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Shannon Gilreath, *Sexual Politics: The Gay Person in America Today*

SEXUAL POLITICS

The Gay Person in America Today

SHANNON GILREATH

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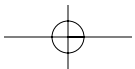
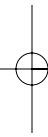
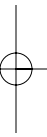
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These thoughts are dedicated
to Beau Ward and Shane Ward, who give me courage,
and to my many “out” sisters and brothers—you are my heroes.

A partial listing of those I know and love includes

Gus Chrysson
Max Wolff
Kevin Crutchfield
Mark Huffman
Will Shields
Chase Key
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Daniel Bates
Robert Davidson
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Monique Williams
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Wil Nordbruch

But mostly these thoughts are dedicated to the generations of young people who will come of age in the twenty-first century. To these innocents falls the task of eradicating bigotry, promoting acceptance, challenging despotism, and achieving equality—in short—making possible the fuller enjoyment of “life, liberty, and the pursuit of happiness” for every person.



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Preface

The only true hope for civilization—the conviction of the individual that his inner life can affect outward events and that, whether or not he does so, he is responsible for them.

—Stephen Spender

IN 1906, W. E. B. DU BOIS OPINED that “the problem of the twentieth century will be the problem of the color line.” In the fledgling years of the twenty-first century, I find myself wondering whether this century’s problem won’t be the sexuality line. An ominous shadow crept across the horizon of gay rights in the early morning hours of November 3, 2004, as it became apparent that John Kerry, the presidential candidate who, despite disavowing gay marriage, was the best political choice for American gays, was defeated, in no small part due to his refusal to distance himself from gays entirely.

If after the utterly homophobic performance by Pat Buchanan at the 1992 Republican National Convention, gays felt they were in, as Gregory King of the Human Rights Campaign put it, “the election of our lives,” gays found themselves no less scrutinized, sexualized, or vilified in the 2004 campaign. The run-up to election day 2004 was marred by an ugly discussion of amending the federal Constitution to ban gay marriage and civil unions, and, indeed, several states did just that to their state constitutions. Election exit polling showed that “morality”—not two years of futile war in Iraq, government secrecy not seen since Nixon days, a tanked economy, or the ballooning deficit—was the single top issue cited by voters.

Those of us who had pinned many of our hopes for the future on Kerry’s

election (really more on the political climate that we hoped would emerge in a Bush-free nation) couldn't help but shudder, couldn't help but feel that somehow, cosmically, across time, the heavy foot of history had tamped upon our collective graves. Time will tell whether our concern over the election outcome is warranted—the progress of gay rights won't be derailed entirely, but surely our efforts have been hindered. The tide of conservatism and moral Calvinism that kept Bush in office also swept in eleven more state marriage amendments—Arkansas, Georgia, Kentucky, Michigan, Mississippi, Montana, North Dakota, Ohio, Oklahoma, Oregon, and Utah.

But, prior to the election, there was among many gay people an overriding apathy toward the American political process. Long before election day, I presided at a gathering of young gay men to discuss the proposed federal marriage amendment. I was surprised and chagrined to hear so many voices in this chorus offering an overwhelmingly defeated conception of their place in the American republic. More than once I heard, "Why should I get involved? Why should it matter who wins the election? Nobody will do anything for us anyway." These exchanges and many more like them were the genesis of this book. The results of November 2, 2004 simply cemented my conviction of its necessity. As Dr. Martin Luther King Jr. recorded in his 1967 book, *Where Do We Go from Here: Community or Chaos?*: "One of the great liabilities of history is that all too many people fail to remain awake through great periods of social change . . . fraternities of the indifferent who are notorious for sleeping through revolutions. But today our very survival depends on our ability to stay awake, to adjust to new ideas, to remain vigilant and to face the challenge of change."

Amen, I say, and *allons!* I hope that this book will challenge its reader to awaken to this revolution and to turn necessary attention to the politics that will bring the gay person the deserved equality that is so long overdue.

Acknowledgments

THIS IS A RELATIVELY SHORT BOOK that entails a relatively long list of thanks. First, I would like to thank the authors and scholars from whose work I have drawn in writing this book. Despite the logistical choice of limited citation (unheard of and uncomfortable for law scholars), I would like particularly to note the work of Arthur Lipkin, on which I drew heavily for the retrospective aspects of chapter 1, and that of Alan Dershowitz, Letha Scanzoni, Virginia Mollenkott, and Bruce Bawer, on which I particularly relied in chapter 2. I should also acknowledge that part of chapter 3 was published originally in the *Texas Journal on Civil Liberties and Civil Rights* as "The Technicolor Constitution: Popular Constitutionalism, Ethical Norms, and Legal Pedagogy," (volume 9, pages 23–44).

Many people saw the value of this project and encouraged me to turn my thoughts into a book. For comments on a previous draft, I thank Professors Michael Curtis, Wilson Parker, Michael Perry, Dick Schneider, Suzanne Reynolds, and Bryan Wildenthal. They, of course, cannot be held responsible for errors in opinion they tried to correct. I also thank Associate Deans Miles Foy and Marian Parker at Wake Forest University School of Law for facilitating research assistance and for other support. Thanks go to Scott Gerber for introducing me to the University of Akron Press and to Chris Banks, my editor there, a more dedicated champion and patient shepherd for this work I could not have hoped for. I also thank Amy Freels for her skillful and gracious production coordination. I thank Dean Bill Leonard of Wake Forest University Divinity School and Steve Nickles for initially encouraging me to teach my course on sexuality and the law.

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Additional thanks go to Mr. and Mrs. F. for renewing my faith when it lagged, and to Dr. Maya Angelou for her inspiration to liberation through the written word. I must also express my gratitude to the “café crew”: Kevin, Chase, Matthew, Daniel, Max, Gus, Monique, Katie, Greg, Jorge, Chris, and Brooke, who in general good humor put up with my frequent outbursts occasioned by writing this book.

Finally, but perhaps foremost really, I must thank the students of Wake Forest University (Divinity School, Women’s and Gender Studies Program, and Law School) who participated in a dialogue about many of the issues that found their way into this book. Indeed, the missing ingredient in this book is just that kind of interactive dialogue. Perhaps I can make up a little for that by extending to the reader an invitation to share her or his thoughts. You may e-mail me at gilreasd@law.wfu.edu, and I will do my best to respond.

PART 1

*Oh, I ran to the rock to hide my face.
The rock cried out, "No hiding place!"
No hiding place down here.*

—Traditional

INTRODUCTION

For Jimmy

The very time I thought I was lost, My dungeon shook and my chains fell off.

—James Baldwin, *The Fire Next Time*

AMONG THE MANY ICONS cluttering the walls of my home library is a photograph of James Baldwin. Baldwin has been my hero since I read with voracious interest *The Fire Next Time* many years ago. *The Fire Next Time*, a book that ignited blacks and whites alike in the other great civil rights struggle in our country, the struggle for African American equality, is, in my opinion, a work never equaled. Baldwin, also a gay man, wrote in contribution to the gay rights struggle as well, notably *Giovanni's Room*. But there is nothing like *The Fire Next Time*. It was something of a love letter to the American people; critical and chastening at times, it was, above all, loving and hopeful.

The love letter is an art little-practiced these days. In our instant-messaging, Internet world, few people know how to write a good one, and fewer still know how to receive one in the right spirit. This book, despite its weighty title, is my own love letter to my country, for I love it above all other countries. It is because of that very love that I reserve the right to criticize it—vehemently and frequently. Like the themes explored in these pages, the love letter is at once a private and a public thing: private in its intimate, sensitive topics and public in its commitment of such thoughts to paper and delivering them to the beloved. The love letter is an act of some courage, for it lays out things that are frightening because there is the pos-

sibility they will go unfulfilled, unrealized, unrecognized. Yet these things so terrific as to be otherwise unutterable must be uttered, because to do otherwise would be a horrible, untenable neglect.

These things must be spoken because gay people, on the whole, live lives of silent disillusionment, believing that their country and its politics have failed them. They ignore their inner urgings to action and swallow hard against the voice struggling to find its way into the open, because they believe that the voice will fall on deaf ears. What I hope for is a turning of some of these secret longings into public aspirations, worked for and toward as public realities. I hope for a gay community that approaches its country, mindful of its circumstances, with attention and care and with a broader, deeper politics of transformation than the gay community otherwise has practiced. This book is an invitation to turn essential attention to our neglected lives and needs and desires. My writing is nurtured by political commitment and the hope that writing of the kind represented here can make a difference in changing the rancor and discord of the gay rights debate into a conversation of reason and understanding.

I don't think it unfair of me to say that society in general does not know what to think about gay people. Generations of social taboos about sexuality, and homosexuality in particular, have left a void in the community's understanding. Recent times have seen enormous advances in filling that void. Slowly, slowly, the homosexual as a socially tolerable sexual variation has replaced the homosexual as a sexual invert. Despite the reactionary backlash that followed the U.S. Supreme Court's decision in *Lawrence v. Texas*, enormous strides have been made in the recognition of gays as valid, contributing members of our society, deserving of some measure of respect and legal protection. But gays remain unequal citizens. Even the gay rights movement has been scant on actual discourse about gays as people, as opposed to political or legal objects about whom much has been said in the way of rights and legalities but about whom very little has been said in terms of personal experience. Some of that has been a necessary consequence of policy arguments that have resulted in an increased measure of social tolerance for gays but have done little to advance true understanding. The gap between tolerance, which, in my opinion, is worth little more than the effort to say the word, and true understanding is very wide indeed.

This book is titled *Sexual Politics*. For some, no doubt, this is a curious concept. To the many Americans not engaged in the battle for gay rights, what happens in the bedroom (the sexual) is a matter completely separate

from what happens in the public forum (the political). No doubt, too, there are some involved in the gay rights movement who bristle at the title, and various formulations of the idea—the truth—that we are more than sex have leapt to their lips. This book is, therefore, an answer to both audiences. To make the work as accessible as possible, I have used citation sparingly. The reader may rely upon the selected bibliography for those sources that have most informed my argument. Because this book is as much a political pamphlet as anything else, I have relied heavily on the historical and expository work of those authors listed there; I am in their debt.

The gay person in American society is as he is because his interpersonal sexual relationships have been politicized and used as an instrument of his domination by others. In the United States today, one's sexuality remains the chief factor in defining one's civic fitness and, indeed, one's entire humanity. If one falls into the disfavored sexual category—homosexual—one is automatically unfit to serve openly in one's country's armed forces. In most of the United States, one is not allowed to marry the person of one's choosing; one is unfit to adopt and raise children; one can be fired or not be hired in the first place. All of these things are very real possibilities simply if one is a gay person. To deny the politicization of sexuality in such circumstances is foolishness.

