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Towards Consenting Relations: Anarchism and Sexuality

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I argue that we should understand this consent as passive in that participants are rarely, if ever, in contexts where they

1. are aware of alternatives,
2. recognise the benefits of nomadic practices and
3. feel sufficiently empowered and emotionally capable to resist the coercion of state-forms.

Anarchist politics, incorporating sexuality, must work towards building and expanding such contexts, enabling social practices to developed on the basis of active consent. Anarchism provides the best way of working toward sexuality without violence.

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107–8). Strategies focused on transgression ultimately maintain the rule that they attempt to break down. As Wilson argues, ‘just as the only true blasphemer is the individual who really believes in God, so transgression depends on, and may even reinforce, conventional understandings of what it is that is to be transgressed’ (1993: 109). Normal cannot exist without queer (or otherwise deviant). A successful radical politics, I suggest, must not rely upon transgression and opposition if its goal is to reconstruct society around a different set of ethics (e.g. co-operative, non-hierarchical, comfortable with sexuality, consensual, etc.). The importance of consistency between ends and means (i.e. consequentialism) is an important theme in anarchist theory. Bookchin noted ‘it is plain that the goal of revolution today must be the liberation of daily life. . . . there can be no separation of the revolutionary process from the revolutionary goal’ (Bookchin 1974: 44–45 original emphasis). More recently, Cindy Milstein argues that the contemporary anarchist ‘movement is quietly yet crucially supplying the outlines of a freer society . . . where the means themselves are understood to also be the ends’ (2000). And, of course, strategies focused on inclusion are problematic for all the reasons that I have criticised identity politics and state-forms — they are inherently violent. Nomadism in particular, and anarchism in general, offers an alternative to the (gay) moment of inclusion and to the (queer) moment of transgression. Rather than following or breaking the rules, we can experiment creatively, continuously developing new ways of organising, resisting, relating and playing.

Nomadism provides a conceptual tool that incorporates the strengths of queer, while improving upon its limitations. Furthermore, back to the theme of this paper, nomadism is consensual in that is defined in terms of participatory creativity. While the individuals involved in the nomadic practices may not be able to foresee the outcomes of those practices, they are able to define for themselves and in relationships with others the terms and meanings of those practices. On the other hand, sexual practices conforming to the demands of state-forms are re/produced in an environment of coercion. Participants consent in that state-forms can only exist to the extent that individuals participate in their operation. However,

[Note to reader: what follows is the theoretical section of the paper. The empirical aspect is still under revision. This is very much a work in progress. Please do not cite without permission.]

Identity has come to dominate the politics of sexuality. The history of lesbian and gay politics stems from resistance that developed after the birth of non-identical identities: heterosexuality and homosexuality (bisexual politics came later). According to historian Jonathan Katz (1996), the word heterosexual was first used in something like its contemporary sense in 1893. Austrian psychiatrist and sexologist Richard von Krafft-Ebing helped change the definition of sexually normal and healthy from one based on conscious efforts towards reproduction to one based on other-sex desire, thus allowing for the possibility of pleasure without reproduction. Heterosexuality did not become a popular identity in the United States until the 1920s when the notion of (male plus female) sex for procreation only began to decline. Until its construction in the late 1800s through medical and juridical discourses, the homosexual was an inconceivable identity. ‘. . . sodomy was a category of forbidden acts; their perpetrator was nothing more than a juridical subject of them. The 19th century homosexual became a personage, a past, a case history, and a childhood, in addition to being a type of life, a life form’ (Foucault, 1990: 43). People characterised as heterosexual were told, and told each other, that heterosexuality was natural, normal and right (from the 1920s and 30s in the U.S.). Of course, they had to be careful to maintain their heterosexuality through specific and local gendered and sexualised (as well as racialised and classed) practices. At the same time they were told, and told each other, that these practices were natural and unquestionable, so they (mostly) continued to do them. On the other hand, people characterised as homosexual were told, and sometimes even told each other, that homosexuality was unnatural, deviant and immoral. Although people constructed as heterosexual also found their own ways to resist, the construction of homosexuality has resulted in more systematic (or at least better documented) forms of resistance.

