

# What's wrong with be(com)ing queer? Biological determinism as discursive queer hegemony

**Shannon Weber**

University of California Santa Barbara, USA

Sexualities

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## Abstract

This article analyzes the current dichotomy in American political and popular culture between pro-gay biological determinism, which is used to argue for LGBTQ rights, and anti-gay social constructionist ideas. This pro-gay biological determinism results in a politics of exclusion that renders queer identities falling outside a biological, lifelong model invisible. Building on Lisa Duggan's notion of homonormativity, the author describes this discursive production as biological homonormativity, illustrated through an analysis of three key sites: an exchange between lesbian music icon Melissa Etheridge and Governor Bill Richardson during an LGBT political forum; the legal proceedings of *Perry v. Schwarzenegger*; and the gay cult film 'But I'm a Cheerleader!'

## Keywords

Biological determinism, homonormativity, LGBTQ studies, popular culture, sexual fluidity, social constructionism, socio-legal studies

## Introduction

In contemporary American political debates about LGBTQ rights, a common point of contention between pro- and anti-gay individuals and institutions is whether the origins of sexuality are primarily biological or social.<sup>1</sup> Christian Right discourse posits that same-sex desire is an acquired behavior, a deviant 'lifestyle' indicative of moral decay and willful disobedience against God. Pro-gay individuals and institutions, in an effort to counter the gayness-as-sinful-choice argument, draw upon the experiences of many gay individuals

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### Corresponding author:

Shannon Weber, 4631 South Hall, UC Santa Barbara, Santa Barbara, CA 93106-7110, USA.

Email: shannon\_weber@umail.ucsb.edu

who feel that same-sex desire is biologically inherent and/or often determined at an early age. 'We didn't choose this' has become a common rallying cry for members of the LGBTQ community striving for equal rights under the law. Invoking the power of violent homophobia over queer people's lives, gay people often pose the question: *Why would we choose this?* Even further, some gay people lament that if they truly had a choice in their sexual orientation, they would be heterosexual.

In this article I analyze the ongoing debate between the Christian Right and pro-queer groups regarding LGBTQ civil rights and the sometimes implicit, sometimes explicit discursive undercurrent regarding the origins of same-sex sexuality. Using Duggan's framework of 'homonormativity' (Duggan, 2003), I assert that biological determinism becomes a hegemonic discourse of *exclusion* within pro-queer communities. I offer the term 'biological homonormativity' as a way of understanding this trend of exclusion. Focusing on biology, I argue, constricts the voices of queer people who do not identify in biologically determined ways; whose sexual identities have *not* been continuous through life or determined at a very early age; and/or who focus more on concepts of choice or agency. It is only through both challenging the homonormativity of biological determinism and bringing to light less-theorized queer narratives of agency and fluidity that popular culture accounts of queer people can move towards an expansive, rather than reductionist and essentialist, notion of queer identity and experience. In addition, assuming same-sex sexuality is solely or mostly biological elides differences between queer men and women's experiences while construing the particular sexual system of the biologically identified, white middle-class gay American male as universal.

### **Biological determinism: A short history**

The argument of invoking biology to legitimate same-sex desire has a long history in the USA. Discourses date back to the late 19th century, when progressive sexologists utilized theories of biologically based 'congenital inversion' to argue for the political, social, and legal toleration of same-sex desire (Terry, 1999). Magnus Hirschfeld's Scientific-Humanitarian Committee, founded in 1897, was the first homosexual rights organization in the world and advocated a biological framework for understanding same-sex desire.<sup>2</sup> This biological justification of same-sex sexuality became a common political strategy used by gay rights activists for decades after Hirschfeld. As Terry argues, using biology as the primary explanation for same-sex desire set the stage for emphasizing same-sex sexuality as involving a 'lack of control' rather than as being a 'positive choice' (1999: 73).

One prominent account came from early sexologist Havelock Ellis. Ellis believed in both the biologically based idea of 'congenital inversion' as well as 'situational inversion', in which same-sex desire, particularly for women, may arise within the context of certain social environments. While arguing elsewhere that 'a combination of natural, personal, and circumstantial factors, as well as social sanctioning' drives human sexuality (Crozier, 2008: 31), Ellis nonetheless provided the English writer and congenital invert Radclyffe Hall a preface to her iconoclastic 1928

lesbian novel *The Well of Loneliness*, agreeing that same-sex desire should be tolerated based in its purely innate roots.

