a call to action, rather than simply an identity. I've thought about this last question for quite some time and given this exploration I am completely unable to find any value for the closet. It doesn't mean that a value doesn't exist, but in my present understanding, the closet is meaningless in any form to queer identity, particularly when queerness is explored in the context of coalition-based politics. In any of these actions, I believe strongly in truth-telling, honesty and full-disclosure. As a closeted subject, such a process is impossible.

Yet I cannot fully abandon the closet in my truth-telling. As a physical space, such abandonment is possible. A closet in the room of the house can be torn down and a new structure, made of glass, can be built. *But the closet is more than a space of physical embodiment.* It is a psychological and historical space very much a part of present discourses. As a consequence, I'd like to make the distinction that I am a queer actor who exists *with* the closet rather than existing *in* and *of* it. This process recognizes the closet as a specter

lingering for inspiration and power of queer subjectivity. In memory, the closet becomes a remainder of two important situations. The first is the actual experience of living under the manufactured, inorganic architecture of gayness. Through this specter, I am able to understand my privileges. On the other hand, the closet is a reminder of gayness closeting queerness. The fact becomes clear that gayness, in re-appropriating patriarchy, traps a queer skeleton in the closet. As a consequence, this allows me to think of “other ways of gathering in time and space, of making lines that do not reproduce what we follow but instead create wrinkles in the earth” (Ahmed 179). In doing so, I create my own language and subjectivity, giving my skeleton fluidity and life.

**Kyle Bella** is a third year undergraduate at Goddard College, a low-residency program based in Plainfield, Vermont. His work is inspired by the Fall 2009 semester when he focused on developing a deeper understanding of queer embodiment in a creative, transdisciplinary exploration of disaster politics.

## **References**

- Ahmed, Sara. *Queer Phenomenology: Orientations, Objects, Others*. Durham and London: Duke UP, 2006.
- Anzaldúa, Gloria. *Borderlands/La Frontera: The New Mestiza*. New York: Aunt Lute Books, 2007.
- Butler, Judith. *Gender Trouble: Feminism and the Subversion of Identity*. New York: Routledge, 1999.
- C.R.A.Z.Y. Dir. Jean-Marc Vallée. Genius Products, 2007. DVD.
- Love, Heather. *Feeling Backward: Loss and the Politics of Queer History*. Cambridge: Harvard UP, 2007. Print.
- Pascoe, C. J. *Dude, You're a Fag: Masculinity and Sexuality in High School*. Berkeley: University of California, 2007.
- Wilchins, Riki. *Queer Theory, Gender Theory: An Instant Primer*. Los Angeles: Alyson, 2004.

# Fucking Utopia: Queer Porn and Queer Liberation

By Cherie Seise

**ABSTRACT:** Queer Porn is an emerging genre of alternative pornography that celebrates the authentic queer identity of participants while playfully pushing the boundaries of sex roles and identities through performance. The focus of this paper is one Queer Porn website, CrashPadSeries.com. The CrashPadSeries.com is unique not only in its diverse cast and queer woman of color producer, but also in its emphasis on the political importance of people of marginalized race, gender, and sexual identities controlling the production of pornography. This paper analyzes the approach of CrashPadseries.com to explore the political potentials and limitations of Queer Porn.

*"If I ever was on Miss America or whatever pageant, my answer for world peace would be Queer Porn. I honestly think that it could change the world."*—Jiz Lee.<sup>3</sup>

Jiz Lee is, among other things, a queer, genderqueer, *hapa* (for Lee, meaning being white and Pacific Islander from Hawaii)<sup>4</sup> porn star who has recently been nominated for "Best New Web Starlet" by the Adult Video Network Awards, an organization that traditionally focuses on mainstream productions. In a blog post entitled "AVN Nomination Best New Web Star/let's Celebrate!" Lee responds to the nomination, troubling the label "starlet" and commenting on

---

<sup>3</sup> Francesca Ochoa, "Femina Potens Exclusive Interview with Selina Raven and Jiz Lee," FeminaPotens.tumblr.com, April 2, 2009, <http://feminapotens.tumblr.com/post/92370905/femina-potens-exclusive-interview-with-selina-raven-and->.

<sup>4</sup> "Q & A with Queer Porn Star Jiz Lee," March, 2009. <http://cinnamonnutmeg.blogspot.com/2009/03/q-with-jiz-lee.html>.

the potentials opened up by the nomination. Lee writes, “As a genderqueer I never expected to be listed as a “starlet”... I’m SO very different than the other new web stars on AVN’s nominations list. Like, I’m the only one packing!”<sup>5</sup> The AVN’s failure to recognize Lee’s gender identity is representative of the tense relationship between Queer Porn and mainstream pornography. The very existence of *queer* porn defies the award categories used by the AVN, and more broadly challenges the values of mainstream pornography. In spite of the AVN’s failure to respect Lee’s gender identity, Lee is hopeful about AVN’s recognition of Queer Porn, writing:

I’ll take this as an opportunity to open any doors in gender and sexuality — whether it’s a cisgender woman who wishes she didn’t have to shave her legs/armpits/lovely asshole to be sexy, or whether it’s a trans or gender-variant perv who thinks there may be a chance at stardom in the mainstream. There is opportunity out there for queer visibility and expanding acceptance at who we are and how we love.<sup>6</sup>

For the 2010 awards, the opportunities seem many. Two queer porn production companies and two of their models are nominated in five categories including “Best Video Feature” and “Best Solo Sex Act” as well as Lee’s nomination for “Best New Web Starlet.”<sup>7</sup> As is evident in Lee’s words, many creators of Queer Porn see their work as a tool for social change. In this context, all of this recognition begs the question: If 2010 is the year Queer Porn breaks through, could world peace follow close behind?

In this essay I will discuss the potential of Queer Porn to produce change—and for whom. This entails an examination of the categories pornography and queer, how

---

<sup>5</sup> Jiz Lee, personal blog post “AVN Nomination Best New Web Star/let’s Celebrate!,” posted on November 28, 2009, <http://jizlee.com/wordpress/avn-nomination-best-newweb-starlet/>.

<sup>6</sup> Ibid.

<sup>7</sup> Jiz Lee, personal blog post “AVN Nomination Best New Web Star/let’s Celebrate!,” posted on November 28, 2009, <http://jizlee.com/wordpress/avn-nomination-best-newweb-starlet/>.

## *Sprinkle*

Queer Porn mobilizes these terms, as well as an investigation of who is involved in creating (producing and acting in) Queer Porn. I will use the photo and video porn website CrashPadSeries.com to begin this conversation. While other Queer porn production companies exist, such as NoFauxxxx.com and the newer Trannywood Pictures, I have chosen to focus on CrashPadSeries.com because the way that those involved in its productions talk about the political importance of porn production by people of marginalized gender, racial and sexual identities. The site has a unique potential to provide a productive space for understanding the relationship between race, gender and sexual identities and how they work under the term “Queer.”

The director of Pink & White Productions (the company behind CrashPadSeries.com), Shine Louise Houston, greets site visitors with the quote: “There is a power in creating images, and for... a woman of color and a queer to take that power... I don’t find it exploitative; I think it’s necessary.”<sup>8</sup> CrashPadSeries.com identifies itself as part of a Queer Porn movement; it is an effort to create an “authentic” and respectful representation of queer sex involving people of many genders, sexual, racial and ethnic identities.<sup>9</sup> In these efforts, CrashPadSeries.com is building on the work of the Indie/Alternative porn movement. As Florian Cramer writes, “Indie porn replaces the rhetoric of artificiality in classical mainstream pornography... with a rhetoric of the authentic: instead of mask-like bodies normalized using make-up, wigs, and implants, the authentic person is exposed.”<sup>10</sup> Popularized through sites such as SuicideGirls.com, Indie porn is generally heterosexual and

---

<sup>8</sup> CrashPadSeries.com, <http://crashpadseries.com>.

<sup>9</sup> Pink & White Productions, Press Release: “Dyke Porn and Trans Porn in Bed Together,” June 1, 2008, <http://pinkwhite.biz/PWWP/dyke-porn-and-trans-porn-in-bed-together/>.

<sup>10</sup> Florian Cramer, “Sodom Blogging: Alternative Porn and Aesthetic Sensibility,” in *C’lick Me: A Netporn Studies Reader*, ed. Katire Jacobs, Marije Janseen and Matteo Paquelli 174, <http://networkcultures.org/wpmu/portal/publications/inc-readers/the-art-and-politics-of-netporn/>.

features white cisgendered women with Goth and Punk aesthetic and a broader range of body types than more mainstream porn.<sup>11</sup>

While CrashPadSeries.com uses many strategies developed in Indie Porn to create “authentic” representations of sex, it faces the additional challenge of representing *queer* sex. The importance of creating such representations for marginalized identities cannot be understated. Richard Fung’s essay: “Looking for My Penis: The Eroticized Asian in Gay Video Porn” is illuminative of the relationship between subjectivity and representation. As the title itself suggests, Fung’s own viability as a sexual subject has something at stake in how sexuality and race are represented in Gay Porn and media more generally.<sup>12</sup> Discussing Gay Porn, he writes, “The gay Asian viewer is not constructed as sexual subject in any of this work—not on the screen, and not as a viewer.”<sup>13</sup> The sexual subject in porn can be seen as representative of the national subject of the United States; the position and power of the white male subject is reinforced through performances of domination over people of marginalized gender, sexual and race identities. The ability to explicitly and publicly embody a sexual subjectivity for queer people, especially queer people of color, is a primary aim of Crashpadseries.com. This aim may also have consequences for establishing subjectivity for these identities outside of the realm of erotic production.

TheCrashPadSeries.com uses a blog-like format, a popular format for presenting the “authentic” identity of the models on Indie Porn websites, which proves to be a very useful tool for representing the range of gender and sexual identities featured on the site.<sup>14</sup> Each character’s page features a bio which typically includes information on the

---

<sup>11</sup> Ibid, 173.

<sup>12</sup> Richard Fung, “Looking for My Penis: The Eroticized Asian in Gay Video Porn,” in *Asian American Studies: A Reader*, ed. Jean Yu-wen Shen Wu and Min Song (New Brunswick: Rutgers University Press, 200), 340.

<sup>13</sup> Fung 346.

<sup>14</sup> Cramer 173.

### *Sprinkle*

model's background, gender identity and preferred pronouns. This format is especially useful for portraying transgender and genderqueer identities and providing the context for visibility of other queer gender identifications such as femme. This is achieved by allowing the individual space for self-definition and providing the viewer the information necessary to recognize and respect the model's gender identity.

The series format of the site's videos also contributes to a more complicated representation of each character. Each episode takes place at the same location, the "Crash Pad," which functions as a stage for the series and clearly marks the events taking place on camera as performance.<sup>15</sup> Rather than the models being cast as novel characters for each shoot—their identities reduced to the sex role they play—we see the models forming dynamic sexual and gender identities. The series format provides a context for understanding these identities, allowing each new performance to relate to them uniquely, thus creating new, complicated sexual scripts. Meanwhile, the real-life director/webmaster plays keeper of the keys, introducing new characters by offering them a key to the Crash Pad with the knowledge that she will be watching. Houston's voyeuristic pleasure in filming the encounter becomes part of the performance. In discussing the relationship between staged performance and Judith Butler's notion of performativity, Geraldine Harris writes:

In order for a performance to be intelligible as such, it must in the instance and in some way give the appearance and effect of being mimetic. Butler's notion of sex/gender as performative, on the other hand, refers to something the intelligibility of which depends on it having the appearance of being 'real'... It is by virtue of this difference that a man in a frock or a 'bearded lady' on a stage may provoke laughter, while

---

15

CrashPadSeries.com, <http://www.crashpadseries.com>.

the same phenomena on the street constitute enough of a 'menace' to provoke abuse and violence"<sup>16</sup>

Harris's analysis is useful for thinking about the productive affect of the videos produced by CrashPadSeries.com. The staged video *performance* offers gender-variant and sexually-variant people up for observation and eroticization. Gender/sexual variance is then made visible and intelligible as a lived *reality* through the presentation of the models in the post-interviews as "themselves." This is furthered by the knowledge that many of the models who perform together are real-life partners.

The matter of authenticity is particularly important because many of the genders and sexualities represented in CrashPadSeries.com's, "Authentic Lesbian, Dyke, Trans, Queer Porn"<sup>17</sup> (that is, mostly female bodied models with a range of gender identities including biofemme, genderqueer, butch, and/or transgender) do not have visibility, in media generally or in pornography. Interestingly, for cisgendered women, some key ways in which sex work is subversive and a site of political importance is as a means of gaining independence through earning money and because heterosexual sex for pay challenges the naturalization of heterosexuality.<sup>18</sup> While masculine women and trans men may see pornography primarily as a tool to gain recognition as being sexually viable (several Crash Pad stars affirm that pay is not a primary motivator for being involved in Queer Porn), cisgendered women in porn may have to work to establish themselves as something other than sexual subjects<sup>19</sup>. Celine Parreñas Shimizu, when talking about her

---

<sup>16</sup> Geraldine Harris, *Staging Femininities: Performance and Performativity* (Manchester: Manchester University Press, 1999) 175.

<sup>17</sup> CrashPadSeries.com, <http://www.crashpadseries.com>.

<sup>18</sup> Wendy Chapkis *Live Sex Acts*, (New York: Routledge, 1997), 29. Eva Pendleton, "Love for Sale." *Whores and Other Feminists*, Ed. Jill Nagle, (New York and London: Routledge, 1997) 76, 77.

<sup>19</sup> Jiz Lee, personal blog post "Queer Career," posted on November 24, 2008, <http://jizlee.com/wordpress/queer-career/>, Lesbian Podcast, The. "Episode 3," <http://www.myspace.com/thelesbianpodcast>. October 15, 2008. (Accessed December, 2009).

## *Sprinkle*

relationship to the performance of Miss Saigon, writes, “I knew there existed a strong bond between the image and me. It was a relationship that I accepted, then and in my everyday life—as the possibility of my being misidentified as her.”<sup>20</sup> Parreñas Shimizu describes her relationship to this image as a site of potential power, as she writes “I not only refused the image but remade her myself.”<sup>21</sup> This could be applied to relationships with images of women in pornography as well. Femme Asian women who could be mistaken for the hypersexualized Asian woman in porn, for example, might have a very different relationship to the medium of pornography than Asian masculine women or transmen. While a subversive potential in sex work is the possibility of showing, especially for people of marginalized identities, control over sex and control over one’s own body in a sexual encounter, socioeconomic status, gender, race, physical locale, and other factors, impact an individual’s relationship to pornography, especially in terms of ability to produce porn and control the conditions under which pornography is made.<sup>22</sup>

If identity and social location influence individual relationships to pornography, then these also influence how Queer Porn relates to other genres of pornography. The relationship between Queer Porn and other genres of pornography gives an idea of some of the politics that Queer Porn mobilizes when using pornography as a political tool. A Pink & White Productions press release that discusses the relationship of their work to Lesbian Porn and Gay Porn states: “Shine’s work has even been described... as dyke porn that’s more aligned with gay male pornography than with

---

<sup>20</sup> Celine Parreñas Shimizu, *The Hypersexuality of Race: Performing Asian/American Women on Screen and Scene*, (Durham: Duke University Press, 2007), 39.

<sup>21</sup> Ibid.

<sup>22</sup> Pricilla Alexander, “Feminism, Sex Workers, and Human Rights,” *Whores and Other Feminists*, Ed. Jill Nagle, (New York and London: Routledge, 1997), 85; Vicky Funari. “Naked, Naughty, Nasty.” *Whores and Other Feminists*, Ed. Jill Nagle, (New York and London: Routledge, 1997), 30; Wendy Chapkis *Live Sex Acts*, (New York: Routledge, 1997), 98, 102, 05.

the “Lesbian” genre.”<sup>23</sup> If “Lesbian” porn—referring to porn usually made by men, for men—is considered an inaccurate portrayal of queer female sexuality, this oppositional comparison suggests an element of real and/or authentic sexuality being better represented by Gay Porn. The press release primarily addresses the relationship between Pink & White Productions and Trannywood Pictures, a company which describes its work as Queer Porn, Trans Porn and Gay Porn that features trans and cisgendered men.<sup>24</sup> These two companies share politics and models, and while the companies and their relationship are inspiring examples of what queer activism is doing right now, their relationship also makes more evident a group who they are not clearly aligned with—the trans women, and cisgendered men, especially those of color, who are marginalized by mainstream Gay Porn productions. In this light, the comments relating Pink & White Productions’ work to Gay Porn suggest a dissonance between the politics mobilized by Pink & White Productions and the politics necessary to challenge the normativity of Gay Porn.

Why aren’t there feminist or queer production companies featuring authentic queer sexuality for gay men, feminine men and transwomen, especially those of color, even when there is a clear need? CrashPadSeries.com and Trannywood Pictures have clear relationships to the feminist and queer art community as well to sexual health and sex worker activism. They build on a history of sex-positive work in San Francisco such as that of *On Our Backs*, an erotic magazine for lesbians, and the groundbreaking Good Vibrations, a feminist sex toy shop.<sup>25</sup> That any of this is

---

<sup>23</sup> Pink & White Productions, Press Release: “Dyke Porn and Trans Porn in Bed Together,” June 1, 2008, <http://pinkwhite.biz/PWWP/dyke-porn-and-trans-porn-in-bed-together/>.

<sup>24</sup> Pink & White Productions, Press Release: “Dyke Porn and Trans Porn in Bed Together,” June 1, 2008, <http://pinkwhite.biz/PWWP/dyke-porn-and-trans-porn-in-bed-together/>; [www.TrannywoodPictures.com](http://www.TrannywoodPictures.com).

<sup>25</sup> Pink & White Productions, Press Release: “Dyke Porn and Trans Porn in Bed Together,” June 1, 2008, <http://pinkwhite.biz/PWWP/dyke-porn-and-trans-porn-in-bed-together/>; Josh Sides, *Erotic City: Sexual*

*Sprinkle*

possible—that CrashPadSeries.com exists at all—depends on the community and the resources available in San Francisco to do this work. These resources, and in particular theory and practices emerging from feminist, queer and trans, studies and activism, have not been mobilized by, or perhaps available to, gay men, feminine men, or trans women, especially those of color.

The political potentials of Queer Porn are then limited by the difficulty, or even impossibility, for many people to gain control over production of Queer Porn that represents their own identities. To posit representation through queer porn as the forefront of queer politics and/or art, to the exclusion of discussion of material inequalities, could mean emphasizing a representation of liberated queer sexuality that excludes those without the resources to represent themselves in CrashPadSeries.com or similar outlets. My point is not that CrashPadSeries.com or its peers must do more—indeed the important and inspiring work that they are doing is a high task enough. It might, however, be useful to think about how we talk about Queer Porn, and be honest about who is involved and who is missing. If the industry of pornography is part of a national and global exchange of images for money, what can U.S.-based pornography companies, or individuals interested in politics of representation, do to impact those images? Taking control over the productions of images of your own identity is one step; we must also actively support industry as well as broader social reforms that would make this possible for those individuals queered from power everywhere.

**Cherie Seise** is a queer woman, labor activist, and consumer of queer pornography. She is a senior at the College of William and Mary in Williamsburg, Virginia.

## References

- Alexander, Pricilla. "Feminism, Sex Workers, and Human Rights." Whores and Other Feminists. Ed. Jill Nagle. New York and London: Routledge, 1997.
- AltPornStar.com. "AltArt Presents: Syd Blakovich," February 29, 2009.  
<http://altpornstar.com/2009/02/24/altart-presents-syd-blakovich/> (Accessed December, 2009).
- Chapkis, Wendy. Live Sex Acts. New York: Routledge, 1997.
- CrashPadSeries.com, <http://www.crashpadseries.com> (Accessed December, 2009).
- Cramer, Florian. "Sodom Blogging: Alternative Porn and Aesthetic Sensibility," in *C'lick Me: A Netporn Studies Reader*. Ed. Katire Jacobs, Marije Janseen and Matteo Paquelli.  
<http://networkcultures.org/wpmu/portal/publications/inc-readers/the-art-and-politics-of-netporn/> (Accessed December, 2009).
- Funari, Vicky. "Naked, Naughty, Nasty." Whores and Other Feminists. Ed. Jill Nagle. New York and London: Routledge, 1997.
- Fung, Richard. "Looking for My Penis: The Eroticized Asian in Gay Video Porn," in *Asian American Studies: A Reader*. Ed. Jean Yu-wen Shen Wu and Min Song. New Brunswick: Rutgers University Press, 2000.
- Harris, Geraldine. *Staging Femininities: Performance and Performativity*. Manchester: Manchester University Press, 1999.
- Lee, Jiz. "AVN Nomination Best New Web Star/let's Celebrate!." Posted on November 28, 2009.  
<http://jizlee.com/wordpress/avn-nomination-best-newweb-starlet/> (Accessed December, 2009).
- Lesbian Podcast, The. "Episode 3,"  
<http://www.myspace.com/thelesbianpodcast>. October 15, 2008. (Accessed December, 2009).
- Nagle, Jill. Whores and Other Feminists. Ed. Jill Nagle. New York and London: Routledge, 1997.

*Sprinkle*

- Ochoa, Francesca, "Femina Potens Exclusive Interview with Selina Raven and Jize Lee,"  
FeminaPotens.tumblr.com, April 2, 2009,  
<http://feminapotens.tumblr.com/post/92370905/femina-potens-exclusive-interview-with-selina-raven-and-> (Accessed December, 2009).
- Pendleton, Eva. "Love for Sale." Whores and Other Feminists. Ed. Jill Nagle. New York and London: Routledge, 1997.
- Pink & White Productions, Press Release: "Dyke Porn and Tran Porn in Bed Together." June 1, 2008.  
<http://pinkwhite.biz/PWWP/dyke-porn-and-trans-porn-in-bed-together/> (Accessed December, 2009).
- "Q & A with Queer Porn Star Jiz Lee," March, 2009.  
<http://cinnamonnutmeg.blogspot.com/2009/03/q-with-jiz-lee.html> (Accessed December, 2009).
- Shimizu, Celine Parreñas. *The Hypersexuality of Race: Performing Asian/American Women on Screen and Scene*. Durham: Duke University Press, 2007.
- Sides, Josh. *Erotic City: Sexual Revolutions and the Making of Modern San Francisco*. Oxford: Oxford University Press, 2009.
- Umayyah Cable, "Let's Talk About Pornography." April 7, 2009.  
<http://www.feministe.us/blog/archives/2009/04/07/lets-talk-about-pornography-an-interview-with-shine-louise-houston/> (Accessed December, 2009).

# **Two Movements, Two Futures: Assimilationist and Liberationist Views of Capitalism and the State**

By Liam Mina

**ABSTRACT:** In recent popular discourse on LGBT rights, the overwhelming focus on same-sex marriage often obscures the many ideological and practical divides within LGBT and queer communities. This paper compares two organizations, the Human Rights Campaign and Bash Back!, investigating how each group's relationship to the dominant political and economic systems in the United States establishes its overall ideology as assimilationist or liberationist. I examine each of these organizations' websites, looking specifically at the organizations' structures and histories, as well as their stated goals and the methods they use to accomplish those goals. Ultimately, these two groups, while each purporting to fight for queer equality, have conflicting ideas of what exactly equality should look like and how it should be achieved. Due to their beliefs about the roles of capitalism and the state, liberationist and assimilationist movements within queer politics are working towards radically divergent and contradictory visions of the future.

Most people in the United States, if asked to define the primary focus of the LGBT movement, would respond by mentioning marriage, domestic partnerships, or some similar issue dealing with same-sex couples and the ways in which they are recognized by the government. While this answer is not necessarily wrong, it represents only one side of the story. The current state of LGBT and queer movements in the United States is, in actuality, very divisive and polarized. Radical liberationist movements and assimilationist organizations disagree not only on appropriate tactics to use within their movements, but also

*Sprinkle*

on the goals of the movements themselves. One of the most significant ways in which these two groups vary is in the roles that consumer capitalism and governmental institutions play in their respective movements, in terms of activist techniques as well as broader goals. A comparison of the organizations Bash Back! and the Human Rights Campaign, groups that take very different approaches to issues of capitalism, consumerism, the corporate world, and the state, makes it evident that, although they appear to be working towards the same general goal of LGBT and queer equality, liberationist and assimilationist organizations are in fact fighting within two separate movements for two irreconcilable and contradictory visions of the future.

The Human Rights Campaign (HRC) is a national organization primarily devoted to lobbying members of the United States Congress about LGBT-related legislation. This organization, originally known as the Human Rights Campaign Fund, “was founded in 1980, with a goal of raising money for congressional candidates who supported fairness.”<sup>26</sup> Through its primary strategy of fundraising, the HRC has broadened its scope over time. It claims to strive for justice in the lives of individual LGBT people by working “alongside corporate America to gain needed protections for LGBT workers and spread the message of equality to every corner of the country.”<sup>27</sup> Thus, by focusing its activism on fundraising, influencing the corporate world, and lobbying, the HRC works primarily within the established political system in order to attempt to create change. This organization relies on an “insider, assimilationist strategy, one that strives for access to those in power and is rooted in an interest-group and legislative-lobbying approach to political change.”<sup>28</sup>

---

<sup>26</sup> Human Rights Campaign, “Who We Are,” [http://www.hrc.org/about\\_us/2514.htm](http://www.hrc.org/about_us/2514.htm).

<sup>27</sup> Ibid.

<sup>28</sup> Craig A. Rimmerman, *From Identity to Politics: The Gay and Lesbian Movements in the United States* (Philadelphia: Temple University, 2002), 19.

Contrasting greatly with the HRC, Bash Back! is a radical liberationist grassroots organization that embraces unconventional politics that require people to “go outside the formal channels of the American political system (voting and interest-group politics) to embrace the politics of protest, direct action, and mass involvement.”<sup>29</sup> Bash Back! is a network of local chapters currently located in seventeen cities around the United States, Canada, and Australia. The organization was “formed in 2007 with a small group of Radical Transfolk, Queers and Allies organizing against the Republican National Convention. In April of 2008 over 100 radical Trans/Queer/Allied folk met in Chicago to formulate plans against the RNC/DNC and to start a long lasting network.”<sup>30</sup> Since the inception of Bash Back! in 2007, new chapters continue to be formed in individual communities, all focusing on direct action on the local level.

One might imagine that, because these two groups both appear to be working towards the broader goal of LGBT and queer equality, they might have similar beliefs, goals, and tactics. However, this could not be farther from the truth. The differences between the HRC and Bash Back! are much more significant than the size of the respective organizations or their chosen political strategies. These two organizations have radically different opinions regarding what equality should look like, what particular tactics should be used to fight for equality, and who specifically should benefit from these efforts. These differences are particularly evident when looking at the ways in which each organization deals with issues of consumer capitalism and the role of the state.

The HRC is a formally structured national organization with no local chapters or affiliates. Thus, the HRC appears cohesive and unified, representing one uniform set of beliefs. The organization begins its mission statement by asserting that the “HRC seeks to improve the lives of

---

<sup>29</sup> Ibid., 82.

<sup>30</sup> Theron Parlin, “About BB! News,” <http://bashbacknews.wordpress.com/about/>.

### *Sprinkle*

LGBT Americans by advocating for equal rights and benefits in the workplace, ensuring families are treated equally under the law and increasing public support among all Americans through innovative advocacy, education and outreach programs.”<sup>31</sup> The mission of this organization has a very rights-based focus, particularly with respect to issues such as the protection of families and the attainment of employment benefits. The ways in which the HRC plans to obtain these rights is also included in their mission statement, which claims that the “HRC works to secure equal rights for LGBT individuals and families at the federal and state levels by lobbying elected officials, mobilizing grassroots supporters, educating Americans, investing strategically to elect fair-minded officials and partnering with other LGBT organizations.”<sup>32</sup> Thus, the HRC tends to work primarily through the existing channels of litigation and lobbying legislators and governmental representatives.

