# 1 Introduction

This book is about three central themes: national cultures, sexual identities, and the discourse of rights. My interest is in how national identities are constituted in sexual and gendered terms, how groups mobilize around sexual identities and articulate their relationship to the national culture, and how rights discourse informs and constitutes both national *and* sexual identities.

The relationship between these identities has intrigued me for a number of years. When I arrive at London's Heathrow Airport, I am immediately confronted by the physical separation of travelers at the immigration checkpoint into two categories: European Union citizens and Others. As a permanent resident of the United Kingdom, I occupy an awkward position that does not easily fit either category. I proceed to the Other line, among those who have no entitlement or right to enter the country. Although many in the line may be subjected to questioning, I know that as a white, male, middle-class academic, my encounter with the authorities will be brief, painless, and perhaps even friendly. I may be sharing the line with others, but I know that, to all outward appearance, I am not the other here.

The construction of some identities as other to the nation makes me think about how English (as opposed to British) national identity has had such an ambiguous and contradictory relationship to sexual identities, particularly the "homosexual" as the nation's other. Official discourse has long sought to constitute homosexuality (or, in contemporary terminology, lesbians and gays) as a threat to the nation and its values. Historically, homosexuality was bound up in the identity of the upper class as decadent and perverse, thereby erasing diverse working-class sexualities. But British popular culture has regularly deployed at least male homosexuality as an integral, and not particularly threatening, element of the national identity, even when the word "homosexuality" could not be spoken on stage or screen. Homosexuality seems to reside both

within and outside the nation, defying easy categorization as inside or out.

Moreover, some British gays and lesbians today are arguing for their "right" to join the military and fight for "their" nation state. It seems increasingly likely that they will be victorious, thanks in part to the growing influence of European Union law within the United Kingdom. The arguments presented seem to replicate the American debates, a culture in which rights talk (and litigation) is so much more central to national life. Yet, the process has been facilitated by the Europeanization of constitutional law. Nationality and sexuality thus are dynamic identities, and their openness to reimagination is closely related to the translation of political demands into the language of rights. This book is an attempt to understand this contested relationship.

## Identifying Nationally

While the modern nation may be a social construction that emerged at a particular historical moment in Western consciousness, it is a construction that has proven extremely versatile in its capacity for transplantation into different social, geographical, temporal, and political contexts. Although the nation is as Anderson (1991, p. 6) famously termed it an "imagined political community," it is surely one of the most durable political imaginings we encounter. While our collective political consciousness may now be virtually inseparable from the concept of the nation state, Anderson argues that the imagining of nation was made possible by historical changes in the West in the ways in which the world came to be perceived. The emergence of print culture in Europe served to constitute an imagined sameness between authors and audiences, which came to replace religion as the central marker of identity (see also Steedman 1995).[1] In addition, sovereignty depended on the conception of borders as finite and limitable (and therefore capable of being mapped) and on the determination of membership in national collectivities (through, for example, the census). But both the map and the census were the product of a particular comprehension of physical and human geography that first emerged in the sixteenth century (Blomley 1994). The combination of the nation's central-

ity and its historical specificity must be kept firmly in view, for together they confirm that the nation is "at the same time a fiction and a principle organizing actual social relations" (Laclau and Mouffe 1985, p. 119).

The success of "nation," however, rests in large measure on how it has managed to camouflage its constructedness. While all social constructions must be continually reinforced, the nation has been extremely successful in naturalizing itself as a way of managing both people and place. But the nation, like social constructions more generally, never fully masks the fact that it is always in process. Moreover, the boundaries of nations and nation states are rarely identical, but the belief that they *should* be has conveniently served as the basis for dominance by some national groups at the expense of others and for the construction of minorities as outside of the nation *and* the nation state (Yuval-Davis 1997, p. 11).

Anderson (1991, p. 145) observes that the constructedness of nation is apparent in the language used to describe the relationship between the immigrant and the national community. The "foreigner" seeks "naturalization"—to be *made* a part of the community. The term "naturalization" highlights how the language of nation can be deeply essentialist; membership is a product, not of politics, but of nature. At the same time, the individual can be reconstituted as *inside* this imagining; he or she can be remade (or, perhaps, "born again"). Naturalization also suggests that the condition placed on the invitation to the outsider is that inclusion will bring normalization. That is, naturalization implies homogenization—to lose one's difference in the process of gaining membership in the greater "universal" of the national community (Grosz 1993).