Social definition on the basis of sexual orientation is quintessentially political; in many ways, it is the heart of American politics today. Whether out of the closet or in, the gay person assumes a slotted role in a predefined power structure. The out person finds himself set against the predominating political grain, whereas the closeted gay person also fills a political role by accommodating the prevailing sociopolitical power structure. Even the most closeted of the closeted is not apolitical.

But there is another view of sexual politics—that of the gay rights movement as progressive social reengineering. Gays sexualize politics simply by bucking long-held notions of pathology and inferiority by claiming and asserting those rights held in common by other Americans. Thus, this book is also my attempt to articulate the current political position of the homosexual and to call for political attentiveness by those who have buried their heads, believing—like much of straight America—that what goes on behind the closed doors of the bedroom or, more aptly, the closed doors of America's closets doesn't affect their status as American citizens. My argument for collective concern and for the further emergence of a gay and les-

bian ethos of public attentiveness is essentially political because it is bent toward the reshaping of public norms that ultimately define private life.

Today, America remains a place where virtually no act by a gay or lesbian person can be apolitical; simply because that act is performed by a gay or lesbian person, it takes on a dimension and meaning to the greater society that it otherwise would not have. The very act of publicly acknowledging oneself as gay or lesbian is itself a quintessentially political act, because it challenges the otherwise coerced definition of what it means to be a normal, natural person and a fully participating member of society. That very visibility provides the basis for the transformative politics discussed later, which is an overall cultural politic encompassing all those activities of the gay and lesbian person: art, literature, sports, business, education, spirituality, and otherwise conventional forms of politics.

A purely private reconciliation with one's homosexuality is an inadequate response to the political sexualization faced by the gay individual in the United States. Consequently, the first chapter of this book seeks to give definition and meaning to the otherwise amorphous concept of the closet and to address the need of closeted individuals to move outside the isolation and secrecy of the closet to claim their dignity and the rights concomitant with that dignity. Chapter 1 explores the historical foundations of the closet and the effects of the closet on the private and communal lives of gay people in America, and it makes a plea for honest and responsible living on a personal and civic level.

Chapter 2 discusses the religious factors that have resulted in the pariah status of gays and lesbians in the United States. The condemnation of same-sex sexuality as sinful and abominable is not historically static, nor is it based on some universal principle. Despite constitutional guarantees of a separation between religion and government, America is the only modern Western nation in which religion and politics remain extensively commingled. For that reason, chapter 2 explores the religious foundations of homophobia and the inescapable consequences of America's religiously infused politics, while offering a hopeful solution to the American religious dilemma.

Any understanding of the historical and contemporary position of an oppressed minority is virtually meaningless unless its ultimate end is to feed a healthy politics of social progression. Consequently, after outlining the position of the gay person in American society, chapter 3 frames a plea for political involvement and attentiveness to the public dimensions of

homosexuality. And because a civil rights movement must, by its very nature, operate within the confines of the prevailing political system, some knowledge and understanding of the sociopolitical climate as it affects gays in the United States is imperative to the development of an effective politics. Thus, chapter 3 also outlines the institutional obstacles to successful gay politics and addresses the future prospects for equality.

Chapter 4 is a summation of the legitimate desires of gay people and an attempt to describe the necessary means of getting there.

Because this book is based, in large part, on my own experiences and observations, it is to some extent autobiographical. It may, therefore, seem to emphasize the experiences of gay men at the expense of a discussion of issues exclusively affecting lesbians in this country. To the extent that this is so, it was merely unavoidable. It certainly should not be taken as a suggestion that I do not feel that the plight of the lesbian is equally as important as the plight of the gay man in America.

It is my hope that this work will shed some light, for straight people, on gays as individuals rather than simply as political or legal lightning rods. It is also my hope that it will be enlightening for the gay reader, because the gay rights movement itself has been largely devoid of personal discourse. A necessary part of enlightenment is taking the unpleasant along with the pleasant. In this book, I discuss many unpleasant aspects of the gay experience. The knowledge void and, in some cases, willful ignorance have made the discussion of those things unavoidable. In discussing those things, however, my idea is not to project an utterly morbid outlook on gay life in America but rather to put forth some knowledge about the reality of being gay in America—and that reality in relation to gays and straights alike. I hope that, by discussing these unpleasant, unattractive aspects of our society, I will prove that the advancement of gay rights is good not only for gays but for everyone—for every member of our society.

Ultimately, of course, I realize the enormity of the problem of arguing for social change in an area in which feelings are as deeply entrenched as they are in the area of gay rights: One's opponents are not always willing to discuss and debate in good faith. In matters as politically, emotionally, and spiritually charged as gay rights, reason is often the missing ingredient. A huge contributing factor to the slow pace of gay advancement in this country is that, from the beginning, the debate has been dominated by people who have nothing at all to say. The content of their argument is a mystery to all but them, and they make no effort to say more than a bald assertion

of their empty belief. But reason and truth are the enemies of the bigot. Thus, the goal of this work is to share some useful knowledge with the sympathetically inclined or impartial participant in the gay rights debate—they have been ignored for too long. It is with these individuals that the future of gay rights in this country rests. Filling the void with useful knowledge rather than empty rhetoric will arm these critical people with the information they need to spot the disingenuous argument of the bigot when confronted by it. Like Dr. Martin Luther King Jr., I believe that, when all is said and done, it is not “the violent actions and the vitriolic words of the bad people” that will be remembered but rather “the appalling silence and indifference of the good people.” Surely, we will be asked to account not only for the misdeeds of the “children of darkness,” but also for the “fears and apathy of the children of light.”¹ Fears must be confronted. Only when the good people are given the necessary understanding can they be expected to break their silence.

CHAPTER 1

A World Not of Their Making

The Closet in American Life

His remembrance shall perish from the earth and He shall have no name in the street. He shall be driven from light into darkness, and chased out of the world.

—Job 18:17–18

HISTORY, FOR ALL TOO MANY PEOPLE, is the convenient referent for a fact or set of facts that has fallen into a void of unimportance, irrelevant to modern concerns. The historical knowledge possessed by most Americans is sadly substandard, and gays as a community share this abysmal appreciation of time gone by. But “[y]ou have to look at history as an evolution of society,” said Jean Chrétien, prime minister of Canada, after his cabinet approved a policy to open marriage to gay couples.¹ Indeed, a society pays a consuming price for failing to understand its own history. In that spirit, understanding the closet as a cultural phenomenon necessitates understanding the history that created the closet.

Unfortunately, there is much in American history to suggest that our democratic social ideal is perhaps more the possession of theoreticians than it is a practically attainable goal. By letter, the United States began as a society in which religious passion was kept separate from public reason and separation of church and state was the benchmark. This much is enshrined in that great monument of democracy, the Constitution.

The roots of what became American society, however, reach further

than 1787 and the drafting of the Constitution; they reach back to groups like the Puritans, who came to America's shores in search of a place to practice a way of life so stern that even the Cromwellian harshness of their contemporary England was unacceptably lax. They migrated to Holland, but the Dutch of five centuries ago were too liberal to countenance the heavy-handed righteousness of the Puritans, whom they promptly expelled.

Like most religious fundamentalists, the Puritans were inclined to see God as an evasive being who created a labyrinth of rules to thwart the petty human's attempt to attain everlasting life. For them, the charity of Jesus was a footnote, whereas the sum of biblical wisdom was to be found in the severer passages of the Old Testament and in the unforgiving dicta of Saint Paul. Accordingly, because adultery was forbidden by commandment and because Saint Paul specifically denounced homosexuality, the Puritans promptly criminalized such abominations in the theocracy they were eventually free to create in the American wilderness.

The Puritans' rigorous persecution of the sinner—in an effort to save his soul by force, if he would not do so volitionally—developed into a legal moralism that American society has never quite been able to rise above. The result: American penal history, and even modern criminal law, are the scandal of the free world. Only in the twenty-first century were gay Americans afforded the basic rights of sexual privacy and bodily autonomy by order of the U.S. Supreme Court.² Yet since its earliest days, the republic has been a place of sharp division between the scarlet letter of the law and the actual practice of citizens' private lives. The states' police powers over morality resulted in a host of laws governing sex, which, while often textually neutral (that is, applying to both heterosexual and homosexual conduct), were usually applied inequitably to punish the vilest offender, the sexual deviant—the homosexual.

Because of this concerted effort to stamp out homosexuality for the good of the greater society, homosexual history in the United States must be pulled from a past of degradation and shame. We might say that our history itself has been buried in the back of our communal closet. Despite this, once uncovered, the history is a vital one from which much can be learned about the present-day place of the gay individual in American society. Since the 1970s, a burgeoning body of literature has emerged, and many schools and universities now devote courses and seminars specifically to gay studies. Numerous historians and commentators have documented gay history. The record of the closet, pulled from centuries of secrecy and isolation,

brings to light a fascinating social history of survival and, finally, self-actualization.

WHERE WE COME FROM . . .

As long as there have been people in North America, there have been homosexuals. Although much of the cultural memory has been blotted out by homophobic whites and Christianized Native Americans, the explorers and missionaries who first came to the New World encountered Native American androgynes wholly accepted and playing vital roles in tribal life. The French term *berdache* was used to describe Native American men who dressed as women and performed the roles of women in public and private life. In many tribes, some women fought in battles and were feared and revered as effective warriors, whereas some men expressed effeminate mannerisms and contributed to the artistic and cultural life of the tribe. Ruth Benedict, an anthropologist, noted the comfortable niches created for gender-role variants who would today be known as homosexual.³ The Native American cultural view of the gay person focused on gender-role identity and not exclusively on sexual habits.

The coming of the white colonialist to America brought not only the oppression of the Native American but also a differing view of sexuality and gender identity. America became the escape of the Pilgrims and other puritanical groups whose rigid religious legalism propelled them outside of a changing European society. Left to their own devices, these groups created a host of ostensibly Bible-based regulations governing sex and morality. Puritanical society emphasized submission of women to their husbands and the sinfulness of nonprocreative sexual activity. Many sex acts that did not come to procreative ends were made capital offenses.

But if America's early fundamentalists used the Bible to craft oppressive laws, they did so with as much of a spirit of equality as oppression can be said to command. When they outlawed sodomy, they forbade it equally between the sexes. Their concern was the sinfulness of all nonprocreative sexual activity; therefore, the homosexual was not relegated to an especially reprehensible class of offender by the letter of the law. For the most part, homosexuals of this early period did not identify themselves as intrinsically different from heterosociety, nor did they have opportunities to identify with others like themselves. They most often married and had children, indulging their homosexual inclinations at great risk.

