

THE END OF STRAIGHT SUPREMACY

Rooted in the politics and theories of early Gay liberation and Radical feminism, Shannon Gilreath's *The End of Straight Supremacy* presents a cohesive theory of Gay life under straight domination. Beginning with a critique of formal equality law centered on the "like-straight" demands of liberal equality theory as highlighted in *Lawrence v. Texas*, Gilreath goes on to criticize the "gay rights" movement itself, challenging the assimilation politics behind the movement's blithe acceptance of discrimination in the guise of free speech and pornography in the name of sexual liberation, as well as same-sex marriage and transsexuality as tools of straight hegemony. Ultimately, Gilreath rejects both the liberal demand for Gay erasure in exchange for meager legal progress and the gay establishment agenda. In so doing, he provides both the vocabulary and analysis necessary to understand and to resist straight supremacy in all its forms. In *The End of Straight Supremacy*, Gilreath calls Gays and their allies to the difficult task of rethinking what liberation and equality really mean.

Shannon Gilreath is the Wake Forest University School of Law Professor for the Interdisciplinary Study of Law and a member of the core faculty of the Women's and Gender Studies Program at Wake Forest University. He is the author of *Sexual Politics: The Gay Person in America Today* and *Sexual Identity Law in Context: Cases and Materials*.

The End of Straight Supremacy

REALIZING GAY LIBERATION

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Wake Forest University



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To the Memory of Andrea Dworkin: feminist, Lesbian, warrior

Women and male homosexuals are united in their queerness.

*The Revolution, as we live it and as we imagine it, means
destroying the Immovable Structure to create a world in which
we can use our holy human energy to sustain our holy human
lives ... to create a world – a community on this planet – where
instead of lying to survive, we can tell the truth and flourish.*

Andrea Dworkin, *Woman Hating*

With special thanks to Catharine MacKinnon,
whose kind words,
“Shannon, you honor Andrea with your life and your spirit,”
kept me writing this book – and writing it honestly – when I felt
like giving up.

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Preface

You know, there was a gay community in Germany before the Nazi period which had all the characteristics of the community we have now – including community centers, balls, newspapers, a scientific research institute – everything. I am struck by the ignorance among gay people about the past – no, more even than ignorance: the “will to forget” the German gay holocaust. That we forgot about these hundreds of thousands of people and about the fact that out of one hundred years of gay life, in thirty of them we had a virtual vacuum – that we forgot in such a radical way is, I think, something of a warning. . . . If there really is a social crisis beginning, gays are in a position similar to that of the Jews in pre-Nazi society.

Guy Hocquenghem (April 1980)

The End of Straight Supremacy appears in the second decade of the twenty-first century – a particularly dangerous time for Gay people. The “will to forget” that Guy Hocquenghem spoke of in an interview in the *Gay Community News* in 1980 is at work today in new and newly frightening ways. Gay people have been particularly good at forgetting what is painful. Given the reality of the pain, it’s hard really to resent this coping mechanism. But it has made Gays particularly vulnerable to new forms of oppression. The unique danger of today is that we are continually being erased even as we are told we are being acknowledged. Sometimes this erasure is merely conceptual, a sapping of our community and energy through assimilation. Sometimes it is physical: Sometimes we are killed. Conceptual and physical erasure are forms of violence against us – a violence that is systematic, not random; calculatedly political, not casual; continuous, not episodic. Gay people in recent years have experienced an escalation in this violence. And we are tired. We are tired of being hated. It is easier to close our eyes. To dream. To forget.

The law has done little for us, but much against us. It has propped up a system of straight despotism in which we have been consistently denied meaningful

speech as an avenue to power, while those who would destroy us have been given unfettered license to defame us and to mark us for calumny by impressionable people who are made afraid through anti-Gay propaganda, often disseminated as religious doctrine. In virtually every aspect, straight supremacy has been either augmented or directly instantiated through the law. Straight law and the “gay rights” movement – said to oppose straight despotism – have captured Gay Radical energy, in virtually every instance redirecting it away from the possibility of real social change. Caught in this state of straight sado-sublimation,¹ some Gays have put their faith in the Heteroarchy – in straight supremacist institutions, like marriage – striking a bargain that in effect says, “We will change; we will make ourselves palatable to you, if you will stop terrorizing us.” Thus, some Gays return to the patriarchal imperatives of the Heteroarchy, often with the idea – which is the central tenet of the modern gay rights movement – that its institutions can be “reformed.” Meanwhile, violence against us escalates, and in our state of Gay diaspora we are seldom aware of what is happening to our sisters and brothers for no other reason than on account of their sexuality; and we are oblivious to the increasing likelihood that someday, late or soon, it will be our turn. We would rather forget.