The nation thus appears at the same time to be both fixed and porous in its membership. Naturalization means that one need not be born into membership. One's nature can be refashioned. But the nation *state* simultaneously needs borders that are fixed. After all, membership has its privileges and is both finite and limited. Not just *anyone* is capable of being naturalized. How those conditions of membership are understood is central to the construction of nation.

There have been three principal meanings of nation (Jackson and Penrose 1994). In the thirteenth century, nation was first used

in the English language to connote a racial or religious group, thus creating the relationship between *ethnos* and nation. The second meaning of nation emerged in the eighteenth century, when nation was increasingly employed to define smaller groups, each constituting a separate people that in turn came to be essentialized as fundamental human divisions. But, with this usage, the connections between nation and race became more tenuous. Rousseau is credited with the idea of political nationalism, the third meaning of nation as a product of political agreement between individuals (the *demos* of nation) rather than as coterminous with a racially defined people. Thus, the politically defined nation has come to have a spatial dimension through which its legitimacy *qua* nation state is greatly enhanced.

Despite its redefinition as an agreement between members who are its citizens, the nation has remained a primary arena for the articulation of racist ideologies (see, e.g., Preuss 1994). It continues to resonate with the belief in a common blood bond shared by its members, which constitutes them as an essential group. Through the implicit and often explicit connections between race and nation, a biologically and culturally based essentialism is reinforced and the social constructedness of nation further disguised.

The connections between race and nation have been developed by Fitzpatrick (1995), who argues that because the nation is constitutively finite, it is through the articulation of its limits that the nation defines itself. But, in a seemingly contradictory maneuver, the nation is constructed as the universal in opposition to what appears other to it, an other that is defined in terms of particularity. Thus, universalism and particularism, rather than being opposing concepts, are in fact both implicated in the constitution of national identity (see also Chow 1993). The universal of nation must incorporate that which it simultaneously excludes. That is, if the nation is universalized by virtue of defining itself oppositionally against the other, then the other resides within the very concept of nation. For the modern Western nation, the other is represented as that which is opposed to "civilization"—"the possibility of reversion to a savage and barbaric past" against which the nation must guard itself (Fitzpatrick 1995, p. 15).

The mode of organizing people and place through which the modern nation was imagined may be altering in the face of eco-

nomic and cultural globalization. The term globalization signifies a range of economic, political, and technological shifts that have weakened the capacity of the nation state (particularly in the Third World) to control those processes that historically were considered to be central to national governance (see, e.g., Fitzpatrick 1995, Maurer 1995, Coombe 1995, Calhoun 1994). Central to globalization has been the increasingly free movement of capital and the integration of states into a world economy where the economic levers are no longer controlled by national governments. Thus, economic borders are becoming historical artifacts as capital flows more freely and flexibly (see Maurer 1995). The economic impact includes the further separation of production and consumption, with the former centered in low wage Third World economies. The flexible movement of capital also means that the ability of national governments to control tax and fiscal policies, particularly in developing economies, is severely limited. Policies are now designed to facilitate investment by multinational corporations, which remain ready to "pack up" and move should those policies become comparatively less attractive (see Maurer 1995, Coombe 1995).

The free movement of capital is closely connected to the mobility of persons. Instantaneous communication and global travel have resulted in widespread economic migration and new diasporic communities (although both phenomena have histories that long predate current movements). These communities increasingly have the ability to mobilize transnationally, which further challenges the coherence and homogeneity of national identity (Rattansi 1995). National borders now are being conceived by both financial and, to a lesser extent, human capital as fluid, porous, and open to free movement. With respect to the movement of people, this is actively resisted in many cases by governments through tightened immigration laws.

Corporate managers are well aware of the power of capital to foreclose assertions of economic nationalism by governments. Ohmae (1995) provides managers and policy makers with a blueprint documenting the decline of the nation state in terms of its economic impact. He outlines how the power of instantaneous shifts of capital, made possible by the rapid development of information technology, means that trade now only constitutes a small percentage of international economic activity. In addition, global

capital markets have ensured that nation states can no longer effectively control their exchange rates or protect their currencies against market forces. The nation becomes a "nostalgic fiction," a "bit actor" (p. 12), and an "*unnatural*, even dysfunctional unit in terms of which to think about or organize economic activity" (p. 42, emphasis added).