Because Bash Back!, unlike the HRC, is a coalition of individual local groups, there is inevitably variation among chapters. However, all Bash Back! chapters must agree to the Points of Unity, which could be seen as functioning like the HRC’s mission statement. One of the four points upon which all members must agree is that members must “respect a diversity of tactics in the struggle for liberation. Do not solely condemn an action on the grounds that the state deems it to be illegal.”<sup>33</sup> The state and its regulations are not allies of this movement; rather, they are impediments that must be disregarded or dismantled if necessary, even if that requires performing illegal actions such as vandalism or physical violence. The ultimate goal of this organization is to “fight for liberation. Nothing more, nothing less. State recognition in the form of oppressive institutions such as marriage and militarism are not steps toward liberation but

---

<sup>31</sup> Human Rights Campaign, “What We Do,” [http://www.hrc.org/about\\_us/2528.htm](http://www.hrc.org/about_us/2528.htm).

<sup>32</sup> Ibid.

<sup>33</sup> Parlin “About BB! News,”

rather towards heteronormative assimilation.”<sup>34</sup> For Bash Back!, the state has no place in queer politics, as it does for the HRC. In fact, its mere existence is counter to the broader liberationist goals of the movement.

The Points of Unity embraced by Bash Back! actively oppose the mission statement and other aspects of the HRC. The HRC maintains a list of corporate sponsors, including American Airlines, IBM, Bank of America, Chevron, Nike, Volvo, Shell, and Tylenol, among others, and urges “activists” to shop for equality. Conversely, Bash Back! demands “a rejection of capitalism, imperialism, and all forms of state power.”<sup>35</sup> As will be exemplified through a comparison of these organizations’ specific agendas and strategies, Bash Back! sees the HRC and other assimilationist organizations as enemies, declaring the need to “actively oppose oppression both in and out of the ‘movement.’ All oppressive behavior is not to be tolerated.”<sup>36</sup> These two organizations exemplify many of the tensions between radical liberationist grassroots movements and national assimilationist movements through not only their stated ideals, but also the ways in which they put their ideals to practice.

The HRC’s website is very clean and professional, with handy links at the top providing people with information about communities, LGBT issues, and other useful bits of knowledge. One of these links, entitled “Get Involved,” provides ideas for ways for active-minded citizens to do their duty in the fight for equality, including “volunteering, supporting our corporate sponsors, using your HRC Visa Platinum card and more.”<sup>37</sup> Activism, for the HRC, requires individuals to act as consumers and support corporations that are considered friendly to gays and lesbians. The HRC even publishes a booklet called “Buying for Equality,” which asserts that

---

<sup>34</sup> Ibid.

<sup>35</sup> Ibid.

<sup>36</sup> Ibid.

<sup>37</sup> Human Rights Campaign, “Get Involved,” [http://www.hrc.org/get\\_involved/index.htm](http://www.hrc.org/get_involved/index.htm).

corporate America is leading the way to fairness and equality for gay, lesbian, bisexual and transgender people in offices and boardrooms around the country. [...] The HRC Buyer's Guide gives you the information you need to support products from companies that support equality. Together, we can help effect real change in workplaces across the country. 38

These sorts of publications and statements provide the message that politically minded people only need to continue to consume products and actively support consumer capitalism in order to attain the goal of equality.

For the more active members of society who want to take things a step further, the HRC provides another option. The "Get Involved" page asks people to "do [their] part in the movement for LGBT equality at HRC's online advocacy center. Urge your lawmakers to support fairness and learn about the issues that affect our lives."<sup>39</sup> According to the HRC, anyone can be an activist. All you have to do is add your name to a pre-written letter, click a button, and ta-da! You've done your part for equality! This sort of framework for activism accepts and works within the political and economic systems as they currently exist. Moreover, it could not function without them. The HRC unquestioningly supports these systems and sees them, not as problems, but rather as solutions to the problems that LGBT people face. By telling people that they are empowered to overcome inequality by consuming products and signing their names to online petitions that will be forwarded to legislators, assimilationist groups like the HRC attempt to remove barriers to queer equality in the world as it is without ever questioning or challenging the primary operative forces in society, which some would say bring about that inequality in the first place.

---

<sup>38</sup> Human Rights Campaign, "Buying for Equality: A Guide to Companies and Products that Support GLBT Equality," *HRC Publications* (November 2006), [http://www.hrc.org/about\\_us/6948.htm](http://www.hrc.org/about_us/6948.htm).

<sup>39</sup> Human Rights Campaign, "Get Involved."

Bash Back!, on the other hand, is far more concerned with eradicating the systemic inequality within society than it is with simply making gay people equal to straight people. In order to do this, Bash Back! cannot work within the existing political and economic systems that are the source of this inequality. Thus, Bash Back! takes on much more radical and unconventional strategies to bring about change. Instead of using the resources necessary to create a professional, corporate-looking website, this organization uses WordPress, a free blogging website, as a space for its online headquarters. In addition, each Bash Back! chapter has its own webpage on MySpace. Not one of these websites solicits monetary donations, sells merchandise, or supports any corporations, nor do any of them ask people to sign petitions or write to legislators. Not only are these methods too passive for members of Bash Back!, but they are also counterproductive to the movement's anti-assimilationist ideals. Most Bash Back! activism is in direct opposition to the state and the institution of capitalism, which members see as inextricably linked to heteronormativity. Bash Back!'s members are "the trannies and queers that have awakened from this heteronormative wet dream of corporate pride, gender roles, state militarism and marriage, to take to the streets raising our voices and our fists!"<sup>40</sup> Instead of performing simple tasks that reinforce the power of the state, activists involved with Bash Back! take direct action against unjust institutions within society.

In January of 2009, members of Bash Back! Denver went to the National Gay and Lesbian Task Force (NGLTF) Creating Change Conference and "led a queer revolt against Wells Fargo to decry the bank's institutionally racist and classist banking practices. [...] Wells Fargo donates

---

<sup>40</sup> Bash Back! Memphis, "About Me," Entry posted October 30 2009.

<http://profile.myspace.com/index.cfm?fuseaction=user.viewProfile&friendID=411007463>. (accessed 3 March 2009)

### *Sprinkle*

\$50,000+ annually to NGLTF.”<sup>41</sup> Like the HRC, NGLTF is a national assimilationist organization that works within the established system to advance the rights of LGBT people. For these organizations, racism and classism may be pushed to the side and be seen as only tangentially related to the primary issue of homophobia. However, members of Bash Back! see all forms of oppression as interrelated. Therefore, a corporation that claims to be LGBT-friendly while practicing other forms of injustice should not be celebrated or even tolerated by those who are really pushing for equality and justice.

Bash Back!’s primary purpose is to take radical and direct action against the state. In fact, the entire network “was born entirely out of anti-convention organizing.”<sup>42</sup> The group’s biggest and most important annual events involve organizing against the Democratic and Republican National Conventions in order to protest the compulsory heterosexuality and patriarchy demanded by governmental and economic institutions, as well as to create social conflict in the country. Members of Bash Back! understand that their actions will be considered illegal and will not be looked upon favorably by law enforcement. Activists and protestors are warned to “be ready for possible chemical warfare attacks by the terrorists aka various law enforcement agencies. We suggest bringing along shatter-resistant goggles, soaked bandannas/masks, a hat, waterproof outerwear, your typical mass demo attire.”<sup>43</sup> By likening the law enforcement to terrorists and considering them to be enemies, Bash Back! makes clear its opposition to state institutions. Unlike

---

<sup>41</sup> Bash Back! Denver, “Queers Decry Wells Fargo Bank [report-back]” Entry posted 1 Dec. 2009, <http://blogs.myspace.com/index.cfm?fuseaction=blog.view&friendId=401494821&blogId=469110684>. (accessed 3 March 2009).

<sup>42</sup> Bash Back! Lansing, “What is Bash Back and What Do We Do,” Entry posted 28 Sept. 2008, <http://blogs.myspace.com/index.cfm?fuseaction=blog.view&friendId=415955800&blogId=436744744>. (accessed 3 March 2009)

<sup>43</sup> Theron Parlin, “Bash Back! Painting RNC Sector 5 Pink and Blue,” <http://bashbacknews.wordpress.com/pinkandbluebloc/>.

assimilationist groups such as the HRC, Bash Back! and other radical groups cannot, ideologically speaking, work within or even alongside existing governmental or economic institutions without compromising their core beliefs.

Bash Back! and the HRC, like many liberationist and assimilationist organizations, have fundamentally conflicting visions of what the future should look like for queer people, particularly with regard to the roles that the state and the consumer capitalist economy should play in movement strategies and long-term goals. Assimilationist groups like the HRC see these institutions as highly beneficial to the goals of LGBT people and aim to work within these institutions in order to strengthen them and make them more accommodating to gays and lesbians. Radical liberationist groups, on the other hand, see these institutions as inherently problematic to the broader goals of equality for all people and find that the only way to bring about justice for everyone is to work against the state and its demand for consumer capitalism. Because of their extreme ideological and methodological differences, these two movements are essentially irreconcilable. It would be counterproductive for either group to work with the other. Assimilationist and liberationist groups within the LGBT and queer movements not only work in different ways, they also, more significantly, fight for radically divergent and contradictory agendas. Therefore, though both the assimilationist LGBT rights movement and the liberationist social justice movement purport to center around queer issues and identities, they are two very distinct movements with different sets of beliefs, priorities, and visions for the future.

**Liam Mina** is a Gender Studies major in his junior year at Whitman College. Having grown up believing that same-sex marriage was about as radical as things could possibly get, he now enjoys challenging dominant LGBT discourses and studying queer political and social movements.

## References

- Bash Back! Denver. "Queers Decry Wells Fargo Bank [report-back]." Entry posted February 1, 2009.  
<http://blogs.myspace.com/index.cfm?fuseaction=blog.view&friendId=401494821&blogId=469110684>  
(accessed 3 March 2009).
- Bash Back! Memphis. "About Me." Entry posted October 30, 2009.  
<http://profile.myspace.com/index.cfm?fuseaction=user.viewProfile&friendID=411007463> (accessed 3 March 2009).
- Bash Back! Lansing. "What is Bash Back and What Do We Do". Entry posted September 28, 2008.  
<http://blogs.myspace.com/index.cfm?fuseaction=blog.view&friendId=415955800&blogId=436744744>  
(accessed 3 March 2009).
- Parlin, Theron, "About BB! News,"  
<http://bashbacknews.wordpress.com/about/>.
- Parlin, Theron. "Bash Back! Painting RNC Sector 5 Pink and Blue,"  
<http://bashbacknews.wordpress.com/pinkandblueblock/>.
- Human Rights Campaign. "Buying for Equality: A Guide to Companies and Products that Support GLBT Equality." *HRC Publications*. (November 2006)  
[http://www.hrc.org/about\\_us/6948.htm](http://www.hrc.org/about_us/6948.htm)
- Human Rights Campaign. "Get Involved."  
[http://www.hrc.org/get\\_involved/index.htm](http://www.hrc.org/get_involved/index.htm).
- Human Rights Campaign. "What We Do."  
[http://www.hrc.org/about\\_us/2528.htm](http://www.hrc.org/about_us/2528.htm).
- Human Rights Campaign. "Who We Are."  
[http://www.hrc.org/about\\_us/2514.htm](http://www.hrc.org/about_us/2514.htm).
- Rimmerman, Craig A. *From Identity to Politics: The Lesbian and Gay Movements in the United States*. Philadelphia: Temple University, 2002.

**And it all falls down: Queering political structures**

---

# **From Radical to Sabbatical: A Historical Look at the Political Identity of Lesbianism**

By Julie Matson

**ABSTRACT:** Second Wave feminism tackled monumental issues of gender equality in areas such as wage earnings, women's roles in both the public and private sphere, and women's rights to reproduction. It shed light on the existence of "woman" herself, and allowed for questions surrounding identity, both sexual and material, to be asked, theorized and experienced. As the movement gained in popularity, the diversity within it also expanded. The newfound freedom of expression awarded women the opportunity to voice their sexuality, and also permitted means of politics to be attached to their sexual identities. Women felt more comfortable revealing their lesbian identities, and found a sense of solidarity within this blossoming movement. As the movement catapulted forth multiple views of political identity, inevitably a sense of fragmentation occurred. The question remains – do the many political identities of lesbianism spread the movement itself too thin for a consensus?

Emerging in the early 1960s through the late 1970s, second-wave feminism was a continuation of political feminist thought and development of women's rights, as well as the recognition of patriarchy as one of the main forms of oppression for women. This wave of feminism tackled monumental issues of gender equality in areas such as wage earnings, women's roles in both the public and private sphere, and women's rights to reproduction. It shed light on the existence of "woman" herself, and allowed for questions surrounding identity—both sexual and material—to be asked, theorized and experienced. As the movement gained in popularity, the diversity within it also expanded. The

newfound freedom of expression awarded women not only the opportunity to voice their sexuality, but it also permitted means of politics to be attached to their sexual identities. Women felt more comfortable revealing their lesbian identities and found a sense of solidarity within this blossoming movement. As the movement brought forth multiple views of political identity, an inevitable sense of fragmentation occurred. The differing views of women within the movement caused simultaneous unity and incongruity, both of which are exemplified in the lesbian movement of second-wave feminism. The question remains: do the pluralistic political identities of lesbianism spread themselves too thin for a consensus within the movement?

It is imperative to state that not all lesbians are 'lesbian feminists'; however, there was a strong sense of lesbian identity during second-wave feminism that was completely connected to a political identity of feminism. As such, the lesbian feminist political experience is one of separatism unique to the women that were lesbians. The distinctive lesbian understanding did not lead to exclusivity with the movement; however, the lesbian standpoint furthered the understanding of the burgeoning heterosexism that was prevalent in some feminist circles at the time. New York's Radicalesbians were the first feminist group to publicly associate heterosexuality with patriarchal oppression. In examining key moments within Radicalesbians, I will demonstrate the effect that the group had on shaping the opinions of other feminist groups. Furthermore, I will relate the political lesbian identity to relevant historical events in Canada. This will demonstrate how the effects of embracing a political lesbian identity shaped the British Columbia Federation of Women.

Furthermore, I will discuss how influential writers like Adrienne Rich augmented the political lesbian feminist identity, refining the message of lesbianism as the solution to patriarchal domination. I will also address the reaction to what some feminists viewed as 'lesbian superiority'. The discord in the unification of a feminist identity exemplified

### *Sprinkle*

the growing fragmentation within the movement, adding to the controversies that eventually compounded in the feminist sex wars of the 1980s.

Additionally, I will look at contemporary lesbianism and how the language of identity can define the level of politics for a community. I will briefly examine the emergence of queer theory and its relationship to lesbian politics.

During the formative years of many women's organizations throughout North America, there were considerable gains for the various issues that women faced. This included recognition and validation of gender difference, as well as much-needed policy-making regarding gender inequalities. Despite positive organizational strides toward equality and the acknowledgement of women's rights, lesbian experiences were largely silenced for fear of defamation to the legitimacy of the group. A misnomer also existed that portrayed all feminists as lesbians, a word that was viewed as an insult through the eyes of mainstream society (Myers, 2007, p. 15). To rebuke this notion of lesbian as 'lesser being', lesbian feminist theorist Rita Mae Brown asserted that lesbianism was critical to the women's movement. According to Brown, lesbianism encompassed women's relationships with other women which created a new kind of sisterhood, a concept that she felt added a necessary spin to the feminist movement (Douglas, 1990, p. 159). Betty Friedan, a founding figure in the second-wave feminist movement, responded to the rising presence of lesbians in prominent women's organizations like the National Organization of Women (NOW) as 'lavender herrings', likening their presence to a deliberate attempt to divert attention away from more pressing issues (Myers, 2007, p. xxix).

By the end of the 1970s, Ti-Grace Atkinson, an American feminist author, presented the political element of lesbianism and how it contributed to the essential elements of feminism. She defined lesbianism as being about associations with women. In her opinion, association was

very representative of a commitment to feminism (Douglas, 1990, p.143). Atkinson's declaration that "feminism is the theory, lesbianism is the action," set into motion a contention between lesbian and heterosexual feminists that marred the feminist movement well into the 1980s (Myers, 2007, p.15). Due to women's organizations' enormous prejudice towards lesbians, several prominent lesbian members of organizations like NOW withdrew.

Outside of larger women's organizations, lesbians formed The Feminists, which in turn, became Radicalesbians. The Radicalesbians rejected normative sex roles, namely compulsory heterosexuality, and proclaimed lesbianism as "more than a statement of sexual desire" (Shneer & Avis, C 2006, p. 232). Their breakthrough manifesto, "Woman-Identified Woman", became the first accessible critique of heterosexism and its effects on women. "Woman-Identified Woman" stated that heterosexism kept women oppressed and subservient to men. The manifesto claimed the straight women were compromising feminist objectives through the submission to heterosexual intercourse (Myers, 2007, p. 16). Radicalesbians further questioned the notions of femininity and its impact on lesbianism. The solution to hetero-normative oppression was prescribed as the political identification of lesbianism (Shneer & Avis, C 2006, p. 233). Sidney Abbot, a contributing editor to the manifesto, proclaimed "[w]hat is a lesbian? A lesbian is the rage of all women condensed to the point of explosion" (Miriam, 2007, p.32). Under the guise of the "Lavender Menace," Radicalesbians distributed their manifesto at the popular Congress to Unite Women in the fall of 1970 (Myers, 2007, p. xxix).

As a result of the Radicalesbian manifesto, many female readers started to view lesbian feminism as a powerful political identity. Women began to understand lesbianism as a way to assume control over their own bodies. This reclamation of the self allowed women to usurp the power from the controlling patriarchy by turning themselves into subjects, not objects (Douglas, 1990, p.148).

### *Sprinkle*

Many women even chose a path of celibacy to appease the notion of “sleeping with the enemy” (Myers, 2007, p.17). Through the activism of the Radicalesbians, NOW began to rethink its previous stance on lesbianism as a hindrance to the feminist movement. In 1973, NOW passed several policies to make lesbian rights a priority for the organization. Betty Friedan responded by asserting that ‘man-hating’ lesbians were taking over the offices of NOW (Myers, 2007, p. xxxi). Friedan’s retort validated some feminists’ belief that lesbianism was not necessarily a political answer to patriarchy. The fragmentation between feminism and lesbian feminism was ratified on either side of the debate.

Friedan’s feminist supposition was not confined to women’s groups south of the 49<sup>th</sup> parallel. The historical British Columbia Federation of Women’s (BCFW) founding conference occurred in September 1974. With an astounding 350 women in attendance, nearly the entire province was represented by either a women’s group or through independent entities. Policies regarding health, education, employment, and child welfare were discussed and drafted; a Standing Committee of twenty-two positions was elected to form the BCFW.

During the convention closing, the ‘lesbian question’—notably absent from the policy topics—arose, specifically as to why there was little to no representation of lesbian issues. Within a week of the conference, thirty lesbian women converged to discuss solutions to the omission of lesbianism in the BCFW. This meeting resulted in the creation of the Lesbian Caucus. To the caucus, lesbian aims were not distinct from feminist aims; years later, the caucus would realize that addressing the policy gap was not enough to create an immediate and positive change (Stone, 1990, p 187).

There was an almost immediate reaction to the formation of the Lesbian Caucus. Other BCFW members feared that ‘out’ lesbians would diminish the political strength of the entire group by creating an atmosphere of

fear and negative stereotyping. The assumption that lesbians could easily lead a political life because they had no families to care for (and, presumably, no other work responsibilities) was pervasive within the BCFW. Some members believed that lesbians' only political tasks were to attend meetings and parley with other women's movements. With ubiquitous beliefs about the inherent nature of lesbians, the other BCFW members felt uncomfortable and uncertain about the lesbians in the group. However, lesbians rallied to demystify lesbian stereotypes by increasing their visibility at BCFW meetings (Stone, 1990, p.193).

Ultimately, the BCFW voiced a concern over the 'anti-male' image that was attached to a strong lesbian presence. The BCFW furthered its stereotype-mongering by evidencing the somewhat controversial and sensationalist publications by lesbians in BCFW newsletters. BCFW members feared that prevalent lesbianism would be used to discredit the work that the BCFW was conducting. This inner conflict reflected popular societal attitudes that dissuaded lesbian visibility (Stone, 1990, p. 193). Despite the visible struggles and homophobia experienced in its first year, the Lesbian Caucus unified and strengthened its theory of lesbian feminism while continuing to build an increased lesbian visibility within the BCFW (Stone, 1990, p. 195).

The notion of 'lesbian feminism' grew profoundly within second-wave feminism. The 1960s-70s were very prolific for lesbian feminist writers and theorists, propounding the notion that 'lesbian' was neither identified as woman or man. The 'lesbian' could work beyond the limits of gender and was beyond sex differentials. This lesbian impression was reflected in the works of writers such as Bertha Harris and Monique Wittig. Adrienne Rich's seminal article, "Compulsory Heterosexuality and Lesbian Existence", reinstated the position that lesbianism was still a necessary political argument within feminism (Mandell, 2001, p.55). In this article, Rich explains "compulsory heterosexuality" as the social conditioning of women to accept the role as wife and mother as the only option

### *Sprinkle*

available to them (Myers, 2003, p. 215). She approached this topic with a slightly different angle from lesbian feminist theorists in the past; Rich sought to outline the naturalness and opportunity for choice in lesbianism. She resolves that lesbians are made, not born. According to Rich, in choosing lesbianism a woman makes a conscious choice to resist patriarchy. Heterosexuality is recognized as a collaboration with 'the adversary'. Rich believes that if all women became lesbian, patriarchy would fall and a revolution for equality would commence. Rich concludes that ultimately, lesbian feminism is 'iron-clad' feminism (Mandell, 2001, p. 55).

With Rich's bold statements of an inherent nature of lesbian identity in relation to the politics of feminism, a sense of lesbian 'superiority' surfaced. With several existing definitions of lesbianism and feminism, confusion abounded both the lesbian identity and the heterosexual feminists that considered lesbian feminism as a political statement (Douglas, 1990, p. 157). Some radical lesbians critiqued the notion of lesbian 'superiority' that was being publicized throughout feminist circles. Their critique centred around the notion that lesbianism could be confused for feminism. Many jokingly referred to the function of feminism as an aid for social change, not social life. There was also concern that some women were 'becoming lesbian' as a part of a fad, not because they were intent on other associations with women. A common fear existed amongst lesbian women: that they would be hurt by a 'non-committed' woman who might jump off the bandwagon when lesbianism was no longer trendy (Douglas, 1990, p. 155).

Many famous and outspoken radical lesbian activists, like Audre Lorde and Barbara Smith, argued that advocacy needed to be a collaborative systemic effort, not just an issue-orientated endeavour (Shneer & Avis, 2006, p. 219). Amid these opposing views, women's centres became rife with in-fighting, prompting many women —heterosexual and lesbian alike— to leave the movement entirely. This widespread defection inevitably contributed to the increasing fragmentation of the feminist consensus (Douglas,

1990, p. 155).

Debates about definitions of lesbianism and feminism compounded in the early 1980s, the period referred to as the 'feminist sex wars' (Mandell, 2001, p.58). The sex wars pitted straight feminists against lesbian feminists and caused conflict about matters of sexuality and sexual expression. Feminists argued about the subservient representation of women in pornography, gendered ways of dressing, the sexual expression of butch/femme relationships, and the physicality of lesbians during sex acts. Sado-masochism, public sex, and the non-reproductive aspect of lesbian sex continued to agitate debates. 'Sex-negative' feminists were depicted as individuals who were trying to assimilate into a heteronormative culture, inevitably perpetuating established sex roles and rigid sexual identities. To the contrary, 'sex-positive' feminists sought to dismantle normative sex roles and identities. The 'sex wars' consisted of the two opposing groups, debating about the role sex played within feminism. Although both sides presented rational, well-reasoned arguments, many believe that 'sex positive' feminists triumphed in the debates. Feminists argue that it was 'sex positive' feminists that constructed the landscape of lesbian erotica, sexual identity politics, and self-presentations of queer sexuality that proliferates current Western culture (Myers, 2003, p. 23).

It is important to recognize the diversity of gender expression in queer theory and the political relevance that queer identity has in relation to socially constructed norms. Even the reclamation of the term 'queer' can weigh heavily on the political identity of the claimant. Queer activists perceive the concept of gender and sexual identity as existing with fluidity; therefore, queer identity is seen as a more inclusive, umbrella term. Many homosexual women don't identify as lesbian, even though by traditional definitions they would be considered as such. Some see a queer identity as the response to the deregulation of heteronormative constraints and practices. Queer identity is a

### *Sprinkle*

reaction to the neutrality of lesbian politics that became immersed in establishing sets of symbolic explanations rather than creating a solid praxis of political hypothesis in relation to feminism (Miriam, 2007, p.40). Contemporarily, queer theories and identities can be contrasted to the political identity of lesbianism in second-wave feminism.

In conclusion, second-wave feminism witnessed the rise and acceptance of many differing views of feminist politics. As the movement progressed, many forms of lesbian feminisms appeared, disappeared, and reappeared. These incongruous developments fractured the unified message of lesbian feminists, creating smaller conquests and divides within its populace. As a result of this, some believe that the 'universal' message of lesbianism as 'the answer' to patriarchy was never fully actualized.

Even after all of the debates about lesbianism became politicized in second-wave feminism (and de-politicized with the emergence of queer theory) there remain several political/cultural responses to the question of lesbian identity. For example, "Deep Lez", a contemporary art movement spear-headed by Canadian artist Allyson Mitchell, unpacks the concepts of 1970s lesbian feminist iconography and reinvents them in a modern urban queer anatomy, breathing life, once again, into the radical identification of "lesbian" (Mitchell, 2009, Deep Lez statement section, para. 3). The rise of campaigns like this clearly demonstrates the fluid dynamic of our ever-changing political existence, and adds yet another layer to a growing lesbian identity.

**Julie Matson** is an undergraduate student at Concordia University in Montreal, QC. She plans on pursuing graduate studies in Natural Medicine. This paper was inspired by the use of language as politics, and its connections to cultural identities.

## **References**

- Douglas, C., (1990). *Love and Politics: Radical Feminist and Lesbian Theories*. San Fransisco, CA: ISM Press.
- Mandell, N., (Ed.). (2001). *Feminist Issues: Race, Class, and Sexuality*, 3<sup>rd</sup> Ed. Toronto Pearson Canada.
- McLeod, D., (Ed.). (1996). *Lesbian and Gay Liberation in Canada*, Don Mills, Ont.: ECW Press.
- Miriam, K., (2007). *Liberating Practice: A Critique of the Expressivist Turn in Lesbian Feminist and Queer Practice*. *NWSA Journal* Vol. 19 Issue 2, p32-54.
- Mitchell, A., (2009). *Deep Lez Statement*. Retrieved from <http://www.allysonmitchell.com/action/deeplez.cfm>
- Myers, J., (2003). *Historical Dictionary of the Lesbian Liberation Movement*. Lanham, MA: Scarecrow Press.
- Shneer, D., & Aviv, C. (Eds.). (2006). *American Queer – Now and Then*. Boulder, CO: Paradigm Publishers.
- Stone, S., (Ed.).(1990). *Lesbians in Canada*. Toronto, Ont: *Between the Lines*.

# **(Anti) Queer Violence: Canadian Hate Crimes Legislation, State “Protection” and Queer Collaborations with Policing and Carceral Mandates**

By Liam Michaud

**ABSTRACT:** This article seeks to examine the growing tendency within queer activism to secure provisions that forward hate crimes legislation as a response to anti-queer violence. Through an examination of the (a) moral and political messaging at play with a push for these legislative shifts, and (b) the ethical costs and underpinnings of hate crimes legislation across the US and Canada, the article demonstrates that LGBT activism articulated through demands for hate crime legislation function to deepen criminal punishment mandates, and to further carceral expansion. The article forwards that the critical costs of queers forwarding a hate crimes project include an obscuring of structural violence, and a re-articulation of modes of policing and criminalization of queer marginality. The article concludes by forwarding that it is in part through these claims to the protection of LGBT communities on the part of the state through which exposure to violence is experienced and articulated.