The concept of a homosexual minority group developed during this time period (Cory, 1951 cited in Epstein, 1998), but did not flourish until the late 1970s with the growth of gay subcultures (Epstein,

1998). However, we see the seeds of a future identity politics in 1950s US homophile organisations. ‘The primary function of the homosexual group is psychological in that it provides a social context within which the homosexual can find acceptance as a homosexual and collect support for his deviant tendencies’ (Leznoff & Westley, 1998:5; my emphasis). This version quickly smothered an alternative approach: ‘gone were the dreams of liberating society by releasing “the homosexual in everyone.” Instead, homosexuals concentrated their energies on social advancement as homosexuals’ (Epstein, 1998: 140; original emphasis). The goal of liberation was traded for an ideal of equality between homosexuality and heterosexuality.

Running parallel to these political debates were questions of how to understand homosexual identity. The discourse of homosexuality as mental disorder dominated popular and academic thought. Kinsey’s work on male (1948) and female (1953) human sexual behaviour was the first to undermine the notion of homosexuality as an essential condition, through the development of his model of a sexual continuum (rated 0–6 from heterosexuality to homosexuality). However, the notion of the homosexual as a type of being was perhaps first fundamentally questioned by sociological work utilising labelling theory, including studies by Simon and Gagnon (1998; 1973) and McIntosh (1998). Such theoretical developments began to call into question the very foundation of lesbian and gay identity politics. Homosexuality, the social constructionists argued, was not an essential condition but a ‘social category’ according to Simon and Gagnon or a ‘role’ in McIntosh’s terms.

However, advocates of identity politics have been able to incorporate a constructionist position by emphasising shared experience and common interests, thus modifying the foundation minimally. Seidman notes that variations of gay politics from essentialist to constructionist all depend on a notion of sameness in terms of interests. ‘Gay theory has been linked to what I call a “politics of interest.” This refers to politics organised around claims for rights and social, cultural, and political representation by a homosexual subject. In the early homophile quest for tolerance, in the gay liberationist project of liberating the homosexual self, or in the ethnic nationalist assertion equal rights and representation, the gay movement has been wedded

It may appear that this concept of sexual nomadism much like that of queer. Does not queer also reject the binary divisions of heterosexual/homosexual and man/woman? Indeed, there are significant similarities. However, there are also important differences. Perhaps the most important is the signification of the term “queer”. Judith Butler (1993) questions the possibility of reclaiming the term whose historical usage has been to produce a subject through shaming and pathologisation. She argues that the history of the word is not erased through “reclamation”, but lingers in any usage. For this reason, “queer” suffers similar problems to “gay”. The signification of queer as deviant risks the production of a new state-form, in which all forms of sexualised (and gendered) transgression become understood as variations of a single category. The development of queer as an (inherently exclusive, if broader than most) identity indicates the reality of this risk assessment. Indeed, capacity to claim the term can be influenced by location in terms of class, ethnicity, age, religion, sexuality and other aspects of life experience and social practices. Queer theorists provide a valuable critique of identity politics. However, with overwhelming emphasis of queer theory on the hetero/homo division and, in particular, gay and lesbian identities, “queer theory” risks acting as a more critical version of gay and lesbian studies. Queer approaches rarely even address bisexual (Hemmings, 2002; Young, 1997) and transgender identities, much less moving outside the four boxes of contemporary liberal LGBT Pride events. Unlike queer, nomadism is not conceptually focused on gender and sexuality, much less to particular stigmatised identities and practices. Furthermore, nomad is unlikely to become a sexual identity in the same way that queer has, nor would I want it to.

A second problem with queer (theory and politics), also stemming from its heritage as a term, is a frequent, though not inherent, tendency to valorise transgression. Jeffrey Weeks (1995) has argued that gender and sexuality politics incorporates ‘two distinct political “moments” . . . one is the moment of challenge to the traditional or received order of sexual life, the subversion or transgression of existing ways of sexual being; the other is a movement towards inclusion, towards redefining the polis to incorporate fully those who have felt excluded, a move towards full “sexual citizenship”’ (p

'policing sexualities' is comprehensible only because we recognise the commonalities of state policing operations and the practices of violence, sometimes symbolic, that punish transgressions of rules regarding sexuality (or behaviours associated with sexuality, especially gender performance); these rules are, of course, not universal but produced within the context of particular practices, which are, in turn, tied to local identities. While the police are at the most blatant and visible location of the exercise of state violence and of state claims to sovereignty (Agamben, 2000), those who find themselves exercising violence to maintain identity boundaries do not necessarily wear uniforms. Then again, a wo/man with long hair and lipstick who gets dirty looks (or worse) in a lesbian/straight bar is experiencing violence precisely because s/he does not conform to an unwritten dress code. If we accept Foucault's analysis, that power is diffuse, relational and it 'comes from below' (1990: 94), it is possible to recognise the similarities between policing operation of the state-form of sexual orientation and that of the state. Sexual orientation does not require its own professional police, though arguably they exist, for the same reason that a state cannot rely entirely on police to maintain power. Both sexual orientation and states do, however, both require policing — whether official or unofficial, self-directed or through violence directed towards others.