The relationship between the national and the global, however, is multidimensional. The conditions of globalization do distort the balance between universality and particularity that was central to the constitution of the modern nation state. For example, Darian-Smith (1995a) has illustrated how the globalization of law through transnational political and economic arrangements such as the European Union has created the conditions under which some individuals and groups in the United Kingdom now appeal to a "plurality" of legal systems—at the local, national, and transnational levels.[2] The relationship between the national and the global operates along other trajectories as well. While globalization may undermine the claims to universality of nation, the nation state also responds to the global (see Calhoun 1994). Nationalism can serve to resist the universalizing strategies of international capital through, for example, the increasing emphasis on the closing of national borders to immigration. Moreover, as has become so tragically apparent, the political terrain in which globalization is occurring has seen "the recreation of the political frontier" through dangerously reinvigorated nationalisms (Mouffe 1994, p. 105). As Darian-Smith (1995b, p. 86) argues, "nationalism and transnationalism are distinct but aligned processes."

Globalization, in fact, positively encourages the production of nationalism, but only in those ways that reinforce the free market. The nation continues to provide an important site for individual identity and "belonging," and national identities increasingly have been severed from a critique of capital. For example, Maurer (1995) has shown how in the British Virgin Islands (BVI) national identity is substantially constituted through laws aimed at enhancing the "marketability" of the BVI to offshore capital investment.[3] National identity comes to depend on the commodification of nation for the benefit of capital. In this way, "transnationalism can be interpreted as a neo-imperialist process, requiring as much as any

form of nationalism an abstracted other through which to define itself as a coherent force" (Darian-Smith 1995b, p. 87).

The free movement of capital is tied to the mobility of persons engaged in economic migration across national borders. The movement of persons also undermines the historic claims of national homogeneity. Migration flows have allowed those who historically were constituted as other to the Western nation to occupy those national spaces, which may have transformative potential for how national identity is conceived (Coombe 1995). At the least, the palpable *fear* within the West that "occupation" by the other will prove negatively transformative contributes to an emphasis on closed borders. These challenges, combined with claims by indigenous peoples grounded in the language of national rights, can further decenter the "nebulous mythological concept" of nation (Bowman 1994, p. 144).

Social movements also deploy the language of nation as a means of constituting and reinforcing their own identities. In this way, movements can appropriate and redeploy nationalism for their own ends, using the discourse that has often been employed against them. An example is the Black Nationalist movement in the United States, which existed parallel to the Civil Rights movement during the 1960s. The critique offered by black nationalism grounded racial differences, not within a model based on individual and state discrimination and segregation, but as the outcome of an ongoing history of colonialism imposed on an African diaspora (see Peller 1990, Clark 1991). In this sense, the language of nationalism can be contrasted to integrationism, offering an alternative account (and a critique of the liberal narrative of the nation) that was relegated to a secondary role in race relations (Peller 1990; see also Chang 1992, Alfred 1995).

The politics of appropriating nationalism remains politically volatile. Nations have been historically constituted in gendered and sexualized terms, and oppositional appropriations of nationalism frequently replicate, for example, a gendered understanding of politics. Black nationalism was subject to critique for employing a highly masculinized and sexist conception of the nation (although some of that critique may well be tainted by racism). So, too, Quebec nationalism traditionally was informed by a strategy centered

on the "revenge of the cradle," wherein women's bodies were the front line of a nationalist struggle that encouraged high reproductive rates.[4] Nationalism in that context depended on the reduction of women to agents of reproduction in the name of national survival. Thus, while oppositional deployments of nation can prove strategically useful, they may also reinforce relations of domination along other vectors.

## Gendering and Sexualizing the Nation

One of the historically central relations of domination in the construction of national identity has been gender. Recent feminist interventions have provided an important corrective to the literature on nationalism and national identity in this regard (see, e.g., Yuval-Davies 1997; Eisenstein 1996; West 1997; McClintock 1995, 1996). Yuval-Davies (1997, p. 3), for example, has described "a gendered understanding of nations and nationalisms, by examining systematically the crucial contribution of gender relations into several major dimensions of nationalist projects." She finds three key aspects to the relationship. First, women have been constructed as the biological reproducers of the nation. Demands have been placed on them to have more children, fewer children, and to "improve the quality of the national stock," all in the service of the nation (p. 22). Second, gender symbols have played an important role in the cultural reproduction of the nation. That is, specific national codes define and constitute appropriate gender roles. Third, the discourse of citizenship—the basis of membership in nation states—is gendered in its construction of the public and private spheres and through the notion of active (male) and passive (female) citizenship. Active citizenship includes the duty of defending the nation militarily (and defending women and children in the process).