This interesting flattening out of nuance in favor of a more simplistic ‘explanation’ for same-sex sexuality resulted in a long-lasting conception of heterosexual hegemony that established heterosexuality as the ‘normal’ default sexuality and same-sex sexuality as the agentless ‘other’. It is therefore plain why early sexologists such as Ellis formulated complex ideas about human sexuality that went beyond biology, yet incorporated only biological determinism into political strategies for social toleration of homosexuality: the tame and contained invert who leaves intact ideas about heterosexual ‘normalcy’ is the invert who will succeed, passively, in the socio-political realm, and by proxy the legal realm of the 20th century. The tactics of Ellis and others may be seen as an early example of what Spivak terms ‘strategic essentialism’, which is the ‘strategic use of positivist essentialism in a scrupulously visible political interest’ (Spivak, 1996: 214). The biological determinist iteration of this strategic essentialism continues to reign in contemporary politics around same-sex desire and sexuality despite the messier reality of the complexities of human desire and romance.

Medical discourses continued to pathologize same-sex desire into the early and mid 20th century. Sigmund Freud, writing about the Oedipus complex, viewed ‘homosexuality’ as ‘a symptom of arrested development and thwarted maturity... that posed a threat to the future of modern life’ (Terry, 1999: 60). By the mid 1940s, scientific authorities began to focus on ‘nurture’ over ‘nature’ thanks to Alfred Kinsey’s groundbreaking work and the ‘sullied... reputation of hereditarian and biological explanations for human behavior’ in the aftermath of Nazi eugenics (1999: 297–298). Authorities’ growing attention to environmental impact on same-sex desire carried with it the ultimate goal of ‘curing’ same-sex desire, and the 1940s became, as Lillian Faderman describes it, the ‘heyday of the lesbian sicko’ (Faderman, 1991: 130). Treatments to reform individuals into heterosexuals became more popular in the late 1930s and 1940s, including the institutionalization of gay people, electroshock therapy, and other ‘aversion therapies’ such as castration, clitoridectomy, and lobotomies (Terry, 1999: 294).

Anti-gay medical authorities during this time period thus further contributed to the 20th- and 21st-century associations between theories of ‘nurture’ and anti-gay discourse. The use of aversion therapies also reflects Eve Sedgwick’s insight that anti-gay authorities, whether embracing a biological or constructivist framework, nevertheless promote a ‘gay-genocidal’ agenda in their desire to eradicate individuals who experience same-sex desire (Sedgwick, 1990: 40). Whether the origins of same-sex desire stem from a biological ‘mutation’ or a behavioral maladjustment, those who are against same-sex desire and love will attempt to exterminate it.

In the 1970s, radical lesbian feminists pushed up against biological determinist arguments that had been used to justify same-sex desire against calls for a ‘cure’. Radical lesbian feminists were responsible for the theorization of an alternative model of same-sex desire grounded in agency and choice (Crow, 2000; Echols, 1989; Faderman, 1991; Rich, 1980; Stein, 1997; Taylor and Rupp, 1993;

Taylor and Whittier, 1992). A central tenet of radical lesbian feminism was the acknowledgement of heterosexuality as a patriarchal political institution that women may reject in favor of creating a life with other women based on equality and mutuality. Radical lesbian feminists were thus not concerned with questions of biology in 'explaining' same-sex desire; rather, they sought to interrogate the naturalized place of heterosexuality in American society, especially as it has historically resulted in the oppression of women. They directly posited that lesbianism can be a choice – a conscious political act of liberation from oppressive social mores. Through such an interrogation of heterosexuality, radical lesbian feminists worked to create alternatives to heterosexual patriarchy through political lesbianism.

On the one hand, critiques of political lesbianism, specifically of Adrienne Rich's idea of the lesbian continuum, have been well founded in questioning the movement's tendency towards desexualizing lesbian identity. On the other hand, radical lesbian feminists' conscious desire to politically and romantically intertwine their lives with women becomes, on a basic level, a shockingly refreshing model for a positive expression of socially constructed lesbian identity. Radical lesbian feminists were lesbians not because it was the only option open to them after failing to meet a heterosexual ideal but because they actively chose to disengage from that heterosexual framework and celebrate one another. While biological explanations remained the dominant discourse in advocating for same-sex desire during this time, radical lesbian feminism represented a moment of challenge in contestation of the dominant schema.