The Industrial Revolution that swept the United States at the end of the nineteenth century, however, changed the ways in which homosexuals lived and related to one another. People left the isolation of country and village and came to the city, where life was freer and association easier. The large population and the confined geography of the city increased the chances of discovering others with similar sexual identities and inclinations. This confluence of circumstances inevitably led to the birth of the gay subculture, which survives in a very real way today.

If the city provided gay individuals with the opportunity to connect with others like themselves, life outside the infant homosexual community was still harsh. Information about homosexuality was scarce; most individuals continued to think of their sexuality not in terms of natural orientation but of sinfulness and deviance. Homosexuality was a legally punishable offense, and it would remain so until the twenty-first century. Self-censorship of the press contributed to a lack of understanding. When gay-related news was reported, it was usually bad, and even then details were glossed over and euphemisms employed. Even the trial of Oscar Wilde for sodomy in Britain, which so sensationalized Europe, was given short shrift in the U.S. media.

As the twentieth century dawned, the medical community became the greatest enemy of the homosexual. As psychiatry grew to become a respectable field of medicine, psychiatric theories about gay deviance and its curability circulated throughout the country. Young men and, to a lesser degree, women were subjected to untold horrors in the search for a cure—including chemically induced convulsions, electroshock therapy, castration for men, sterilization, lobotomy, and other surgical nightmares.⁴

Within the subculture, however, gays could find some measure of normalcy and escape from repression. In a study of pre-World War II gay males in New York City, George Chauncey described a thriving gay community situated primarily in ethnic and working-class neighborhoods. Gays existing within that community developed a self-contained society with its own language, social norms, and group associations. Sexual inverts like Ralph Werther, who wrote an autobiography describing his life in the gay subculture of New York City in the 1890s, were allowed to live relatively open lives. When forced to interact with heterosociety, the gays of the subculture devised ways of distinguishing themselves and identifying with one another. Red ties and bleached hair, for example, signified membership in the gay community.

LEGAL OPPRESSION . . .

The penal code of New York in the 1880s was typical of post-Civil War lawmaking. It placed a heavy emphasis on public morals, prohibiting rape, abduction, carnal abuse of children, abortion, bigamy, incest, sodomy, indecent exposure, possession or publication of obscene materials, and keeping a disorderly house as “crimes against the person and against public decency and good morals.”⁵ But to the extent that same-sex sexual activity was penalized under this regime, it was penalized indirectly. Even the sodomy laws, enacted by all but three states in the Union, were rarely applied to same-sex individuals. This is not to say that same-sex activity was unknown or sanctioned; Walt Whitman had already published the homoerotic poems of *Leaves of Grass*, which were met with a great deal of scandal. But there was no attempt at legal suppression. If the society of the middle and late 1800s did not sanction same-sex eroticism, neither did that society overtly penalize it.

In the decades after the Civil War, the country began a campaign for homogeneity that threatened the gay subculture and eventually drove it completely underground—into the emerging closet. Soon, civic groups began to form in order to quell sexual deviance, a job they believed the law was not doing satisfactorily. New York City’s Comstock Society (the Society for the Suppression of Vice) was founded in 1872 for such a purpose. By the 1890s, the Comstock Society was assisting police in monitoring degenerate behavior in the subculture’s principal areas. The Society, its outrage seething, urged officials to use the sodomy law to combat sexual deviants. Anthony Comstock, from whom the Society took its name, had this to say after reading Ralph Werther’s autobiographical account: “These inverters are not fit to live with the rest of mankind. They ought to have branded in their foreheads the word ‘Unclean,’ and as the lepers of old, they ought to cry ‘Unclean! Unclean!’ as they go about, and instead of the [sodomy] law making twenty years imprisonment the penalty for their crime, it ought to be imprisonment for life.”⁶ Driven by intensifying social outrage and a millennialist revival of puritanical morality, the law began to change toward a more pointed and effective suppression of sexual deviance.

Antisodomy statutes were the most effective mechanism by which government sought to restrain homosexual conduct. However, most sodomy laws covered only anal sex, and prosecutions were mainly of opposite-sex offenders.⁷ But by the late nineteenth and early twentieth centuries, many

states changed their sodomy laws to make it easier to target gays; legislatures simply rewrote their sodomy or buggery statutes to encompass oral sex.⁸ In other states, the definition was expanded by judicial decision.⁹ In others still, a more indirect approach was taken; Massachusetts, for instance, made it a crime to be a “lewd, wanton, or lascivious person.”¹⁰

Once sodomy laws encompassed oral sex, they were more easily applied to prostitutes, especially male prostitutes who dressed as women and offered oral pleasure to their customers. It also made lesbians vulnerable to prosecutions for sodomy, a virtual impossibility before, although lesbians still accounted for a mere fraction of the sodomy arrests of the period.¹¹ Sodomy laws, however, still proved unwieldy; because they carried felony penalties, their use was proscribed by procedural safeguards like indictment and trial by jury. Aggressive laws against cross-dressing were implemented to take up the slack. Homosexuals joined the ranks of Joan of Arc and Elizabeth Cady Stanton as degenerates for wearing *dress not belonging to his or her sex*. A proliferation of disorderly conduct laws further added to the arsenal of gay suppression.

Furthermore, the psychological quackery of the early twentieth century fueled many Americans’ suspicions that homosexuals were sexual predators out to defile their children. The linkage of homosexuality to pedophilia reached hysteria by the 1930s. Obscenity laws were increasingly employed to suppress literature branded degenerate, like British novelist Radclyffe Hall’s lesbian-themed work, *The Well of Loneliness*.

INTO THE CLOSET . . .

An aggressive social campaign against homosexuals influenced the development of the law; the law, consequently, perpetuated misunderstanding and restricted opportunities for change of societal attitudes. As the law became increasingly oppressive, the gay subculture enjoyed by the likes of Ralph Werther was driven completely underground.

World War II was a watershed in the evolution of gay culture. Thousands of men entered gender-segregated environments for the first time. Although there was screening to avoid enlisting homosexuals in the military, most gays did not dare reveal their sexual orientation and joined the swelling ranks sent to the European and Pacific theaters, perhaps disproportionately, given the military’s preference for single, childless men. Living and fighting closely together, these men had a great opportunity to form

intimate friendships, and the close proximity permitted sexual activity for which there would otherwise have been limited opportunity. The cost of getting caught was, of course, dire. Suspected gays were dishonorably discharged and subjected to courts-martial and fearsome psychiatric examinations. Women, too, in their new roles in industry had opportunity to pursue their sexual desires without fear of family or marital pressure. The Women's Army Corps, with one hundred fifty thousand members, attracted a large percentage of lesbians.

As the homophobic furor escalated, no one was safe from its repercussions. When in 1941 FBI Director J. Edgar Hoover gained information pertaining to Undersecretary of State Sumner Welles, he warned President Franklin Roosevelt of the national security risk Welles posed, considering his susceptibility to blackmail. Hoover and his chief counsel, Roy Cohn, made homosexuality an issue of national security and ensured decades of oppressive policy based upon that lie. When the draft was reinstated, men, and eventually women, were explicitly asked about their sexual proclivity. As the war wore on and the need of manpower became more desperate, the strategy of the military was to medicalize homosexuality rather than to criminalize it. If offenders were not encumbered by some more manifest crime, like rape, they were given therapy for their condition but were not immediately discharged from the service. Court-martial and discharge, however, remained the official policy of the military.

But the tolerance born of necessity during the war quickly evaporated at the war's close. Instead of rewards for valiant service, the end of World War II brought an unprecedented purge of gays from the military, which was but a precursor to the severer crackdowns of the 1950s. Thousands of gay men and women were discharged. Rather than returning to their homes in disgrace, many servicemen and women relocated to urban areas and became part of the gay subculture.

When heterosociety recovered from the shock of war, reactionaries wasted no time in returning society to the prewar status quo. They did this at any expense. Heterosexual men, returning from war to find their hegemony threatened, harangued liberated women and homosexuals as subversive and included them in the greater anticommunist campaign. They were made part and parcel of the heartless, godless communism that fifties reactionaries saw themselves pitted against. The paranoid McCarthyism of the day asserted that gays were security risks, easily susceptible to blackmail because of their subversive lifestyles. This era was the cradle of the security risk

argument used as justification for the military's gay ban. Like today, the government inexplicably discharged openly gay men and women, despite the apparent blackmail threat having been removed by their coming out. Hoover and Cohn were employed to ferret out the sex perverts holding government jobs. In 1951, Hoover had identified 406 such perverts in government employ. In a sad twist of irony, both Hoover and Cohn were gay. Senator Joseph McCarthy, himself, is rumored to have been gay. As Arthur Lipkin has written, "the level of internalized hatred and hypocrisy in these witch-hunts is stupefying."¹² In 1953, President Eisenhower issued Executive Order 10450, formally dismissing gays from government service.

Amid this gloom, the fifties saw the first large-scale and concerted movement toward legal reform. On April 25, 1955, a committee of the American Law Institute (ALI), a think tank of legal practitioners, judges, and academicians, presented the Model Penal Code to the whole of the ALI. The purpose of the code was to serve as a model for state legislatures for reform of their laws. The drafters proposed the decriminalization of sodomy between consenting adults, stating that "the Code does not attempt to use the power of the state to enforce purely moral or religious standards. . . . Such matters are best left to religious, educational and other influences." There was, of course, contention over such a marked departure from the Calvinist sentiment then reigning in American jurisprudence. ALI member John Parker answered the drafters thus: "There are many things that are denounced by the criminal code in order that society may know that the state disapproves. When we fly in the face of public opinion, as evidenced by the code of every state in this union, we are not proposing a code which will commend itself to the thoughtful." The estimable Learned Hand, however, had the final say: "Criminal law which is not enforced practically is much worse than if it was not on the books at all. I think homosexuality is a matter of morals, a matter very largely of taste, and it is not a matter that people should be put in prison about." Hand's position was adopted by the institute.¹³

But the Model Penal Code was just that—a model—and its immediate effect on sexual oppression was minimal. Persecution of gays continued. The FBI compiled lists of suspected sexual deviants. Police regularly raided gay and lesbian bars. Even parties at private residences were broken up and arrests were made. In the same year the Model Penal Code was presented, after the arrest of three men for having sex with teenage boys, fourteen hundred residents of Boise, Idaho, were called to testify as to their sexual

orientation and that of their neighbors. Countless men fled the city, not because they were child molesters, but for fear of being exposed as homosexuals.