Eisenstein (1996, p. 43) refers to this dynamic as "the gender exclusivity of nation," whereby "the symbolised woman, as mother of us all, psychically attaches the nation to family and nature, with their racialized meanings." Similarly, McClintock (1995, p. 357) has shown how "nations are symbolically figured as domestic ge-

nealogies," wherein familial discourse becomes crucial to relationships centering on the nation:

> The metaphoric depiction of social hierarchy as natural and familial—the "national family," the global "family of nations," the colony as a "family of black children ruled over by a white father"—depended in this way on the prior naturalizing of the social subordination of women and children within the domestic sphere. (McClintock 1995, p. 358)[5]

Thus, national identities clearly have been bound up with gender and race within the Western imaginary. My focus in this book—the sexuality of nation—is closely related. I will argue, following Beriss (1996, p. 191), that "sexuality appears to be a volatile symbol in debates about the character of national identity." In its sexual dimension, European nationalisms historically were closely connected to bourgeois morality and a concomitant aesthetic of respectability (Mosse 1985, p. 9). Central to that aesthetic was the constitution of "normality," which was deployed as the basis for new national stereotypes as well as the reinforcement of middle class morality. Fixed and unchanging sex and gender roles were of prime importance, and anything that could be construed as undermining that fixity was constructed as the nation's other. In this way, sex role confusion was ascribed to those most clearly defined as outside the nation, namely othered races. So, too, the homosexual, an historically specific construct, symbolized the confusion of the sexes and a sexual excess, which also was other to the nation's self-constitution.[6]

It is important, however, to avoid claiming a single dynamic of sexuality that has operated cross-culturally and trans-historically—of arguing that there is some essence in the relationship of national, and sexual, acts and identities (see generally Herdt 1997). To do so is likely to impose a specifically Eurocentric construction under the guise of universality.[7] At the same time, it does seem clear that when the nation state perceives a threat to its existence, that danger is frequently translated into sexualized terms. Same sex sexuality is deployed as the alien other, linked to conspiracy, recruitment, opposition to the nation, and ultimately a threat to civilization.[8] This phenomenon has been largely, but not exclusively, examined in

terms of the maleness of the state and the othering of male same-sex sexual practices, as well as in the construction of some homosocial activity in a nonsexual fashion so as to absorb it within the national character (see Mosse 1985, Harper 1994).

Moran (1991), for example, has examined the association of homosexuality and "security risk" in 1950s Britain, finding that homosexuality was deployed oppositionally to the nation state. In this context, homosexuality served to consolidate the nation and promote international relations. The British crackdown on homosexuals in this period was partly the product of American pressure and reflected Britain's increased dependence on the United States in a new postcolonial era of superpower domination. Britain's diminished international role coincided with the reconstruction of the homosexual as a threat within its borders. The effect was to deflect attention onto (male) homosexuality as the cause of national decline. The homosexual was the potential (and actual) spy, who had to be identified and excluded from national space:

> The sexual boundary justifies not the establishment of a defence against foreign invasion or the initiation of foreign wars, but the establishment of a regime of national surveillance, and a form of civil war waged through domestic repression, domination and eradication. (Moran 1991, p. 167)[9]

In Moran's analysis, it is the male homosexual body that is alien, a threat, and "embodied." In this sense, the national subject and the masculine subject are similarly constructed as abstract, in contrast to the feminine, embodied subject. Yingling (1994) argued, in the context of discourses surrounding HIV, that AIDS is inscribed as foreign to the national imaginary of the United States. Disease itself demands an embodied subject (for it signifies the limits of the body and its transcendence). Embodied subjectivity is rejected in the constitution of the Western nation as abstract, universal, and masculine (see also Manalansan 1993). The subject who transcends the body is the full member of the body politic, which reinforces the primacy of the white male as the emblematic Western citizen (see Berlant 1991a).[10]