Despite both the social constructionist frameworks of radical lesbian feminism as well as the early academic work of various social constructionist scholars of sexuality (Foucault, 1978; McIntosh, 1968; Plummer, 1981; Rubin, 1984; Weeks, 1985), biological determinism has prevailed in popular discourses about same-sex sexuality. This disconnect between academia and the strategic essentialism of political organizing is consistent with the gap that persists between various scholarly and grassroots approaches to LGBTQ politics. Given events in the 1980s, including the rise of the Christian Right, the scourge of AIDS in the gay male population, and the lesbian baby boom, as well as the increasing visibility of the LGBTQ community, many queer people found merit in adopting a more conventional approach to the intersection of politics and their sexual identities (Chauncey, 2005). Many pro-gay individuals and institutions, reacting to an upsurge in conservative politics, tailored their arguments from those of sexual liberation to those advocating for civil rights based in mainstream family values. For a community that increasingly saw the possibility of making their goals for equal rights a reality, using biological determinism to gain those ends became an effective strategy from the 1980s onward.

The resurgence of biological determinism in contemporary American queer political strategizing has thus resulted in an always already *defensive* position that argues not for sexual agency and freedom, but an acceptance of same-sex desire only inasmuch as it cannot be cured away into reformed heterosexuality. A hole emerges at the center of pro-gay political discourse in which gayness is defined in

negative terms rather than its own terms. Along with this proscriptive invoking of same-sex desire, queer people whose identities are framed outside of the primarily biological model are ignored and even insulted as biological determinism becomes a homonormative imperative.

## The Christian Right's effect on pro-gay political discourse

The rise of the Christian Right's gay-as-deviant-choice discourse is another prong in understanding the defensive return to biology as a socio-political strategy among mainstream pro-gay organizations and institutions. As emerging American social movements gained visibility and momentum during the 1960s and 1970s, from feminism to black civil rights to early gay liberation, certain conservative Christian groups found it their duty to respond to what they believed was a decline in 'the family' and 'morality' by asserting vocal political and social opposition (S Diamond, 1998). This opposition has since developed a loud and powerful political machine to disseminate anti-feminist, anti-queer, anti-progressive propaganda that continues to shape the terrain of American politics.

The Moral Majority Foundation was one primary player in the development of the Christian Right, including the move to protect 'the family' at the expense of LGBTQ equality on the premise that same-sex desire is a 'choice.' Moral Majority's founder, the notorious Reverend Jerry Falwell, wrote in his 1980 book *Listen, America!*,

A person is not born with preference to the same sex, but he is introduced to the homosexual experience and cultivates a homosexual urge. It is innocent children and young people who are victimized [sic] and who become addicts to sexual perversion. I have read letters from ex-lesbians and ex-homosexuals who admit that sometime in their life they had a bad experience . . . that triggered their entrance into a homosexual or lesbian relationship . . . Homosexuality is reprobate and an abomination – a sin against the human body and against nature . . . Heterosexuality was created by God and is endorsed by God . . . The root sin of homosexuality is actually rebellion against God. (Falwell, 1981: 158–159)

This philosophy was used in various other anti-gay Christian Right political campaigns, including Anita Bryant's successful 1977 'Save Our Children' campaign in Dade County, Florida.<sup>3</sup>

The Christian's Right's use of 'choice' arguments to attack gay identity in the 21st century can also be seen on the website of James Dobson's Focus on the Family. In the 'Sexual Identity' section of Focus on the Family's website, two 'Related Resources' are prominently displayed on the right-hand side of the screen. The first is a DVD titled 'Love Won Out: Testifying to God's Grace' with the description, 'Advice to help overcome the influence of homosexuality.'<sup>4</sup> The other is a book called *Coming Out of Homosexuality* by Bob Davies and Lori Rentzel, which features 'proven strategies that can help anyone exit the

homosexual lifestyle.' Thus, before one even reads Focus on the Family's official position on gay issues, it becomes clear that two core beliefs about gayness form the foundation of their work against gay rights: that same-sex desire is undesirable and that it can and should be changed.