Sexual Nomadism

Poststructuralist anarchist thought tends to take the position that resistance always accompanies domination and control — that resistance is as much a product of power as repression. For Deleuze and Guattari, resistance to state-forms is described as nomadism. Sexual orientation, as a state-form, functions to bind diverse sexual practices into particular categories with their own rules. Heterosexuality, homosexuality and bisexuality are the main categories, each of which are defined within local contexts interdependent with other social characteristics such as sexual, religious, racialised, economic and gendered constructions. The realm of sexuality, as with any other social practices, involves its own forms of nomadic creativity.

to a politics of interest' (Seidman, 1997: 153–154). This assertion of sameness and common interests does not sit well with many people who identify as gay, lesbian or bisexual, or who think of themselves as having same-sex desires. Emphasis on shared sexual orientation identity occludes discussion of the other key social divisions including race, gender and class. It also deemphasises sexual diversity among people who identify as having same-sex desires. Various new forms of identity politics have developed to provide alternatives for those who feel excluded by gay politics with its emphasis on the issues of white, middle-class, able-bodied, homosexual men.

Standpoint Epistemology

One effort to overcome the limitations of singular identity politics, developed within feminist activism and theory, combined multiple categories of oppression to create more specific forms of identity politics. The theory is that categories such as a woman or gay were too limited in their focus. Standpoint epistemology, then, is an effort to produce new forms of knowledge based on a hybrid subject positions. These knowledges allow for the expression of voices which have been repressed by the hegemony of white, male, heterosexual and middle-class experience. The development of Black feminism offers a prime example of standpoint epistemology: 'because Black women have had to struggle against white male interpretations of the world in order to express a self-defined standpoint, Black feminist thought can be viewed as subjugated knowledge' (Hill Collins, 1991: 201–02).

Advocates of lesbian feminism emphasise the joint oppression of gender and sexuality that lesbian women experience, distancing themselves from gay men who tend not to question their gender privilege. Instead, theorists such as Adrienne Rich emphasised the ways in which compulsory heterosexuality was oppressive to all women (1993). Rich's critique of heterosexuality was unlike that of many gay male activists in that she argued that heterosexuality is a key stone of patriarchal power. She aimed to unite women against

hetero-patriarchy, not to unite gay men and lesbian women against homophobia.

Toward a Poststructuralist Anarchist Critique of Identity Politics

Lesbian, gay, bisexual and transgender (LGBT) identity politics have certainly had a positive impact on many people's lives. Collective organisation in order to reduce feelings of isolation and to resist oppression are worthwhile efforts. However, the success of this approach has been limited in its own terms; heteronormativity remains dominant throughout many social contexts. Furthermore, LGBT identity politics have been criticised for their tendencies to encourage homogeneity, to deemphasise other forms of oppression based on e.g. class or race, and to reify rather than undermine hetero/homo and man/woman binary divisions. Thus, LGBT identity politics are in danger of re-producing oppression relations in their efforts of resistance.

Numerous theorists have argued that the limitations of identity politics stem from their basis in a structuralist notion of social reality. I too will make similar claims. However, rather than arguing for a straightforward advocacy of 'queer theory', which has come to define poststructuralist critiques of sexuality identity politics, I suggest that poststructuralist anarchist theories can offer a potential framework for reconsidering the theory and practice of sexuality politics. Poststructuralist anarchism (or 'postanarchism') is not in itself a single coherent and bounded set of doctrines. Rather, it describes a 'broad and heterogeneous array of anarchist and "anarchistic" theories' and practices that reject both 'the overly normalised doctrinarity of most of the classical anarchisms . . . as well as their contemporary descendants' while, at the same time, embracing the antiauthoritarian spirit of anarchism (Spoon Collective, 2003). In particular, this includes the works of French poststructuralists, including Foucault and Deleuze who present an understanding of political tactics and of ethics that share much in common with traditional anarchist thought. At the