The relationship between sexuality, gender, and nation "cannot be understood apart from their position in relation to local and

global political processes" (Murray 1996, p. 251). These processes have been examined by Alexander (1991, 1994) in her analysis of sexuality and nationalism in the postcolonial state. She has linked the impact of globalization to race, gender, sexuality, and nationhood in Trinidad and Tobago and the Bahamas. Alexander examines the criminalization of nonprocreative sexual activity, particularly lesbian sexuality. Heterosexuality has been nationalized, and some sexualities constituted as perils to the postcolonial state, as "the effects of political and economic international processes provoke a legitimation crisis for the state which moves to restore its legitimacy by recouping heterosexuality through legislation" (Alexander 1994, p. 7). The movement of global capital is not coded as dangerously undermining the national identity or destructive of the state's ability to control the economic levers. Rather, lesbianism and gay male sexuality become the threats to national identity.

The sexualization of the postcolonial state, however, is complicated by the role of "a political economy of desire in tourism that relies upon the sexualization and commodification of women's bodies" (Alexander 1994, p. 6). But the sexualization of black bodies for white tourists is not constructed as imperiling the nation through a neocolonial fetishizing of race. Indeed, the combination of events that signal globalization—capital flows, large scale north to south tourism, the separation of production and consumption across continents—are not interpreted as destructive of nation, but rather as central to its continuing existence: "in this equation, tourism, foreign multi-national capital production and imperialism are as integral and as necessary to the natural order as heterosexuality" (p. 11).

The heterosexuality of national identity underscores how oppositional (in this case, postcolonial) deployments of nationalism can reinforce domination and inferiority along new dimensions. As Murray (1996, p. 252) argues, the postcolonial state "must overcome the racialized and sexualized predispositions of national models of identity that were built out of and against colonized populations." One means by which this is attempted is through the discourse of colonial contamination, wherein homosexuality is attributed to the white colonizer and has served as a means to exploit the colonized sexually (a theme that emerges in many of my case

studies). Part of the postcolonial project of nation building, according to Alexander (1994, p. 13), has been the need for a "Black nationalist masculinity" to demonstrate that it was "ready" to govern by replicating (and reifying) those norms of Western nationalist respectability. This appropriation of nationalism is exacerbated by the acid bath operating on national borders through economic globalization, in which the postcolonial state seeks to conform to international definitions of respectable morality and order. In this context, "homosexuality is crucial both for the maintenance of state cultural authority and the popular ethic of hypermasculinity" (Murray 1996, p. 252). If the colonial relationship was constructed as parental, "the aggressive heterosexual male combats this infantilization, yet in doing so perpetuates colonial nationalism's racial construction of the passionate, uncontrollable 'other'" (p. 259).

To characterize national identity as masculine, abstract, universal, and disembodied is an oversimplification. We must also account for "the iconography of interstate relations" (Cooper 1995, p. 72). The relationship between states displays a homosociality, and, in addition, the sovereign Western state "represents the fantasy of a certain kind of heterosexual masculinity . . . impermeable, bounded, separate and Other to the chaotic world that surrounds it" (Orford 1996, pp. 75–76; see also Yack 1995). This construction reflects the threat of the effeminized non-Western state that still claims the status of nationhood. The fear of the other is compounded by the effects of globalization, in which borders are perceived as becoming more porous and boundaries less rigid, and diasporic communities threaten to infiltrate and cause "ruptures within the contingent coherence of the masculine state's corporate identity" (Cooper 1995, p. 72).

The relationship between the disembodied, universal, abstract Western nation state and its other is exemplified by the post–cold war relationship between East and West Germany. Sieg (1995) argues that the East German state was constituted sexually through homophobia. Lesbians and gay men were other to a Communist asexual national identity, reinforced by the national myth of "a Nazi-homosexual conspiracy against the oppositional left" (p. 95). It is ironic that the power differentials today between East and West

have resulted in "the inscription of heterosexual power structures into inter-German relations" (p. 105), characterized, in particular, by a sexualized relationship of domination and submission. The former East has become the feminized other to the paradigm of the post–cold war disembodied, masculinist nation: West Germany.

## Sexualizing Citizenship

I have argued up to this point that modern nations and nation states constitute themselves through the construction of others, who are located outside of the national imaginary. My focus now shifts to the relationship between sexual "minorities" and the dominant discourses of nation and citizenship—the ways in which social movements around sexuality articulate their claims for inclusion within the national imaginary.