Interestingly, the Christian Right's focus on agency and choice as opposed to biological determinism, though used for deleterious and religiously conservative ends, makes use of a strangely postmodern, social constructionist framework. Although members of the Christian Right strongly believe, for instance, in gender essentialism and the 'natural' roles of men and women, they nonetheless acknowledge hegemonic heterosexuality as fraught with the constant possibility of being destabilized by same-sex desire. Their fear of heretofore heterosexual members of society 'turning' gay, or in Bryant's case, children being recruited by gay people, speaks to Butler's conception of 'heterosexuality as an incessant and *panicked* imitation of its own naturalized idealization.' Butler argues, 'That heterosexuality is always in the act of elaborating itself is evidence that it is perpetually at risk, that is, that it "knows" its own possibility of becoming undone' (Butler, 1993: 314). Therefore, while the Christian Right uses theories of choice and agency to highlight the willful sinfulness of same-sex desire and to deny queer people equal legal protection, Christian Right discourse also hinges on a certain awareness of heterosexuality as construct, always at risk of becoming imperiled, which contributes to moral panic. In contrast, the hegemonic position in the LGBTQ community is what I call biological homonormativity.

### **Biology as homonormative**

In writing about female sexual fluidity, Lisa Diamond acknowledges the 'silencing effect' that occurs for women whose experiences do not fit in with the biologically driven model and who 'have lined up afterwards to confess to me, in hushed tones . . .' She is clear that women's experiences with sexual fluidity 'have been written off as atypical and inauthentic, not only by researchers, but also by many subsets of the gay/lesbian/bisexual community' (L Diamond, 2008: 257). Diamond calls for LGBTQ communities to 'give voice to the true diversity of these experiences' (2008: 258) and live up to the legacy of early gay liberation activists who worked to finally stop the silencing and marginalization of diverse sexualities. Diamond's sharply perceptive insight into the policing of non-biologically framed sexual identities within queer communities, as well as her own ultimate *embrace* of biological origins, speaks not only to the hegemony of biological determinism, but also to a particular iteration of the phenomenon of homonormativity.

Duggan describes homonormativity as 'a politics that does not contest dominant heteronormative assumptions and institutions but upholds and sustains them while promising the possibility of a demobilized gay constituency' (Duggan, 2003: 179). Although my project departs from Duggan's focus on neoliberalism, I find her description useful in helping to define the politics of exclusion within the queer community built into the hegemony of biological determinism. Within this

framework, it is possible to see how the policing described by Diamond becomes homonormative in its attempts to present a ‘unified front’ against the Christian Right. Biological determinism works as a phenomenon that normalizes same-sex desire while leaving heterosexism in place and disenfranchising certain queer people from fully participating in an accurate articulation of their experiences in political and popular discourse. The concept of biological homonormativity reveals the intersection of the hegemony of biological determinism with Duggan’s definition of homonormativity.

The cases that follow illustrate the ways biological homonormativity operates in popular discourses about same-sex desire and love. Each example provides unique insight into the pervasiveness of biological determinism as *the* acceptable pro-gay discourse versus the unquestioned treatment of ideas about sexual choice and fluidity as anathema. Together, these cases cover the gamut of popular social and political discourse on the internet and on television; legal argumentation; and cinematic representations in popular culture. Whether using a website to proclaim a scientific consensus on the biological roots of same-sex desire; linking same-sex desire to biology in the widely-televised and infamous exchange between Melissa Etheridge and Governor Bill Richardson; deploying strategic essentialism in the major contemporary gay rights case *Perry v. Schwarzenegger*;<sup>5</sup> or laughing at non-deterministic experiences of sexuality in the wildly popular gay film ‘But I’m a Cheerleader!’ (Babbit, 2000), each case speaks to a convenient non-engagement with the very real experiences of queer people whose lives are testament to the limitations of biological homonormativity.