forms in that a wide variety of practices (including sexual, romantic and gendered) are defined and judged in terms of their capacity to be categorised within, or association with, one of three boxes. Nomadic sexualities, including bisexuality in circumstances where only two boxes are recognised, are rendered incomprehensible at best and deviant at worst. The maintenance of sexual orientation as a comprehensible social category, in the face of them as for much greater sexual diversity, is linked to the state through a wide variety of mechanisms. A comprehensive exploration of this relationship would be a substantial project in and of itself. Obvious examples include marriage, sex education, and clearly discriminatory or anti-discriminatory laws. Another prime example are sexual orientation identity rights movements. Arguments for 'operational essentialism' (Spivak, cited in Butler, 1990), 'strategic essentialism' (Fuss, 1989), or 'necessary fictions' (Weeks 1995), including Gamson's assertion that sometimes identity politics are the only possible option, come from efforts to be included within the state or, in other ways, to be represented.

The Violence of Representation

A definitive characteristic of anarchism, including the poststructuralist sort, is an antirepresentationalist ethic. Traditional anarchism rejects political representation, especially in the form of states, because of its production of a hierarchy of representatives and represented. With its rejection of a human essence, poststructuralist anarchism must also reject representation (May, 1995). 'Practices of telling people who there are and what they want erect a barrier between them and who (or what) they can create themselves to be' (p51). With regard to sexual orientation identity, the first reason can easily be understood in terms of constraining subjects' sexual desires, while, at the same time proposing inherent political interests. Representation, in terms of speaking for others, depends upon the violence of defining and controlling others. Violence, then, is necessary to maintaining the conformity of state-forms, including sexual orientation, and the coherence of state apparatuses. The phrase

bound to any given types or categories of product. Such nomadism is central to Deleuze's thought, because it provides the possibility of conceiving new and different forms of practice, and thus resisting current forms of identification as unwanted constraints' (May, 1994: 104–5).

The mode by which nomadic creativity is controlled, Deleuze and Guattari call 'overcoding', which they say 'is the operation that constitutes the essence of the State' (1977, cited in May, 1994: 105). 'In overcoding, disparate practices are brought together under a single category or principle, and are given their comprehensibility as variations of that category or principle. What was different becomes merely another mode of the same. In this way, the proliferation of distinct practices produced by nomadic creativity is limited to the creation of a single standard or certain standards by which those practices are judged' (May, 1994: 106). The state functions by overcoding practices, often through codification in law, in order to enable or constrain the continuance of particular practices. Some practices enabled by the state may further serve to constrain or even eliminate other practices. It is at this micropolitical level that the state-forms also operate through overcoding, often through direct or indirect support from state apparatuses.

Here, I suggest that sexual orientation identity can be understood in terms of state-form. Even before the development of heterosexual and homosexual identities within 'Western' cultures, states (as well as other abstract machines including churches) were active in their efforts to define standards for sexual behaviour. The possibility, or rather the perceived possibility, of procreation was sometimes defined as the only justification for sexual pleasure. Indeed, as I mentioned earlier, heterosexuality was first defined as a mental illness suffered by those who expressed strong desires or sexual activity with members of 'the other' sex, apart from the respectable necessity of procreation. Heterosexuality developed as a new state-form, one in which a variety of practices were compressed into a single psychiatric category. Homosexuality and bisexuality have been constructed as variations on a theme, whether with positive or negative connotations. Sexual orientation can be understood as a set of state-

same time, poststructuralism provides viable alternatives to anarchist conceptions of humanism and of power as always repressive, never productive (May, 1994).

Some works labelled as queer theory, in particular those of Judith Butler, can be read as consistent with the poststructuralist anarchist project. However, a broader postanarchist approach is capable of addressing the limitations of queer theory, including an emphasis on transgression, and the focus on the hetero/homo division to the exclusion of other operations of violence (e.g. racialised and economic) as well as the exclusion of other gendered and sexualised identities.