## **Introduction: Queer sites of contestation: Framing the hate crimes debate**

Hate crime legislation presents one critical site through which anti-queer violence is organized and conceptually coordinated. The specific legislative provisions of hate crimes represent a central organizing principle in how we conceive of, understand, and articulate anti-queer violence as queer constituencies, and as individuals. Foregrounding queer articulations of violence and anti-violence activism, and using this as an entry point, this analysis seeks to interrogate the deepening investments in pursuing hate crime legislation on the part of queer

constituencies over the course of the past fifteen years. While the main focus here is on Canada, the discursive and ideological messaging at play in these investments – which I term the hate crimes project – presents a common, uniting theme across discrete state borders. That these legislative shifts occur transnationally adds a certain urgency to the questions raised, and specifically reveals the extent to which further inquiry is needed into the ways the hate crimes project represents an investment in modes of transnational or global citizenship.

This analysis is not intended as a comprehensive overview of the reasons why queer and feminist constituencies should abandon the pursuit of hate crimes provisions, but rather, an elaboration on the specific critical damages and violences reproduced as a result of this project. In short, this analysis seeks to interrogate the social, sexual and political messaging – and lived material consequences – that undermine the claim that the pursuit of hate crime legislation constitutes an ethical project.

These ethical questions emerge from, and are indebted to, a tradition of feminist scholarship and theory that questions feminist engagements with the state<sup>1</sup>. This inquiry is rooted in several distinct but mutually reinforcing critical methodologies; it comprises a textual analysis of specific legal codes and legislative provisions, as well as a discursive analysis of purported queer anti-violence activism which has foregrounded hate crime legislation as political priority.

As such, this analysis seeks to first offer an overview of the specific investments queers have made in the pursuit of hate crimes provisions. Following this, in the second section, I provide an assessment of the specific framings and understandings of violence that enable these constituencies to conceive of hate crimes statutes as an ethical project.

---

<sup>1</sup> Leslie J. Moran. (2004). The emotional dimensions of lesbian and gay demands for hate crime reform. In: McGill Law Journal. 49 RD McGill 925: 926-949. (pp 931)

*Sprinkle*

Through an elaboration on these contexts, in the third section, I seek to provide an overview of the critical damages exacted by this investment, and in particular, the ethical costs of collaboration with criminal justice and carceral regimes. In foregrounding the lived costs and consequences of such a project, I hope to provide the beginnings of a theoretical framework for the abandonment of the hate crimes project, and an investment on the part of queers to reverse some of the damages wrought from fifteen years of collaboration with policing and correctional mandates.

### **1. Queer Investments in the Hate Crimes Project: Legislating Hate & Accessing “Protected Group” Status**

Canadian hate crime law can be understood to fall into two relatively distinct categories of legal practice: the first concerns the introduction of sanctions against the communication of statements which incite hatred (referred to casually as hate speech), whereas the second concerns sentencing measures related to crimes committed motivated by hate, effectively directing a sentencing judge to increase the prison term one is set to serve. As such, the emphasis of hate crimes legislation is not on the creation of new offenses (as violence against a person or damage to property were crimes prior to the hate crimes project) but on enhanced punishment<sup>2</sup>. The latter represents the newest addition to the hate crimes project, and is the focus of a recent wave of hate crime activism across the US and Canada. It is the latter of these two components of the hate crimes project that is the focus of this analysis. It is also a widely considered fact in the study of law that antidiscrimination law exists for pursuing claims against hate motivated or bigoted attacks,

---

<sup>2</sup> “The priority given to hate crime reform and the importance of enhanced punishment for crimes of homophobic violence have both been notable features of the ongoing encounter between the police and LGBT [constituencies]” Leslie J. Moran. (2004). The emotional dimensions of lesbian and gay demands for hate crime reform. In: McGill Law Journal. 49 RD McGill 925: 926-949.

and other forms of targeted discrimination.<sup>3</sup> As such, with antidiscrimination code as with hate crimes statutes, there is no recognition of community based harm or the possibility of preventative approaches to anti-queer violence, precisely because this response comes after the fact, a response endemic to criminal justice regimes.

That the law purports to be inherently rational and not rooted in subjective emotional claims points us to a key contradiction between the law as it frames itself, and as it plays out within and against the hate crimes project. We come to understand the hate crimes project as fundamentally about additional punishment, to sanctions which themselves are already distributed via antidiscrimination law. More broadly, it forces us to ask why legal structures have permitted for this notable exception in allowing subjective emotional claims to enter the terrain of law and the dispensing of criminal justice mandates, and, how a politics of affect is mobilized to consolidate policing and carceral regimes. (Of course, the shaping of criminal justice mandates by subjective emotional claims is not an exception; rather this reveals that affective responses have always shaped and coordinated these mandates.) This section seeks to underline some key sites in which these collaborations have taken place, and in which queer and feminist appeals for protected group status under hate crimes provisions has revealed new modes and articulations of state collaboration.

Morgan, in her assessment of hate crimes legislation throughout the British Commonwealth, though in particular in Australia, notes that “the adoption of special protection hate crime legislation in the US has been heavily influenced by the politics and power of social movements,” and in particular, social movements grounded within feminist politics.<sup>4</sup> Morgan articulates the more recent push on the

---

<sup>3</sup> Jo Morgan. (2002). US hate crime legislation: a legal model to avoid in Australia. In: *Journal of Sociology*. Volume 38(1): 25-48. (pp 44)

<sup>4</sup> Jo Morgan. (2002). US hate crime legislation: a legal model to avoid in Australia. In: *Journal of Sociology*. Volume 38(1): 25-48. (pp 31).

### *Sprinkle*

part of queer constituencies as one which emerges from a history of feminist appeals for discrimination on the basis of sex to be included within anti-discrimination law, and for women's access to "protected group" status. She conceives of this (more recent) investment on the part of queer subjects as "an attempt by marginalized groups to secure the political and civil rights promised, but not delivered, by liberal democratic doctrine[s] of the ... sovereign individual"<sup>5</sup>. More broadly, this is reflective of a desire to have queer identities legitimated with respect to the state, a logic that underpins a politic of liberal inclusion. Dean Spade further conceives of this pursuit and emphasis of the hate crimes within this logic of liberal inclusion, one that includes appeals to join the military, the freedom to marry, and the rise of national mainstream activist mandates consolidated around a politics of access to power.<sup>6</sup>

Ann-Marie Field conceives of these investments as a shared goal among LGBT and feminist constituents in accessing substantive citizenship and shifting the boundaries of the "citizenship regime."<sup>7</sup> She articulates that the common exclusion of each of these groups from modes of citizenship and its practice has created the basis for a shared interest in pursuing hate crimes provisions. She elaborates upon a case study with the Ottawa municipal police liaison committee for the LGBT community in which LGBT collaborations with policing structures occurs. She continues to say "The Liaison Committee [and hate crimes unit] does attempt to represent the LGBT communities, but cannot do so fully ... LGBT people of colour and youths have had little if any representation over the years,"<sup>8</sup> revealing the beginning

---

<sup>5</sup> Ibid. (pp 38)

<sup>6</sup> Dean Spade. (2000). "Confronting the Limits of Gay Hate Crimes Activism: A Radical Critique." Co-authored with Craig Willse. *Chicano-Latino Law Review*, Volume 21. (pp 41)

<sup>7</sup> Ann-Marie Field. (2006). *Counter-hegemonic citizenship: LGBT communities and the politics of hate crimes in Canada*. Paper presented at: Canadian Political Science Association, Toronto.

(pp 3)

<sup>8</sup> *ibid* (pp 9)

of fractures in queer demands for inclusion within the hate crimes project, and the resulting collaborations with policing structures this project engenders.

My analysis, then, shifts at this juncture to note that whatever the internal points of tension between and amongst sexual and gender minority constituencies, the emergent political movements purporting to advance a platform of queer anti-violence activism threatens to reproduce this same logic. This threat in turn points to the hate crimes project as one that is not only limited in scope, or one that fails to include all those affected by homophobic violence, but reveals the fissures in the claim that this constitutes an “ethical” project.

## **2. Retributive Punishment: The Ethical “Logic” and Messaging of Hate Crime Legislation**

If much of recent queer anti-violence activism has rallied around the pursuit of protected status within hate crimes statutes, how then is this project constituted as ethical? What technologies, discourses, and other common-sense “logics” are mobilized to conceive of these investments as the desired outcome of community responses to anti-queer violence? In this section, I outline some of the messaging that is at play, and reproduced, with the proliferation of hate crime provisions in jurisdictions across Canada. This messaging can be understood as having two functions: those which conceptually coordinate victim-state relations, and those which coordinate perpetrator-state relations.

The organizing “logics” and discourses which concern relations between the state and the survivor – or “victim” – transmit social messages that are key not only to the legitimization of the hate crimes project itself, but the legitimization of broader functions of criminal law. Specifically, the project transmits and reproduces three key messages, enumerated here as (a), (b) and (c). (a): That hate crimes constitute a rare and exceptional violence, and

### *Sprinkle*

constitute not only a violence to the individual target, but to respectable society at large. “The extraordinary nature of this violence is associated with damage to culture and respectable society ... [and] violate fundamental values such as equality and multiculturalism.”<sup>9</sup> We see here that the political/social messaging upon which this project hinges relies on a framing of broader civil society as inherently non-homophobic and necessarily incapable of enacting hate-motivated violence. Alongside this, the project communicates (b): That the wider social trauma enacted by a hate crime on the community legitimizes a re-centering of retributive functions of law. By seizing upon lived experiences of violence, and lived fear of violence on the part of queer constituencies, the state is able to achieve a rearticulation of a politics grounded in punitive and retributive functions. This is achieved by mobilizing the fear of violence and wider social trauma. (c): That our safety as queers and victims of hate crimes hinges upon the removal of individual homophobic from our societies, in a gesture that functions as a quasi- purification. This communicates by extension that queer communities require the state to function as “guarantor of [our] safety and security.”<sup>10</sup>

These notions of removal, social cleansing, or political purification of our public spaces that underlay the hate crimes project function to coordinate our understanding of the “general public” as tolerant and nonviolent toward queer constituencies, and our understanding of the “criminal” as necessarily homophobic and violent. That this has the effect of rendering these two parties discrete and separate obscures understandings of violence as diffuse, or indeed any understanding of violence as not exceptional. In short, the hate crimes project solicits an understanding of violence as the exception to the rule, shutting out understandings that might consider anti-queer

---

<sup>9</sup> Leslie J. Moran. (2004). The emotional dimensions of lesbian and gay demands for hate crime reform. In: McGill Law Journal. 49 RD McGill 925: 926-949. (pp 934)

<sup>10</sup> *ibid* (pp 939)

violence as itself the rule. Further, that the logic of the hate crimes project relies on an understanding that queer communities require the state for protection further consolidates the state's monopoly over violence and delimits the possibilities for restitution, mediation and community-based articulations of restorative justice.

The organizing ethical "logic" and dominant social messaging of hate crime legislation where state-perpetrator relations are concerned function similarly to frame our understandings of the hate crimes project as ethical, and by extension, consolidate the "logic" of broader criminal justice regimes. This occurs at two key sites. (a) That through the deployment of these provisions, the state communicates a broad-based condemnation of homophobic violence.<sup>11</sup> This rhetorical condemnation of violence carries with it material effects regarding the enforcement of these provisions: "the police and criminal justice system have a role to play in terms of making sure that when such incidents occur there is an adequate response"<sup>12</sup>. This relies upon an investment in the belief of the "educational role of law,"<sup>13</sup> compelling us to ask whether the law seeks to educate potential perpetrators that such violence as distasteful, or whether the educational role here refers to educating the broader public of its own purported liberal tolerance. (b) That if increased penalties exist for offenders, the function will be one of deterrence and crime reduction. Despite the "widespread failure of criminal punishment to act as a deterrent to crime"<sup>14</sup> this remains a (mis)understanding critical to the maintenance of hate crime legislation and broader regimes of retributive punishment.

---

<sup>11</sup> Ann-Marie Field. (2006). Counter-hegemonic citizenship: LGBT communities and the politics of hate crimes in Canada. Paper presented at: Canadian Political Science Association, Toronto. (pp 1)

<sup>12</sup> *ibid.* (pp 10)

<sup>13</sup> Leslie J. Moran. (2004). The emotional dimensions of lesbian and gay demands for hate crime reform. In: McGill Law Journal. 49 RD McGill 925: 926-949. (pp 947)

<sup>14</sup> Dean Spade. (2000). "Confronting the Limits of Gay Hate Crimes Activism: A Radical Critique." Co-authored with Craig Willse. Chicano-Latino Law Review, Volume 21, (pp 40)

### *Sprinkle*

Hate crime statutes have come to occupy the centre of queer anti-violence activism. They have achieved this prominence through diverse means: through legal framings that understand these provisions as a natural extension of existing anti-discrimination law and hate speech legislation,<sup>15</sup> and through the extension of existing legal mandates of “protection”. The dominant messaging mobilized by the hate crimes project, in coordinating both victim-state relations as well as aggressor-state relations, function to organize our conceptions of what hate crime provisions are, and who they serve. By whatever means the hate crimes project is constituted as an ethical project, the entirety of these discourses and “logics” ultimately communicate that through the enactment of “good” and “reasoned” punishment, queer constituencies can succeed in achieving and dispensing an ethical economy of violence.

### **3. Collateral Damage: The Ethical Costs of Collaborations with Criminal Justice and Carceral Regimes**

We now know how deepening investments in the pursuit of hate crimes provisions, and increased sentencing for those convicted under these statutes, on the part of queer constituents is produced as an ethical project, as well as some of the key functions – and fractures – of these discourses. In addition, we know this project to be textually mediated by the Canadian Criminal Code<sup>16</sup> and how it functions to reframe our understandings of anti-queer violence, sometimes in direct opposition to community self-articulations of these same violences. If we understand queer anti-violence activism as recently consolidated around hate crime provisions, then what are the lived costs of these collaborations? What damages and effects are wrought as a

---

<sup>15</sup> *ibid.*

<sup>16</sup> The analysis I use here of textual mediation borrows from George Smith’s work on policing regimes, who roots his analysis in the work of feminist legal scholar Dorothy Smith.

result of how these violences are articulated, and responded to by queer constituents?<sup>17</sup>

An assessment of the ethical costs involved in queer participation in the hate crimes project is beyond the scope of this analysis. I focus here instead on the specific ethical costs where collaborations with criminal justice, policing and carceral mandates are concerned. I have focused in particular on: (1) the obscuring of structural violence, (2) state demarcations of identity and the production of the presumed aggressor, (3) the policing of marginal queer bodies, and finally, (4) the contributions hate crime mandates make to the expansion of policing and carceral regimes.

(1) The obscuring of structural violence can be articulated as one of the collateral effects of the hate crimes project which indirectly supports the expansion of carceral and policing mandates. Individual instances of violence – framed culturally as “random” – are conceived as the pinnacle of violence, displacing our attention from diffuse, naturalized instances of homophobia as they occur in our institutional lives. For instance, this summary erasure of structural violence presumes that agents of law enforcement are categorically not queer-bashers, a claim that even the most cursory assessment of local histories of policing reveals is utterly untrue.<sup>18</sup> This is in part the product of a process of spatializing<sup>19</sup> hate as something that exists external to our

---

<sup>17</sup> Before proceeding, I would like to root this particular section of this analysis in several critical objective/material conditions respecting hate crime statutes: that is, that hate crime legislation are applied after the fact, and concern sentencing provisions. As such, irrespective of debates around the deterrent effects of such legislative shifts, they do nothing to prevent the lived experiences of violence, and do not directly protect an individual subject to an instance of queer-bashing.

<sup>18</sup> See, for instance, the work of George Smith on Canadian policing regimes where queer communities are concerned, the Montreal Sex Garage riots, or the ongoing violence routinely carried out through the policing of queer public sex cultures as evidenced by ongoing bathroom surveillance, raids carried out over the course of the past ten years, etc.

<sup>19</sup> I am indebted to the work of Sherene Razack’s work on spatial justice (2002).

### *Sprinkle*

own views. The queer-basher is in effect made the scapegoat for structural queer oppression. This raises the question whether they are subject to an increase in sentencing and punishment precisely because they render intelligible the existence of anti-queer violence in a national context that conceives itself incapable of hatred, and as a site of liberal tolerance for queers. I would further argue that the hate crimes project not only obscures structural oppressions as experienced by queers, but that the project itself is involved in a project of erasing the very structural violences which it reproduces.

(2) Another key site that illustrates these costs concerns state demarcations of identity, the creation of exalted/degenerate bodies, and the production of a presumed aggressor. A textual analysis of certain key early hate crime cases “reveals the troubling nature of attempts to legally fix sexual identities.”<sup>20</sup> Hate crime provisions consolidate greater power in the hands of the state in determinations of the legitimacy or authenticity of one’s sexual identity. This process of abdicating self-identification on the part of queer constituents in favour of a process of state regulated identity reveals the extent to which the legitimization of (certain articulations) of queer identity is being secured through an appeal to state structures.

This trend has multiple lived, material, and ethical costs. First, inclusion within the hate crimes canon hinges on the ability of queer constituencies to articulate and invent ourselves as worthy of protection, as not having provoked or invited violence upon ourselves, and as “normal enough” to merit reasonable expectation of nonviolence. Further, the project requires a specific articulation of experiences of violence within the language and discursive frameworks that are intelligible to legal, carceral, and policing structures and

---

<sup>20</sup> Dawn Moore and Angus MacLean Rennie, (2006). "Hated Identities: Queers and Canadian anti-hate legislation". In: Canadian journal of criminology and criminal justice: 48, 5: 823-836. (pp823)

their mandates.<sup>21</sup> For instance, existing queer hate crime legal frameworks are predicated upon a certain appropriateness to access these provisions, and the exclusion of “sexual outlaws” from queer frames of reference.<sup>22</sup> This constitutes a process that “involve[s] giving higher symbolic status to some bodies and not others”<sup>23</sup>. This prioritization of certain exalted bodies within queer communities already occupying the margins of power is an expression of queer policing at its most virulent. By extension, this functions to gate keep which bodies are able to access “victim” status within the conceptual framework of the hate crimes project and the Canadian Criminal Code, fundamentally affecting who does and does not “count as targeted hate crime victims.”<sup>24</sup>

The production of the presumed aggressor is another instance of the state demarcation of identity. Within the legal economy created through the hate crimes project, I seek to interrogate who is positioned within the law as the aggressor. In this context, we are compelled to interrogate the extent our own fears of violence as queers have investments in the construction of the criminal or racial “other,” and the construction of this same “other” as necessarily homophobic, conceived of as a threat or presumed aggressor. This raises questions about how the hate crimes project is imbricated within a broader legal economy of racial profiling, criminalization, targeted state violence, and the overexposure of marginal communities to criminal justice systems.

---

<sup>21</sup> Leslie J. Moran. (2004). The emotional dimensions of lesbian and gay demands for hate crime reform. In: McGill Law Journal. 49 RD McGill 925: 926-949. (pp 947)

<sup>22</sup> Jo Morgan. (2002). US hate crime legislation: a legal model to avoid in Australia. In: Journal of Sociology. Volume 38(1): 25-48. (pp 41)

<sup>23</sup> Ibid. (pp 25) Morgan continues to situate this within the context of social movements logged culturally and discursively as “progressive”: “The organization and lobbying strength of the social movements driving hate crime reform, they argue, is premised on an exclusionary politics of identity that seeks to ascribe a higher symbolic status to some bodies at the cost of devaluing others.” (pp 32)

<sup>24</sup> *ibid.* (pp 42)

## *Sprinkle*

Moran articulates this process as the “institutionalization of hate,” and as a process which is “associated with law and with good order.”<sup>25</sup> If the occurrence of hate crimes themselves engender questions about what constitutes public space, who has the right to access it, and under what circumstances,<sup>26</sup> then functions of the presumed aggressor interact with concepts of public space and spatial strategies of containment and border-keeping therein, revealing new modes of public space regulation.

(3) The policing of marginal queer bodies. Deepening investments in the hate crimes project on the part of queer constituencies by extension involve a demand for enforcement. Enforcement of hate crimes provisions translates to, plainly put, a tangible increase in police presence. This has not only profound ethical consequences for individuals who are already facing daily police harassment, and communities which already face an overexposure to carceral and criminal justice systems, but present direct ethical consequences for marginalized or criminalized queer bodies within these contexts as well.

That the hate crimes project mandates the exaltation of certain bodies, and demands the removal of degenerate queer bodies from legitimate queerness within the Canadian legal economy,<sup>27</sup> hate crimes provisions necessarily protect only the least intersectional of queer bodies. For instance, hate crimes provisions as they exist in the Canadian legal context do not address hate motivated attacks that are rooted (or equally as rooted) in identifications directly related to queerness, such as HIV status, gender nonconformity, participation in public sex cultures, or

---

<sup>25</sup> Leslie J. Moran. (2004). The emotional dimensions of lesbian and gay demands for hate crime reform. In: McGill Law Journal. 49 RD McGill 925: 926-949. (pp 930)

<sup>26</sup> Viviane Namaste. (pp 141)

<sup>27</sup> See Morgan’s work on the Matthew Sheppard case, and the construction of him as the “ideal victim”.

participation in the sex trade.<sup>28</sup> While each of these identifications are not specific to queer identity, they are practices that are inextricable from queer subjectivities and cultures. It is common for these cases to be summarily rejected for hate crimes coverage on the basis of the impossibility of determining the specific bias that motivates an attack.<sup>29</sup> This landscape reveals the incentives queer proponents of hate crime legislation have in removing marginal queer bodies from queer frames of reference in pursuit of these statutes.

If the majority of queer-bashings occur in sites of cruising, sex work, and other “gay” spaces, what then are the implications of greater policing on, say, those working within the sex trade industry, or for individuals that practice public sex?<sup>30</sup> Given that queer men of colour represent one of the constituencies most affected by queer-bashing, what then does this imperative of expanded enforcement imply where it intersects with regimes of racial profiling and (raced) spatial containment? This process of appealing to the state for “protection” represents the mobilization of greater technologies of policing of the very communities the hate crimes project purports to protect.

This raises broader questions about the reliance of the hate crimes project on an historical amnesia on the part of queer constituencies, specifically regarding histories of policing and criminalization. This reliance forces us to ask: what effects does this collaboration have on broader queer cultural memory? With the institutionalization and deepening hold of hate crime legislation in jurisdictions across the continent, does this represent the institutional erasure of queer histories of resistance to policing? This trend reveals the profound investment queer pursuits of

---

<sup>28</sup> Jo Morgan. (2002). US hate crime legislation: a legal model to avoid in Australia. In: *Journal of Sociology*. Volume 38(1): 25-48. (pp 28)

<sup>29</sup> *ibid.*

<sup>30</sup> Viviane K. Namaste. (2000). Gender bashing: sexuality, gender, and the regulation of public space. In: *Invisible Lives: The erasure of transsexual and transgender people*. Chicago and London: University of Chicago Press. (pp 135-156). (pp 142)

### *Sprinkle*

hate crimes statutes have in the policing of marginality, and the mobilization of state violence within our very communities. Queer investments in the hate crimes project represent queer demands for state violence to be enacted on our behalf.

(4) The contributions hate crime mandates make to the expansion of carceral regimes. Unfolding against this proliferation of policing is the reality of carceral expansion. The context of deepening queer investments in policing raises critical questions with respect to the criminalization of self-defense against queer-bashing. The introduction of state-mandated, “rational” and appropriate venues to administer “justice” with respect to queer-bashings demands that we ask if this undermines the legitimacy of self-defense. Does the state’s monopoly over violence<sup>31</sup> further consolidate the criminalization of self-defense?<sup>32</sup>

In our consideration of how the hate crimes project contributes to the expansion of correctional and carceral regimes, we must recall the material conditions of hate crimes statutes themselves: that they do not create new offenses, but rather concern increased sentencing. In short, this means that more people are spending longer time in correctional settings. This has a direct and profound impact on prison expansion and prison overpopulation, all legitimated under the mythic auspices of the protection of minority communities. The profoundly violent irony of such a project is that the increased policing and surveillance of spaces of queer marginality mobilized as a result of queer demands for hate crimes legislation translates to queer over-exposure to policing and over-representation within carceral settings.

---

<sup>31</sup> Leslie J. Moran. (2004). The emotional dimensions of lesbian and gay demands for hate crime reform. In: McGill Law Journal. 49 RD McGill 925: 926-949. (pp 947)

<sup>32</sup> The recent case of the New Jersey 4 certainly suggest that this may well be the case; the case involved four black lesbians who were sentenced up to eleven years defending themselves against a homophobic assault.

## **Conclusion: State “protection” and community self-defense**

In the light of these profound ethical costs we are forced to assess the extent to which the entire hate crimes legislative apparatus constitutes a massive shift toward “the promotion of more severe state violence ... longer terms of imprisonment, and more brutal regimes of punishment.”<sup>33</sup>

In re-centering an interrogation of queer investments in seeking hate crimes statutes, we are able to use it as one site that renders intelligible our reliance on – and our own emotional investments in – policing and carceral regimes. More broadly, we are compelled to interrogate broader arrangements of “spatial justice,”<sup>34</sup> and ask which spaces exist where queer-bashing continues unproblematized by the hate crimes project? Our attention then turns to those sites where state-enacted and state-sanctioned anti-queer violence proliferate: carceral sites, the criminalization of sex work, the policing of public sex cultures, etc. Through these questions, we open up new understandings for the way we coordinate our understandings of queer identity, violence, and safety.

I have multiple investments in interrogating the purported ethical dimensions of such a project. I am interested in identifying the strategies that enable the state to use and co-opt lived experiences of violence, and fear of this violence, to mobilize a discourse of protection, to deepen criminal punishment mandates, and to further carceral expansion. I seek to make it as equally and unequivocally clear that in decrying the hate crimes project, I do not advocate a politics founded upon a turn-the-other-cheek ethic of liberal humanism – these frameworks have done nothing to protect queer communities from attack. Forging and nurturing our own queer politics rooted in

---

<sup>33</sup> Leslie J. Moran. (2004). The emotional dimensions of lesbian and gay demands for hate crime reform. In: McGill Law Journal. 49 RD McGill 925: 926-949. (pp 939)

<sup>34</sup> Sherene Razack. (2002).

### *Sprinkle*

community self-defense, while not without its ethical considerations, might function as an insurgent strategy not only against the criminalization of self-defense which the hate crimes project directly threatens, but could function to confront the myth of state “protection”, and forge broader strategies of survival for marginalized, criminalized communities – queer and nonqueer.

Critical interrogations of the hate crimes project and its claims to ethicality reveal that hate crime provisions do nothing to address the material safety of queer constituencies, and due to its exclusively retributive functions, anti-queer violence is not undermined. Rather, anti-queer violence is legitimated by the state through a host of legalistic and discursive functions, reproduced by an array of institutional sites – the judiciary, the legislature, law enforcement, the prison – and rendered diffuse by virtue of queer collaborations and active complicities.

**Liam Michaud** lives and works in Montreal with *Continuité famille auprès des détenues et ex-détenues*. He is involved in a number of HIV-prevention and harm reduction based projects for gay and queer men both inside and outside of prisons. The motivation for this article emerged from work with the Prisoner Correspondence Project, an organization working to support incarcerated gay and trans communities, and in particular, the growing criminalization of gay and trans self-defense against violence.

### **References**

- Field, Ann-Marie. (2006). Counter-hegemonic citizenship: LGBT communities and the politics of hate crimes in Canada. Paper presented at: Canadian Political Science Association, Toronto.
- Moore, Dawn and Angus MacLean Rennie, (2006). "Hated Identities: Queers and Canadian anti-hate legislation". In: Canadian journal of criminology and criminal justice: 48, 5: 823-836.