Newspapers frequently printed the names of alleged homosexuals apprehended in police raids. Gays everywhere were subject to victimization and violence by thugs and police alike. Also in 1955, Harry Hay, founder of the now legendary Mattachine Society, one of the earliest organizations for the promotion of gay rights, was called to testify before the House Committee on Un-American Activities. The message ringing in Hay's summons was clear: Homosexuality is Un-American.

WHERE WE ARE: THE CONSTRUCT OF THE CLOSET . . .

The events and the collective consciousness formed in the American 1950s framed the closet, and they are still the events most illustrative of the closet and its operation in this country today. One cannot watch Tony Kushner's *Angels in America* and fail to be impressed by its portrayal of the complex system of the closet in American society. Certainly, the story of the Mormon character realizing his sexuality is compelling, but the character that stands out most in my mind is that of the aforementioned Roy Cohn, chief henchman of former FBI Director J. Edgar Hoover. Cohn's story is tragic. In order to rise to the top, he had to play the game instituted by heterosociety; that is, he had to be heterosexual—at least in every outward appearance. So Cohn resorted to the closet in order to publicly suppress his homosexual identity. For many in the closet, cheap and anonymous sex is a *modus operandi*; and this was true of Cohn, whose death from AIDS is poignantly portrayed in *Angels in America*.

Cohn's story is just one in a web of closeted tragedy. Cohn colluded with Hoover, himself homosexual, but who, nevertheless, tenaciously exposed and rooted out homosexuals from the civil service. Much of that activity was prompted by the hysteria spawned by Senator Joseph McCarthy, who was also probably gay. When Washington's backroom rumors were made public by journalist Hank Greenspun, McCarthy considered suing for libel but was dissuaded when he realized that doing so would force him to answer questions about his sexuality. Instead, in an effort to curtail the damage, he married his secretary and adopted a child.

These men are very visible examples of individuals living life in the

closet and of the hypocrisy that goes along with that life. But they are certainly not exceptional; every gay youth is introduced early on to the closet. I was introduced at an early age. My earliest memories of social instruction are my mother's telling me that I acted like a sissy and that I should try not to walk so funny or hang around with girls so much. She was horrified to find that I preferred dressing Barbie to racing Hot Wheels cars. She didn't want me to go to my grandmother's house because she let me play with dolls. I was forced into a host of machismo-infused activities. First, there was tee-ball and baseball; I prayed for rain every Saturday. When I was a dismal failure at baseball, basketball was forced on me—anything to maintain the façade.

It didn't work.

Children are extraordinarily perceptive individuals; they often know who the gay children are even before the parents of gay children know. They can also be extraordinarily cruel. The name-calling, for me, started almost immediately: sissy, queer, fag. I bonded mostly with girls because, I think, of the common oppression factor. And girls, in general, are a lot more forgiving of the unorthodox than are little boys.

Moreover, my church was telling me that my very nature was sinful. Of course they couched this a bit: they told me that acting on the impulses was wrong, if perhaps my just being gay wasn't. But even at age eleven or twelve, I knew quite well that what they meant was that being gay was a sin, no matter how they decorated the proposition. Even being effeminate was sinful. In fact, in the King James Bible, the only version of the Bible to which I was ever exposed (I once attended a tent revival meeting where the presiding minister passed a wastebasket and announced that anyone who was carrying a version of "the Word" besides the King James version should promptly deposit their filth in the trash where it belonged—prompting me to wonder why England's gay monarch is the final word on the holy Word), the very word that has been translated "homosexual" in more modern translations (I Corinthians 6:9) is translated "effeminate." So even if I wasn't gay, as my mother said, I acted gay, and that was enough to give me a good whiff of burning sulfur when I laid my head on the pillow at night. Instead of trying to escape from the tortures of religion, however, I ran full force into them, for I was an exceptionally religious child. I decided that if I were just good enough, just faithful enough, God would remove the scourge from me. But I did not have the constancy of Job: Nightly I prayed, "Why did you do this to me?" and "Please take it all away."

Finally, I decided that, if I had to be gay, the real sin was committing gay acts and that I would just bear my cross and persevere through a life of celibacy. I might be gay, but I damned well didn't have to admit it. Even later, during my college years, when I was safely ensconced within a group of friends who would not have cared about my sexual orientation, I routinely answered in the negative their questions about my preferences. The mind-set of the closet had been so firmly engrained in me that, even when circumstances permitted, I could not be open about my sexuality; it was just too hard, too difficult. One of my chief regrets is that I lost my closest friend when she discovered in later years, from a third party, that I had been dishonest with her about that core part of my life. But the closet was comfortable, familiar, and safe. I do not dispute that one is much happier freed from its constraints, like the bird flown from the cage, but stepping out into the world uncensored is no small feat of courage.

Whatever my mother's reasons were for so warping my conception of sexual orientation, she must have known these cruel realities of the world. She must have known the hard road the homosexual faces in school, in relationships, in employment, in family. I myself often have thought about how I would feel were one of my children to come to me and say that he or she was gay. Naturally, I wouldn't be hampered by all the social stigma and religious bigotry that colored my mother's view of things, but I wouldn't be elated. I know the difficult road.

And that road does not necessarily brighten just because one manages to break out of the closet. During law school, I did what was expected of me; I applied for legal internships and jobs. By this point, I was making these applications as an out gay man, and that significantly altered the rules. At one interview, an older male partner commented on my resume. He noted my affiliation with the American Civil Liberties Union and a gay youth group and then quipped: "What are you people complaining about now . . . whether two lesbians can be married in Wait Chapel?" (referring to a much-contested ceremony that took place at the chapel of the university where I studied). "Actually," I shot back, "we hashed that out a few years ago—and we won." The interview went downhill from there. I could recount various other, more subtle examples.

A friend of mine went to work for a large law firm in Atlanta and then quit because of harassment over his orientation. Employers may follow the trend of extending benefits to the life partners of gays and lesbians, but they do not care to have the recipients of those benefits show up at the office

Christmas party. For many gays, it is easier to secret their private lives away than to be scrutinized in the office fishbowl. The closet is a comfortable place (even if that comfort is illusory) for the gay individual, but it is the comfort zone of heterosociety, as well. Many heterosexuals prefer the homosexual in the closet. Although much of liberal heterosociety must be commended for the advances made in gay rights over the past decades (for these advances could not have taken place without our straight brothers and sisters), the “tolerance” versus “acceptance” model that emerged in liberal politics is a chief, if largely unconscious, factor contributing to the perpetuation of the closet. Although progressive straights are willing to tolerate gay people, they are not always as ready to see them garner the same rights as heterosociety—they are not ready for wholesale acceptance.

When *Lawrence v. Texas*, the Supreme Court case that invalidated the nation’s remaining sodomy laws, came down, I read as much newspaper coverage on the subject as I could get my hands on. For me, the most intriguing aspect of that coverage was the inevitable poll: Was *Lawrence v. Texas* a good decision or a bad decision? I was surprised to see the overwhelming response that *Lawrence* was a good decision. Even the *Winston-Salem Journal*, my local paper, in an area that is not a bastion of liberalism, reported that *Lawrence* was a good decision. But the good was a qualified good. Those polled often replied, “I don’t care what gays do in the privacy of their bedrooms, and the government has no business there; but I hope this doesn’t lead to gay marriage.” The message was clear. Gays should have their “privacy,” but gays should keep their sexuality “private,” hidden from view in the closet. Privacy was the key word. Those who follow legal developments, especially developments in constitutional law, recognize that the Supreme Court often is not ahead of the constitutional curve but often is a lagging indicator of what majority America has decided the content of a particular constitutional norm should be. Indeed, *Lawrence* is a reflection of the accuracy of that theory. The *Lawrence* Court carefully indicated that it was not talking about gay marriage, and the American public was lock-step behind (or in front) of it.

But, of course, the marriage revolution did follow. Gays began to assert their equal rights with regard to marriage. In the wake of *Lawrence*, a measurable backward slide in majoritarian opinion was detectable. Polls (for what polls are worth) show that a majority of Americans do not favor gay marriage; they might even support a constitutional amendment to preclude

it (though, as I will explore later, I doubt that they really understand what such an amendment means).

Some of this, I think, is attributable to the human desire to “root for the underdog.” When progress is made, it is less entertaining to champion the downtrodden. A more likely explanation is that straight people don’t understand the closet. As Michelangelo Signorile has said, “Because heterosexuality is the order of things, many heterosexuals think that they never discuss their sexuality. They say gays who come out [and demand their rights] are going too far, making an issue of their sexuality when heterosexuals don’t.” Signorile observed in his book *Queer in America* that “[t]hose heterosexuals don’t realize that they routinely discuss aspects of their own sexuality every day: telling coworkers about a vacation they took with a lover; explaining to their bosses that they’re going through a rough divorce; bragging to friends about a new romance.”¹⁴ When gays attempt to do the same, there is discomfort among heterosexuals. Coming out of the closet is okay. It might even be a good thing. But coming too far out of the closet is just too much.

Exactly what one is coming out of is not easily explicated. In terms of a referent, the closet is difficult to define. Practically every gay and straight person would have a different answer to the question “What is the closet?” Likewise, the question “What does it mean to ‘come out’ of the closet?” would elicit a myriad of responses. Being out does not mean shouting one’s sexual orientation from the rooftops. Even at the most individualistic level, there are remarkably few people of even the most open sexual orientation who are not deliberately in the closet with someone personally, economically, or institutionally important to them. The closet remains a shaping presence, no matter how fortunate the support of the immediate community. Signorile has written that “[b]eing out of the closet means not thinking about it at all.”¹⁵ I cannot agree with this proposition because I believe it is imperative that we “think about it” so that we are not lulled into complacency in our fight for equality.

Consequently, I would say that being out constitutes a discernible shift in thought patterns. It means a gradual breaking down of the structures of deceit that one has employed in order to live life. It means not worrying that friends and colleagues will discover your sexuality; it means not hiding papers and letters; it means showing up with one’s partner at company functions; it means refusing to be lonely, secretive, and unfulfilled. Coming out

is the crossing and re-crossing of so many lines drawn in the sand—sometimes it simply means not hiding.