"Deviant" sexual identities exemplify this process of othering. Not surprisingly, those who take up *identities* that have been inscribed in this way often respond by seeking inclusion within the national imaginary. They argue, generally through social movements, that deviance from the heterosexual norm should not be a bar to full membership (or citizenship) in the nation. Thus, lesbians, gays, and bisexuals attempt in various ways to construct themselves as "good" citizens; in the United States, for example, they are capable of being good soldiers and good CIA agents—that is, "normal" citizens (see Stychin 1996c).

These issues have given rise to vociferous disagreements within sexual identity communities about the implications of such strategies. Debates are frequently framed in terms of a division between assimilationist and anti-assimilationist politics. The latter aspires to the transformation of heterosexual institutions, including the nation itself, rather than incorporation within them and is sometimes described, in the United States particularly, as "queer politics" (see, e.g., Stein 1993; Warner 1993; Butler 1993; Sedgwick 1993; Derbyshire 1994; Duggan 1992, 1994; McIntosh 1993; Bower 1994). Such a binary division is problematic, however, because it erases both the cultural politics of lesbian feminism[11] and the nuances of all of these social movements.[12]

A more accurate approach might be to characterize activism along a continuum between ethnic/essentialist understandings of social groups and a more deconstructionist orientation:

> Gay and lesbian social movements have built a quasi-ethnicity. . . . Underlying that ethnicity is typically the notion that what gays and lesbians share—the anchor of minority status and minority rights claims—is the same fixed, natural essence, a self with same-sex desires. . . . In this ethnic/essentialist politic, clear categories of collective identity are necessary for successful resistance and political gain. Yet this impulse to build a collective identity with distinct group boundaries has been met by a directly opposing logic, often contained in queer activism (and in the newly anointed "queer theory"): to take apart the identity categories and blur group boundaries. . . . It is socially produced binaries (gay/straight, man/woman) that are the basis of oppression; fluid, unstable experiences of self become fixed primarily in the service of social control. (Gamson 1995, p. 391)

Despite the differences between ethnic/essentialist and queer/deconstructionist approaches, both are frequently articulated to rights claims and citizenship within the Western nation state (although queer activism less so). In that sense, they share a politics of interest where a broadening of the national imaginary is demanded to include sexual "minorities." But, as Sinfield (1996, p. 272) notes, "it is not that existing categories of gay men and lesbians have come forward to claim their rights, but that we have become constituted *as gay* in terms of a discourse of ethnicity-and-rights." And the discourse of equality has assumed a centrality in these calls for full membership and citizenship. A politics of rights can also facilitate the division between the assimilable and the nonassimilable into a national imaginary constituted around citizenship (see Smith 1994, Eaton 1994). This effect is hardly surprising. As Sinfield (1996, p. 273) observes, while the "ethnicity-and-rights model" holds out the promise of democratic citizenship, the concept of citizenship has been constituted through exclusions:

> "Citizen" has never meant "inhabitant." It always counterposes some others who are present but not full citizens—at best, visitors, but usually also racial, ethnic and sexual minorities, slaves, criminals, the lower classes, women, children, the elderly. In our Enlightenment inheritance, the nation is an unstable construct, and ideas of citizenship

> are deployed, typically, in a hegemonic process whereby outsiders are stigmatized and potential deviants jostled into place.

Citizenship discourse, although intuitively attractive, may well reproduce rather than resolve many of the exclusions from national identity that outsiders seek to correct.

Aspirations to full national citizenship for gays and lesbians are not limited to the terrain of rights discourse and claims to legal equality. Some have argued that the modern Western citizen is increasingly a product of his or her constitution as a consumer (see, e.g., Cooper 1993). Rather than problematizing that conjunction, financially well-off gays and lesbians sometimes embrace citizenship in this form. Historically, consumer consumption was fairly central to the constitution of a Western gay male subjectivity (see Bronski 1984). However, it has considerable negative implications. A focus on consumption alone erases the role of labor and also reinforces class-based divisions within lesbian and gay movements. Thus, as Hennessy (1995, p. 161) argues, the "fetishization of the commodity" may well be a limited resistance strategy (see also Herman 1994b; Adam 1995, p. 164; Evans 1993).[13] A model of national citizenship constructed around the citizen as consumer thus seems an inadequate basis for reimagining national identity for lesbians and gays. Other strategies might better serve that project.