- Moran, Leslie J. (2004). The emotional dimensions of lesbian and gay demands for hate crime reform. In: McGill Law Journal. 49 RD McGill 925: 926-949.
- Morgan, Jo. (2002). US hate crime legislation: a legal model to avoid in Australia. In: Journal of Sociology. Volume 38(1): 25-48.
- Namaste, Viviane K. (2000). Invisible Lives: The erasure of transsexual and transgender people. Chicago and London: University of Chicago Press. (pp 135-156).
- Razack, Sherene. Ed. (2002). Race, Space, and the Law: Unmapping a White Settler Society. Toronto: Between the Lines.
- Spade, Dean. (2000). "Confronting the Limits of Gay Hate Crimes Activism: A Radical Critique." Co-authored with Craig Willse. Chicano-Latino Law Review, Volume 21.
- Smith, Dorothy. (1987). The Everyday World as Problematic: A Feminist Sociology. Dartmouth: Northeastern University Press.

# Sexual Diversity in Canadian Healthcare

By Lynsey Grosfield

**ABSTRACT:** Despite the widely-held conception that Canada provides 'universal' health care for its citizens, there are a number of gaps in the system that disproportionately effect those who do not conform to gender and sex norms - namely trans and intersex individuals. In examining the literature on the subject, from both a biomedical and an anthropological perspective, it becomes apparent that these gaps exist not for a medically legitimate reason, but rather because of social norms and prejudices that serve to police and pathologise the lives of gender-/sex-variant individuals. Much research is yet to be done on exactly how this functions in the Canadian context; however, in the last few decades of feminist, queer, trans, and intersex activism, the inaccessibility of proper care has been actively problematised by individuals who have been oppressed by the biomedical system, opening up the biomedical space for engagement with those whom it exists to serve.

## The Policing and Pathologising of Gender-/Sex-Variant Lives

One of the quintessential questions of critical medical anthropology is: "What is revealed and what is concealed in our commonsense perceptions of reality?"<sup>1</sup> It was first asked by Nancy-Scheper-Hughes in her work *Death without Weeping*, which examines the "somatisation of distress," that is, the cultural process whereby social problems are made biomedical.<sup>2</sup> Her question rings

---

<sup>1</sup> Nancy Scheper-Hughes, *Death without Weeping*, 170.

<sup>2</sup> Lisa E. Stevenson, Lecture: "(M)Other Love and Child Death," in *ANTH 227: Medical Anthropology*, September 29<sup>th</sup>, 2009, McGill University, Montreal, Quebec.

especially true when one engages with ‘universal’ healthcare in Canada as it relates to gender-/sex-variant individuals. It is important to ask of any health system that claims universality: “Whose interests are being served? Whose needs are being ignored?”<sup>3</sup> A number of the works on gender-/sex-variance conceptualise ‘disorders’ such as Gender Dysphoria (GD) and several Disorders of Sexual Development (DSD) as social, not biomedical, problems. Simultaneously, these works advocate for health coverage for processes such as transitioning and consensual genital feminisation/masculinisation for intersex individuals. This presents an unsolved dilemma for the gatekeepers of biomedical care and coverage in Canada, as biomedicine hinges upon a clearly defined, discrete pathogen to diagnose and treat.<sup>4</sup>

In this paper I will be using the term “gender-/sex-variant” as an umbrella moniker for the many identities (and behaviours) that are penalised by the biomedical system for transgressing—with or without intent to do so—the boundaries of sex and/or gender. This includes anyone who plays with the boundaries of the gender/sex system, including those who define as transsexual, transgendered, cross-dressing, intersex, two-spirited, resistant to classification, uniquely self-identified, or waiting to be classified. However, most of the literature is focused on trans or intersex issues. ‘Gender-/sex-variant’ may not be the most accurate term in some cases, as the reified categories of “gender” and “sex” belong to a specific culture and its discourses, and not to nature. Being conscious of that fact, I must be slightly reductive for the purposes of this paper. I have also taken into account that the category of “sexuality” is often considered to be a subset under these two categories, and is frequently framed in the same “nature versus culture” terms. However, since the discourse about sexuality could not exist independently of the discourses of

---

<sup>3</sup> Nancy Scheper-Hughes, *Death without Weeping*, 170.

<sup>4</sup> Lisa E. Stevenson, Lecture: “Ethnography,” in *ANTH 227: Medical Anthropology*, October 8<sup>th</sup>, 2009, McGill University, Montreal, Quebec.

*Sprinkle*

sex and gender in western societies, I will not be discussing it outside of that context.

The literature I will be examining arises largely out of Queer scholarship; although, I will be cross-examining much of this literature with concepts from the field of Medical Anthropology in order to critically examine the concepts of health, wellness, and 'universal' healthcare in Canada as they relate to gender-/sex-variant individuals. All of the sources I will use fall between 1946 and present, as the former date was the year in which the *Saskatchewan Hospitalisation Act* was passed, laying the foundation for socialised medicine in Canada.

The conversation about these larger issues (health, medicine, gender, sexuality, etc.) is incredibly diverse in the west, as its scope ranges from myriad online sources to government publications, from academic journals to film documentaries. Accordingly, the contributors come from diverse standpoints, making it necessary to narrow the scope of the literature under examination. I will focus on the works of anthropologists such as Arthur Kleinman and Nancy Scheper-Hughes, who examine health, wellness, and/or gender. Additionally, I will engage with the works of various gender/sex-variant writers, scholars, advocates, and organisations, such as Cheryl Chase of the Intersex Society of North America, Les Feinberg, and Vivian Namaste. Much of the scholarship in both of these fields is based in the American context. While it is useful to use American sources when studying generalised North American culture, many of these sources are much less relevant when examining the idea of 'universal' healthcare. Canadian sources are likely circumscribed in part *because* of the larger volume of American material, and the vestigial imperialist tendencies within the American Queer movement, which tend towards exporting American-made identities trans-nationally. There are, however, several Canadian sources available within academic journals as well as a few chapters within books on more general topics, which usually deal with very specific research contexts (such as downtown Toronto or

Vancouver). The limited context of research also reflects its limited scope, as a study based in Toronto would not have all of the same variables as a study based in Alberta, where, for example, funding for sex-reassignment surgery was recently cut under the Conservative government. Nonetheless, urban-centric research is all that is available.

## **Critical Medical Anthropology and Gender**

*“The view through this lens is skewed, for I am slicing, dissecting, and holding up to the light the diseased tissue of the social body gone awry.”<sup>5</sup>*

The gender system is repeatedly questioned within the discursive model of “the political economy of health” which challenges any notion that sickness and illness “just happen” as random misfortunes, and asserts that poor health is intimately linked to being disempowered within a certain set of societal social relations.<sup>6</sup> This relationship does not necessarily indicate direct *causation*, but the strong *correlation* is undeniable. As an example, in Canadian society, as in most of the western world, women face clinical encounters in which their truthfulness and sense of their own body is repeatedly questioned by the medical practitioner, often causing pernicious health problems like anemia to be overlooked.<sup>7</sup> This is largely due to the long history in the west of women being perceived as hysterical and weak, a societal assumption from which the clinician is certainly not exempt.

Largely due to second-wave feminism, the gender question has primarily been couched just in terms of “women” and “men” as it is above. Certainly much is owed to earlier feminists for problematising and continuing to

---

<sup>5</sup> Nancy Scheper-Hughes, *Death without Weeping*, 26.

<sup>6</sup> Sandra Teresa Hyde, *Eating spring rice: the cultural politics of AIDS in Southwest China*, 12.

<sup>7</sup> Lisa Stevenson, Lecture: “The Problem of Belief,” in *ANTH 227: Medical Anthropology*. McGill University, Montreal, Quebec.

### *Sprinkle*

challenge the unequal power relations between these two genders. However, this period feminist literature, in seeking to liberate those bound in the category of “woman,” has historically neglected gender-/sex-variance, and reinforced oppressive dichotomous relationships.<sup>8</sup> Feminism has especially had a complicated history with trans individuals. Prominent feminist public figures such as Michele Landsberg and Mary Daly openly despised and advocated for the exclusion of trans people, and promoted the preservation of biologically essentialised “woman-only” spaces. Nonetheless, the issue of gender as an obstacle in access to fair and equal health services was initially raised in feminist-inspired work on the political economy of health, and thus opens the door for critically examining gender-/sex-variant individuals’ access to health services. Additionally, “third-wave” feminism has been much more accessible to gender-/sex-variant individuals as the framework of “intersectionality,” its hallmark, is critical of the exclusion and unexamined privilege that characterised the second-wave.

### **Canadian Case Studies**

Much work is yet to be done on how gender-/sex-variance affects access to health care, and the quality of that care in Canada. Small-scale studies on related topics, such as “A ‘normative’ homeless woman?: Marginalisation, emotional injury and social support of transwomen experiencing homelessness,” identify the issue of unequal access and treatment in Canadian healthcare settings without exploring the idea further, simply remarking in the article: “[transwomen] did not seem to find . . . social support in ‘mainstream’ agencies, in particular from healthcare services (such as hospitals, health centres, clinics).”<sup>9</sup> This particular paper identifies five other studies of trans people

---

<sup>8</sup> Emi Koyama, “The Transfeminist Manifesto,” <accessed November 12, 2009, [Eminism.org](http://Eminism.org)>, 1.

<sup>9</sup> Izumi Sakamoto et al., “A Normative Homeless Woman?,” 13

and healthcare. However, all five are based in the United States and deal more specifically with HIV/AIDS prevention and management.<sup>10</sup>

In what is one of the most comprehensive and current sources on trans politics and issues in Canada, *Invisible Lives: the Erasure of Transsexual and Transgendered People*, Vivian Namaste devotes three chapters to health and healthcare in a Canadian context. The three intertwined issues within these chapters support her thesis that transsexual and transgender subjectivity is erased in North American contexts through structural and institutional means of silencing.<sup>11</sup> The seventh chapter, "Access Denied," deals with Health Care and Social Services in Toronto.<sup>12</sup> The report from which this chapter stems was written for a Health Canada-funded project entitled "Project Affirmation," which sought to assess "health care and social services for sexual minorities . . . in the province of Ontario," (including transgendered people under this umbrella).<sup>13</sup> Namaste writes specifically about hormones in the first segment of this chapter, indicating the difficulty TS/TG persons face when trying to find a doctor who will proscribe hormones<sup>14</sup> or provide the continual patient monitoring necessary for such treatment.<sup>15</sup>

The eighth, "Clinical Research or Community Health," is also based in Toronto, and discusses how transsexuals feel about gender identity clinics.<sup>16</sup> Access issues are somewhat mitigated through Gender Identity Clinics, but these institutions are not without their problems. In this chapter, Namaste examines the controversies surrounding responses to the Gender Identity Clinic of the Clarke Institute of Psychology. Contrasting opinions are presented, including arguments from medical professionals that transsexualism is

---

<sup>10</sup> Ibid., 3.

<sup>11</sup> Vivian Namaste, *Invisible Lives*, 9.

<sup>12</sup> Ibid., 157-89.

<sup>13</sup> Ibid., 158.

<sup>14</sup> Ibid., 160.

<sup>15</sup> Ibid., 168.

<sup>16</sup> Ibid., 190-234.

### *Sprinkle*

a mental illness, which should not be treated through hormones and surgery, and arguments from TS/TG individuals that, “gender identity clinics are not concerned with the health of transgendered people, but are only interested in their own professional research programs.”<sup>17</sup> Namaste also explores how prostitution, sexism, and conflicting definitions of “health” factor in to the reception of Gender Identity Clinics, in order to demonstrate that the TS/TG “. . . people [she] interviewed object to the practices of gender identity clinics to the extent that they do not fulfill their comprehensive biomedical, psychological, and social needs,” and the fact that TS/TG individuals have very little say in the institutions which govern their health.<sup>18</sup>

The ninth chapter, “The Administration of Erasure,” is based in Quebec, specifically in Montreal, and connects the concepts of bureaucracy and marginalisation with the administration of HIV/AIDS services.<sup>19</sup> While the previous chapters were based on individual interviews and analyses of systemic problems, the latter chapter engages with text sources that are instrumental in organising social life as these sources relate to TS/TG epidemiology in Montreal, Quebec.<sup>20</sup> Specifically, Namaste examines how a person’s legal sex is determined bureaucratically, and the effect this has on the health and wellness of those for whom that determination is more difficult.

In terms of intersex individuals born in Canada, bureaucracy factors heavily into the decisions that are made about their lives. A 2002 paper outlined that the guideline for Canadian medical practitioners has been, and still is:

“. . . the so-called optimal gender policy of psychosocial and medical management, originally developed by Money, a medical psychologist, and the John Hopkins School of Paediatric Endocrinology. This policy aimed to result in the best possible prognosis with regard to six variables: (a)

---

<sup>17</sup> Vivian Namaste, *Invisible Lives*, 190-1.

<sup>18</sup> *Ibid.*, 230-1.

<sup>19</sup> *Ibid.*, 235-263.

<sup>20</sup> *Ibid.*, 236.

reproductive potential (if attainable at all); (b) good sexual function; (c) minimal medical procedures; (d) an overall gender-appropriate appearance; (e) psychosocial well-being; and (f) a stable gender-identity.”<sup>21</sup>

These criteria have been hotly contested in the last few decades,<sup>22,23</sup> but nonetheless remain relevant in Canadian diagnostic contexts. Where this issue dovetails with the political economy of health is on the issue of consent. Should the medical practitioner adhere to these guidelines, an infant may receive a surgery that is not medically necessary before they can give consent. These procedures, such as feminising genital surgery, can lead to anorgasmia (the inability to achieve orgasm) later in life. It is important to point out that not all early medical interventions are unnecessary for intersexed infants, but the ones that are purely cosmetic, such as most of the procedures that would be justified with criterion (d), would seem ridiculous in any other context. For example, it would be preposterous for Canadian health service providers to assert that every woman with a cup size lower than a “b” would be required to have her femininity “normalised” or “enhanced” through breast augmentation with no patient consent required (as if it were emergency surgery). There would be outcries against the gender/sex based discrimination of such a policy, and yet, Canadian policy guidelines for clinicians clearly advocate procedures to achieve a “gender-appropriate appearance,” for intersexed, non-consenting infants. One wonders why cosmetic surgeries are not reserved for when the person is capable of giving legal or verbal consent.

---

<sup>21</sup> Kenneth J. Zucker, “Evaluation of Sex- and Gender-Assignment Decisions in Patients with Physical Intersex Conditions: A Methodological and Statistical Note,” in *Journal of Sex and Marital Therapy*, 28: 269, 2002.

<sup>22</sup> Anne Fausto-Sterling, *Sexing the body: gender politics and the construction of sexuality*.

<sup>23</sup> Suzanne Kessler, *Lessons from the Intersexed*.

## Medicalisation and Gender/Sex-Variety

*“The hospital is not only the site of the construction and treatment of the medicalised body, but the site of moral drama.”<sup>24</sup>*

In light of the medically unnecessary and culturally sanctioned procedures performed on intersex infants in Canada, it is necessary to consider how the medicalisation of difference impacts individuals: how does a person conceive of their own health and wellness when their very identity or body type is diagnosed as a disorder? Much of the literature that deals with the medicalisation of gender-/sex-variance is couched in terms of personal narrative, which is then connected to systemic analyses, employing the sociological structure of “grounded theory.” The use of personal narrative is telling as to how interactions with biomedical care can be formative—positively or negatively—for a person’s identity. The terms “Gender Dysphoria” and the many conditions under the “intersex” umbrella (including, but not limited to Klinefelter Syndrome, Androgen Insensitivity Syndrome, Turner Syndrome, Clitoromegaly, Micropenis, and Ovo-Testes)<sup>25</sup> are possibly the most common clinical names of conditions associated with transgressing gender/sex boundaries. These names may classify how many of the authors conceptualise of their own embodiment and personhood, but are also indicative of a biomedical disease or disorder. In pathologising divergent gender expressions and “natural” sex differences—“natural” in this case meaning the variety of possible combinations of primary and secondary sexual characteristics which are by no means homogenous within both the male and female sexes—Canadian society effectively polices social identities via the healthcare system.

---

<sup>24</sup> Byron Good, “How Medicine Constructs its Objects,” 85.

<sup>25</sup> Intersex Society of North America, <<http://www.isna.org/faq/conditions/raphe>> accessed November 26<sup>th</sup>, 2009.

In the case of trans identities, the diagnosis of Gender Identity Disorder (GID) insinuates that the expression of divergent gender expressions are symptoms of a personality disorder. In the Film *Diagnosing Difference* directed by Dr. Annalise Ophelian, one transperson comments on the apparent flaw in some medical discourses - that a “personality disorder” can be cured with plastic surgery. The pathologisation of GID can be both beneficial and detrimental to the health of people who identify as trans, often at the same time. Yet, if gender-/sex-variance cannot be classified as illness, the dilemma for biomedical practitioners and for gender-/sex-variant individuals is simply: how does one administer publicly-funded care without a disease or disorder to treat? Biomedicine is structurally incapable of conceptualising of disease without the pathogen,<sup>26</sup> so in terms of social ills that necessarily interact with the biomedical system, both the quality of care and access to that care are severely compromised.

The dilemmas of diagnosis and treatment are accompanied by discomforts in other components of any biomedical interaction. For one, a person sitting in a hospital waiting room, faced with the inevitable paperwork that is required, as well as the anxiety of an illness experience, is faced almost immediately with the reductive question: “M or F”? For many people, the quick ‘x’ is bestowed on one box or the other without much thought. But for some, making that mark isn’t so simple, and often, marking one or the other will lead to discrimination. Several gender-/sex-variant authors have commented that even in critical care environments, they have experienced the prejudices of hospital staff, exacerbating potentially life-threatening conditions. Additionally, several trans people have indicated that an infection such as Strep throat has very little to do with gender presentation or genital appearance, but is nonetheless implicitly or explicitly connected in the clinical

---

<sup>26</sup> Lisa E. Stevenson, Lecture: “Ethnography,” in *ANTH 227: Medical Anthropology*, October 8<sup>th</sup>, 2009, McGill University, Montreal, Quebec

*Sprinkle*

experience.<sup>27</sup> Les Feinberg, for example, suffered from a near-fatal heart infection, and in trying to receive care—albeit in the States—was kicked out of the Emergency room when it was discovered that their anatomical sex did not match their gender presentation. The doctor simply stated, “you probably have a fever because you are a very troubled person.”<sup>28</sup> The relationship between patient and practitioner of biomedical care is often assumed to be morally neutral, but as with any social interaction, it is inflected with the biases of those involved.

## **Power Structures in the Clinical Encounter**

*“Soon you shall know surgery as a Mass served with the Body and The Blood, wherein disease is assailed as though it were a sin.”<sup>29</sup>*

Although widely critiqued for dwelling too narrowly on the clinical encounter,<sup>30</sup> Arthur Kleinman’s commentary on the doctor/patient relationship is useful to employ when examining the intrinsic power relations within the Canadian Healthcare system. As discussed above, the very concept that gender-/sex-variant individuals are ‘disordered’ sets the tone for the encounter with the usually-‘normative’ medical practitioner. Traditional western biomedical spaces of interaction implicitly posit the clinician as the objective, morally neutral expert/god, and the patient as the supplicant, ignorant charge.<sup>31</sup> As per Kleinman’s analysis, because of this hierarchy, these encounters privilege the disease, the problem in the eyes of the practitioner, over the

---

<sup>27</sup> Leslie Feinberg, *Trans Liberation, Beyond Pink or Blue*, 3.

<sup>28</sup> *Ibid.*, 2.

<sup>29</sup> Richard Selzer, “The Surgeon as Priest,” 26.

<sup>30</sup> Lisa E. Stevenson, Lecture: “(M)Other Love and Child Death,” in *ANTH 227: Medical Anthropology*, September 29<sup>th</sup>, 2009, McGill University, Montreal, Quebec.

<sup>31</sup> Lisa E. Stevenson, Lecture: “(M)Other Love and Child Death,” in *ANTH 227: Medical Anthropology*, September 29<sup>th</sup>, 2009, McGill University, Montreal, Quebec..

illness, the lived experience of the patient, thereby ignoring the social context of the problem.<sup>32</sup> Oftentimes, medical interventions for trans and intersex people are due directly to social intercourse, either because of psychological and physical damage inflicted upon the gender-/sex-variant individual by others, or to spare others—such as parents, romantic partners, or employers—of the confusion or pain of discovering and/or living with the difference of a gender-/sex-variant individual. In all of this, gender-/sex-variant people are the ones living both with the consequences of this damage, and with the responsibilities of rectifying these consequences, constituting a cycle of “victim-blaming” which is a key tool in maintaining their marginalisation from dominant society.

Power structures are also a deciding factor in who has access to care in the first place. Even though Canadian healthcare is publicly funded, coverage and care depends on factors such as employment, citizenship/proper documentation, family contacts, community support, transportation, housing/address, etc. Each of these areas is one in which gender-/sex-variant individuals face significant obstacles.

## **Making Changes**

*“Thus, even in the belly of the biomedical leviathan, spaces such as hospice care are opening up for the engagement of meaning.”<sup>33</sup>*

Most authors who identify as gender-/sex-variant or allies offer suggestions and solutions for improving health services for others like themselves. Additionally, Scheper-Hughes provides suggestions for the role of the anthropologist in bringing attention to social ills that are reinforced by the ideology of biomedicine, noting, “We can disrupt expected roles and statuses in the spirit of the

---

<sup>32</sup> Arthur Kleinman, *The Illness Narratives*, 3.

<sup>33</sup> Kleinman, “The Good Death,” 7.

*Sprinkle*

*carnavalesco*, the carnivalesque.”<sup>34</sup> In the article “Transgender Primary Medical Care,” numerous recommendations are made which incorporate the many aspects of health which have been sorely disparate in biomedical care, by employing the WHO’s 1978 definition of *primary health care*, which

“... includes a broad range of social, educational, and political interventions beyond the scope of the family physician or nurse practitioner. . . active consideration of biopsychosocial, socioeconomic, and spiritual health is encouraged as a part of holistic primary care of transgender patients.”<sup>35</sup>

This article discusses guidelines for transgender-specific concerns, such as hormone therapy issues, genital surgery issues, and psychological issues resulting from internalized transphobia, as well as discussing potential general issues in a trans-inclusive manner in relation to disclosure, vaccinations, sexual history, cancer, and many other medical concerns.

Equally, the Trans Health Lobby Group of the Rainbow Health Network has issued a statement that demonstrates the importance of gender-/sex-variant individuals’ voices in defining the parameters of their own bodily care:

“1) advocating for the provincial government to publicly fund Sex Reassignment Surgery and related medical procedures, including access to hormones, electrolysis, and counseling, and whenever possible, that these services be delivered in community based settings; 2) to educate politicians and the media about trans people and their health care needs; and, 3) to gain agency and empower trans persons and their communities.”<sup>36</sup>

---

<sup>34</sup> Nancy Scheper-Hughes, *Death without Weeping*, 25.

<sup>35</sup> Jamie L. Feldman et al., “Transgender Primary Medical Care,” 4.

<sup>36</sup> Rainbow Health Network, <<http://www.rainbowhealthnetwork.ca/transhealth>>, accessed November 26th, 2009.

Even though the literature on how the healthcare system in Canada interacts with the needs of gender-/sex-variant individuals is scant, and it is still apparent that practices have a fair distance to travel in catching up with recommendations, it is nevertheless promising that the scholarly policy-making processes have built many bridges, and will continue to work together to better address the needs of an important part of the population. Until then, however, gender-/sex-variant individuals face challenges for their bodily, emotional, and psychological health in a different way than do 'normative' Canadians, and do not have the same recourse to institutions to deal with those problems. The biomedical system is a major vector of oppression in Canada, but combating inequalities on the structural level through proper training and education of biomedical practitioners, and making health services more comprehensive and accessible, has the potential to make a world of difference to gender-/sex-variant individuals.

**Lynsey Grosfield** is a U1 joint-honours student in Anthropology and Gender, Sexual Diversity, and Feminist Studies at McGill University. She is very interested in examining the latter discipline through the lens of anthropology, in order to assess "what is revealed, and what is concealed in our commonsense perceptions of reality," interrogate what is deemed "natural" and what is not. She credits a very early childhood exposure to a bedecked and enchanting David Bowie in "Labyrinth" as her introduction to this line of questioning. This paper was important for her to write in the development of her feminism and ongoing assessment of her own privilege, as attempting to understand and doing something with that understanding are to her two of the most important aspects of being an ally.

## **References**

*Bisexuality and Transgenderism: interSEXions of the Others.*

*Sprinkle*

- Ed. Alexander, Jonathan, and Karen Yescavage.  
Binghamton, NY: Harrington Park Press, 2003.
- Currah, Paisley, Richard M. Juang, and Shannon Minter.  
*Transgender Rights*. Minneapolis: University of  
Minnesota Press, 2006.
- Fausto-Sterling, Anne. *Sexing the body: gender politics and  
the construction of sexuality*. New York: Basic Books,  
2000.
- Feinberg, Leslie. *Trans Liberation: Beyond Pink or Blue*.  
Boston: Beacon Press, 1998.
- Feldman, Jamie L. and Goldberg, Joshua M. "Transgender  
Primary Medical Care." In *International Journal of  
Transgenderism*. 2006, Vol. 9 Issue 3/4, 3-32
- Good, Byron. "How Medicine Constructs its Objects." In  
*Medicine, Rationality and Experience: an Anthropological  
Perspective*. 65-87. Cambridge; New York: Cambridge  
University Press, 1976.
- Hyde, Sandra Theresa. *Eating spring rice: the cultural politics  
of AIDS in Southwest China*. Berkely: University of  
California Press, 2007.
- Intersex Society of North America,  
<http://www.isna.org/faq/conditions/raphe>> accessed  
November 26<sup>th</sup>, 2009.
- Kessler, Suzanne. *Lessons from the Intersexed*. New Jersey:  
Rutgers University Press, 1998.
- Kleinman, Arthur. "The Good Death: Is it Compatible with  
Global Culture and Biomedicine?" In *The Maine  
Scholar*. 1-8, Vol. 9: Honours Programs of the  
University of Maine System.
- Kleinman, Arthur. *The Illness Narratives: Suffering, Healing,  
and the Human Condition*. New York: Basic Books,  
1988.
- Koyama, Emi. "The Transfeminist Manifesto." Accessed  
November 12, 2009. <Eminism.org> 2001.
- Namaste, Viviane K. *Invisible Lives: The Erasure of  
Transsexual and Transgendered People*. Chicago:  
University of Chicago Press, 2000.
- Rainbow Health Network*.

- <<http://www.rainbowhealthnetwork.ca/>>. Accessed November 26<sup>th</sup>, 2009
- Sakamoto, Izumi, Matthew Chin, Aisha Chapra, and Josie Riccardi. "A 'Normative' Homeless Woman? Marginalisation, Emotional Injury and Social Support of Transwomen Experiencing Homelessness." In *Gay and Lesbian Issues & Psychology Review*. April 2009, Vol. 5 Issue 1, 2-18.
- Scheper-Hughes, Nancy. *Death Without Weeping: the Violence of Everyday Life in Brazil*. Berkeley: University of California Press, 1992.
- Selzer, Richard. "The Surgeon as Priest." In *Moral Lessons: Notes on the Art of Surgery*. 24-36. New York: Simon and Schuster, 1976.
- Stevenson, Lisa E. Lectures: "The Problem of Belief." "(M)Other Love and Child Death." And "Ethnography." In ANTH 227: *Medical Anthropology*. September 3<sup>rd</sup>, 2009; September 29<sup>th</sup>, 2009; October 8<sup>th</sup>, 2009. McGill University. Montreal, Quebec.
- Zucker, Kenneth J. "Evaluation of Sex- and Gender-Assignment Decisions in Patients with Physical Intersex Conditions: A Methodological and Statistical Note." In *Journal of Sex and Marital Therapy*, 28: 269, 2002.