The closet is the anathema of honest living. The dishonesty it fosters destroys the character of all those who come in contact with it. As gay novelist Christopher Isherwood has written, “While you’re being persecuted, you hate what’s happening to you, you hate the people who are making it happen; you’re in a world of hate.” In his book *God Has A Dream*, Bishop Desmond Tutu makes a similar observation about the apartheid regime in South Africa that I think also adequately describes the effects of the closet in the lives of gay people. Tutu writes: “In South Africa, the victims of the apartheid system often ended up internalizing the definition the system had of them. They began to wonder whether they might not perhaps be somehow as their masters and mistresses defined them. Thus they would frequently accept that the values of the domineering class were worth striving after. And then the awful demons of self-hate and self-contempt, a hugely negative self-image, took their place in the center of the victim’s being. These demons are corrosive of proper self-love and self-assurance, and eat away at the very vitals of the victim’s being.” In the same way, the complicity of gays in the secrets and lies of the closet makes us agents in the denial of our own dignity.¹⁶

For example, a couple of years ago I became acquainted with a brilliant young gay man. Professional, successful, intellectual, he moved to North Carolina from Dallas, Texas, where he had left an eight-year relationship with a man of equal professional stature and intellectual caliber. Rarely did we meet when he did not bemoan his life in North Carolina. More than once he specifically employed the word “miserable” as a descriptor for what he referred to as a “lonely existence.” He explained to me how much in love he was with the man he had left in Dallas and that his Dallas love was pressuring him to return to Texas and move in with him. For career reasons, he explained, neither of them would leave his residence and permanently go to the other.

At first I was irritated with him. He had—just waiting for him it seemed—what most of us desperately desire: someone who loves us and wants us with them. I felt he was simply letting his life be dictated by lust for the almighty dollar at the expense of true love. But, as is often the case with first-blush impressions, my assessment of the situation was not entirely accurate. As he began to share more particulars about his relationship, I realized just how unhealthy that relationship was. I learned that, for six years,

while my friend lived in North Carolina, he traveled twice monthly from Charlotte to Dallas to see his partner. Yet the partner never acknowledged the relationship to his family. My friend was always simply a buddy, a friend from college. In addition, his partner requested that my friend not be honest about his sexuality to his own family and friends, for fear that accusations of homosexuality would then be made against the partner.

On his many visits to Texas, my friend often was included in the partner's family events, but always only as the ubiquitous buddy. During many family events, my friend had to endure hostile comments like "AIDS is God's punishment for the faggot" from his partner's homophobic father, all the while sitting silently, denying his own sexuality. At the worst moments, the son joined in his father's vitriolic words. In spite of this, my friend was very much in love with the man from Dallas; so much so that the very thought of him dashed all hope for another relationship.

I realized that this relationship had a death grip on my friend's soul. I thought that if he went out, met more gay friends, and saw healthy relationships, he would be able to leave his Dallas partner behind and move on with his life. But so insular was their professional community that my friend lived a completely closeted life even in Charlotte, for fear that openness would cause reverberations in Dallas. As time wore on, he became more sullen; he talked more frequently of returning to Dallas. I tried to persuade him that if he was unhappy with his relationship from a distance, his problems would only be magnified when they were brought into closer proximity. I asked him to think about what it would mean for him to move to Dallas as the platonic roommate rather than as the romantic lover. But my words were to no avail. My friend repeatedly told me how well his partner treated him when they were alone together, how sweet and gentle and kind he was. Eventually, we lost touch, and I heard that his career carried him elsewhere. I have no doubt that, if his relationship remains intact, he is as miserable there as he was here.

My friend failed to realize that the qualitative measure of how someone treats us is to be found not only in the way we are treated behind the closed doors of the closet but also in the way we are treated, appreciated, and praised in public places. The inability of many gays to recognize this fundamental life tenet is testament to the insidiousness of the closet. Too many gay relationships are relationships of secrecy and distrust. Romances that should be vivid and robust instead flounder and are left etiolated because the closet does not afford them the light and air they need to thrive. In its

campaign against gay marriage, society focuses on the vacuity of gay relationships, branding them inconsequential and incapable of making any positive contribution to the heterosexual world. We perpetuate these heinous fallacies by treating our most intimate relationships as irrelevant to our own lives, by secreting them in the closet.

It has been said that the opposite of love is not hate; it is selfishness. The true lover elevates the feelings of his beloved above all else, certainly above the bigotries and petty prejudices of the world. But the closet stifles honest expression, and self-censorship and secrecy take its place. A love kept secret is not a love made sweeter; it is a fraud. In such relationships, one is left to wonder and to doubt one's status. Rather than a source of stability and strength, the secret romance is one of uneasiness, disillusionment, and doubt. If the worth of our love is cast in doubt, eventually our own self-worth is put in doubt; there is no greater weapon than self-loathing, no greater insurance of failure than self-doubt. Such is the power of the closet. The closet does not create mere passive victims, stripped of their dignity by forces outside their control. Instead, the closet makes us each complicit in its dignity-robbing operations. Ultimately, *we* make the choice to be other than we are, to remain less than whole; and through our deliberative complicity in the circle of dishonesty maintaining heterosexual dominance, the choice is, thereby, all the more wounding, the more devastating.

THE DOOR AJAR . . .

But with little more effort than throwing open the door (this is not to say that refusing to hide requires no effort—on the contrary it sometimes requires extraordinary effort) great things can be achieved. I, for example, entered law school determined to be myself. Attending law school in the southern United States, I had reservations about conservatism and bigotry but I hid nothing. If not in all aspects of my life, at school I was completely open. To my happy surprise, I was received well. I became the unique person everyone wanted to know. If only on a shallow level by some, I was welcomed by everyone.

Everyone, that is, except one man in the third-year class. This particular man would have none of me. He was dark and muscular and beautiful, and I sensed that he felt that any pleasantries shared between us would be interpreted as an unwelcome advance by one or both of us. For that reason, I surmised, he remained cold. There was even a flicker of hostility behind his

dark eyes, though it never came to the surface. When I smiled or spoke to him he never returned my cordiality. When I tried to start a conversation, he seemed annoyed at my intrusion into his solitude. In fairness, he was not particularly warm toward anyone, but his distaste for me was pronounced. Eventually, I gave up trying to win him over and kept my distance.

A year passed, and his class was graduating. As was our habit, all the students were gathered in a local bar one night shortly before graduation. I was propped against a pool table when I suddenly noticed him, determination in his eyes, coming at me through clouds of tobacco smoke. Immediately I steeled myself, for I had no idea what was coming. Instead of insult, he gently put his hand on my shoulder and said, "I just wanted you to know that before I met you, I couldn't conceive of having a gay friend. But having known you, I see what I've been missing by automatically dismissing everyone who is different from me. The school needs more people like you."

I was so stupefied that I could barely manage a weak "thank you." Quite unconsciously, I had succeeded in opening this man's mind to different possibilities—to the shared humanity in gay and straight alike. I had abandoned my campaign to win him over long before, but by simply being myself I had, in fact, won him over. Recalling that episode, I realize that we make a difference, often unawares, simply by being *willing* to make a difference.

Later, I shared that insight with a group of undergraduate students at the university where I work. I was invited to speak, as part of a panel, to the campus Gay-Straight Student Alliance. There was a surprisingly healthy turnout, which naturally pleased me. The topic was being gay in the workplace.

My pleasure at the turnout quickly turned to chagrin as I heard the first panelist speak. A business professor (himself gay) proceeded to tell these young, soon-to-be college graduates, that it was perfectly acceptable to hide their orientation, in effect, to live double lives. Heads nodded as the students seemed to indicate their agreement with the acceptability of the closet. When my turn came, I was indignant. I was outraged that anyone would tell these young people, the future of gay rights, that they could—that, in fact, it would be preferable if they did—hide in the closet. But I realized that a diatribe would compromise my voice with the students, so I began by calmly explaining that not everyone was fortunate enough to end up in a career situation as comfortable as mine. Academe, especially the right institution, is the freest and most open of environments. I also told them that all people have areas of their lives in which they are under-

standably less comfortable—or not comfortable at all. But then I patiently informed them of what I perceive to be the duty of every gay person: Unless a particular situation absolutely prohibits it, gay people have the *obligation* to share their lives with their coworkers. We should share with those with whom we probably spend as much time as with anybody the joys and the problems that come along with being gay. We should share this, I continued, not militantly but in the natural, inevitable way that colleagues share their lives. Usually, we come to see, as do they, that our lives really aren't that different. The recognition of our common humanity not only improves our relationships with our colleagues but also does much to advance gay rights. Through openness, we promote not tolerance, but understanding.

And understanding is key.

It is much more difficult to vote to deprive certain people of basic rights—the right to marry or to have a family or to be free from discrimination in employment—when you recognize that those measures directly affect someone you know, even like. Simply stated, it is much harder to hate someone you like or, at least, respect.

I then shared the story of my law school colleague's conversion. Afterward, a young woman approached me and said, "You know, you're right. If we hide and cower in the closet, nothing will ever change." She was most definitely right. Change often does not come in a deluge, but in a ceaseless trickle. The change to gay acceptance will come gradually, as more people are exposed to gays as emotional and moral equals; thereby, they will be unable to divorce themselves from our common humanity. As acknowledgement of this humanity becomes part of their lives, those who otherwise have been obtuse to the casual accidents of gay life will be unable to maintain their indifference. As author Wendell Berry has written concerning his return to his native Kentucky after an urban sojourn, "When I lived in other places I looked on their evils with the curious eye of a traveler; I was not responsible for them; it cost me nothing to be a critic, for I had not been there long, and I did not feel that I would stay. But here, now that I am both native and citizen, there is no immunity to what is wrong."¹⁷ The same is true of the straight person who interacts with the gay person, not as a passing curiosity, but as a participating member in the experiences of every day. Our openness to those around us will prohibit them from denying their own complicity in the human wrongs committed in the quietness of their implicit approbation of silence. Through our openness to those around us, the

indurate observer becomes the invested participant. Everyday activism, even if it is simply being open to those around us, is the key to a better future.

THE MIND-SET OF THE CLOSET . . .

Many in heterosociety simply cannot understand the closet because they have never been subject to its constraints. Because heterosociety is the majority, dominant society, many straights genuinely believe that they never make an issue of their sexuality and they cannot understand why gay people want to make an issue of theirs. To the chagrin of much of heterosociety, the love that once dared not speak its name has become increasingly vocal. "You are exaggerating," I hear from many straight people when I explain to them that, in virtually every aspect of life in this country, gay people are told what they can do and when they can do it—in short, who they can be.