## Reforming Rights, Reenvisioning the Nation

Throughout this book, I return to the potential and pitfalls of the deployment of nationhood discourse by lesbians and gays. There are competing views about the likelihood that struggles around sexuality might serve as a way in which to reimagine national identity in a less exclusionary fashion. Many feminists, for example, are skeptical about whether nationhood as a concept can be invoked in a more open, anti-essentialist way (see, e.g., Phelan 1994, p. 154). Others describe their feminism as constituted through nationalist struggles in which they are actively engaged (see generally West 1997). A central issue in my case studies is whether national identity, and identity more generally, can be reconceived in a contingent and flexible fashion that does not depend on the construction of the other (or, at a minimum, resists such rigid exclusions).

Phelan (1994, p. 154) has argued that such a reimagining of national identity would require "a conscious weaving of threads between tattered fabrics." However, I look to the possibility of such a tapestry woven through the discourse of nationhood, one that is actively engaged in struggling against fixed identity borders.

It is not surprising that Phelan expresses reservations about the discourse of nationalism. Feminist theory and practice have long grappled with the difficulty of both asserting a group identity around gender and recognizing the costs of fixed nation-like borders to identity and membership. Differences within the group too often come to be assimilated or exiled. In this regard, Mohanty (1995, p. 75) has focused on the importance of recognizing the meaningfulness of categories while avoiding the assertion of "groups with *already constituted* experiences as groups," such as universalizing claims about the category "woman." Rather, the group must be understood as composed of a plethora of experiences that stem from differences in material and ideological power.

The attempt to both mobilize and de-essentialize categories also is exemplified by the work of Young (1995), in which she has somewhat revised her earlier (1990) deployment of "city life" as a vision of social relations where group difference is affirmed. While the affirmation of groups remains a central tenet for Young, she now recognizes that groups cannot be understood as possessing a predetermined essential nation-like composition. Instead, membership ebbs and flows and is open textured, with blurred boundaries and shifting unities. In this regard, Young's conception of groups is related to Butler's (1990) claim that gender identity is subject to ongoing conflict and is never essentially fixed. In the task of reconceiving national identity and revising the concept of citizenship, feminist theory is invaluable. The issue many feminist theorists have analyzed is, given that any political community is in some sense *bounded,* how do we learn to live with boundaries and to reconfigure them so as to challenge their exclusionary power?[14] In other words, can the solid line that marks out national boundaries on the map be reimagined in alternative forms?

Rights discourse is one site for the engagement in that dialogue. However, many have argued that historically the achieve-

ment of rights claims by the disempowered has often resulted in the "normalization" of more radical claims aimed at social transformation. "Minorities" thus become absorbed and validated in terms of prevailing national norms (see, e.g., Herman 1990, Brown 1995, Cheah 1997). Difference from that norm becomes a deviation, although one that can be privatized and thereby overlooked in the monocultural liberal state (Slaughter 1994). But the power of rights discourse lies in its claim to universality, and there are no inherent limits on who can make rights claims, potentially broadening the horizon of citizenship in the process. For example, I examine the deployment of rights around sexual orientation in the language of *universal* human rights in chapter six, a case in which rights appear to "trump" claims grounded in the language of democracy and even national sovereignty.[15]

While normalization is one side of the rights equation, the norm itself may become "troubled" and possibly destabilized through the articulation of rights (Herman 1994a, p. 147). Thus, as the dominant background norms of national identity must continually be reconstituted, rights claims are one means by which groups and individuals can play an active role in altering how the nation is imagined. In fact, given the centrality of rights discourse in the Western national imaginary, it seems an obvious arena in which to engage in that struggle.

There is, however, nothing inevitably progressive about rights (Brown 1995). Rather, the outcomes of rights discourse are a result of political, legal, and historical context, and the power of rights discourse is culturally specific. Not only is this discussion heavily Western in its focus, but, in addition, the role of rights varies between Western cultures (Weeks 1995, p. 119). Awareness of this cultural variability must be combined with an appreciation that the function of rights can shift over time within cultures. I examine these points in greater depth throughout this book.