**“Toto we’re not in Kansas anymore”:  
Exploring “Othered” Sexualities**

---

# **Penetrating the Land: Representations of Indigenous Sexuality**

By Andrea Waling

**ABSTRACT:** The purpose of anthropological ethnographic research is to represent a culture in a 'neutral' and 'objective' manner, interrupting practices and describing them for other academics to study and learn from. Anthropologists will either refrain from providing commentary on their own individual experiences or choose to embrace a personal narrative. However, the question of sexual ethics remains a controversial subject, in which the sexuality and all practices surrounding sex are either avoided or described in such a way that anthropologists are guilty of 'Othering' their subjects. This paper critically engages with the ways in which this 'Othering' occurs through denial of what Kulick and Mead term as erotic subjectivity. In particular, it explores how geography and notions of the exotic landscape work to produce imaginings of the erotic 'Other' by examining the language within classic and contemporary ethnographic works. By analyzing how this sexualized 'Othering' occurs, we can begin to see the ways in which western preoccupation and trepidation concerning sexuality is reproduced and internalized.

## **Introduction**

The critical examination of sexuality within ethnographic fieldwork is a recent phenomenon, shrouded in controversy and avoided. Although the traditional anthropologist is expected to maintain neutrality when describing and interpreting a culture's practices, there is a question of sexual ethics and morality. What is important and unacknowledged is exploring and interpreting how these practices not only connect with socio-economic and

### *Sprinkle*

political structures, but also with those of geography and cosmology. Historically, the classic-cultural approach to understanding indigenous sexuality is through categorizing these communities, the 'Other' as hypersexual, 'primitive' and overly erotic/exotic in response to missionary statements.<sup>1</sup> Classical anthropologists who have committed fieldwork in the past (such as Bronislaw Malinowski) are culpable of hyper-sexualizing indigenous societies, based on limited understandings of their own sexuality and the clear separation that is enforced between 'them' and the 'Other.' Erotic subjectivity is often dismissed within anthropological works since 'sex,' unless structured in terms of kinship patterns, is deemed as non-academic material, echoing westernized uneasiness concerning sex and sexuality outside of a monogamous, procreative context.

I argue that classical and some current anthropological representations of indigenous sexuality are conceptualized through a denial of erotic subjectivity and the dismissal of the eroticism of geography, where the notion of the 'exotic land' translates into the erotic 'Other.' This is done through the rejection of the anthropologist's own sexuality in the field, and the impact that their westernized conception of sexuality has on their interpretations of indigenous cultures and sexual identities. First, I will discuss what erotic subjectivity is as termed by Don Kulick and Margret Mead, exploring the dilemma of the 'neutral' individual, where their own western perception of sex and sexuality is reproduced through reflections of Indigenous peoples. Second, I will look at the classification of the 'Other' against the anthropologist, critically examining the sexualisation of indigenous communities in North America during the colonial period. Lastly, I will demonstrate how ethnography is a way of 'penetrating' the 'Other', where the 'exotic' of the landscape translates to the 'erotic', overtly sexualized representations of indigenous culture in ethnographic works.

---

<sup>1</sup> "Other" refers to Said's theoretical use of the term, see *Orientalism* (1978) or the *Edward Said: A Critical Reader* (1993).

## **Erotic Subjectivity and the Unwritten Rule**

Ethnographic research can require between eighteen months and three years of fieldwork, often in a geographic region that is unfamiliar territory. The anthropologist is obligated to navigate the spatial region, the new language, culture and customary social behaviours in little time while collecting information in a neutral, objective manner. There is an expectancy for the anthropologist to retain their westernized identity, engage in cultural practices whilst balancing “that nebulous line between being ‘in’ and going native, retaining objectivity and an autonomous sense of self versus doing and feeling as informants do and thereby losing part of the self in the process.”<sup>2</sup> There is an unwritten rule concerning the ethics of sex in the ethnographic field, and “that rule can be summarized in one word: Don’t.”<sup>3</sup> The role of the anthropologist in any field is to become a sexless and neutral being to effectively gather ‘objective’ information. The anthropologist is obligated by this unspoken rule not to engage in any kind of sexual contact with those whom they study, creating ‘segregation’ between them and the ‘Other.’ Sexual abstinence is a crucial part of anthropological study, a commitment to the welfare of those under observation.<sup>4</sup> In the unusual instances in which ethnographers may consider their sexuality in the field, it is to demonstrate the lengths of avoiding involvement with their research subjects.<sup>5</sup>

This ‘unwritten rule’ only furthers indigenous representations as ‘Others’ and consistently separates ‘them’ from ‘us.’ This is largely because the “sexual behaviour of

---

<sup>2</sup> Markowitz, Fran (1999). “Sexing the Anthropologist” in Fran Markowitz & Michael Ashkenazi (eds). *Sex, Sexuality and the Anthropologist*. Pp 161-174 Chicago, IL: University of Illinois Press. 168

<sup>3</sup> Kulick, Don. (1995). “Introduction: the sexual life of anthropologists: erotic subjectivity and ethnographic work” in Don Kulick & Margaret Willson (eds) *Taboo: Sex, Identity and Erotic Subjectivity in Anthropological Fieldwork*. Pp 1-28 New York, NY: Routledge Press. 10

<sup>4</sup> Markowitz, Fran (1999). 163

<sup>5</sup> *Ibid.* 163

## *Sprinkle*

other people has been widely understood to be a point of irreconcilable difference between 'us' and 'them.'"<sup>6</sup> Additionally, as Andrew Killick suggests, ethnographic literature becomes more unambiguous when the subtext of researcher's sexuality becomes expunged.<sup>7</sup> Killick argues that

self-searching reflexive analyses give the impression that they tell all and, conversely, that what they do not tell does not exist; thus, the ethnographer is constructed as an objective observer, free from distracting desires, not merely celibate but asexual.<sup>8</sup>

Erotic subjectivity then becomes important in understanding past anthropological representations of indigenous sexuality due to the comparison of 'us' against 'them.' This has its foundations in Said's theory of Orientalism, where the 'Other' is created through a comparison with western-euro cultures.

Unfortunately, to reveal one's sexual desires can immediately discredit an anthropologist's publication. Malinowski's *Diary*, which publicized his own personal thoughts, desires and disgust during his time spent with the Trobrianders of Papua New Guinea, commenced the critical look into sexualized understandings of aboriginal and indigenous communities. The negative reception of Malinowski's *Diary* "reinforced the taboo against revelations that would link anthropologists to lust, desires, and disgusts while in the field."<sup>9</sup> Despite the critical examinations of sexual subjectivity and the re-examination of anthropology

---

<sup>6</sup>Kulick, Don. (1995). 4

<sup>7</sup> Killick, Andrew P. (1995). "The penetrating intellect: On being white, straight and male in Korea" in Don

Kulick & Margaret Wilson (eds) *Taboo: Sex, Identity and Erotic Subjectivity in Anthropological Fieldwork*. Pp 76-50 New York, NY: Routledge Press. 76

<sup>8</sup> Killick, Andrew P. (1995). 76

<sup>9</sup> Ashkenazi, Michael & Markowitz, Fran (1999). "Introduction" in Fran Markowitz & Michael Ashkenazi (eds). *Sex, Sexuality and the Anthropologist*. Pp 1-21 Chicago, IL: University of Illinois Press. 5

as being an interpretative rather than a scientific discipline, sex and sexuality within the field largely remains a taboo subject. By not acknowledging their own sexual desires through the segregation of them against the 'Other' in an effort to remain a neutral and objective observer, the anthropologist runs the risk of misinterpreting already poorly represented aboriginal sexuality as hypersexual, exotic and erotic.

## **The Neutral Anthropologist**

As mentioned previously, the anthropologist enters the field in a state of 'objective neutrality,' to study and immerse themselves in the community of their research, yet maintain enough distance to be perceived as an 'other'. The ability to remain neutral indicates avoidance of the current issue, where

silence about the erotic subjectivity of fieldworkers also works to keep concealed the deeply racist and colonialist conditions that make possible our continuing unidirectional discourse about the sexuality of the people we study.<sup>10</sup>

Indeed, anthropology is a dominantly, westernized discipline, where the West infiltrates the community upon which the anthropologist conducts research. However, recent anthropologists, such as Rose Jones, have stated concerning neutrality

that the dichotomy between their sexuality and mine was difficult to erect and maintain...I came to realize, however, that my understanding of 'them' was largely contingent on their understanding of me. My knowledge of the system of gender and sex in their society derived more from the fact that precepts of my sex and sexuality were being inserted into that system

---

<sup>10</sup> Kulick, Don. (1995). 4

than from the multiple surveys I was simultaneously collecting.<sup>11</sup>

As Jones states, her conceptualization of indigenous sexuality was understood in terms of how her own sexuality fit within their system, and how it did not. Anthropological representations of indigenous sexuality are placed in a comparative model against westernized understandings. Most anthropologists commit a rather common error, in which they assume that their subjects would view them as outsiders, where they would not “be expected to conform to it in all its particulars or be judged by its standards.”<sup>12</sup> Though anthropologists may view their indigenous subjects as ‘Others,’ they themselves do not consider the possibility that they may be conceptualized in the same manner. When placed in situations of becoming sexualized, there is a sense of dismay and uncertainty, where western notions of sex and sexuality are almost imposed. Moreover, “one could take a hard line and argue that part of the colonialist heritage of anthropology is the desire to (sexually) possess the Other.”<sup>13</sup> In this case, that requires the constant eroticization and hyper-sexualisation of the ‘Other’ against western models of controlled and regulated sexuality.

## **Conceptualizations of the ‘Other’: Colonial Representations**

---

<sup>11</sup> Jones, Rose (1999). “Husbands and Lovers: Gender Construction and the Ethnography of Sex Research” in Fran Markowitz & Michael Ashkenazi (eds). *Sex, Sexuality and the Anthropologist*. Pp 25-42 Chicago, IL: University of Illinois Press. 26

<sup>12</sup> Angrosino, Michael V (1986). “Son and Lover: The Anthropologist as Nonthreatening Male” in Tony Larry Whitehead & Mary Ellen Conaway (eds) *Self, Sex and Gender in Cross-Cultural Fieldwork*. Pp 64-83. Chicago, IL: University of Illinois Press. 70

<sup>13</sup> Altork, Kate. (1995). “My ‘chastity belt’” in Don Kulick & Margaret Willson (eds) *Taboo: Sex, Identity and Erotic Subjectivity in Anthropological Fieldwork*. Pp 168-185 New York, NY: Routledge Press. 171

The conceptualization of indigenous communities as the hypersexual 'Other' dates back to colonial periods. Natives were seen as racialized, sexually erotic 'Others' by explorers such as Vespucci where he becomes "the modern, masculine scientifically inquisitive traveler, America is the primitive, feminine new work, open to discovery and exploration."<sup>14</sup> America is penetrated in terms of exploration, described in terms of fertility and curves, exoticness with the undertones of eroticism. Early representations of America are situated in visual imagery that is negative, crude and malicious. Vespucci's memoirs, the

mundus novus were more like Sodom and Gomorrah, filled with cruel torturers, depraved cannibals, treacherous men, and licentious women; the inhabitants of the new world were dangerous, duplicitous, promiscuous and incestuous.<sup>15</sup>

Colonization followed these ideals, where "sexualized images of native peoples in the Americas served to legitimize aggressive colonial and United States policies and practices, and to dismiss or at least excuse white sexual predations against native women."<sup>16</sup> The

'conquest of the West' involved a series of sexualized encounters between Europeans and Indians that reflected a confrontation of sexualities and sexual systems. This clash of sexualities was an important feature in the development of ideologies that defined each group and the construction of ethnic boundaries that divided them. Definitions of sexual morality distinguished 'civilized' Europeans and Americans on the one hand from 'savage' Indians on the other.<sup>17</sup>

---

<sup>14</sup> Nagel, Joane (2003). *Race, Ethnicity, and Sexuality: Intimate Intersections, Forbidden Frontiers*. New York, NY: Oxford University Press. 97.

<sup>15</sup> Nagel, Joane. (2003). 65

<sup>16</sup> *Ibid.* 97

<sup>17</sup> *Ibid.* 83

### *Sprinkle*

Today these representations still persist, where the “depiction of Aboriginal sexuality as out of control is too attractive an explanation for missionary and government failings to be abandoned.”<sup>18</sup> Despite conscious efforts to dismantle those notions, indigenous sexuality is still illustrated as the exotic ‘Other’.

These early representations are echoed throughout other works, and though not necessarily in such negative terms, there is consistency in which indigenous cultures and their sexual practices are understood under conceptions of the erotic and the hyper-sexual. Roger Keesing’s work concerning the Kwaio of Malaita in the Solomon Islands describes his first encounters with his field placement, focusing specifically on the culture shock he experiences. Concerning this he states that “exotic as it was, not least of all because my tour guides were two cheerful and pretty teenage girls, smoking pipes and stark naked.”<sup>19</sup> He places an emphasis on the exoticism of the girls due to their naked bodies, placing these images into a sexualized context. Later, he discusses his first tribal festival, describing the “shouts and speeches, then falsetto screams echoing out on all sides, naked bodies back and fro in the flickering firelight.”<sup>20</sup> Once again, he emphasizes the naked bodies, interpreting them in a highly sexualized and erotic context. His understanding of sexuality has been greatly influenced by western notions, where sex exists in a subtle, more ‘private’ sphere, and nakedness is the epitome of this idea. Keesing fails to recognize his own ethnocentrism by outwardly commenting and placing prominence on what he interprets as the hyper-sexualisation of the Kwaio.

---

<sup>18</sup> Barman, Jean. (1997). “Taming Aboriginal Sexuality: Gender, Power and Race in British Columbia, 1850-1900” in Leanne Coughlin (eds). *BC Studies: The British Columbian Quarterly* Pp 237-266. Vancouver, BC: Canadian Heritage. 257

<sup>19</sup> Keesing, Roger M. (1992) “Not a Real Fish: The Ethnography as Inside Outsider” in Philip R. DeVita (ed) *The Naked Anthropologist: Tales From Around The World*. Pp 73-89. Belmont, CA: Wadsworth Publishing Inc. 74

<sup>20</sup> Keesing, Rober M. (1992). 75

The exotic/erotic has a tendency to become intrinsic parts of western conceptualizations of the other.<sup>21</sup> As Said shows in *Orientalism*, colonizing images of indigenous sexuality tend to situate females as lustful against white, European, 'chaste' counterparts.<sup>22</sup> These historical and contemporary views of Indigenous communities include all women with an emphasis on 'non-whites'. The men of central 'power' then are viewed as victims of lust, to be pitied and forgiven for their indiscretions, and praised in terms of regulating and controlling aboriginal women's sexuality.<sup>23</sup> These representations of Indigenous sexuality, where they are provocative, overly lascivious and erotic, work in conjunction with impressions of the local topography as exotic, feminine and fertile, ready to be penetrated and subdued by the western, academic anthropologist.

The anthropologist's impression of the foreign land is entrenched within their interpretation of the culture they study.<sup>24</sup> Here, the view of the land as exotic becomes the

---

<sup>21</sup> Dubisch, Jill. (1995). "Lovers in the field: Sex, dominance, and the female anthropologist" in Don Kulick & Margaret Willson (eds) *Taboo: Sex, Identity and Erotic Subjectivity in Anthropological Fieldwork*. Pp 29-50 New York, NY: Routledge Press. 33

<sup>22</sup> Nagel, Joane. (2003). 65

<sup>23</sup> Barman, Jean. (1997). 241

<sup>24</sup> Ethnogeography, the combination of ethnographic fieldwork and geographic analysis of a particular area, plays an imperative part in anthropological understandings and interpretations of culture and its importance in regards to political and socio-economic situations. Land is often reduced to an economic and political understanding concerning indigenous communities; while the cosmological and spiritual impact that the land has on these societies remains ignored.<sup>24</sup> Understanding the importance of land to Native communities will allow for the anthropologist to gain a better depiction of the communities themselves, and how 'space' greatly impacts culture. Without a full understanding of the geographic location and its influence, there is a risk of negative representations of that community. Ethnogeography is one way to create a theoretical understanding to illustrate the importance of the land and its meaning concerning aboriginal rights and aboriginal culture in general. Ethnogeography focuses on the how indigenous societies conceptualize the land and the influence it has on the structure of their culture in terms of language, ritual, cosmology and everyday social activities. However,

## *Sprinkle*

notion of the indigenous society as erotic, where the anthropologist is meant to penetrate into the 'wild' and 'unknown' tribe in the same way they infiltrate their new environment.

## **The Exotic Land Becomes the Erotic 'Other'**

Colonialism justifies its conquest through sexual means. The land is described as feminine, erotic and sensual, meant to be invaded and surrendered to the dominant West. Ethnographic research is structured in the same way, where "ethnographic interpretation remains structurally phallic, evident by the position that fieldwork continues to hold in the value system and career path of academic anthropology."<sup>25</sup> As Killick suggests, fieldwork conducted in exotic and unknown territories holds a degree of prestige within the discipline of anthropology. It penetrates a culture, where sexual symbolism (the ethnographic Other) is "imagined as inhabiting an enclosed space, the field: stronghold of cultural secrets, breeding ground of experience, virgin territory to be penetrated by the ethnographer's interpretive thrust."<sup>26</sup> The ethnographic 'Other' is feminized and meant to be dominated, and the exotic nature that is often entwined with representations of Indigenous peoples is sexualized against the asexual anthropologist, the western self against the erotic 'Other.' This self-other distinction illustrates how sexual imagery is an influential means of conceptualization by associating the self with the "penetrating male hero."<sup>27</sup> The "act of 'interpreting' the other then constitutes not only a symbolic sexual penetration, but a construction of the self as masculine and dominant."<sup>28</sup>

---

ethnography that does incorporate geography does not take into account the ethnographer's conceptualization of that same topography and its impact on their anthropological study.

<sup>25</sup> Killick, Andrew P. (1995). 86.

<sup>26</sup> Ibid. 76

<sup>27</sup> Ibid. 85

<sup>28</sup> Ibid. 85

The method of interpretation is a way of dominating that culture and the language used to illustrate it demonstrates the sexual representations through a comparison against western, puritan ideologies. Helen Morton argues that Malinowski's diary is one example where his representation of the Indigenous culture is written in terms of extremely sensual and stimulating language.<sup>29</sup> His "ability to experience and to write in such a sensually descriptive manner allows us to witness the ways in which he was permeated by his environment."<sup>30</sup> She contends that his work moves

the sensual to the sexual in an organic, complex way, impacted by his intense emotional reaction to the landscape. To focus selectively on his comments about the woman he watched, by lifting it out of its environmental context, is both unfair and reductionist.<sup>31</sup>

Much of Malinowski's rather racist and sexual musings concerning the Trobrianders, especially the women, are intertwined with thoughts about the exotic landscape. He often describes women in terms of his surroundings, and speaks of his environment using provocative language. He places himself above the physical realm 'succumbing' to his desires, while at the same time demonstrating his ability to 'penetrate' the indigenous culture. By writing about indigenous culture in such sexualized terms through observations of the exotic landscape, the 'Other' becomes eroticised, meant to be dominated by western academia.

---

<sup>29</sup> Example provided by Morton of Malinowski's work: 'I went alone to Wawaka', he wrote. 'it was sultry, but I was energetic. The wilderness fascinated me...Kenoria is pretty and has a wonderful figure.

Impulse to 'pat her on the belly'. I mastered it (1989:153).

<sup>30</sup> Morton, Helen. (1995). "Walking the fire line" in Don Kulick & Margaret Willson (eds) *Taboo: Sex, Identity and Erotic Subjectivity in Anthropological Fieldwork*. Pp 107-139 New York, NY: Routledge Press. 117.

<sup>31</sup> Morton, Helen. (1995). 117.

## **Conclusion**

The indigenous 'Other' is understood as erotic and hypersexualized through conceptualization of the land as being 'exotic', where the anthropologist is meant to penetrate and tame this 'ferocious' sexuality through ethnographic analysis. Erotic subjectivity allows for the anthropologist to understand the importance of including their perception of their own sex and sexuality to better illustrate how it impacts their insight of indigenous peoples. By remaining neutral and sexless in the field, the anthropologist only furthers a racial and colonial segregation of 'Us' against 'Them'. Past colonial representations of aboriginal sexuality as dangerous, erotic and provocative are echoed within ethnographic works where indigenous peoples are illustrated as exotic and opposites to puritan, western sexuality. Emphasis on the 'nakedness' and its connection to the exotic landscape of aboriginal tribes further indicates the hyper-sexualisation and interpretation based on western influence. Ethnography becomes a method of 'penetrating' the 'Other', where the 'exotic' of the landscape translates to the 'erotic', overtly sexualized representations of indigenous culture in ethnographic works. If the anthropologist works to acknowledge the problems of their sexuality within the field and the ways it becomes negotiable in relations with their subjects, their "ethnographic representations will be more balanced, richer, and more authentic if perhaps less objective."<sup>32</sup>

---

<sup>32</sup> Markowitz, Fran (1999). 169

**Andrea Waling** is a graduating Carleton University student in Anthropology and Sexuality Studies. She is currently applying for her Masters degree for institutions in Melbourne, Australia to continue her studies in anthropology, studying how anthropological fieldwork practices and representations reproduce sexualized imaginings of indigenous cultures through associations with exotic geography. This paper marks the beginnings of her research interests for her masters, and was inspired by a lecture of Dr. Dan Irving on sexuality and colonialism.

## **References**

- Altork, Kate. (1995). "My 'chastity belt'" in Don Kulick & Margaret Willson (eds) *Taboo: Sex, Identity and Erotic Subjectivity in Anthropological Fieldwork*. Pp 168-185 New York, NY: Routledge Press.
- Angrosino, Michael V (1986). "Son and Lover: The Anthropologist as Nonthreatening Male" in Tony Larry Whitehead & Mary Ellen Conaway (eds) *Self, Sex and Gender in Cross-Cultural Fieldwork*. Pp 64-83. Chicago, IL: University of Illinois Press. 70
- Ashkenazi, Michael & Markowitz, Fran (1999). "Introduction" in Fran Markowitz & Michael Ashkenazi (eds). *Sex, Sexuality and the Anthropologist*. Pp 1-21 Chicago, IL: University of Illinois Press.
- Barman, Jean. (1997). "Taming Aboriginal Sexuality: Gender, Power and Race in British Columbia, 1850-1900" in Leanne Coughlin (eds). *BC Studies: The British Columbian Quarterly* 115-166 Pp 237-266. Vancouver, BC: Canadian Heritage.
- Carson, James Taylor. (2002). "Ethnogeography and the Native American Past" in *Ethnohistory*. Vol 49:4 pp 769-784. Durham, NC: Duke University Press
- Dubisch, Jill. (1995). "Lovers in the field: Sex, dominance, and the female anthropologist" in Don Kulick &

*Sprinkle*

- Margaret Willson (eds) *Taboo: Sex, Identity and Erotic Subjectivity in Anthropological Fieldwork*. Pp 29-50 New York, NY: Routledge Press.
- Jones, Rose (1999). "Husbands and Lovers: Gender Construction and the Ethnography of Sex Research" in Fran Markowitz & Michael Ashkenazi (eds). *Sex, Sexuality and the Anthropologist*. Pp 25-42 Chicago, IL: University of Illinois Press.
- Keesing, Roger M. (1992) "Not a Real Fish: The Ethnography as Inside Outsider" in Philip R. DeVita (ed) *The Naked Anthropologist: Tales From Around The World*. Pp 73-89. Belmont, CA: Wadsworth Publishing Inc.
- Killick, Andrew P. (1995). "The penetrating intellect: On being white, straight and male in Korea" in Don Kulick & Margaret Willson (eds) *Taboo: Sex, Identity and Erotic Subjectivity in Anthropological Fieldwork*. Pp 76-50 New York, NY: Routledge Press.
- Kulick, Don. (1995). "Introduction: the sexual life of anthropologists: erotic subjectivity and ethnographic work" in Don Kulick & Margaret Willson (eds) *Taboo: Sex, Identity and Erotic Subjectivity in Anthropological Fieldwork*. Pp 1-28 New York, NY: Routledge Press.
- Markowitz, Fran (1999). "Sexing the Anthropologist" in Fran Markowitz & Michael Ashkenazi (eds). *Sex, Sexuality and the Anthropologist*. Pp 161-174 Chicago, IL: University of Illinois Press.
- Morton, Helen. (1995). "Walking the fire line" in Don Kulick & Margaret Willson (eds) *Taboo: Sex, Identity and Erotic Subjectivity in Anthropological Fieldwork*. Pp 107-139 New York, NY: Routledge Press.
- Nagel, Joane (2003). *Race, Ethnicity, and Sexuality: Intimate Intersections, Forbidden Frontiers*. New York, NY: Oxford University Press.

## **Love Laws in *The God of Small Things* and *Clear Light of Day***

By Liyun Jin

**ABSTRACT:** *The God of Small Things* by Arundhati Roy and *Clear Light of Day* by Anita Desai are two novels that describe familial relationships influenced by British colonial ideas in mid-20th century India. Figuring prominently in both works is the concept of “Love Laws,” to use Roy’s phrase, which dictate who should be loved, how, and how much. In the two novels, romantic love and sexuality are governed by tacit rules and taboos, which are transgressed, sometimes with terrible consequences. However, each novel suggests different origins and influences behind these love laws and different degrees to which violations are punished. In *The God of Small Things*, the concept of love laws arises from within the traditional Hindu culture and predates the values introduced by the colonial project, an internal derivation that leads to heavier punishment when the laws are broken. In contrast, the rules governing love in *Clear Light of Day* develop as a result of colonial influence, and thus their transgression—measured by external standards—does not provoke as much censure.

Arundhati Roy’s *The God of Small Things* (1997) and Anita Desai’s *Clear Light of Day* (1980) are two novels that depict families in mid-20<sup>th</sup> century India, whose members are influenced by the British values that linger behind after the country’s colonial presence. Roy’s novel describes the childhood experiences of a pair of fraternal twins Rahel and Estha in the town of Ayemenem, the events that lead to their separation, and their eventual reunion. *Clear Light of Day*, on the other hand, recounts the emotional scars of the Das family, who similarly reunite and share their reflections and

### *Sprinkle*

regrets after many years apart. While both novels describe familial relationships influenced by colonial ideas, Roy and Desai paint two very different depictions of love. In both novels, the idea of “Love Laws,” to use Roy’s wording, figures prominently and gives insight into the characters’ own evaluation of their romantic relationships. “Love Laws,” as defined in *The God of Small Things*, are “the laws that lay down who should be loved, and how. And how much” (33). In the two novels, romantic love and sexuality are governed by tacit rules and taboos, which are transgressed, sometimes with terrible consequences. However, each novel suggests different origins and influences behind these love laws and different degrees to which violations are punished. In *The God of Small Things*, the concept of love laws arises from within the traditional Hindu culture and predates the values introduced by the colonial project, an internal derivation that leads to heavier punishment when the laws are broken. In contrast, in *Clear Light of Day*, the rules that govern and assess characters’ love develop as a result of British colonial influence, and thus their transgression—measured by external standards—does not provoke as much censure.

To examine the rules that regulate love in the two novels, it is useful to consider Ann Stoler’s essay, “On Empire, Nurseries, and the Cultivation of Race.” In this piece, Stoler analyzes the impact of colonial regimes on overseas educational institutions and argues that “concerns for children’s moral environments” led to strict monitoring in schools, nurseries, and homes to enforce and encourage proper interpersonal behavior (43). Because “to be white and respectable meant to acquire behaviors that demanded restraint and civility,” it was crucial, Stoler explains, for the colonizers to instill these values in order to ensure that those living in the colonies would preserve and perpetuate standards of civility and morality (43). To this end, colonial institutions printed “prescriptive texts [...] directed at schooling young citizens in a sense of morality and a proper tempering of their desires,” educational material that discouraged “the course hugging, kissing, etc. which the

children are sure to receive in great abundance from ignorant and low-minded domestics,” Stoler quotes from Lewis Hough (44). European colonizers believed indulgence of affection encouraged “precocious sexualism” in children, detrimental to their upbringing as civil, restrained, and morally-upright citizens (44). These colonial attempts to curb children’s propensity for emotional and physical affection are closely linked to the rules that govern the appropriate demonstration and recipients of love in *The God of Small Things* and *Clear Light of Day*. However, whereas Stoler attributes these attempts to control or restrain love and affection solely to the external forces of imperial regimes, these two novels suggest that the laws regulating love in postcolonial countries did not necessarily arise as a result of European influence, but were sometimes existent far before the arrival of colonial powers.