There is another option. We can Remember who we are. We can reclaim our status as Outsiders and with it the moral imperative and authority of our place in a counterculture that flourishes outside patriarchy and resists its demands. To do so we must summon the courage to look honestly at the world around us, at straight supremacy and how it operates, and to name the agents of straight supremacy, even when they are operative in places and through people closest to us. *The End of Straight Supremacy* principally points to such discoveries in the law. Acknowledging this limited scope brings me to the concomitant acknowledgment that I am not here answering every question, or even attempting to raise every question. This is a beginning (for I intend to write again), and it is intended as a springboard for others to make their own discoveries, uncovering the untruths of straight supremacy and reversing the reversals² of the Heteroarchy in the law and elsewhere. This is not invention so much as reinvention. Gay people are heirs to a robust Radical heritage

¹ By “sado-sublimation” I mean the diversion by the Heteroarchy of Gay creative energy into assimilationist activities of all kinds. The process works with that of sado-sublimation, which Mary Daly and Jane Caputi first defined as “mental manipulation . . . involving deliberate perversion of the natural phenomenon of subliminal perception.” See MARY DALY & JANE CAPUTI, *WEBSTERS’ FIRST NEW INTERGALACTIC WICKEDARY OF THE ENGLISH LANGUAGE* 95 (1987).

² I owe this terminology to Mary Daly. See her *PURE LUST: ELEMENTAL FEMINIST PHILOSOPHY* 115 (1984).

of rebellion manifest in the political and legal ethos of Gay liberation, the ground upon which I stand in this book. Gay liberation is in most cases the opposite of the liberal “gay rights” movement. The “gay rights” movement apparently would like to forget (or would like the straight world to forget) that a more Radical Gay Movement/moment existed and still exists. The “gay rights” assimilationist movement has all but blotted out Gay liberation as an important part of our history and our future. Indeed, in the prevailing spirit of our prevailingly “postmodern” age, one might call this new perspective post-Gay; and yet one cannot even say this, for the senescent strategies of an increasingly elitist “gay rights” movement work hard to deny that any *Gay* history exists – which is to say that Gay never really existed. But, today, when threats to our safety are increasing and traps to ensnare us are increasingly beguiling, Gays need to Remember our Radical heritage, thereby Remembering our ability to reconceive, reimagine, and reanimate an insurrection raised before. Challenging and changing the law is one way, perhaps the least bloody, to go about changing our reality.**

** There are, of course, other ways. These are the ways often used against us by the Heteroarchy. They include the tire iron and the crowbar, the knife, and the gun. In generally refusing to respond in kind, Gay people have shown an extraordinary patience.

Acknowledgments

In the course of writing this book I have contracted many debts. Virtually every word of this book was spoken before it was written, during discussions of its ideas before various groups – most memorably at the University of North Carolina, Chapel Hill; the University of Toledo; North Carolina State University, Raleigh; the University of Akron; Pace University; and, of course, Wake Forest University – as well as numerous community and Gay organizations in various parts of the country. In many respects, the opportunity to speak these thoughts in real time contributed to their clarity. Earlier versions of some of the ideas here have also appeared in published form, in the *Journal of Law and Social Change* (Chapter 2); the *Women's Rights Law Reporter* (Chapter 3); the *Wake Forest Law Review* (Chapter 4); the *University of Pennsylvania Law Review*, *PENNumbra Forum* (Chapter 6); and the *University of Illinois Law Review* (Chapter 7).

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I am also greatly indebted to the visionaries on whose work I have relied in constructing the arguments in the following pages. The politics and polemics of both Radical feminism and Gay liberation are as indelibly imprinted on

this book as they are on my conscience. Many thinkers from these and other perspectives have been extraordinarily helpful. Especially I would like to mention Andrea Dworkin, Catharine MacKinnon, Richard Delgado, Harry Hay, John Stoltenberg, Jane Caputi, Chris Kendall, Marc Spindelman, and Mary Daly. A line in a poem by Maya Angelou reminds us that our “passages have been paid.” Truly, here, my ability to say what I am saying has been paid for in part – and at no small price – by these Outsiders and other Outsiders who dared to demand a new way.

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Shannon Gilreath
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