The reimagination of nation through the deployment of rights raises interesting and difficult questions. Although history is replete with examples of nationalist-inspired violations of individual and group rights of the most egregious sort, nationalism, and individual and group rights, are not inherently irreconcilable. As Kiss

(1995, p. 369) argues, the universal norms of rights and the particular allegiances of nation can be brought together, for "a commitment to respecting human rights can be a constitutive element of some forms of nationalism, and, conversely, the contemporary human rights ideal seeks to guarantee respect for many of the demands voiced by nationalism." We might ask, though, to what extent are constitutional regimes within which claims to rights are embedded *actually* open to reimagination? Does any nation not depend constitutively on a particular, essentialized notion of identity against which difference is defined and excluded? In fact, systems of constitutional rights have been described as reflecting tension between national identity and "difference." That is, to deviate from the nation is to *need* the protection accorded by rights (Rosenfeld 1994). But Preuss (1994, p. 163) has questioned "whether the constitutional state presupposes some minimum degree of prepolitical sameness and homogeneity." In other words, at issue in this book is whether the constitutional state is capable of defining itself constitutively *in terms of* difference and rights to differ.

In the end, the relationship between rights and national identity is a two-way street, in that each informs the other (see Fletcher 1994, Teitel 1994). An investigation of the ways in which sexual identities fit within that conjunction can, I believe, usefully illuminate this relationship.

In the case studies that make up this book, I look at particular intersections of national cultures, sexuality, and rights. Each study illustrates a particular dynamic in that relationship, but there are also common threads that run through all of them.

Chapter two examines a case in American constitutional law concerning the right of lesbians, gays, and bisexuals to march in Boston's St. Patrick's Day Parade. I argue that the dispute provides a prism through which to analyze the place of identity politics in American life, the constitutive role of rights discourse in shaping an American national identity, and the construction of sexual identities within public space.

The focus of chapter three remains with a culture in which the language of rights is now central to national identity: South Africa. As South Africa engages in a process of reconstruction and recon-

ciliation, *all* identities are open to reimagination, and space now exists for the inclusion of self-identified lesbians, gays, and bisexuals in public life and within the constitutional discourse of rights. In a society in which identity categories were so egregiously deployed by the state, the ways in which identities and rights are now invoked proves to be both continuous with and a radical break from the past.

From a culture in which previously divided groups are being brought together to forge a reimagined national identity, I turn in chapter four to a national culture located within an increasingly fragmenting nation state: Quebec. Interestingly, Quebec was the first jurisdiction in North America to make "sexual orientation" a legally prohibited basis of discrimination, a law enacted by a newly elected nationalist government in 1976. My interest here is in how sexual identities have been discursively deployed so as to consolidate national identities in a culture where a disjunction exists between nation and nation state. I also consider how sexual identity politics might serve as a model for reconceiving national identity in a social order in which the nation state is in turmoil.

While the relationship of Quebec and the rest of Canada exhibits all of the signs of national breakup, in Europe, by contrast, the focus of attention is on a "supranational" European identity. This provides the basis of chapter five, which examines the extent to which rights discourse serves as a bond of commonality within the European Union, forming the basis of European citizenship. I use rights struggles involving lesbian and gay sexualities to illustrate both the potential and the limits of rights as a means of reimagining this evolving legal and political order.

Reimagining the nation is also central to chapter six, which looks at how an Australian national identity has been reinvented through the state in recent years. I argue that in Australia, sexual identities have been an important part of that process. Struggles surrounding lesbian and gay rights have served to enhance the legitimacy of rights discourse as a constitutive element of national identity. They have also been important in the articulation of national identity within an increasingly globalized context, one shaped by the language of international human rights.

In chapter seven, I draw some conclusions from the case studies and highlight some of the directions in which future analysis might be most productive.

My choice of which national identities to study is a result of a number of factors. Personal contacts, linguistic barriers, research funding, and areas of expertise all contributed to the way in which this book was written. That leaves it very much a Western collection, although South Africa can be seen as a national culture that troubles simple east/west–south/north binaries. Given my central focus on rights discourse and sexual identities, the range of geographic options was further limited. However, I believe that these chapters—specific as they are—may contribute to the development of a set of analytical tools that can assist in the study of other national cultures, especially those outside of the west, where sexual identity categories are being articulated in distinctive ways which combine local experience and the universality of rights. As I hope to show, while the case studies are distinct, they are also overlapping and often mutually constructed.

Research for this book has involved many travels, both physical and intellectual. I have tried to convey this sense of "journey" in all of the case studies. In that regard, this could be considered as much a travel book as anything else. In these travels I have met many people who are politically engaged with the questions I raise here. I hope that I have managed to convey their voices and express their efforts to take control of how their sexualities are imagined nationally.