In *The God of Small Things*, love laws anticipate, rather than echo the colonial project, and are rooted in the Hindu caste system, the traditional pattern of social stratification enforced for the past 3,000 years in India. Ammu, a Touchable woman of good breeding, and Velutha, a member the lowest caste of Untouchables or Paravans, break the ancient laws governing romantic love and sex defined by the caste system. They meet every night for fourteen days by the banks of the river, carrying on sexual encounters that, once discovered, appall members of both families. When Vellya Paapen, Velutha’s father, reveals this relationship to Mammachi and Baby Kochamma, Baby Kochamma’s first response is, “*How could she stand the smell? Haven’t you noticed, they have a particular smell, these Paravans?*” And she shuddered theatrically, like a child being force-fed spinach” (Roy 75). Her utmost objection to their relationship is the disparity between Ammu and Velutha’s castes; Velutha’s detestability—an intrinsic offensiveness perceivable even in his scent—derives from Untouchable status. Similarly, Mammachi’s horrified response is also rooted in traditional Indian notions of caste and social class: “She imagined it in vivid detail: a Paravan’s black hips

*Sprinkle*

jerking between [Ammu's] parted legs. The sound of their breathing. His particular Paravan smell. *Like animals*, Mammachi thought and nearly vomited. *Like a dog with a bitch on heat*" (Roy 244). Their condemnation and abhorrence of Ammu and Velutha's sexual encounters are not embedded in the colonial insistence for "the schooling of desires," but rather in Indian tradition that governs the proper boundaries of social interactions between those of separate castes (Stoler, 43). Thus, *The God of Small Things* demonstrates that laws regulating love in erotic, romantic relationships are derived from long-standing Indian beliefs that far predate the British colonial project.

Throughout the novel, it is implied that Velutha is not worthy of being loved due to his status as a Paravan or Untouchable. Even when characters believe that they are treating him with respect or dignity, their behavior is in reality unjust and degrading:

Mammachi paid Velutha less than she would a Touchable carpenter but more than she would a Paravan. [...] She thought that he ought to be grateful that he was allowed on the factory premises at all, and allowed to touch things that Touchables touched. She said that it was a big step for a Paravan (Roy 74).

The notion of an essential inequality between various castes is so deeply ingrained that Mammachi fails to see the unfairness in this situation and even feels virtuous for what she believes is her progressive handling of caste differences. Even Vellya Paapen, Velutha's Untouchable father, upholds the beliefs of the caste system and is similarly disgusted with his son's actions. With terror, Vellya Paapen "saw what his Untouchable son had touched. More than touched. Entered. Loved" (Roy 74). The intensifying, parallel structure of this excerpt suggests that his Untouchable son's love for Ammu is more egregious than his touching of her, that an emotional bond between two members of different castes is more shocking, transgressive, and socially impermissible than mere physical contact. Love, therefore, is the greatest, deepest connection between two people, and to violate the

laws of love rooted in the caste system, entails greater consequences than simply breaking the laws regulating physical contact.

The consequence of the breach of these love laws, which are internal to Indian culture and predate colonialism, is severe punishment. Because the characters are so deeply invested in these love laws—which are inseparable from their religious beliefs—their attempts to rectify or penalize violations are extreme and exacting. Mammachi believes that Ammu “had defiled generations of breeding [...] and brought the family to its knees. For generations to come, *forever* now, people would [...] nudge and whisper. It was all finished now” (Roy 244). Similarly, Baby Kochamma casts Velutha out, ordering that “He must go. [...] Tonight. Before it goes any further. Before we are completely ruined” (Roy 243). After Baby Kochamma frames Velutha for taking advantage of Ammu, the enforcement of love laws appropriately comes from “a posse of Touchable Policemen” (Roy 288), who strike Velutha within an inch of his life with their “steel-tipped, Touchable boots” (Roy 289). The consequence of his breach of caste system-rooted love laws is a punishment equally embedded in caste, a form of violence justified by Hindu laws governing love and behavior.

Transgression of love laws also occurs in the perversely intimate relationship between twins Rahel and Estha, who, as children, “thought of themselves together as Me, and separately, individually, as We or Us” (Roy 4-5). Though such a degree of intimacy and closeness is already anomalous, defying the European rules prescribing restrained, civilized familial love, the relationship becomes even more transgressive when the two reunite as adults twenty-three years later. The twins share a night of intimacy that violates the taboo of incest, a universal love law governing whom should be loved and to what degree. There is no explanation for their sexual union, “Only that a hard honey-colored shoulder had a semicircle of teeth marks on it. Only that they held each other close, long after it was over. [...] Only that once again they broke the Love Laws. That lay

*Sprinkle*

down who should be loved. And how. And how much” (Roy 311). The twins’ sexual encounter is the ultimate transgression of the love laws prohibiting incest, a universal taboo that rests on lineage, miscegenation, and the strictly non-erotic nature of familial love. By committing this act, Estha and Rahel are not only breaking the love laws upheld by Indian or British culture, but the universal love laws of human culture. Thus, the love laws in *The God of Small Things* do not echo colonial project, but predate and anticipate it.

In contrast, the relationships portrayed in *Clear Light of Day* suggest that violations of the tacit laws governing love, defined by European standards, result paradoxically from the colonial project itself. *Clear Light of Day*, like *The God of Small Things*, is filled with breaches of romantic love laws, instances that cross the boundaries of what colonial regimes deem acceptable or proper in love. For instance, multiple parts of the text suggest that Bim is romantically infatuated with her brother Raja, an interest that crosses the societal limitation on sibling love and echoes Estha and Rahel’s incestuous relationship in *The God of Small Things*. One exchange that occurred during Bim and Raja’s childhood that illustrates the perversely affectionate relationship between the two is their declarations of what they want to become when they grow up. Bim recalls that “Raja had announced, so grandly, ‘When I grow up, I shall be a hero,’ making [Bim] instantly, with shining eyes, respond ‘And I will be a heroine’” (Desai 55). This desire to be a complementary duo—a hero and a heroine—into their adulthood, violates the European values of restraint, civility, and detachment in familial relationships that Stoler describes. Ironically, however, this breach of European love laws is itself caused by the British influence in India; the basis for their aspirations and their borderline romantic desire to be everlasting companions is the British literature that they had both embraced as children. Raja’s initial desire to be a hero stems from the fact that he “read mostly Lord Byron. Reading, he seemed to form a picture of himself”

(Desai 55). In addition, Raja had read Byron's poetry to Bim, inspiring in her a similar awe and admiration of heroes and poets. Reading British literature causes the two siblings to wish to be inseparable heroic counterparts, an unnatural and excessively intimate sibling relationship that defies European rules of love. Thus, the British colonial influence disfigures Bim and Raja's sibling relationship, causing them to violate the European rules governing the boundaries of love.

Bim's breach of the love laws governing romance is also evident from her rejection of the institution of marriage, which is valued not only by British colonists, but also deemed essential by Indian culture. In her interactions with Dr. Biswas—an eligible bachelor who shows interest in her—Bim is aloof and disinterested, preferring to devote her life to her family rather than to marry. For instance, she declines Mr. Biswas' invitation to accompany him to a concert, excusing herself by explaining, "Sunday? No, quite impossible, doctor. I can't leave the house," referring to the "three patients" whom she must tend inside—Raja, Baba, and Aunt Mira (Desai 80). Most of all, it is for her brother Raja that Bim sacrifices her own romantic prospects. When Dr. Biswas walks Bim home one evening after introducing her to his mother, they overhear a radio broadcasting the news that Mahatma Gandhi had been murdered. In a panic, Bim "veered away from Dr. Biswas and leapt onto the bus instead. [...] Then she disappeared into the bus and forgot him completely: she thought only of rushing to Raja with the news" (Desai 3). Bim's actions in this situation reveal that her devotion to her brother far outweighs her interest in cultivating a romantic relationship with Dr. Biswas.

The most direct statement about Bim's deviant rejection of romantic love and marriage occurs during her final encounter with Dr. Biswas. After treating Aunt Mira, Dr. Biswas turns to Bim and says, "Now I understand why you do not wish to marry. You have dedicated your life to others—to your sick brother and your aged aunt and your little brother [...] You have sacrificed your own life for them"

### *Sprinkle*

(Desai 97). The decision to reject marriage is so frowned upon that Bim is embarrassed and in denial of the truth in his remark: “Bim’s mouth fell open with astonishment at this horrendous speech [...] Later, she never acknowledged, even to herself, that this ridiculous scene had ever taken place” (Desai 97). Her refusal to admit that the exchange occurred is evidence enough of her guilt and her repressed awareness that Dr. Biswas was correct: Bim refuses marriage because she is effectively married to her role as caretaker. In making this decision, she violates not only the love laws imported to India by British colonists, but the tacit societal expectation for marriage indigenous to Hindu society—expectations that Dr. Biswas, her sister Tara, and their parents all hold.

In both Roy and Desai’s novels, the laws regulating whom should be loved and to what degree are transgressed and pushed, and arise from colonial or traditional cultures and beliefs. Whereas Stoler’s article focuses on the external, European origins of the rules that regulate love and affection, both novels present relationships which complicate her argument by showing that love laws are not only transmitted by imperial forces, but can be indigenous to the colonies. *The God of Small Things*, for instance, suggests that the laws governing romantic love originate from the caste system, an ancient hierarchical classification rooted in Hinduism. On the other hand, in *Clear Light of Day*, colonial influences sometimes paradoxically lead to the transgression of European laws of love, rules which govern the relationships in the novel.

Differences in how love laws are defined in each novel can be illuminated by the temporal setting of each work. Whereas *The God of Small Things* shifts between the year 1969, when Rahel and Estha are children, to 1993, when they are reunited in Ayemenum, *Clear Light of Day* creates a portrait of the Das family from the late 1940s to the 1970s, a span of time offset previous to that of *The God of Small Things*. The ubiquity of British-defined love laws in *Clear Light of Day* can be explained by the plot’s precedence and its temporal proximity to British colonial rule, which

lasted until 1947, a time when Bim, Raja, and Tara are children in Old Delhi. In *The God of Small Things*, which takes place in later decades, love laws—much like Indian national identity itself—have been extricated from British influence and are rooted instead in traditional Hindu beliefs. However, both sets of love laws, Indian and British, native and external, are socially oppressive and destructive, resulting in dashed dreams, crumbled families, and innocent deaths. A glimmer of hope of the elimination of these repressive rules, governing whom can be loved and how much, appears in *The God of Small Things*, which declares that all things “began in the days when the Love Laws were made” (33). The notion that love laws are not eternal, universal, or infinite, but were constructed contextually, hints at the possibility of their *deconstruction*, which, once achieved, might mean the freedom to love.

**Liyun Jin** is a sophomore at Harvard College, concentrating in statistics with a secondary field in English. She is interested in women, gender, and sexuality studies, particularly in its intersection with literature. An earlier version of this paper was submitted for a course on postcolonial women's writing.

## References

- Desai, Anita. Clear Light of Day. Boston: Mariner Books, 1980.
- Roy, Arundhati. The God of Small Things. New York: HarperCollins, 1997.
- Stoler, Ann, ed. “On Empire, Nurseries, and the Cultivation of Race.” In Haunted by Empire: Geographies of Intimacy in North American History. Durham: Duke UP, 2006. 43-46.

**Neo and Morpheus were “*just friends*”:  
Challenging the Matrix of  
sex/gender/desire**

---

## **The Potential of a Painting: Queer Voices in Glenn Ligon's *Untitled* (*I Am A Man*)**

By Alex Fialho

**ABSTRACT:** This paper analyzes contemporary artist Glenn Ligon's 1988 painting *Untitled (I Am A Man)* as a space of multiple queer voices. First, through a biographical reading of the work that takes into account Ligon's identity as both gay and black, the paper explores the artist's appropriation of the gendered assertion "I Am A Man" from Civil Rights protest signs and the implication of this gesture on questions of masculinity and sexuality in the black community. Next, the paper considers the way in which Ligon's work resists essentialization by opening up to a broader conception of queer difference, enacting a deconstruction of gender binaries in the process. Finally, the paper contrasts *Untitled (I Am A Man)*'s multiple queer voices with both the initial context of the protest from which Ligon appropriated the statement as well as a performance artist's similar appropriation, arguing for the overarching potential of Ligon's painting.

*"He loves the idea of himself. This is not a narcissistic loving but a love that acknowledges the fallacy of essential identities. This is what forms the core of his inquiry: the desire to define and describe an experience through his experience."*<sup>1</sup> –Thelma Golden on Glenn Ligon

Curator Thelma Golden's analysis of contemporary artist Glenn Ligon's work gets at the heart of the artist's output in relation to questions of identity, difference, and

---

<sup>1</sup>

Thelma Golden, "Everynight," in Judith Tannenbaum, Glenn Ligon: Unbecoming (Philadelphia: Institute of Contemporary Art, 1997), 39.

essentialization. As a black and self-identified gay man, Ligon is positioned at the crossroads of marginalized racial and sexual difference. Golden notes that Ligon's art makes this experience central, referencing and negotiating this particular locus of identity<sup>2</sup>. At the same time, Golden also notes that Ligon "acknowledges the fallacy of essential identities." Though his work may reference his identity, Ligon actively denies any sort of fixed, essentialized identity to congeal in the space of his canvases.

A prime example of this characteristic in Ligon's artistic exploration, and the subject of this paper's inquiry, is the artist's 1988 work *Untitled (I Am A Man)*, subsequently referred to as *Untitled*, [Appendix A] a text-based painting that appropriates source material from a definitive moment in the history of the African-American Civil Rights Movement coupled with explicit gendered implications. In an exploration of *Untitled* there is much to be gained through the lens of Ligon's personal experience of difference, as the work takes on the charged valence of a polemic of identity politics against conventional representations of black masculinity. However, in speaking about his own artistic practice, Ligon says, "Lack of location is my location. I'm always shifting opinions and changing my mind."<sup>3</sup> As such, it is particularly appropriate to read *Untitled* through the lens of Queer Theory, a methodology that stems from a mistrust of any fixed gender identity. Through this methodological shift, the meaning of the work broadens outward from Ligon's own personal experience of difference as a gay black man onto a wider spectrum of queer difference. In this way, Ligon's *Untitled* creates a space of inherent gendered ambiguity into which a multiplicity of identities can "insert"

---

<sup>2</sup> It is important to note that, in the context of her essay, Golden's discussion of "difference" emphasizes racial difference. For the purposes of this essay, however, I am extending this notion of difference to questions of sexual difference as well.

<sup>3</sup> Roberta Smith, "Lack of Location Is My Location," *New York Times*, 16 June 1991, H27.

themselves, thus calling into question the very binary of gender itself.

### **Black Man, Gay Man**

In a discussion of *Untitled*, a biographical reading of the painting provides an insightful, though limited, framework of difference. As is the case with much of Ligon's *oeuvre*, the painted text of the work does not actually originate as a quotation from the artist himself, but rather is an appropriation. In the particular instance of *Untitled*, the painting's source material is an iconic sign from the 1968 Memphis Sanitation Strike of the Civil Rights Movement [Appendix B]. During this strike, hundreds of black male factory workers protested with signs that read "I Am A Man," demanding equal recognition, wage increases, and non-discrimination in the work place. In the context of the Memphis Sanitation Strike, the statement "I Am A Man" addressed the way that the black male factory workers had been stripped of not only their manhood, but also their humanity<sup>4</sup> in the discrimination they faced and the squalid working conditions in which they were made to work. In repeatedly asserting their manhood, the proliferation of signs points to the way in which these black male factory workers were generally disenfranchised of their basic rights. At the same time, the sea of signs also visualizes an emphatic, collective political statement against these injustices.

In *Untitled*, the statement of these signs operates as a textual readymade<sup>5</sup> to update and refashion through Ligon's

---

<sup>4</sup> This question of proving one's humanity coincides with what Ligon himself sees as a function of art by black artists, which Ligon states "has been so tied with the project of proving our humanity." Glenn Ligon, interviewed by Lauri D. Firstenberg, "Neo-archival and Textual Modes of Production: An Interview with Glenn Ligon," *Art Journal* 60:1 (Spring 2001): 43.

<sup>5</sup> The notion of the readymade is, in an Art Historical context, linked with the artist Marcel Duchamp's appropriation of found objects, which Duchamp refashioned and incorporated into his own works of art.

artistic appropriation. In speaking of his decision-making process behind the choices for textual appropriation, Ligon says, "I think they choose me... If something sticks with me for a long time, it goes into a painting."<sup>6</sup> Thus, Ligon's appropriation of the 1968 protest sign as source material for his painting reflects the artist's interest in the historical significance of the Memphis Sanitation Strike, as well as the stakes and rhetoric behind the demonstration.

At the same time, whereas the black workers of the Memphis Sanitation strike addressed the dehumanizing conditions of a racist workforce, Ligon's appropriation of the sign's statement can be interpreted through his own identity as an emphatic declaration of masculinity in the face of the emasculated association of gay sexuality. Earl Ofari Hutchinson reflects upon the historical contingency of the conflicted relationship between black men, masculinity, and sexuality in his essay "My Gay Problem, Your Black Problem,"<sup>7</sup> writing: "From cradle to grave, much of America drilled into Black men the thought that they are less than men... In a vain attempt to recapture their denied masculinity, many Black men mirrored America's traditional fear and hatred of homosexuality"<sup>8</sup>. For Hutchinson, it is the residual effect of racist denials of black masculinity that incites homophobic backlash within the black community itself. In other words, while black men have historically felt the imperative to assert their manhood, the need for such an assertion has also resulted in a particularly charged insecurity around issues of masculinity and sexuality within the black community. As a result, a prescribed notion of

---

<sup>6</sup> Hunter Drohojowska-Philp, "Glenn Ligon gets Obama's vote," *Los Angeles Times*, 11 December 2009, <http://www.latimes.com/entertainment/news/arts/la-et-glen-ligon11-2009dec11,0,5191261.story?page=1>.

<sup>7</sup> Earl Ofari Hutchinson, "My Gay Problem, Your Black Problem" in *The Greatest Taboo: Homosexuality in Black Communities*, Edited by Deloy Constanine-Simms, (Los Angeles: Alyson Books, 2001), 3.

<sup>8</sup> Earl Ofari Hutchinson, "My Gay Problem, Your Black Problem," in *The Greatest Taboo: Homosexuality in Black Communities*, Edited by Deloy Constanine-Simms, (Los Angeles: Alyson Books, 2001), 3.

masculinity has developed that alienates groups of black men, particularly gay men like Ligon. In this context, *Untitled*, a gay artist's appropriation from a strike fueled by racial discrimination, stands at the crossroads of this conflicted history. In appropriating the statement of the sign twenty years after its historically specific context, Ligon's work conflates the past with his own historical moment, updating the statement of the original sign with a personalized construction that reflects its contemporary effects as experienced by the artist.

It is important to note that while Ligon appropriates the words of the statement, he does not directly appropriate the composition of the signs. Significantly, *Untitled* has an additional line break that divides the statement into three lines in the painting as opposed to the two lines on the sign. Ligon's additional break gives the word "A" an isolated attention and thus added significance. In contrast to the collective demonstration of the Memphis Sanitation Strike, which included hundreds of workers banding in protest, Ligon's isolation of the word "A" positions the artist as literally "A" single man. Whereas the sign's initial context was displayed in a mass plurality, a black community, Ligon is positioned in singularity, alienated from this community. As such, *Untitled* reflects this distressing reality of intersection for a gay black subject, only tenuously accepted and situated within the black community as a result of the very history inscribed in the appropriated sign.

### **Questioning the Gendered Speaker**

Though a biographical reading of Ligon's *Untitled* perhaps elucidates the artist's personal stake within the work, it also limits the analysis of the painting to a singular statement of the artist's identity. Indeed, Ligon points out that this is only one of the possible meanings to derive from the shifting towards which he works. Though *Untitled* may reflect the conflict of intersectional difference, Ligon moves past this unsettling reality by refusing to settle; that is,

refusing to allow his works to fix solely to his own identity. Ligon distances himself from a direct relationship to the statements of his text-based paintings through his practice of appropriation, as well as his painting process itself. In appropriating his text from the existing lexicon, Ligon purposefully avoids making an original statement that can be attributed, in a sense quoted, to him. By speaking through others, Ligon distances his own personal voice from the work. Further, Ligon's painting process is significant in that the artist uses stencils to apply his thickly rendered painted words to the canvas. In his deferral of the "writing" process to the stencil, Ligon's handwriting, his own highly personal mark, is lost. In these ways, *Untitled* enacts a tension on Ligon's part between self-actualization and conscious distancing in both content and form.

In his book *How to See a Work of Art in Total Darkness*<sup>9</sup>, Darby English astutely discusses the implications of this distancing in Ligon's text-based paintings. For English, Ligon's appropriation technique importantly dispels the assumptions that "Ligon's 'I' is always his own"<sup>10</sup>. Further, in the potential for an open-ended speaker, "they [Ligon's paintings] capitalize on this consciousness of multiplicity to ratchet open their surface, reorienting it around a constitutional openness"<sup>11</sup>. In the case of *Untitled*, English's discussion is helpful in opening up the "I" of Ligon's work to a multiplicity of possible voices, creating the need for multiple analyses of the painting to account for these various speakers. Importantly, one similarity these voices share is their deviance from normative conceptions of gender. As a result, a chorus of queer voices emanate from Ligon's painting.

---

<sup>9</sup> Darby English, *How To See a Work of Art in Total Darkness*. (Cambridge, Mass: MIT Press, 2007).

<sup>10</sup> Darby English, *How To See a Work of Art in Total Darkness*. (Cambridge, Mass: MIT Press, 2007), 210.

<sup>11</sup> Darby English, *How To See a Work of Art in Total Darkness*. (Cambridge, Mass: MIT Press, 2007), 236.

Here, it is productive to insert an alternative example to Ligon's own voice into *Untitled*, revealing the work's potential as a deconstruction of gender binaries. Ligon's use of text disavows the painting of a representation of the *male* voice that the statement emphatically asserts. There is no male figure or phallic presence, to reduce the male to its signifying anatomy, pictured with whom we associate the phrase "I Am A Man." This disembodiment is significant in terms of the multiplicitous possibilities of Ligon's painting. In light of this reality, the text of *Untitled* could be provocatively read as a statement from a transgender subject who may identify as a man, but whose anatomy signifies the sex of a woman. In this instance, the text of Ligon's painting is as an appeal from a transgender speaking subject: though my anatomy may not signify it, "I Am A Man."

Without an imaged representation with which it coheres, the ambiguity of Ligon's textual quotation lends itself to a deconstruction of the very grammar of gender, as Ligon's painting can function as a visual text that works against reductive gender binaries signified in the terms "man/woman." This commentary is in the vein of queer theorist Judith Butler, who takes up a similar intervention in her book *Gender Trouble*<sup>12</sup>. Butler deconstructs gender in part through her skepticism of language, which is as elementary as her calling into question the term "woman" itself. Butler writes "If one 'is' a woman, that is surely not all one is; the term fails to be exhaustive"<sup>13</sup>. Here, the word "woman" *denotes* a particular experience, a quasi-border or boundary that outside of which one is not considered to be a woman. At the same time, the word "woman" does not sufficiently *connote* the experience of womanhood (or doing gender), as the grammar of gender itself lacks the capacity to include all of the meanings for which it is responsible. For Butler, since there are those whose identities or sense of selves lie outside the restrictive term "women," the word

---

<sup>12</sup> Judith Butler, *Gender Trouble*. (Routledge: New York, London, 1990).

<sup>13</sup>Judith Butler, *Gender Trouble*, (New York, London: Routledge, 1990), 3.

“has become a troublesome term, a site of contest, a cause of anxiety”<sup>14</sup>.

In a similar manner, analyzing Glenn Ligon’s *Untitled* with a “queer eye” destabilizes the binary of gender, in this case by calling into question the term “man.” As argued, the work opens itself up to speak for Ligon himself, a gay black man, as well as a transgender subject, both of whom exist outside constructed notions of masculinity. In this sense, though Ligon’s painting is a visually black and white statement, with black text on a white background, the binary of “man/woman” is in fact grayed by the open-ended space of multiple, queer voices that the painting enacts.

### **Conclusion: The Potential of a Painting**

Interestingly, Glenn Ligon is not the only contemporary artist to appropriate the sign from the 1968 Memphis Sanitation Strike. In 2005, performance artist Sharon Hayes held a sign declaring “I Am A Man” in the streets of New York City for her work “*From In The Near Future*” [Appendix C]. In the context of the Memphis Sanitation Strike and Hayes’ performance, those holding up the sign, either a group of protestors or an individual performance artist, are inherently linked to this sign. In both cases, the sign represents an explicit intervention on the part of those who are visibly holding it. As a result, the meaning of these interventions, and particularly the gendered implication of the statement, is read through, and more or less limited to, the lens of a group of black *male* workers or a white, *female* performance artist. In contrast, in appropriating the statement for a painting as opposed to a sign, Ligon disavows his own presence, as the work is hung on a wall rather than held by a subject. As such, *Untitled* has the potential to be symbolically “held” by several subjects, including but not limited to protesting black male sanitation workers, a gay black male artist, a transgender subject, or a female performance artist. The open-ended possibility of

---

<sup>14</sup> Judith Butler, *Gender Trouble*. (New York, London: Routledge, 1990), 3.

these shifting registers creates a transformative potential that works to deconstruct the very notion of what a gendered identity signifies and what a “Man” essentially *is*. In discussing his art, Ligon himself says “I hope my work is more open-ended, more about questioning positions than establishing a single position” (Smith). In the case of *Untitled*, a reading of the gendered voice is as fluid and shifting as the term queer itself, a necessary multiplicity to account for the open-ended position of Ligon’s work.

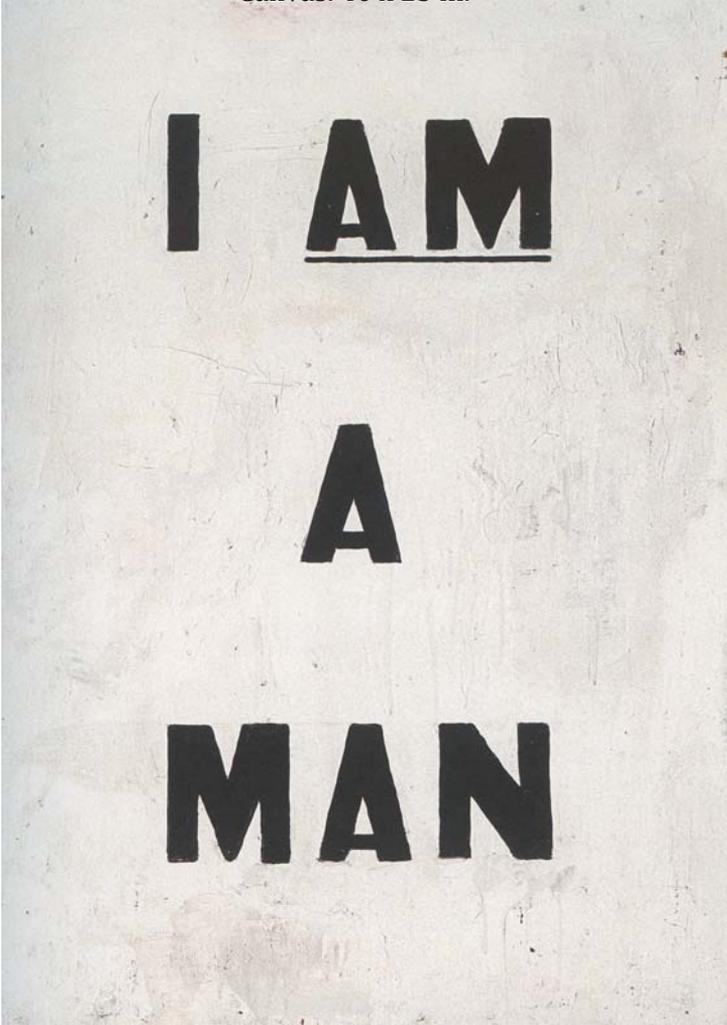
**Alex Fialho**, a junior at Stanford University, is an aspiring art historian from San Diego. He will be writing a monographic honors thesis on the work of Glenn Ligon next year, and loves studying LGBT artists as they constantly inspire him in his daily life. He considers Ligon, Keith Haring, Felix Gonzalez-Torres, and Claude Cahun to be among his favorites.