## Googling the roots of gayness: Exhibit I

One measure of the hegemony of biological determinism can be found in the results of a Google search of the top 50 popular search results for ‘origins of sexual orientation’.<sup>6</sup> I skipped direct academic, scientific, and medical journal articles and books in order to focus more on people without this specialized training and knowledge required for publication. The most popular search result bears the title ‘Major Theorists on the Origin of Sexual Orientation – Born Gay’ from the website ProCon.org, which lists the stances of various authorities and purported authorities on sexuality’s origins in a ‘pro/con’ fashion (ProCon.org, 2009). Individuals’ pro-biology views are listed in green as ‘pro’, anti-biology in red as ‘con’, and a mix of views in black as ‘both’. The second most popular search result is from a pro-LGBT Texas group called OUTstanding Amarillo and states that

[s]exual orientation, whether it be heterosexual, homosexual or bisexual does not appear to be something that one chooses. Recent studies suggest that sexual orientation has a genetic or biological component, and is probably determined before or shortly after birth. Like heterosexuals, gays and lesbians discover their sexuality as

a process of maturing, [sic] they are not recruited, seduced or taught to be homosexual. (OUTstanding Amarillo, n.d.)

Despite the far from settled status of the origins of sexuality, the popularity of biological determinism, especially among supporters of LGBT rights, is clearly demonstrated in the claims of OUTstanding Amarillo.

Overall, out of the 50 top results, 24, or 48%, of the web pages argued for an emphasis on the biological origins of sexuality, all of them at least moderately supportive of the acceptance of gay people. Nine, or 18%, declined to put forth an argument but summarized the research on both sides of the argument; of these nine, five followed the trajectory of associating biological and choice-based explanations with pro-gay and anti-gay positions respectively. Eight web pages, or 16%, determined that the origins of sexuality are a combination of biological and social factors, although five of these eight gave greater importance to biology. An additional six pages, or 12%, focused on aspects of choice and/or agency; of these, only one was pro-gay. In addition, the most closely associated search term with 'origins of sexual orientation' in Google's drop-down menu was the phrase 'biological origins of sexual orientation'. These results, while representing but a small sample, do show the preponderance of pro-biology beliefs circulating on the internet as well as the dichotomous associations of pro-gay arguments with biology and anti-gay arguments with choice and agency.

## **Biological homonormativity in political discourse: Exhibit II**

The reification of same-sex sexuality as biological is apparent in various pro-gay discourses that assume queer people experience their sexuality through the traditional biological narrative while decrying non-biological alternatives as false and offensive to queer people. Often, a member of the LGBTQ community acts as a stand-in and spokesperson for 'the gay experience' and claims that same-sex sexuality must be understood as biological. This can be seen in the interaction between Governor Bill Richardson and popular lesbian musician Melissa Etheridge at the Visible Vote '08 presidential forum in 2007 (*Visible Vote*, 2007).

The purpose of the forum, held by the first and only LGBT-focused American television channel, LOGO, was to discuss the 2008 Democratic presidential candidates' stances on issues of gay rights. Etheridge joined Human Rights Campaign president Joe Solmonese, Margaret Carlson of LOGO, and Washington Post editorial writer Jonathan Capeheart on a panel to ask questions to six out of eight Democratic contenders who agreed to be interviewed. All of the presidential candidates expressed similar views about being broadly hospitable to gay rights; however, only Representative Kucinich and Senator Gravel gave their support to same-sex marriage. Kucinich gave a particularly glowing account of his support for equality for all people and the power of human love, which was in direct conflict with the 'main contenders' – Clinton, Edwards, and Obama – who generally tried to avoid confrontation regarding their refusal to support marriage

equality. One of the biggest criticisms of the night focused not on a specific policy position, however, but rather Richardson's stance on the origins of same-sex sexuality.

Etheridge's first question to Richardson was, 'Do you think homosexuality is a choice? Or is it biological?' Richardson responded quickly, 'It's a choice. It's, it's . . .' before being cut off by Etheridge, who followed up, with a tinge of surprised condescension in her voice, 'I don't know if you understand the question. Do you think a homosexual is born that way, or do you think that around seventh grade we go, "Ooh, I want to be gay"?' Seeing that he had made a major gaffe, Richardson attempted to explain himself:

I'm not a scientist. I don't see this as an issue of science or definition. I see gays and lesbians as people, as a matter of human decency. I see it as a matter of love and companionship and people loving each other. I don't like to categorize people. I don't like to answer definitions like that that perhaps are grounded in science or something else that I don't understand.

Etheridge did not seem to be satisfied with this answer, for she in turn responded,

It's hard when you are a citizen of a country that tells you that you are making a choice when you were born that way and your Creator made you that way and there's a document that was written two hundred years ago that says you are entitled to certain rights that you are not given. How can there be anything other than absolutely equal rights for homosexuals?