Many straights don't realize that they are making an issue of their sexuality when they walk down a public sidewalk holding hands, when they discuss their family vacation around the office water cooler, when they send out Christmas cards with their spouse, or when they engage in any number of other activities that, at least implicitly, reveal their sexuality. The fact that these things are such a part of the normal order of life that they are given no thought underscores the sharp contrast between those living life as heterosexuals and those living it as homosexuals. Even the small, everyday actions that compose life suddenly acquire earth-moving significance when they come from gay actors. Heterosexuals feel they are having, as one e-mail I received from an angry woman put it, homosexuality "shoved in [their] faces."

Many heterosexuals are so used to second-class citizenship for gays that they view any demand for mere equality as a demand for special rights. Coming out is, therefore, a threat to their own rights and power structures. This is made plain in the debate over gays in the military.

In August 2002, the U.S. military was allowed to recruit at Harvard Law School's Office of Career Services for the first time since the school had instituted a ban on military recruitment through the career services office more than twenty years before to protest the military's antigay hiring policies. Previously, the school had complied with the Solomon Amendment, by which federal funds can be denied to schools that openly disrupt military

recruitment, by allowing the military to recruit through a student organization. But with the advent of the George W. Bush administration and heightened military recruitment activities in the wake of 9/11, the U.S. Air Force threatened to institute proceedings against the law school that could have resulted in the loss of \$328 million in federal funding to the university if the Department of Defense found them in violation. A network of twenty-five law schools and nine hundred law professors moved to block application of the amendment in federal court. A 2–1 ruling by the U.S. Court of Appeals for the Third Circuit, on November 29, 2004, blocked enforcement of the amendment in the Third Circuit. In March 2006, the decision of the appeals court was reversed by a unanimous Supreme Court.

As incensing as the military's ban can be for gays and lesbians, it is important to step back and understand what is really going on. During President Clinton's tenure, former senator and Arizona Republican Barry Goldwater commented in the *Washington Post* that "[l]ifting the ban on gays in the military isn't exactly nothing, but it's pretty damned close . . . If I were in the Senate today, I would rise on the Senate floor in support of our commander in chief. He may be a Democrat, but he happens to be right on this question."¹⁸ Goldwater was referring to President Clinton's effort to lift the ban. Clinton, however, admittedly under a firestorm of protest from Congress, disappointed gays and lesbians by backing off his promise to lift the ban; instead, he instituted the compromise "don't ask, don't tell" policy.

Why was the ban instituted in the first place? And why wasn't it lifted as promised?

The hubbub about gays in the ranks is about more than preserving the decorum of the communal shower. Several years ago I received a beautiful birthday gift from a group of friends, a Tiffany vase in a flower motif—pansies. I thought this was an appropriate gift because *pansy* is a derivative of the French verb *penser*, which means "to think," and every time I look at the vase I think of the thoughtful people who gave it to me. I also got a chuckle out of the gift because everyone knows that the gay man is sometimes called "pansy" in order to indicate that he is puny and weak. I'm not sure where this interesting bit of linguistics comes from, because the horticulturist knows that the real pansy, a lovely flower, is a hardy little devil that can be buried in the snows of upcountry North Carolina only to raise its proud head again after the thaw. Few plants, and certainly fewer people, can boast that sort of tenacity.

By this point the gentle reader is no doubt asking, “What in hell does this have to do with gays in the military?!” The answer is this: It seems to me that within the military there is fear of a shift in the traditional dominance of machismo, which heretofore has reigned supreme in the armed forces as in most of society. The gay man, conventional wisdom goes, is puny, weak, and girlish—a pansy—not fit for armed service. The straight man, by contrast, is strong and robust, an engineered warrior. The bigot thrives on difference, real or perceived, and his hatred is particularly dependent upon it in order to survive. He is especially pleased when he can point to a long history of bigotry to validate his continuing position as a bigot.

This fear was sorely evident when the U.S. Supreme Court forced the gender integration of the Virginia Military Institute (VMI) in the 1996 case *United States v. Virginia*. Until that time, Virginia did not permit women to enroll as cadets at VMI. Of course, opponents trotted out the usual arguments about the morality of men and women living in close quarters, the morale of the cadets, and the need to maintain an ordered and disciplined environment for the male population. The Court, however, decided that these justifications were insufficient to survive constitutional scrutiny and that the VMI policy violated the equal protection clause of the Fourteenth Amendment. A majority of the justices, including even Chief Justice Rehnquist, reasoned that a longstanding tradition of discriminating against women was in no way a justification for compounding that unfortunate historical error by perpetuating it.

The institutionalized bigotry of the armed forces is not about to lose more ground by giving in on the gay issue. The “we have traditionally discriminated, so let’s keep on doing it” argument certainly did not die with the VMI case. Justice Scalia, in a scathing dissent, had this to say: “Long-standing national traditions [are] the primary determinant of what the Constitution means . . . ‘when a practice not expressly prohibited by the text of the Bill of Rights bears the endorsement of a long tradition of open, widespread, and unchallenged use that dates back to the beginning of the Republic, we have no proper basis for striking it down.’”¹⁹ Basically he is saying that if we have always discriminated, there is no reason, at least no constitutionally mandated reason, to stop—unless the Constitution were specifically to say, “Women must be allowed entrance to any public educational institution,” or “Gays must be allowed to serve in the nation’s armed forces.” Scalia’s argument is comfortable for him and for most other bigots,

because he, and they, know full well that the Constitution makes no such explicit guarantees. Of course, it is important to realize that, if such reasoning predominated, not only would homosexual equality be impossible, but most of the significant social advances of the last century, like the advancement of woman's rights or racial desegregation, never would have come to pass. Scalia's argument is a variation of the popular argument that because differences traditionally have been observed—that is the difference in men and women and gays and straights have traditionally been observed (and manipulated to leave one or the other group politically powerless)—we should go right on exaggerating those differences for no better reason than because it always has been that way.

The ban on gays in the military is little more than an extended manifestation of this irrationality. It is a defensive action on the part of the insecure person—in the case of opposition to women or gays in the military, the straight male, who sees his masculinity threatened if women and gays assume a position of equality with him. If they rise from their traditional positions of weakness to a place on par with him, he thinks that his own strength is somehow diminished. The woman and the gay man have, in the eyes of the straight male bigot, a very close commonality: they are *pansies*—dainty, weak, and trivial. And he would just as soon keep them that way. When the woman or the gay man is a warrior of equal prowess, for whom is the straight man to puff out his chest? Who will validate his feelings of superiority? His relevance, as he sees it, is diminished.

This passing of straight male hegemony in yet another aspect of society is assuredly the reason for the strong resistance to the integration of gays into the military. Moral reasons can be, and routinely have been, proffered, but bigotry has little to do with morality. If it were really a question of morality, as the ban supporters suggest, wouldn't they be equally, if not more, concerned over the violation of the rights of women in the military? Why did comparable outrage not burst from the mouths of every serviceman in the wake of the Tailhook scandal? The results of a Department of Defense study, leaked to the press, showed that almost a quarter of the female cadets that graduated from the U.S. Military Academy in 2003 had been sexually assaulted during their matriculation at the academy. The primary reasons given by the cadets for not reporting the abuse were fear of ostracism by peers and fear of punishment. If sexual morality is an honest concern for the average serviceman, or of his administrators, why does the sexual violation of women continue to occur in the military and its schools?

Perhaps it is because the kind of man who fears being sexually desired or subjugated by the gay man in his communal shower is the kind of man who would affirm his own masculinity by forcing himself on a woman who did not invite him. Perhaps the greatest fear of the protestors of military integration of gays is the fear that the treatment they have reserved for women will be visited upon them. Such fears are, of course, unfounded. As Barry Goldwater commented in the *Washington Post* and *Los Angeles Times*, “[G]ays have served honorably in the military since at least the time of Julius Caesar. They’ll still be serving long after we’re all dead and buried.”²⁰ Goldwater also pointed out that a study conducted by the navy in 1956 (although never made public) found gays to be good security risks. After all, who is better at being covert and guarding secrets—the straight man whose world falls apart at the thought of sharing a shower with a gay man, or the gay man who serves honorably, all the while secreting a defining part of himself?

The position of the U.S. government on the issue is such an absurd contradiction that it borders on the grotesque. In 1987, during the Reagan administration, a group of military personnel sued the U.S. government when they realized they had been the subjects of certain experimental testing without their knowledge or consent. The government successfully argued that soldiers give up their rights to privacy, even to bodily autonomy, when they enter the military and that neither their knowledge nor their consent was necessary for the government to use them as guinea pigs.²¹ Today, the government argues that if gays were allowed in the military, straight soldiers would lose the freedom of association that they enjoy in civilian life. The inconsistency between a position that would have a soldier enjoy such a diminished right to privacy that he could be made the subject of secret, dangerous testing without his knowledge or consent and a position that worries about the compromise of the soldier’s freedom of association if he is forced to share barracks with a gay soldier, is staggering.

Such perverse argumentation is seemingly endless. Behind it all we see not a legitimate concern for morality, security, morale, or privacy, but an irrational contempt for the homosexual as a person. We see, then, that the issues of gays or women in the military were never about gays or women per se. Instead they are about the sexually insecure heterosexual male and the shattering of the illusion of his own masculinity when he is forced to serve alongside a gay man or a woman as his equal.

I have no problem with the equation of gays with pansies: We are beau-

tiful and we are tough. The military needs us. It needs the tenacity of a people who have been kicked in the teeth more times than history can record and have arisen and gone on. It needs the loyalty of a people who have been disenfranchised and yet desire to serve a country that has not always served them. An August 2003 Fox News poll revealed that 64 percent of Americans favored allowing gays to serve openly in the armed forces (a Gallup Poll of the same year put the number at an even larger 80 percent), a significant increase from the numbers in a similar 2001 poll.²² Perhaps, in our need for a heightened state of readiness after 9/11, Americans are realizing that prejudice is insidious and destructive and that it undermines the effectiveness of all that it touches. Prejudice against gays is undermining the effectiveness and integrity of America's military. The ultimate panacea for that and for any prejudice is the truth—and exposure to the truth.

But, as the earlier example of the gay business professor illustrated, heterosociety does not bear the whole blame for the closet. It may have been constructed by heterosociety, or because of it, but there is an element of fault in the gay community as well. In America today, increasing importance is placed on being out or in. It is a sign of our progress that more and more gay people feel comfortable openly sharing their sexuality. Not all gays, however, see this as positive. Prominent social critic and gay author Bruce Bawer, for example, has written that he has not always been forthcoming about his sexuality because it “seemed to [him] that the very act of staging such a scene [coming out] constituted an announcement that sexual orientation is a Big Deal.”²³ I understand Bawer's point that being gay shouldn't be a big deal. But the fact remains that being gay in America today is a very big deal, even if it is becoming mercifully less so, because there are still enough bigots to *make* it a big deal for a great many people.