## References

- Butler, Judith. Gender Trouble. New York, London: Routledge, 1990.
- Drohojowska-Philp, Hunter. “Glenn Ligon gets Obama’s vote,” *Los Angeles Times*, 11 December 2009, <http://www.latimes.com/entertainment/news/arts/1a-et-glen-ligon11-2009dec11,0,5191261.story?Page=1>.
- English, Darby. How To See a Work of Art in Total Darkness. Cambridge, Mass: MIT Press, 2007.
- Firstenberg, Lauri D. “Neo-archival and Textual Modes of Production: An Interview with Glenn Ligon,” *Art Journal* 60:1 Spring 2001: 43.
- Hutchinson, Earl Ofari. “My Gay Problem, Your Black Problem.” The Greatest Taboo: Homosexuality in Black Communities. Ed. Deloy Constanine-Simms. Los Angeles: Alyson Books, 2001.
- Thelma Golden, “Everynight.” Glenn Ligon: Unbecoming. Ed. Judith Tannenbaum. Philadelphia: Institute of Contemporary Art, 1997.

Smith, Roberta. "Lack of Location Is My Location," *New York Times*, 16 June 1991, H27.

**Appendix A:** Untitled (I Am A Man), 1988. Oil and Enamel on Canvas. 40 x 25 in.<sup>15</sup>

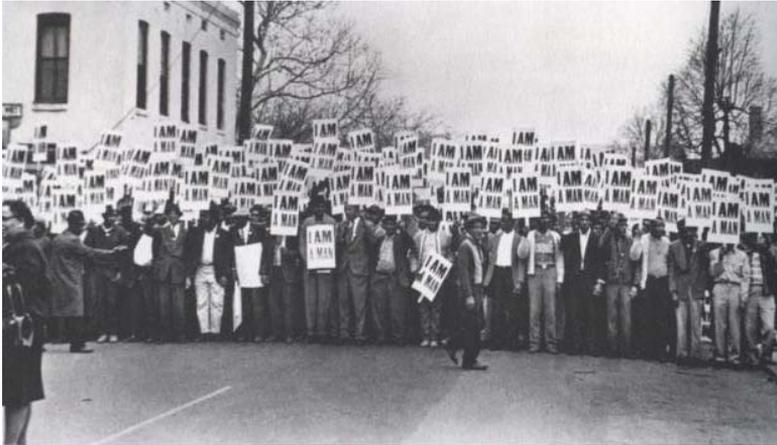


---

<sup>15</sup> Glenn Ligon: Some Changes (Toronto: The Power Plant Contemporary Art Gallery, 2005), 177.

**Appendix B:** Ernest C. Withers, I Am A Man, Sanitation Workers Strike, Memphis, Tennessee, March 28<sup>th</sup>, 1968<sup>16</sup>.

**Appendix C:** Sharon Hayes, From In the Near Future, 2005<sup>17</sup>.



<sup>16</sup>Glenn Ligon: Some Changes (Toronto: The Power Plant Contemporary Art Gallery, 2005), 177.

<sup>17</sup> <http://www.tate.org.uk/modern/exhibitions/mediaburn/sharon.shtm>

# Choosing What to Wear: Sexual Identity, Uniforms, and Dress Codes in American Public Schools

**ABSTRACT:** While there is a great deal of scholarship on how school uniforms and dress codes affect student behavior and educational performance, little of it focuses on how these policies can shape students' sexual identity. Clothing is a powerful expression of a person's identity, and a school's specification of male or female appropriate attire can have drastic consequences on how students perceive gender norms. The purpose of this study is to expose the negative consequences of gender specific clothing policies in American schools, highlighting the importance of drafting gender-neutral dress codes. To illustrate this point, the paper outlines the link between clothes, gender norms, and identity, followed by a critical examination of how school uniforms have reified gender stereotypes and denied the free expression of students' transgender identities. Two major legal cases form the focus of this analysis: the 2002 lawsuit of Nikki Youngblood and Robinson High School, and the 2000 Massachusetts case *Doe v. Yunits*.

## Part I. Introduction: Gender and Clothing

Gender norms surround us in the United States. They permeate almost every facet of our social lives, sometimes consciously, and sometimes quite inconspicuously. For example, look at almost any contemporary cleaning product commercial. The protagonist is almost always a well groomed, white middle-class woman, presumably happily and faithfully married. This type of advertisement carries with it a number of subliminal messages, but perhaps the one most salient is its portrayal of women: they are the ones who do the cleaning; they are the ones who attend to

domestic matters. It is a traditional gender role that has been reinforced over many years, not just in the United States, but in Western culture in general.

But people are exposed to gender typing much earlier than they are exposed to television commercials. It starts when we are clothed as babies and continues through school, well into adulthood and old age. In some cases the results of gender typing can be innocuous, like affecting a child's favorite color. Other times, however, gender stereotypes can have grave consequences on the way people form their identity. One such arena where this can happen is in public schools, a place that is many children's first encounter with public society as a whole. This gender typing can happen in many ways, through the way teachers expect boys and girls to behave or through more institutionalized methods, the focus of this essay: dress codes and uniforms.

As will be explained below, clothing is a powerful expression of a person's identity. It is an intersection of many different factors, not least of which is sexuality. When schools regulate the type of clothing children wear, they work to regulate the way they form their identity, sometimes for good, and sometimes for bad. The purpose of this research is to then expose the more malevolent ways in which dress codes and uniforms affect the way students come to understand their sexual identity. By looking at the effects of dress codes on boys, girls, and transgender students, we will see the damaging effects of the way public schools subtly and blatantly impose the traditional gender norms of mainstream U.S. culture on students.

## **Part II: Foundations, the Power of Clothing and the School Uniform Movement**

### *The Power of Clothing*

The clothing a person wears can say many things about that person's identity and the culture in which he<sup>18</sup> lives. However, it is important to remember that the meaning of clothing is context dependent.<sup>19</sup> That is, we cannot examine a person's clothing and identity without looking at the people and culture that surround him. For example, a woman wearing pants may be culturally acceptable in one culture, but provocative in another. Moreover, there are many different contexts within any given society. These contexts might be related to occupational spheres, such as what a person wears at work and at home, or related to other subcultures within one society, such as different ethnic groups. How a person comes to identify with certain ideals is a highly complex process and cannot always be separated from his class, religion, gender, race, and so on.

Nevertheless, in this discussion we are going to specifically zero in on the intersection clothing and gender identities in American public schools. This cultural process is one that starts very early in a person's life, so early, in fact, that children often recognize differences in clothing before they understand the concept of gender.<sup>20</sup> From the hospital onward, children are plunged into a world where each gender has a prescribed model of dress and color, starting with the simplest distinction of pink and blue.<sup>21</sup> These color distinctions have profound effects on how children first begin to behave. As Ruth Rubenstein observes, the color a baby wears is a "cue or stimulus that influences how people behave toward the child and how that child is expected to conduct himself or herself."<sup>22</sup> In other words, people will see

---

<sup>18</sup> I have chosen to use the masculine pronoun throughout the paper for stylistic purposes.

<sup>19</sup> Fred Davis, *Fashion, Culture, and Identity* (Chicago: University of Chicago Press, 1992), 8.

<sup>20</sup> Ruth P. Rubenstein, *Dress Codes: Meanings and Messages in American Culture* (Boulder: Westview Press, 1995), 83.

<sup>21</sup> This model, of course, assumes a binary understanding of gender: male and female.

<sup>22</sup> Rubenstein, *Dress Codes*, 84.

a baby dressed in pink and treat her differently than they would a male baby, in turn changing the way the baby behaves.

As a child continues to grow up, this process begins to get more and more complex. Not only is children's behavior affected by the way people treat them, it is also affected by the various images and models that the child sees in his life. These images send messages to children about "'ideal' lifestyles, appropriate consumer (and class) aspirations and gender identity."<sup>23</sup> These messages become intrinsically tied to the associated clothing style, whereby an apron might become associated with domestic work and femininity. As children continue to cognitively develop, they learn to identify these associations and begin to use them in their own way. They see the manner in which clothes represent certain ideals and begin to connect what they wear with their identity. This process becomes first apparent during adolescence, when clothing comes to represent a person's "gender, sexuality, identity, and clique values."<sup>24</sup>

During this process of identity formation, the gender norms of the greater culture can have a powerful influence on how a person conceptualizes the connection between gender and clothing. For example, a girl might associate skirts with her female identity because this idea is reflective of the culture around her. Furthermore, this relationship is significantly tied to gendered models of behavior. As Shelly Foote points out, "our beliefs about how men and women should look are part of a powerful, complex, and pervading system of values about what is appropriate male and female behavior."<sup>25</sup> The ideas that women should wear skirts, be

---

<sup>23</sup> Cheryl Buckley, "Children's Clothes: Design and Promotion," in *The Engendered Object*, ed. Pat Kirkham (New York: Manchester University Press, 1996), 104.

<sup>24</sup> Marcel Danesi, *Cool: The Signs and Meanings of Adolescence* (Toronto: University of Toronto Press, 1994), 76.

<sup>25</sup> Shelly Foote, "Challenging Gender Symbols," in *Men and Women: Dressing the Part*, eds. Claudia Brush Kidwell and Valerie Steele (Washington: Smithsonian Institution Press, 1989), 144.

compassionate, and be submissive are all interrelated under the large umbrella of femininity. In learning what clothes are appropriate to wear, boys and girls also learn what models of behavior they should follow. This does not mean that they always accept these gender stereotypes, but they are affected by and aware of them.

Such distinctions in feminine and masculine clothing have not always been constant throughout history, however, and this idea serves to remind us that clothing and gender roles are continually evolving. We must be careful in how we analyze the relationship between clothing, identity, and gender roles since they are three very fluid variables, never once resulting in the exact same equation. Still, they are highly interwoven, and it would be a disservice to one to overlook another. One cannot understand the rebellious nature of long hair in the 1950s and 1960s, for example, without looking at those decades' cultural oppression. With that purpose we move on to our next section, establishing uniforms and dress codes in their current historical context.

### *The School Uniform Movement*

Compared to other English speaking countries, the United States has historically had a very low percentage of public schools that mandate the use of uniforms. In fact, it is estimated that only 23% of public elementary schools have a uniform policy in the United States, with that figure being much lower for middle schools and high schools.<sup>26</sup> If it were not for two key events in the 1990s, those numbers would likely be even lower, as it was not until that decade that a strong school uniform movement materialized. The first event occurred in California in 1994, when for the first time in American history, an urban school system imposed a district-wide uniform policy.<sup>27</sup> The school system was the Long Beach Unified School District (LBUSD), seeking to

---

<sup>26</sup> Marian Wilde, "The Debate over Dress Codes and Uniforms," in *Dress Codes in Schools*, ed. Jill Hamilton (Detroit: Galehaven Press), 11.

<sup>27</sup>Jill Hamilton, ed., *Dress Codes in Schools* (Detroit: Galehaven Press), 7.

impose a uniform policy as a way to curb increasing levels of violence and decreasing levels of academic performance. Although this moment was important, it was not until 1995 that their story became a headline, when the district published a report claiming that since starting the uniform policy, “fighting was down 51 percent, drug use was down 69 percent, and sex offenses were down 74 percent.”<sup>28</sup> Furthermore, the uniforms were widely popular with the community and parents.

The success of Long Beach’s uniform policy resulted in other school districts experimenting with a similar policy themselves, but in 1996 the School Uniform movement reached its apex under the administration of Bill Clinton. In his State of the Union address, Clinton put uniforms at the forefront of America’s mind, urging that “if it means that the school rooms will be more orderly and more disciplined, and that our young people will learn to evaluate themselves by what they are on the inside, instead of what they’re wearing on the outside, then our public schools should require their students to wear uniforms.”<sup>29</sup> Under this direction, the Department of Education released *A Manual on School Uniforms*, citing the success of Long Beach as a major example of how uniforms can positively change student behavior.<sup>30</sup> Pressure from the federal government placed even more attention on uniforms and dress codes, although the federal endorsement was short lived, being redacted during the Bush administration.

The arguments put forth for uniforms generally follow very pragmatic lines. Proponents argue that uniforms stop school violence and raise student achievement. Violence decreases because there is less fashion competition between students, fewer gang indicators, and less baggy clothing that

---

<sup>28</sup> Ibid.

<sup>29</sup>William Clinton, “Memorandum on the School Uniforms Manual,” *Weekly Compilation of Presidential Documents* 32, no. 9 (1996), 369, quoted in Jennifer Craik, *Uniforms Exposed: From Conformity to Transgression* (New York: Berg, 2005), 71.

<sup>30</sup> Jennifer Craik, *Uniforms Exposed: From Conformity to Transgression* (New York: Berg, 2005), 71.

can conceal weapons.<sup>31</sup> Achievement increases because there are fewer distractions, a more “professional atmosphere,” and a greater sense of community.<sup>32</sup> On the other hand, detractors of uniforms argue along more ideological lines. They contend that uniforms restrict the expression of student identity and therefore violate their First Amendment rights. Additionally, they can discriminate economically, because they cost more than normal clothing, and racially, because they can prohibit clothing that promotes “inappropriate” ideals such as those of Malcom X or traditional African clothing such as kente cloth.<sup>33</sup>

However, in all this discussion of uniforms and dress codes, there is little talk of their impact on gender and identity. It is seemingly assumed that there should be gender defined differences in a school’s uniform and dress codes. This is a dangerous assumption that this paper will address.

### **Part III: Dress Codes, Uniforms, Gender, and Identity**

#### *Dress Codes and Uniforms in a Dual Gender Paradigm*

In 2002, Nikki Youngblood, a senior at Robinson High School near Tampa, Florida, decided to wear a dress shirt and tie for her senior portrait. But when she went to get her picture taken, she was told that her attire was against school policy. It was not that her clothes were lewd, disruptive, or revealing, it was that they were not the “appropriate” clothes for girls to wear. At Robinson High School, only boys wear shirts and ties; girls must wear scoop neck drapes.<sup>34</sup>

---

<sup>31</sup> Bárbara Cruz, *School Dress Codes: A Pro/Con Issue*, (Berkeley Heights: Enslow Publishers, 2001), 15.

<sup>32</sup> *Ibid.*, 16.

<sup>33</sup> *Ibid.*, 29.

<sup>34</sup> Melanie Ave, "No drape, no photo, leaves teen wondering," *St. Petersburg Times*, January 25, 2002, [http://www.sptimes.com/2002/01/25/TampaBay/No\\_drape\\_no\\_photo\\_.1.shtml](http://www.sptimes.com/2002/01/25/TampaBay/No_drape_no_photo_.1.shtml).

Youngblood and her parents fought the school policy, but in the end her senior portrait was not featured in her class's yearbook. Still, while her fight to be included may be over, Youngblood's case serves as a powerful example of repressive dress code policies in American public schools, policies that have major flaws and repercussions. Firstly, no student should be forced into wearing something that makes him uncomfortable, even if it is to participate in something extracurricular like a yearbook picture. The school argued that the yearbook was not a proper venue for Youngblood's "statement," but this argument is hardly convincing. By not allowing her to participate in the yearbook in the type of clothing she consistently wears in school (i.e. not traditionally feminine), the district is effectively limiting her school experience. They are justifying excluding her because yearbook pictures are a "special" activity that fall under a different dress code, one that happens to be gender stereotyped. This is an arbitrary and inconsistent application of policy that results in a student not being able to fully participate in the school community.

More important, though, is that Youngblood *did* feel uncomfortable wearing a scoop neck drape, something that she said equated to "asking a boy to go put on a dress."<sup>35</sup> This type of discomfort is something that no school should evoke from its students, especially not through something like a dress code policy. Critics might say that this argument would open the door to all sorts of frivolous objections to codes, such as people saying they are uncomfortable wearing green or cotton. This position holds some merit, as a line must be drawn between conflicts of identity and aesthetic preference. Nevertheless, when the dress code causes significant duress and anguish for a student, and when there is a simple, suitable alternative, schools need to rethink their policy.

The second flaw in these types of dress codes is that they are arbitrary. The decision to have each gender wear a specific type of clothing is based on no pedagogical or

---

<sup>35</sup> Ibid.

research-based reasoning. It does not seek to reduce violence or to increase student achievement; it merely reinforces traditional clothing distinctions between men and women. This position is hardly sufficient for supporting a dress code when facing complaints from a student who feels his identity and expression is being challenged. Arbitrariness cannot be the basis for adopting a dress code or uniform policy.

Lastly, the most significant repercussion of policies like those of Robinson High is gender stereotyping. Defending herself, Nikki Youngblood argued that “in contrast to the business attire worn by boys, the drape is so revealing and 'ultra-feminine' that it reflects invidious gender stereotyping.”<sup>36</sup> That is, not only was the clothing harmful to her identity, it reflected a traditional conception of femininity, one that could be harmful to the identity of all the girls who had to wear it due to its sexist nature. That is because such sexually evocative clothing reinforces the notion that women are “passive, self-reflective, and concerned with the decorative and the interior rather than the exterior world.”<sup>37</sup> When schools impose dress codes or uniforms that promote women wearing scoop neck drapes or skirts, they present women in a way that highlights their sexuality, emphasizing their role as a ‘decorative object.’ This is a stark (and unfavorable) comparison to the clothing of males that presents assertiveness and confidence.

That is not to say that gender stereotyping does not adversely affect male students either. As Jennifer Craik recognizes, “school rules and curricula rest on uniforms and their rules to constitute a comprehensive training for adult masculinity and the roles boys will be expected to play as men.”<sup>38</sup> In other words, male uniforms reinforce the concept that men should be assertive and dominant. Not only does

---

<sup>36</sup> Paisley Currah, “Gender Pluralisms under the Transgender Umbrella” in *Transgender Rights*, eds. Paisley Currah, Richard M. Juang, and Shannon Price Miller (Minneapolis: University of Minnesota Press, 2006), 11.

<sup>37</sup> Foote, “Challenging Gender Symbols,” 110.

<sup>38</sup> Craik, *Uniforms Exposed*, 62.

this position men over women, but it also works to define masculinity against femininity, teaching male students that feminine traits like compassion and caring are not part of their identity. In this way, uniforms not only impede students from identifying their own gender, but they also limit the expression of that gender.

Not all students will internalize these gender stereotypes as they progress through public schools, but we must highlight the fact that school uniforms and dress codes can be especially powerful because of their timing in a student's life. As we saw earlier, high school is when students are at the apex of forging their identity. Consequently, high school uniforms and dress codes play a strong hand in this process. Furthermore, public schools, as representatives of local government and the community, hold a great deal of power in the minds of students. When they make gender stereotypes part of dress codes or uniforms, they almost act to legitimize them, implicitly saying that it is the official position of the government. In this way, what Paisley Currah says is true, that the "rules reflecting sexual and gender norms are rigidly placed in schools."<sup>39</sup> Through gender stereotyping dress codes and uniforms, schools reproduce the sexist, traditional gender norms of Western culture. They knowingly and unknowingly shape how students come to understand their sexuality and role as a man or woman.

### *Dress Codes, Uniforms, and Transgender Students*

It is damaging that schools can prescribe what they believe genders should look like, but they can do worse: completely deny the sexual identity of a student. We live in a world based on a dual-gender paradigm: there are men, and there are women. What many people do not like to recognize, though, is that there is crossover between these two genders. Not everyone fits nicely into the category of "boys" and "girls." Such is the case of Pat Doe, a student who

---

<sup>39</sup> Paisley Currah, "Gender Pluralisms," 8.

attended South Junior High in Brockton, Massachusetts. Unlike Nikki Youngblood, Pat Doe is not a person who just likes to wear clothing of the opposite sex, she is a biological male who identifies herself as a female; that is, she is a transgender student.

And unlike Nikki Youngblood, Pat did not just have one run-in with her school administration. She had a run-in every day of her career at South Junior High. That is because to the administration, her female clothing was unacceptable for a biological male. Every day, the school principal, Kenneth Cardone, required Pat to come to his office and make sure she was wearing “appropriate” attire (that is, traditionally masculine clothing). If not, she was sent home for the day.<sup>40</sup> Over time, Pat Doe eventually gave up this struggle and dropped out of Junior High School. However, she came back to sue the school, saying that they had sexually discriminated against her. The case, *Doe v. Yunits*, is a landmark case for transgender students as the judge ruled in favor of Doe, affirming that the school had sexually discriminated against her, “constructively expelling” her from school because of their actions.<sup>41</sup>

In the case of transgender students, the problem of gender typing uniforms and dress code policies is fairly evident. In specifying clothes for each gender, schools effectively deny the existence of transgender students, immediately labeling them as violating school rules, simply for expressing their gender identity. As Doe’s legal defense explained, “gender identity, unlike a t-shirt, is simply not something that can be shed, particularly by a transgender student, without serious emotional consequences, if at all.”<sup>42</sup> The result is that transgender students must hide their identity or face being punished, suspended, and/or expelled.

---

<sup>40</sup> Ibid., 7.

<sup>41</sup> Ibid.

<sup>42</sup> Massachusetts Superior Court, “Doe v Yunits: Plaintiff Pat Doe’s Opposition to Brockton School Committee’s Position for Interlocutory Relief,” 2001 (Plymouth), 11.

These types of dress codes and uniforms have a much more sinister effect on transgender students. By assuming a dual-gender model, schools send the message that their gender identity is not valid, that they do not “belong” in the school – which by a being public institution, effectively communicates that they do not belong in society. The cognitive impact is that transgender students become “depressed and confused,” depressed because they do not “fit in” and confused because they are not sure what to make of their identity.<sup>43</sup> They are shunned from schools or forced into repressing a major part of who they are.

Unfortunately, Pat Doe is not the only person who has been the victim of these types of school clothing policies, and it is not only administrators that have discriminated against transgender students. They face a great deal of ridicule from other students and even faculty, faculty who often fail to intervene in cases of harassment.<sup>44</sup> At the very least, school policies must be changed so that transgender students are no longer “violators” in the eyes of the school when they express their identity. It would be one major step in the empowerment of the thousands of transgender students in the United States.

## **Part IV: Looking Forward: Recommendations and Conclusion**

### *Drafting a Gender Neutral Dress Policy*

The cases mentioned above can and should be avoided. To do so, school dress policies can follow two simple guidelines that will ensure a policy that does not inhibit the free expression and discovery of students’ gender identities:

---

<sup>43</sup> Rebecca Callahan, “Bending Gender, Ending Gender: Theoretical Foundations for Social Work Practice with the Transgender Community,” *Social Work* 54, no. 1 (2009), 88.

<sup>44</sup> *Ibid.*

1. For schools with uniforms, there should be no mandatory separation between genders. There should be either one standard uniform for both genders or there should be a number of clothing options (skirts, pants, collared shirts, blouses, etc.) from which both genders are free to choose.
2. For schools with dress codes, policies should be as gender neutral as reasonably possible. Hair length, clothing types, hem length, etc. should not be specific to either boys or girls.

## Conclusions

The changes suggested above are, admittedly, quite radical. Gender roles are firmly embedded in the fabric of American culture and it is likely there will be a great deal of resistance against the proposed changes. However, there are thousands of students who are continuously discriminated against, harassed, bullied, and abused on account of their gender identity, sometimes perpetrated or disregarded by faculty and administrators. Unfortunately, there are also many people who deny the very existence of transgender and other sex/gender-variant students, saying they are confused or mentally ill. It is a position that is bigoted and unformed, one that must be challenged and corrected. Addressing the clothing policies that reinforce this type of thinking would be a major step forward in creating an environment where the free expression of gender identities is possible.

But this change is not just for students who are ignored by the dual gender model; it is for all students who are subject to this culture's constant reification of gender stereotypes. While it is likely that many students would continue to wear the clothing traditionally associated with their gender, there would no longer be an official endorsement of clothing-based gender separation in public schools. Skirts and dresses would not be feminine or masculine, nor would dress shirts and ties. It would not

altogether end the gendered meaning of these clothes, but it would allow students to choose, to allow them to discover their own meanings and their own sexual identity. After all, I believe that schools should ideally be a place where students learn to critically think and make their own decisions about the world and themselves. They cannot make decisions if they are never given the ability to choose.

**Jonathan Green** is a senior Educational Studies and Spanish major at Denison University in Granville, Ohio. The inspiration for this research came from a fusion of the author's passion for equitable education, social justice, and GLBTQ rights.

### References

- Ave, Melanie. "No drape, no photo, leaves teen wondering." *St. Petersburg Times*, January 25, 2002, [http://www.sptimes.com/2002/01/25/TampaBay/No\\_drape\\_no\\_photo\\_1.shtml](http://www.sptimes.com/2002/01/25/TampaBay/No_drape_no_photo_1.shtml).
- Brunsmas, David L., ed. *Uniforms in Public Schools: A Decade of Research and Debate*. Lanham: Rowman and Littlefield Education, 2006.
- \_\_\_\_\_. *The School Uniform Movement and What it Tells Us about American Education: A Symbolic Crusade*. Lenham: Scarecrow Education, 2004.
- Callahan, Rebecca. "Bending Gender, Ending Gender: Theoretical Foundations for Social Work Practice with the Transgender Community." *Social Work* 54, no. 1 (2009): 88-90.
- Crane, Diana. *Fashion and its Social Agents: Class Gender, and Identity in Clothing*. Chicago: University of Chicago Press, 2000.
- Craik, Jennifer. *Uniforms Exposed: From Conformity to Transgression*. New York: Berg, 2005.
- Cruz, Bárbara C. *School Dress Codes: A Pro/Con Issue*. Berkely Heights: Enslow Publishing, 2001.

- Currah, Paisley, Richard M. Juang, and Shannon Price Miller, eds. *Transgender Rights*. Minneapolis: University of Minnesota Press, 2006.
- Danesi, Marcel. *Cool: The Signs and Meanings of Adolescence*. Toronto: University of Toronto Press, 1994.
- Flynn, Michael, and Matthew Stabley. "Principal Relents, Lets Girl Wear Tux for Yearbook." *NBC Washington*, September 17, 2009.  
<http://www.nbcwashington.com/news/local-beat/Principal-Relents-Lets-Lesbian-Wear-Tux-for-Yearbook-59553887.html>.
- Gereluk, Dianne. "Why Can't I Wear This?! Banning Symbolic Clothing in Schools" *Philosophy of Education Yearbook* (2006): 106-114.
- Hamilton, Jill, ed. *Dress Codes in Schools*. Detroit: Greenhaven Press, 2008.
- Kidwell, Claudia Brush, and Valerie Steele, eds. *Men and Women: Dressing the Part*. Washington: Smithsonian Institution Press, 1989.
- Kirkham, Pat, ed. *The Engendered Object*. New York: Manchester University Press, 1996.
- Massachusetts Superior Court. "Doe v. Yunits: Plaintiff Pat Doe's Opposition to Brockton School Committee's Petition for Interlocutory Relief," 2001. (Plymouth).
- Transgender Law Center. "Transgender and Gender Non-Conforming Youth: Recommendations For Schools." <http://www.transgenderlaw.org/resources/tlcschools.htm>.

# Why Gender Testing?

## Examining the Historical Regulation of Women's Track and Field by International Athletic Organizations

By Kate Fernhoff

**ABSTRACT:** When Caster Semenya's sex came into question after her phenomenal win at the World Track and Field Championships in Berlin, her struggle was treated as shockingly novel. Gender testing, however, has been a relatively unexceptional part of women's track and field for the past 40 years. The female track athlete has been a historically contentious figure for international athletic organizations, and such organizations have consistently attempted to limit and constrict women's track and field. The female track star is seen as suspect because she challenges societal preconceptions of sex; she literally queers the sex binary. Thus, international athletic organizations have desperately tried to draw the line between the sexes, clinging to gender verification tests in order to confirm these "impossibly" talented athletes are indeed female.