Furthermore, a postanarchist framework can help queer theory to respond to criticisms addressed to poststructuralist political philosophy. One frequent criticism is that possibilities for political action based on queer theory are limited at best and unviable at worst. In an article that exemplifies this debate, Joshua Gamson (1996) argues that queer produces a dilemma: that the logic of both ethnic/essentialist boundary maintenance and queer/deconstructionist boundary destabilisation make sense. Queer, Gamson acknowledges, is important for exposing the limitations of ethnic-style gay and lesbian identity politics through the inherent reinforcement of binary divisions including man/woman and hetero/homo that produce political oppression. However, he does not see many pragmatic possibilities for action in queer theory. "Deconstructive strategies remain quite deaf and blind to the very concrete and violent institutional forms to which the most logical answer is resistance in and through a particular collective identity' (409). As he notes, Gamson is not the only one to have questioned the necessity of giving up identity politics. Others who question the basis of identity politics have advocated an 'operational essentialism' (Spivak, cited in Butler, 1990) a 'strategic essentialism' (Fuss, 1989) or a recognition that identities are 'necessary fictions' (Weeks 1995). Primarily in the realm of the "cultural", does Gamson see the strength of queer politics. 'At the heart of the dilemma is the simultaneity of cultural sources of oppression (which make loosening categories a smart strategy) and institutional sources of oppression (which make tightening categories a smart strategy)' (412–413). He does, however, ask whether it might be possible that deconstructionist approaches could effectively resist

regulatory institutions. A poststructuralist anarchist reading of this article, I think, helps to resolve the queer dilemma that Gamson fears 'may be inescapable' (413).

Gamson is right to suggest that certain cultural tactics such as kiss-ins and "Queer Bart [Simpson]" t-shirts do not address violent regulatory institutions including law and medicine. However, he depends upon a structuralist and statist understanding of social organisation to claim the necessity of identity politics. 'Interest-group politics on the ethnic model is, quite simply but not without contradictory effects, how the American socio-political environment is structured' (409). His argument follows primarily with examples of attempts to utilise state systems through voting blocs, lobbying groups and antidiscrimination laws. Gamson acts as though 'the state' were a solid structure, lying outside of everyday social practice, that determines avenues of resistance. Thus, the biological determinism of essentialist models of sexuality is replaced by a social (statist/institutional) determinism in structuralist models of society. A post-structuralist anarchist position would suggest that the state does not determine politics, but that certain political practices (including, but certainly not limited to, voting and lobbying) produce the state. At the beginning of *Gender Trouble*, Judith Butler (1990), drawing upon Foucault, makes an explicit link between the representational politics of feminism and of government. For feminism, representation of women is both to seek recognition as a political category and to present or produce 'women' as a political category. Likewise, a state claims to represent a set of subjects for their benefit, '[b]ut the subjects regulated by such structures are, by virtue of being subjected to them, formed, defined, and reproduced in accordance with the requirements of those structures (p2)'. That is produces two particular problems for feminism. First, the representation of the category 'women' is always exclusive, resulting in resistance to the domination of these representation claims. Second, if the category 'women' is constituted by a political system, including 'the state', then a politics taking this category as its foundation assists in the continual production of a hierarchical gender division. Rather than seeking emancipation through structures of power, Butler argues that feminism should understand how the category of 'woman' is

produced and restrained by these systems. Again, Butler compares the foundationalist claims of feminism (e.g. that 'women' exist prior to social production) to those of liberal democracy. 'The performative invocation of a nonhistorical "before" becomes the foundational premise that guarantees the presocial ontology of persons who freely consent to be governed and, there by, constituted the legitimacy of the social contract' (p3 my emphasis). Returning to Gamson, it cannot be a smart strategy to tighten categories in the face of institutional oppression, if indeed tight categories are the very effects of institutional oppression.

Here, we can turn to Deleuze and Guattari's concepts of the 'nomadic war-machine' and 'state-forms' to further explore the links between critiques of identity politics and of the state incorporating the notion of consent.

Sexual Orientation as State-form

Rather than using Gamson's notion of 'institutional oppression', I look to Deleuze and Guattari's conception of the state 'as abstract machine rather than institution, instantiated not only at the macropolitical but also at the micropolitical level, reliant upon local practices that sustain it, and offering always the possibility of escape' (May, 1994: 108). Governments, of course, can be understood as concrete institutions. However, to perceive them as such as to fail to recognise the manner in which macropolitical practices (that produce the appearance of 'institutions') are themselves products of interwoven micropolitical relationships and practices. Deleuze and Guattari use the notion of state-forms to describe micro and macro level operations that have a relationship of mutual dependence with the state and which serve its goals of control, maintaining the appearance of centralised power. 'The purpose of the state-form is to bind all nomadism to certain structures, to make sure that its creativity does not overflow certain boundaries or certain identificatory categories' (May, 1994: 105). Nomadism refers to 'a creative but deterritorialized force that [. . .] are not tied to any given social arrangement; they are continuously creative, but their creativity is not naturally