The bigot is aided in his endeavors by the emergence of a gay right that negatively views gay activism and seeks to marginalize all gays who do not fit within its highly restrictive definition of acceptability (read: heteroconformity). For example, when I read and reread Bawer's acclaimed *A Place at the Table* (I really did approach the book with a tenacious determination to like it—though in the end I could not), I discovered that Bawer strikes at practically every aspect of gay culture that deviates from straight society's model. I was amazed at his barely contained vitriol for nonmainstream (read: effeminate or gay-acting) gays. In one representative passage he writes, “I've talked to men who say that they knew they were gay when they were as young as six or seven. In my experience, such men tend to have

been 'sissy boys' who always identified with women rather than men, whose difference from other boys was manifest in their childhood not only to themselves, but to others, and who as teenagers longed for older, more masculine men to take care of them—a longing that I have never experienced.”²⁴ Gay conservatives attack effeminate gays, drag queens, transgenders, or anyone else they can label as “other” so as to distance themselves from the prevalent aspects of the gay community that would, by mere identification, make them less straight-acting. Bawer and those like him will mock the drag queen, will blame the drag queen for antigay prejudice because of his “weirdness.” They are disdainful of overtly gay-acting individuals. Indeed, they would admonish those courageous and open individuals to censor themselves so as not to offend the otherwise sympathetic majority.

This is an uncommonly silly argument, for it turns the hateful structure of the closet upside down, and those embarrassing gays who cannot be pushed back inside it are simply smashed beneath it. Curiously, the burden of the closet is not placed on those gays who remain closeted and thereby deprive the gay community of their voices for change or even on the public figures employing the monstrous mechanism of the closet to enforce ages-old inequities. Instead, blame is placed on the gay individual who is very open about his sexuality and who has shown tremendous courage in doing what many in the gay right have not managed to do—live honestly. Much of their work is rife with playground name-calling and is as pointedly salacious as (allegedly) are the lives of those gays they scorn. Essentially, they merely perpetuate the heterosexist system of rewarding those gays who indulge their homosexuality clandestinely, ensuring that the ages-old gender conventions remain intact. These gay conservatives see themselves in a class with so-called normal men, somewhere across the imaginary line that separates the normal men from the faggots.

Despite the contentions of the gay conservatives, coming out isn't a validation of the bigots' prejudices; rather, it is an assertion that their prejudices will not force us to hide or to live our lives under false pretenses. Bawer views with disdain events like National Coming Out Day. He calls it “a manifestation of the subculture's failure to recognize that coming out is not a one-day event but an ongoing process, and that it should begin not when some subculture-designed calendar says it should but when the individual in question is psychologically, socially, and financially prepared to face the consequences.”²⁵ Again, I agree with Bawer's plain wisdom, but he

misses the point about gay pride events like Coming Out Day: They send a message to the young man in rural North Carolina struggling to find the words to tell his family or his classmates, or to the Manhattan executive in his fifth decade struggling to tell his colleagues, that he is not alone. That is hugely important. If struggling with one's sexual identity is a painful, wounding experience, believing that one is alone in the struggle is the unnecessary salt poured into the wound.

If coming out is important for many gays, it is equally important for our straight brothers and sisters. In 1986, the U.S. Supreme Court chose to uphold Georgia's dignity-robbing sodomy laws. In the case of *Bowers v. Hardwick*, the Court was presented with the question whether the federal Constitution's guarantees of privacy forbade the government from entering one's home and arresting one for consensual sex acts being performed in private with a member of the same sex. Instead of addressing this question—which it could only, with principle, have answered “yes”—the Court recast the question as whether there is a fundamental right to engage in homosexual sodomy. This was particularly insulting, because Georgia's law, as written, applied to both homosexual and heterosexual acts of sodomy, and in the case of petitioner Hardwick, oral sex. The opinion of the Court was clearly an expression of antigay bias, and it was recognized as such by the Court in 2003, when the decision was overruled in *Lawrence v. Texas*.

Justice Powell was the swing vote in *Bowers v. Hardwick*. Powell didn't join the ridiculously reasoned majority opinion or the uncommonly hateful concurring opinion of Chief Justice Burger. Instead, he filed his own concurring opinion in which he said that if petitioner Hardwick had been imprisoned, Georgia's law might have violated the Eighth Amendment's prohibition against cruel and unusual (read: excessive) punishment.

Interestingly, Justice Powell later said his vote had been a mistake and that he should have voted with the wing of the Court wishing to strike down antigay laws. What is most extraordinary, however, is the report that during the deliberation of the case, Powell said to one of his clerks that the justice was more than seventy years old and had never actually met a gay person. Ironically, the clerk to whom Powell confided this delicacy was himself gay.²⁶

Powell's belief that he had never met a gay person seems to be consistent with the beliefs of many Americans at the time. A 1985 Gallup Poll found that only one in five Americans reported having a gay acquaintance. But when one considers that Alfred Kinsey's sex studies published in 1948 and

1953 had determined that 4 percent of the population were exclusively homosexual in their sex practices, another 5 percent had virtually no heterosexual experience, and nearly 20 percent had at least as many homosexual as heterosexual experiences, Powell's statement and the Gallup Poll seem extraordinary.²⁷ Since Kinsey's study, scientific speculations about the number of homosexuals in the country have held relatively constant, hovering around 10 percent, as Kinsey indicated.

Today, of course, fewer people could honestly make Powell's assertion, and fewer would be likely to cast their vote in keeping with the 1985 consensus of the Gallup Poll. Homosexuals are much more visible members of society in the twenty-first century than they were even in the late twentieth century. Yet the fact remains that if Kinsey's studies are reliable, if the general consensus about the number of homosexual individuals living in this country is true, much more can be said than that more people simply "know" a homosexual person. As Richard Mohr asserts in his 1988 work, *Gays/Justice: A Study of Ethics, Society, and Law*, two out of every five men one passes on the street have had orgasmic sex experiences with men; one out of every two families in the United States has a homosexual member; and many more people have homosexual experiences to one or another degree of frequency.²⁸ Gay men and women are everywhere in our society, and, despite the recent surge in coming out experiences, many of them are unknown to the people nearest them, to the people with whom they come in contact every day. That fact has made coming out a very visible action by the men and women who courageously do so, often making it the central moment of the gay experience for gays and nongays alike. Existing in the closet—hiding one's true self—is the predominant characteristic of gay life in the United States; otherwise, coming out would not be invested with such monumental status.

The ignorance that follows from lack of personal knowledge is pervasive. On a September 9, 2003, broadcast of *Larry King Live*, radio evangelist and fundamentalist religious pundit James Dobson asserted, "I don't believe that most homosexuals really want to marry." I couldn't help wondering how many homosexuals he had asked. In that same program, Dobson, of course, dismissed the Kinsey studies as "fraud."

I don't mean, in any way, to assert that Dobson speaks for most Americans. Dobson's is an exaggerated, volitional ignorance. But statements like Dobson's underscore the danger of making assumptions about gays without actually knowing gay people. Lack of knowledge feeds dangerous myths: the

idea that all gays are sex-crazed maniacs, for example, or the overwhelming association of pederasty with homosexuality. All child abuse is horrific; the idea that abuse is made worse by the sexual orientation of the person perpetrating it is more than difficult to understand. Nonetheless, when a case of a gay individual sexually assaulting a child is reported, generalizations immediately are made that the proclivity to sexually molest children is somehow inherent in the gay person's makeup.

We saw this kind of deranged thinking in the Catholic Church abuse scandal. Circumstances, studies, and testimony were ignored, and priests abusing young boys were immediately pronounced "homosexual" whether or not there was any evidence that the men perpetrating the abuse were gay. Somehow, pedophilia became synonymous with homosexuality, although studies show that the majority of pedophiles are heterosexual men. Conversely, when incidents of heterosexual child abuse are reported, no one makes the assertion that the proclivity to sexually abuse is an inherent trait in all heterosexuals. Such wild and harmful suppositions directed at gays are a direct result of the knowledge void that separates many gays from much of heterosexual society.

WHY COME OUT?

It should be obvious that establishing a common humanity with heterosociety is of vital importance for gay rights. I have come to the conclusion that, as much as he professes to be bothered by stereotypical gays—men with limp wrists who sway when they walk and refer to each other as "girl"—the bigot is really much more uncomfortable with assimilationist or straight-acting gays. The stereotypical gay man is easy to spot at a hundred yards; he can be isolated, ghettoized, and easily identified as aberrant. The ease with which this individual can be labeled and identified is exactly what the bigot wants. What frightens him most is the gay man who plays tennis at the country club, plays guard on the soccer team, or showers at the gym: the undetected presence that can be neither labeled nor isolated, because he is exactly like his straight counterpart—except, of course, that he is sexually attracted to other men.

Coming out is, therefore, an important way to show heterosociety that gays are just like straight people in many ways. We are doctors, lawyers, teachers, neighbors, friends, and family. As Bawer himself has written, "Homophobia will not end until every heterosexual knows and cares about one

gay person.”²⁹ All the wisdom of the gay rights movement is summed up in those few words. A March 2004 *Los Angeles Times* poll showed a sharp disparity between the attitudes toward gays of the youngest and oldest generations of Americans. Americans eighteen to twenty-nine stated that they knew someone who was gay. Their responsiveness to the equal humanity of gays was more positive than that of people in the sixty-five and over category, in which only a bare majority knew a gay person. Nearly a decade before, a 1985 *Times* poll showed that more than half of U.S. residents did not know anyone who was gay. With this increased awareness, a correlative shift in attitudes is also perceptible. In a *Times* survey taken in 1983, 38 percent of the respondents said that they were sometimes or always uncomfortable around gays. A June 2000 survey found that the number had dropped to 29 percent. Even a plurality of the religious right said that they are fine with being around gay people today. In fact, in the 2004 *Times* survey the religious right were eight percentage points more likely to support gay rights if they knew a gay person than if they did not. They were ten points more likely to be sympathetic and eleven points less likely to be concerned about the orientation of a child’s playmate’s parent. Significantly, the religious right were nineteen points more likely to believe that a gay person could be a good role model if they knew a gay person than if they did not.³⁰

Coming out, then, although an intensely individual experience, has societal ramifications and effects that we cannot always foresee. Many closeted gays and gay-friendly individuals see things from their own safe distances and gather strength and understanding from observing the out gay man or woman living his or her everyday life. Thus it is paramount that we make ourselves known and accessible.