When Caster Semenya won the women's 800m race by an enormous two-second margin at the World Track and Field Championships, no one would have guessed that her world title would be in contention (Longman). With such an obvious victory, how could she be denied her medal? In the resulting scandal, it was suggested that Semenya was not in fact female and that she was "concealing" performance enhancing chromosomes and genitalia (Clarely). The question of Semenya's sex rocketed into the public sphere becoming a complex moral, medical, and geopolitical issue. Even Jimmy Kimmel incorporated a few jokes about Semenya into his live show ("Kids Weigh In"), and amidst the din, Time ran an article, "Is a Female Track Star a Man? No

Simple Answer.” (Harrell). Despite the huge reaction, Semanya’s story is hardly novel. In September of 1967, Time ran an article on Ewa Kłobukowska, a 21-year-old Polish track star who had won two Olympic medals. However, when she attended the European Cup in 1967, doctors found that Kłobukowska had “one chromosome [sic] too many” (“Genetics: Mosaic in X&Y”), and she was subsequently disqualified from competition and quickly disappeared from the world of sports (Carlson S39). In 1992, Time covered the story of María José Martínez-Patiño (Lemonick). At the age of 22, Patiño was a successful hurdler, but when doctors found a problem with her compensatory buccal smear, she was diagnosed with androgen insensitivity disorder (AIS). When her results were leaked to the press, she lost her sports scholarship and her records and titles in the Spanish registry (Martínez-Patiño). So what does this all mean?

This paper seeks to examine how athletic federations have regarded female track and field athletes through an examination of the past internal policies and debates of these federations. Historical discourse surrounding the inclusion and regulation women’s track events evidences that athletic federations have attempted to rein in female track athletes. The rules and restrictions made by these organizations, I argue, are a nervous reaction to the fundamental challenge that the physical abilities of these women pose to societal preconceptions of physical sex.

## **History of International Women’s Track and Field Competition**

Women’s track and field has consistently found itself on the proverbial chopping block with officials desiring to end or limit internationally recognized events. In the 1920s and 30s, as Victorian ideals of femininity crumbled, track (like many other women’s sports) gained popularity (Cahn 49). Yet the idea of international women’s competition, particularly in track, brought to life some of the greatest fears of male and female physical educators alike. Namely,

that “[f]eminine health and reserve would be sacrificed to “masculine” habits, manners, and values” (Cahn 56). Such concerns certainly have not dissipated throughout the history of women’s track.

Alice Milliat, the founder of the Fédération Sportive Féminine Internationale (FSFI), hosted the first Women’s Olympic Games in Paris in 1922. Though women had participated in certain sports in previous Olympic games, this particular competition incited a huge backlash because it highlighted women’s track and field, a first for international athletics. The resulting roil caused other athletic organizations to take control of the matter. The International Olympic Committee (IOC) “agreed that they must regulate women’s track to ensure against such ‘excesses’ at the upstart Paris games” and eventually made efforts to include five women’s track events at the 1928 Olympic games (Cahn 56). Though initially opposed to the idea, like the IOC, the International Amateur Athletic Federation (IAAF) also moved to include such track events and even forced Milliat to rename her event the Women’s World Games (Cahn 56-7).

This intense political maneuvering surrounding international women’s competitions reveals the discomfort organizations felt with permitting elite female athletic competition. Although this discomfort applied to most sports, it is notable that the most severe objections occurred within athletic organizations only after women’s track events were featured. Also of salience is that the IOC and the IAAF only incorporated women’s track into their competitions when they feared they might lose a portion of their power base to Milliat; women’s track was clearly not a sport international organizations desired to sponsor, but it certainly was a sport they desired to regulate.

Despite its international inclusion in ‘20s and ‘30s, public interest in women’s track and field declined. When it appeared that women’s track was sliding out of world view, it was thrust into the spotlight during the Cold War Era (Cahn 117). America’s inferiority in track and field,

particularly women's track, when compared to the Soviet Union was a glaring national failure. After the 1952 Olympics, the IOC again debated limiting or removing women's track and field. A major reason for this was due to the perceived "inconsistencies" between track and natural femininity. The IOC president regarded the debate as a "well grounded protest against events which are not truly feminine" and personally wished to include only events "appropriate to the feminine sex" (Cahn 132). It was noted that almost one-third of national Olympic committees would have ruled to remove women's track from the Olympics (Cahn 132). In the end, however, Cold War rivalries forced the United States to begrudgingly train female track athletes.

Though it appears that women's track and field is here to stay, the sport still remains defined by its contentious origins. Even recently, track and field events that have been on the men's Olympic slate for years are being added as women's events, including the 800m (reinstated in 1960), the marathon (1984), the triple jump (1993), the hammer throw (2000) and the pole vault (2000) (Milroy). These attempts to limit the events that women could participate in demonstrate the consternation that women's track caused the IOC and IAAF. In light of both past and recent difficulties incorporating women's track events, it comes as little surprise that when confronted with the prospect of having the sport in perpetuity, athletic federations sought to further tighten control female track athletes through gender testing.

### **Gender Verification Tests in International Competition**

The 1966 European Track Championships was the first international event to require all female athletes to pass a gender test - a physical exam of external genitalia (Simpson 308). By 1968, the IOC required gender verification tests for all female Olympic athletes in order to remove any men potentially masquerading as women from competition (Dickinson 1541). These exams used a buccal

smear test for sex chromatin to verify gender, which many other international athletic organizations then adopted (Dickinson 1541). It was only after the American Medical Association, the American Academy of Pediatrics, and the American College of Physicians all denounced gender verification (particularly done by sex chromatin analysis) in the 1970s and 1980s, that the IOC reformed its gender verification test (Dickinson 1539). While the IAAF abandoned required gender verification in 1990 and decided to test gender on a case-by-case basis, the IOC continued gender verification tests until 1998. In 1999, the IOC officially rescinded its 30-year requirement of gender verification (Dickinson 1541). Currently, the IOC and IAAF only require gender verification tests in specific cases (Dickinson 1539).

After considerable time and capital has been poured into gender verification tests, a salient question remains: has the practice been effective at removing male impostors from female sports? The resounding answer is no. Not a single male athlete was found to have knowingly entered into a women's competition (Dickinson, 1542). The tests did, however, reveal many intersex athletes and ruin their careers. The gender verification tests, particularly the sex chromatin test, have also proven to be vastly unreliable, failing pick to up all intersex conditions, most notably XXY mosaicism (Simpson 309). Not only were these tests ineffective, but also they were notoriously unreliable.

On the surface, it is puzzling that the IOC would continue to mandate sex chromatin testing until 1992, as geneticists acknowledged the methodology as outdated in the 1970s. When, however, the practice is seen as an extension of the athletic federations' attempt to control women's athletics including women's track, the picture is much clearer. But from where does this need to control originate?

## **Queering Sex**

Both the debate surrounding the inclusion of women's track and the later gender verifications tests suggest that, like the physical educators in the 1920s, athletic federations have recognized aspects of the female track-star to be inconsistent with femininity. When the IAAF and the IOC debated including women's track in international competition, the debate was not over whether or not the sport would be internationally accepted, but rather over its inconsistencies with femininity. Consistently between the 1920s and 1950s, the major point of obsession with track events was whether or not these events were "truly feminine." The IOC and IAAF sought to limit the number of women's track events and thus the visibility of the sport because the athletes that it presented raised troubling questions about femaleness. By the 1960s, women's track and field events seemed permanent, so athletic federations switched from merely limiting events to scientifically examining the women who participated in them. It is no coincidence that the first gender tested event was a track championship.

Historical analysis of these athletic federations illustrates the potent image of the female track athlete. The high stakes discourse with which athletic federations were engaged was not simply one of sport, but additionally one of sex. Track and field has long been regarded as the paragon of the Olympics and the ultimate test of masculinity. Thus due to her athletic talent, the female track athlete embodies masculinity; she is strong, virile, and physical, which makes her dangerous. She challenges not only our notions of gender roles, but also our ideas of biological sex. We see the female sex as being physically weaker, so the female track athlete is oxymoronic. Female track athletes blur the boundary between sexes, visibly queering and causing us to question societal conceptions of sex. Within this broader context, the actions of international athletic federations are comprehensible. Gender testing may have been implemented under the guise of uncovering cheaters, yet the actual behavior of international athletic associations with

regards to the practice reveals that these organizations were less interested in creating a fair playing field than in policing sex. The IOC and IAAF clung to gender verification in order to confirm that these “impossibly” talented women were female, desperately trying to draw a line between the sexes.

In conclusion, it is clear that gender verification testing is a practice built on flawed assumptions about sex and gender. Returning to the story of Ewa Kłobukowska, the Polish runner who was excommunicated from the world of athletics after she failed a 1967 manual exam, this becomes clear. As Kłobukowska likely had some form of XXY genetic mosaicism, she would have tested “female” in a sex chromatin test, meaning that if she had been tested by protocol implemented merely a year later, she may have never been disqualified from women’s competition (Ferguson-Smith and Ferris, 18). This in itself reveals the flawed and almost arbitrary nature of gender testing. Kłobukowska and Semenya represent two of the many athletes who have been unfortunately caught in the crossfire of a larger societal debate. In order to understand athletic policies and pass judgment on athletes such as Kłobukowska and Semenya, we must become aware of the larger, subliminal discourses that pervade the world of women’s athletics. Whether or not Caster Semenya remains eligible to compete in women’s events depends less on tests and data than it does on the global politics of the sex binary.

**Kate Fernhoff** is a senior at Stanford University majoring in biological sciences and minoring in feminist studies with a concentration in queer studies. She enjoys examining the overlap between her major and minor, questioning the complex intersection between society and science. When Caster Semenya’s story headlined in many major newspapers, she became fascinated with how this intersection operated in the case of gender verification testing in women’s athletics.

## References

- BBC Sport. "SA Threatens 'War' Over Semenya" BBC. 11 September 2009.
- Cahn, Susan K. *Coming On Strong: Gender and Sexuality in Twentieth-Century Women's Sport*. New York: The Free Press, 1994.
- Carlson, Alison. "Essay: Suspect Sex." *The Lancet*. 366 (2005): S39-S40.
- Clarely, Chirstopher. "Gender Test After a Gold-Medal Finish." *New York Times*. 19 August 2009.
- Dickinson, Barry D. et al. "Gender Verification of Female Olympic Athletes." *Medicine & Science in Sports & Exercise*. 34(10) (2002): 1539-42.
- Ferguson-Smith, MA and Elizabeth A. Ferris. "Gender Verification in Sport: the Need for Change." *British Journal of Sports Medicine*. 25 (1991): 17-20.
- "Genetics: Mosaic in X & Y." *Time*. 29 Sept. 1967.
- Harrell, Eben. "Is a Female Track Star a Man? No Simple Answer." *Time*. 25 Aug. 2009.
- "Kids Weigh In on Caster Semenya." *Jimmy Kimmel Live*. Prod. Jimmy Kimmel. ABC. 11 Sept. 2009.
- Lemonick, Michael D. "Genetic Tests Under Fire." *Time*. 24 Feb. 1992.
- Longman, Jere. "South African Runner's Sex-Verification Result Won't Be Public." *New York Times*. 19 November 2009.
- Martínez-Patiño, María José. "Personal Account: A Woman Tried and Tested." *The Lancet*. 366 (2005): S38.
- Milroy, Andy. "Equality for Women?" *Association of Road Racing Statisticians*. <[http://www.arrs.net/article\\_equalityforwomen.php](http://www.arrs.net/article_equalityforwomen.php)> (14 Jan 2010).
- Simpson, Joe Leigh et al. "Gender Verification in Competitive Sports." *Sports Medicine*. 16(5) (2003): 305-15.

# Dudes, Bros, Boyfriends and Bugarrones: Redistributing the Stigma of Same-Sex Desire

By Matthew Stern

**ABSTRACT:** Although the prevalent pop culture view maintains that sexual identities are clear-cut, much academic research points to the fact that there are many cases in which straight-identified people engage in homosexual activities, and vice-versa. In this essay, I discuss specific cases in which Western males exhibit same-sex behaviour while continuing to identify as heterosexual. I argue that, although popular media continue to suggest that there is an essential connection between sexual identity and behaviour, in practice there are many men who flout traditional heterosexual codes of behaviour while adopting specific strategies to avoid being labelled gay, queer, or bisexual. I also demonstrate that, according to much of the research on these men, these efforts are usually intended to preserve the power or privilege associated with their status as masculine heterosexuals.

Over the past century, a varied terminology has been developed in order to classify a wide variety of people according to their sexual orientation: homosexual, heterosexual, bisexual, pansexual, asexual, and so forth. It remains inculcated in the mind of many Westerners that these terms represent essential categories of people – that is, they are often considered to be catch-all identity markers that holistically encapsulate the gender expression, sexual desire and sexual behaviour of the people they describe.

However, academic research points to the fact that there are many cases in which people think or act in ways that are inconsistent with their purportedly strict sexual identities. There are, for instance, numerous incidences of

straight-identified people engaging in what would generally be considered to be gay activities, and vice-versa.

In this essay, I will focus my research on Western males and discuss specific cases in which they exhibit various degrees of same-sex behaviour while continuing to publicly identify as heterosexual. I will argue that, although popular media continue to suggest that there is an essential, clear-cut connection between sexual identity and behaviour, in practice there are many men who flout traditional heterosexual codes of behaviour while adopting specific strategies to avoid being publicly labelled gay, queer, or bisexual, thereby preserving their social status as masculine heterosexuals.

It is important to note that, in the minds of most Westerners, the notions of masculinity and heterosexuality do not operate in isolation from one another. As Chris Haywood points out in his book *Men and Masculinities*, the popular association between homosexual orientation and cross-gender behaviour has been prevalent in Western culture for centuries, and oftentimes a homosexual male has been perceived as someone who has failed to properly achieve masculine status (Haywood 77). This will become a crucial point in the discussions that are to follow, for in nearly every case, the men's reluctance to identify as anything but heterosexual can be traced back to the social imperative for them to be perceived, and to perceive themselves, as masculine.

The first case study I will address is the 'bromance' phenomenon that has become a popular, often comedic subject portrayed in North American film and other popular media as of late. In examining its depiction in contemporary film, we will see that it consists of selectively normalizing certain behaviours traditionally associated with non-heterosexual behaviour, namely the expression of deep affection between men, while assuredly dismissing others, namely sexual involvement, in order to conserve the masculine heterosexual identity of those involved.

The term 'bromance', as it is generally applied, refers to male friends who share and express an intimate connection with one another without being sexually involved. In an article entitled "I love you, man" appearing in the October 2008 issue of the McGill Daily, the journalist explains that "guys now feel like it's time to show the world that they have strong platonic feelings for their best buddies" (Philippot 3). Throughout the article, there is an importance placed on this 'platonic' element in order to emphasize the non-sexual nature of these emotional bonds. Indeed, the journalist comments that bromance, because of its tendency to be exhibited within traditionally masculine frameworks such as sports and beer drinking, fits "comfortably within heterosexual norms" (Philippot 4). That is, while a bromance permits tender, emotional bonds between men, which might otherwise carry the threat of being perceived as gay, inasmuch as it champions typically masculine activities and excludes overt sexual contact, people engaged in it are largely able to preserve their masculine heterosexual status.

This phenomenon is reflected in the 2008 comedy *I Now Pronounce You...Chuck & Larry!*, a film depicting two firemen who are best friends and pretend to be gay lovers in order to accrue economic benefit. The humour in the film is derived from the fact that the two protagonists, despite their clear platonic love for each other, are clearly 'not really gay' and thus must contrive an erotic relationship in order to keep up appearances. Although their faux-spousal relationship becomes increasingly akin to that of a traditionally romantic couple, even culminating in familiarly clichéd declarations of love ("He's the best man I know" and "I'd do anything for him"), their masculine identities are constantly reaffirmed by their association with stereotypically masculine behaviour – love of sports, inability to cook, brusque expression, and so on – and their heterosexual identities are preserved by their disgust at the notion of actually being sexually involved with one another: when asked to kiss, they are unable to go through with it.

The humour rests on the irony that, while in the film these reconfirmations of their masculine heterosexuality represent obstacles to their goal of being perceived as 'authentic' homosexuals, under normal circumstances the selfsame techniques would represent effective means of warding off the ubiquitous threat of being labelled feminine or gay. In other words, behaviour that typically serves to preserve their desired status now threatens to dismantle it.

The previous examples address the topic of men who have close relationships with other men but navigate the threat of homophobia and maintain heterosexual status by avoiding actual sexual contact with those men. What about men who actually engage in same-sex encounters yet still identify as straight? As we will see, there are many accounts available of men who have sex with men privately while maintaining public personae as heterosexual men.

In his book, *Caribbean Pleasure Industry*, cultural anthropologist Mark Padilla addresses the phenomenon of *bugarrones* and *sanky pankies*: Dominican male sex workers who have sex with men while continuing to identify as *hombres normales* – in other words, straight, normal men (18). In his research, he personally interviewed several of these men, most of whom described employing "various information management techniques" to preserve their public status as straight men (Padilla 18). Additionally, they effectively distanced themselves from the label of *maricón* (roughly equivalent to the English faggot) by asserting their lack of sexual attraction to other men and by emphasizing their staunch reluctance to play the role perceived as passive or feminine in a sex act – namely, that of being anally penetrated by, or performing oral sex on, a man (Padilla 131). Padilla explains that, "the majority of sex workers denied being physically attracted to men or possessing a homosexual identity, and often sought to demonstrate this by 'always being the man,' that is, never becoming a penetratable *maricón*" (131). Thus, despite engaging in activities that would ordinarily be considered to be homosexual in nature, by drawing the line and refusing to

partake in what 'real gays' and women supposedly do, these men have largely been able to preserve their status as masculine heterosexuals.

Padilla also notes that, unlike the bromancers who proudly exclaim their love (albeit platonic) for one another, bugarrones and sanky pankies are quick to assert that there is no emotional attachment involved in their relationships with other men; they are there solely to provide a service and, in doing so, make ends meet. As Padilla explains, they "are motivated to deny their own emotional attachments to other men, as these are considered 'abnormal' expressions of eroticism and signs of homosexuality that are threatening to their sense of self" (151). As a result, when their clients demand more overt displays of affection from them, they will acquiesce only in return for some form of financial remuneration (Padilla 153).

As we have seen, the strategies employed by bromancers and Dominican sex workers in order to reaffirm their masculine heterosexuality are at opposite ends of the spectrum: in the first case, the romantic, emotional involvement between men is defused by a denial that any sexual relationship exists between them, whereas in the second, the sexual acts are considered to be purely functional, economic exchanges devoid of any emotional involvement. In both cases, however, the component excluded from the relationship, be it sexual or emotional, serves to protect these men from having to identify as, or being perceived as, anything but masculine and straight.

There is another notable phenomenon in which men publicly seek sexual encounters with other men while continuing to identify as manly and heterosexual. This trend consists of personal classified ads in which men solicit sexual experiences with other men with the promise of using straight pornography, drinking beer or smoking marijuana in order to offset the gay element in the encounter. In her article "Straight Dude Seeks Same", sociologist Jane Ward describes coding and analysing 118 of these ads posted on the popular internet site Craigslist in 2005. One such ads

reads: "Nothing gay here at all, just two guys, watching hot porn, stroking until just before the point of no return ... Something about two guys stroking it together touches most guys ... Testosterone city!" (Ward 31). Ward suggests that a common interpretation of this ad would be that its author is 'in the closet' - that his reassertions of heterosexuality and masculinity in reference to such a blatant, overtly homoerotic act are the result of deep internalized homophobia that prevents him from acknowledging his essential homosexuality (31). Indeed, she points out the ever-present societal tendency to interpret any engagement in same-sex behaviour without identification as gay as the result of sexual repression, denial, or self-deception. "Even to the extent that we allow for the identity 'bisexual,' this identity is also frequently suspect as a form of repressed homosexuality" (Ward 32). Seen through this lens, it seems that men who display a desire for sexual scenarios involving other men must then defend themselves against such accusations; they must actively work to quell any suspicions that they may in fact be 'really' gay.

In another of the Craigslist ads, the author presents his case as follows: "Straight, bi-curious masculine white guy lookin for a masculine guy. Get into stroking bone with a bud, talkin' bout pussy and bangin' the bitch" (Ward 33). Ward notes that the author's incorporation of misogyny and sexual aggression toward women - both typical mainstays of homosocial reconfirmations of masculinity - into his ad clearly represent a strategy intended to distinguish what she calls "dude sex" from what might otherwise be regarded as "gay sex". In the former, the sexual involvement between the men does not pose a threat to their status as "dudes" - that is, as young, masculine, heterosexual men who principally are attracted to and have sex with women (Ward 33). Once again, then, these men may engage in gay behaviour but are resolute in their self-identification as masculine heterosexuals.

Another phenomenon that is akin to the previous one in its dissociation of homosexual acts from gay or

bisexual self-identification is the social trend commonly referred to as “the down low”, critically discussed in some depth by Keith Boykin in his book *Beyond the Down Low: Sex, Lies and Denial in Black America*. Commonly used to refer to black men who maintain relationships with women while secretly having sex with men, Boykin challenges the supposed novelty of this phenomenon, stating frankly: “Let’s be honest. Men have been secretly sleeping with other men since the beginning of time” (27).

Just as we have seen in each of the previous examples, the man on the down low adopts specific strategies to avoid being labelled as gay. In this case, it is achieved through the creation of a public persona that usually includes a professional career, traditionally masculine behavioural patterns, and a wife or girlfriend (Boykin 33). Boykin posits that the so-called “sham marriages” in which men on the down low participate have both been caused by and have themselves perpetuated “the collective lie that gay men [are] readily identifiable” (33). Juxtaposed against the thriving stereotype of the flamboyantly effeminate homosexual man, these men’s ability to pass as masculine, coupled with their sexual secrecy and visible relationships with women, have allowed their gay behaviour to fall below the radar while preserving the public prevalence of the stereotype (Boykin 33). Like the Dominican sex workers and the men who engage in dude sex, their sexual involvement with men does not entail a self-identification as gay or bisexual, and thus tacitly supports the popular presumption that men who have sex with men represent an essential category of people that can be “picked out by their behaviour, their dress, their walk, their sense of style” (Boykin 33).

A final case I would like to address is that of American male college students who identify as exclusively heterosexual while exhibiting homosexual attractions and behaviour. In a 2004 study conducted by psychologist Robin Hoberg and associates, the sexual preferences and behaviour of 202 self-identified exclusively heterosexual

college students in an introductory psychology class were surveyed, tabulated, and analyzed. While all the males in the sample reported sexual interest in members of the opposite sex, 19% reported having sexual/physical interest in members of the same sex as well (Hoburg 29). When asked more detailed questions about their sexual attractions and behaviour over the past month, 5% reported having had same-sex feelings or fantasies, 6% reported having been sexually aroused by same-sex stimuli, and 4% reported actually having engaged in sexual activity with other men (Hoburg 32).

When choosing to participate in the study, subjects had been asked to select their sexual identity amongst the following options: exclusively heterosexual, predominantly heterosexual, bisexual, predominantly lesbian/gay/homosexual, exclusively lesbian/gay/homosexual, asexual, “not sure” and “other” (Hoburg 30). However, given that the above data apply strictly to those who identified as exclusively heterosexual, it appears that, for them, sexual attraction to, and sexual involvement with, other men need not necessarily entail a sexual self-identification as anything other than purely straight. The findings of this study, then, echo what we have seen in the case of Dominican sex workers, men who engage in dude sex, and men on the down low: public identification as heterosexual is not always a reliable indicator of exclusive opposite-sex attractions and behaviour (Hoburg 27).

As we have seen, there are many instances in which people’s public expression of sexuality differs substantially from what they feel or practice in private. In this essay, by taking an interdisciplinary approach and honing in on specific case studies from various sources – film, news media, sociology, anthropology, and psychology – I have endeavoured to show that men in various socio-cultural contexts who display behaviour that might be construed as homosexual remain deeply driven to reject the labels of gay or bisexual in favour of preserving their social status as masculine and heterosexual. Due to the sexual secrecy that

results from these motives, the diverse forms of non-normative sexual behaviour practiced by these men tend to remain virtually invisible to society at large; this lack of visibility, in turn, perpetuates the mainstream conception that men who are sexually interested in or sexually involved with other men are readily identifiable. What these examples seem to show, however, is that the opposite is true: publicly stated sexual identity markers do not accurately capture the diversity in sexual behaviour of the categories of people they describe.

**Matthew Stern** is a songwriter and musician from Montreal who has always been interested in questioning institutional paradigms. When it comes to sexuality, Matthew has found that there is a marked discrepancy between what people say and how they behave, and that this public vs. private dichotomy can be the source of much suffering and misunderstanding. Matthew became interested in examining the root factors that govern and shape the public disclosure of sexual experience.

## References

- Boykin, Keith. *Beyond the Down Low: Sex, Lies, and Denial in Black America*. New York: Carroll & Graf, 2005.
- Califa, Patrick. *Is it Radical to be a Man?* McGill University. Stewart Biology Building, Montreal, QC. 18 November 2009. Keynote address.
- Haywood, Chris, and Máirtín Mac an Ghail. *Men and Masculinities*. Philadelphia: Open University Press, 2003.
- Hoburg, Robin, et al. *Current Research on Bisexuality*. New York: Harrington Park Press, 2004.
- I Love You, Man*. Dir. John Hamburg. Perf. Paul Rudd, Zooey Rice, Jason Segel. DreamWorks, 2009. DVD.
- I Now Pronounce You Chuck & Larry*. Dir. Dennis Dugan. Perf. Adam Sandler, Kevin James, Jessica Biel, Dan Aykroyd. Universal, 2007. DVD.

- Kinsey. Dir. Bill Condon. Perf. Liam Neeson, Laura Linney, Chris O'Donnell, Peter Sarsgaard. Fox Searchlight, 2004. DVD.
- Laumann, Edward O., et al. *The Social Organization of Sexuality: Sexual Practices in the United States*. Chicago: The University of Chicago Press, 1994.
- Padilla, Mark. *Caribbean Pleasure Industry: Tourism, Sexuality, and AIDS in the Dominican Republic*. Chicago: The University of Chicago Press, 2007.
- Philippot, Suzie. "I love you, man." *McGill Daily* [Montreal, QC] 6 Oct. 2008: 3-4. Print.
- Shorter, Edward. *Written in the Flesh: A History of Desire*. Toronto: University of Toronto Press, 2005.
- Tisdale, Salle. *Talk Dirty to Me*. New York: Random House, 1995.
- Ward, Jane, et al. *Sex Matters: The Sexuality and Society Reader*. 2nd Ed. Boston: Pearson Education, Inc., 2007.

## Acknowledgements

This project came together based on the energy and enthusiasm of a committed group of graduate and undergraduate students. We want to thank everyone who helped review manuscripts and provided important feedback for the editors and authors. We also would like to thank the Graduate Group for Feminist Scholars who added their insight and energy to help us plan and publicize our launch event for this journal. We hope to continue building on this partnership in the future.

We are especially grateful to Shirley Steinberg at the *The Paulo and Nita Freire International Project for Critical Pedagogy* for providing space to publish this journal online in a forum that will appreciate and nurture the voices and perspectives of these developing scholars. We also want to thank Giuliana Cucinelli for helping us update the site and for making sure this journal continues to reach a broad audience.

Assistance provided by the Student's Society of McGill University Campus Life Fund, The Dean of Arts Development Fund and Queer McGill. This funding allowed us to create a limited run of hard copies of this journal and to support a launch party to bring together authors, reviewers, editors, and supportive community members to celebrate the publication of this issue.

Sprinkle Editorial Board