Arguments about the importance and efficacy of coming out of the closet herald a fundamental discordance within the gay community. This cacophony centers on just what the movement should be about and in what direction it should proceed. Gays are still asking the questions that the Mattachine Society began asking more than fifty years ago: “Who are we?” “Where do we come from?” “What are we here for?” These remain the crucial questions today, for the more advancement enjoyed by gay people, the greater the danger that their inspiritment and motivation to carry on will falter. There is perhaps no more important contemporary debate within the gay community than that between groups I will call the assimilationists and the integrationists.

The crux of the assimilationist argument is, at first blush, a very tenable presumption—that gays aren't really that different from straights. They posit that because heterosociety is dominant, the aim of the gay rights movement is to capitalize on our similarities in order to conform as closely as possible to the hetero template. The assimilationists are gaining ground. Basically they put forth the proposition that gay people, save for their sexual orientation, are no different from heterosexuals. This statement seems perfectly acceptable, indeed, even highly desirable. But there is a problem: For the assimilationist, inclusion in heterosociety is a panacea. Yet it should be clear to even the mean student of history that inclusion in heterosociety without some consideration of our differences, real or imagined, is rife with potential problems. As James Baldwin warned, when a minority group attempts to assimilate, it usually does so entirely on the terms of the majority, dominant society. Baldwin's point is that a minority politics that panders to the same predominating majoritarian values that have held the minority in bondage can never realistically expect to achieve equality, let alone dignity, for the members of that minority. Gay people cannot afford—are not at a place in their civil rights movement—to assert simply, "We're no different than you; we're people too: Accept us." That course of action might yield some acceptance, but only for the gay person who fits the heterocentric definition of personhood—gay people who look, think, and behave as heterosociety thinks they should. This is a sacrifice the gay movement cannot afford to make; it is a sacrifice too heavy to be borne.

Success for the gay assimilationist is achieved by being as straight as possible. This is the goal of gays who brand every unconformity to the hetero paradigm as subculture. "Too gay" realities are branded subculture for a reason—to show their inferiority to the straight model. Any activity creating waves in the placid sea of straightness is avoided. An unfortunate by-product is that assimilationists tend to blame nonassimilating gays for discrimination and inequality. But how, I ask, does the inability of the assimilationists to relate to the sissy boy make the sissy boy's self-awareness and self-discovery any less valid? How does it serve the cause to rob him of his deserved place, a place equal to that of assimilating gays, in society? Many assimilationists might be said to have it comparatively easy. They can be silent assimilators; when it becomes uncomfortable to be gay, they can simply pretend that they are other than they really are. But their pretending, in the long run, does little to make their lives or the lives of their brothers and sisters any better. Rather than fostering understanding, they merely

hide themselves, along with whatever useful voice they might have. Together with Dr. King's dismay at those who sought to bargain with the American black by conceding some token measure of freedom in exchange for the black person's quietude and patience, I add my sad amazement at those gays who have bought the same old line. I maintain that a minority should not, indeed cannot, sacrifice its individuality for equality.

My personal opposition notwithstanding, I can understand the assimilationists' concerns. The differences between gays and straights have been exaggerated to the detriment of gays to keep them on the periphery. This has been clearly evidenced by the portrayal of gays on television. Although I acknowledge that visibility is important in any movement for equality, the *kind* of visibility we are afforded is also important.

Many of my friends lament the character of Jack on the NBC sitcom, *Will and Grace*, and admittedly, Jack is the personification of the gay stereotype. He is effeminate, vain, shallow, sex-obsessed, hopelessly concerned with absolutely nothing that matters, and he is, at all times, the butt of everyone's joke. Unlike many of my friends, I see nothing wrong with the portrayal of an extremely effeminate gay man on television. In practically every community where there is a gay population there is a Jack. People should feel free to be who they are and, perhaps more important, who they want to be. After all, *Will and Grace* also has the Will character, who presents a stable, successful, and masculine counter to Jack's outlandishness. Like it or not, both are part of our community; personally, I do like it.

But I join in the concern that the predominant media trend is to portray gays as foolish outsiders whose problems and lives are all trivial and laughable. I do not watch much television, and when I do turn it on, it certainly is not to a program that caters to the lowest common denominator, the rankest of the rank being the reality show. But when I heard about the Bravo network's new twist on the *Bachelor*, the dating reality show *Boy Meets Boy*, in which a gay man picks a potential mate from a pool of candidates, I had to see for myself. Apart from the revulsion I feel for so-called reality programming, I was appalled to learn that the producers had mixed straight men into the dating pool. The real kicker was not that a gay man has been inserted into the *Bachelor* template, but that this gay man faced rejection and humiliation because he could potentially pick a man completely uninterested in a same-sex relationship with anyone.

Why this particular tag to the show? The answer is that the producers of the show were simply reinforcing what (they assumed) audiences wanted to

hear: Gay relationships are trivial and meaningless. So it is perfectly fine to play with a gay man's emotions by allowing him to choose a partner that the omniscient audience knows will have absolutely no interest in him.

It's a harmless, hardy laugh, right? Wrong—it's cruel.

The young woman picking her life mate on the *Bachelor* didn't have to face the possibility that the man she chose would be gay and, therefore, would reject her on national television. The message is explicit: gay reality is one of practical joking at the gay man's expense, one that underscores his inevitable sadness and loneliness. As Hutton Hayes adroitly put it in an article for the Advocate.com:

The fool is never a threat, except to himself; he is merely laughable, the object of derision and contempt. Just as the depiction of the Jews as Shylock and the depiction of African Americans as Aunt Jemima ostensibly allowed those "outsiders" entry to the mainstream—in both instances only to allow the audience to laugh at them, rather than sympathize with them—so does the gay man as fool seemingly gain entry to the mainstream, only to find that since he is mocked he must remain an outsider.³¹

Certainly, not every Jew is spiteful, nor is every African American servile and ignorant. So, too, not every gay person is trivial and aimless.

Likewise, the reducibility of everything gay to meaningless sex is undeniably a part of the mainstreaming of gays into society. But it is precisely the thing that keeps gays set apart. I remember watching an episode of the show *Queer as Folk*, filled with leather fetishists and man/boy love. A straight friend turned to me and asked, "Is it really that way?" For some people, for a very limited number, sure it is. But it isn't that way for most of the gay people I know, and, I dare say, not for most of the gay people in *Queer as Folk's* alleged setting, Pittsburgh. This is particularly disappointing when the show comes from openly gay producers.

But the danger of the pervasive portrayal of gays with a singular, banal definition as sexual maniacs, with tritely solved problems, and the perpetuated outsider status that assimilationists guard against is equaled in danger by the assimilationists' desire to suppress any demonstrative difference which does not fit their definition (read: heterosociety's definition) of normal or mainstream. "Trust thyself," wrote Ralph Waldo Emerson in his *Self-Reliance*. "Insist on yourself. Never imitate." For Emerson, the self-

actualization that comes with trusting oneself was the golden promise of America. For eons, women and men had been forced to bend their wills and personalities to the whim of senseless authority, their behavior being the product of commandment and tradition. Emerson believed America to be something different; he believed it to be a place where conformity wasn't forced upon the individual by oppressive authority. "Whosoever would be a man," he declared, "must be a nonconformist."³² Fully aware that it is a curious tightrope walk that allows for the creation of a meaningful culture for ourselves out of the shadows of rigid heteroconformity and also the achievement of recognition and acceptance within the panoply of society, I maintain that there is a feasible alternative to assimilation. The alternative is that which I would call integration.

Over the years, being gay has become ripe with a host of meanings that far outreach the mere physicality of sexual inclination. To be gay is to share with other gays a variety of religious, political, and social activities that truly constitute a gay community. That anthropological result of centuries of persecution needn't immediately subordinate itself to heterosociety: The gay community is a community every bit as concrete and meaningful as any heterosexual community. As author and activist Dennis Altman opined, "[A] gay cultural perspective should be one that never denies or hides homosexuality but that uses the experience of homosexuality to illuminate larger questions of the human condition."³³

Of course, Altman also warned against a community that becomes too inward looking. We must resist the pigeonholing of our books as gay books, or our films as gay films, or even our politics as gay politics. We should also, I contend, resist the temptation simply to make our books, and films, and politics the books, and films, and politics of heterosociety. We need not and should not assimilate only on the terms of the dominant majority society. In sum, everything we are need not be gay but we should not hide or smother those parts of us that *are* gay. By asking its questions, the Mattachine Society sought to understand gay oppression rather than to hide from it or hope it out of existence. The years that followed Stonewall showed a calculated combination of gay politics and culture aimed at the upward mobility of gays within American society. Gays weighed and often rejected the religious, political, and social constructs of heterosociety as unsuited for the fulfillment of the whole gay person. Therefore, new religious, political, and social construction was a necessity.

If one believes that the only differences between gays and straights are

differences in sexual inclination, perhaps assimilation would represent a suitable tool for societal vindication and individual well-being. I, however, am not convinced that such assimilation is possible. Gays might themselves recognize that their personhood is composed of far more than their sexual orientation, but much of the larger society does not. Despite what gays might do to downplay the connotation, many straights will continue to see gays only in terms of sexuality. The fear and hatred of sex is so pervasive in this country, stemming as it does from a puritanical social morality compounded over the centuries, that no matter what portions of gay communal identity gays renounced in order to assimilate comfortably into the heterosexual paradigm, it would likely never be enough. Homosexuality is the antithesis of most of what Western culture has to say about sex and gender; it is the destruction of most of the patriarchal gender construction of the past two thousand years. Under the assimilationist postulation, society may, indeed, move toward a toleration of some gays, those who can easily pass as the straight model, but it would always be only a partial, begrudging acceptance.

Thus, one might conclude—certainly the assimilationist might—that the closet remains significant in our lives, not because it changes us fundamentally but because it is the most convenient tried-and-true way of accomplishing tasks and contending with attitudes that cannot be accomplished or attended to by other means. These are ultimately the concerns of self-maintenance, preserving both private and public life with as few scrapes and bruises as possible. But truly living is about more than mere self-preservation; it is about cultivating the best within us and resisting the worst. It always requires a keen understanding of who we are, where we come from, and what we are here for. This is what the closet has stolen from us. This is the reason that living in the closet, even the modified version that assimilationists tout, is an unconscionable way to go on living in the United States of America. It should be the aim of every principled gay individual to secure the inclusion in society of every other gay person, not just the straight-looking or straight-acting gay person. Only then can we optimistically look for the total obliteration of the closet. It is a work both necessary and good.