Richardson stated his agreement with Etheridge's last sentence and was able to make the transition to talk about other issues.

This tense exchange serves as a perfect example of biological homonormativity in action, both in terms of Etheridge's invoking of a universal gay 'we' as well as her focus on biology as the only acceptable pro-gay response. First, Etheridge ties her biologically-based views on the origins of sexuality to a larger queer community that ostensibly agrees with her: 'do you think that around seventh grade we go . . .' Implicit in this claim of speaking for a unified 'we' is the exclusion of queer experiences that fall outside a neat biological model.

Second, the fact that Etheridge linked Richardson's choice-imbued stance with homophobia, and the fact that she focused so heavily on being made by her Creator, is consistent with the historical tendency towards biological determinism by pro-gay socio-political movements. It is also consistent with the influence of the Christian Right on the modern American political landscape. Etheridge's reactionary and pointed questioning of Richardson underscores the success that the Christian Right in particular has had in framing the debate over LGBTQ rights: telling queer people that they are not normal and do not deserve equal rights because their behavior is chosen and sinful. Etheridge's discussion of 'a country that tells you that you are making a choice when you were born that way' is most

definitely in reference to the pervasive attitudes of the Christian Right and the dichotomous, loaded political meanings of ‘biology’ versus ‘choice.’

It is also telling that Richardson’s actual words, about ‘human decency’ and ‘love and companionship’, could have been uttered by any of the candidates who agree with Etheridge’s belief about the origins of same-sex sexuality. Richardson’s lack of focus on biology was not related to a more homophobic position on the actual issues – indeed, he was about as moderate as every other candidate on the program, with the exception of Kucinich and Gravel. As soon as he broke away from the expected response of a sympathetic heterosexual ‘ally’, however, he was pegged as someone offensive, ignorant, and who could not be trusted by the queer community.

### **Anti-gay constructionism in *Perry v. Schwarzenegger*: Exhibit III**

Proposition 8, the constitutional amendment in California revoking the court-mandated right of same-sex couples to marry, was passed in November 2008 with 52% of the vote. In May 2009 the California Supreme Court upheld Proposition 8. Directly after this decision, lawyers Theodore Olson and David Boies filed a federal suit challenging Prop 8’s constitutionality under the US Constitution. Olson and Boies argued in *Perry v. Schwarzenegger* that Proposition 8 violates both the Equal Protection Clause of the 14th Amendment and the Due Process Clause. They also argued that Proposition 8 forces gay men and lesbians into a category of ‘second-class citizenship’ and discriminates on the basis of both gender and sexual orientation.<sup>7</sup> Judge Vaughn R. Walker found merit in Olson and Boies’ arguments, ruling on 4 August 2010 that Proposition 8 is unconstitutional under the U.S. Constitution. The Ninth Circuit Court of Appeals upheld Walker’s judgment in February 2012, though on narrower grounds, and the case awaits possible review by the United States Supreme Court.

I take my analysis from the official court transcript of the ninth day of the *Perry* proceedings, 22 January 2010, in which there was much discussion of social constructionism versus biological determinism between the plaintiffs and defendants. I begin with prosecuting lawyer Ethan Dettmer’s examination of anti-Proposition 8 expert witness Gregory Herek, Professor of Social Psychology at the University of California, Davis. In analyzing Dettmer’s direct examination of Herek, a few themes emerge.

First, the rare times that ‘choice’ is discussed, it is used to dismiss the idea that gay people choose their sexuality or that gay people can become straight. When Dettmer asked Herek if people choose their sexuality, Herek responded that ‘the vast majority of lesbians and gay men, and most bisexuals as well, when asked...how much choice they’ve had...say that they have experienced no choice or very little choice about that’ (*Perry v. Schwarzenegger*, 2010: 2032). Dettmer then asked Herek if he was familiar with ‘reparative or sexual-orientation-change therapy,’ and Herek discussed the ways in which therapy to convert gay people to become straight largely does not work and is damaging. This line of questioning indicates an indirect challenge to the idea that people in same-sex relationships do not deserve marriage rights because they *could* change, become

straight, and marry someone of the ‘opposite’ sex, an argument put forth by proponents of Proposition 8.

The second theme concerns the reality that many gay people have been romantically and sexually involved with a member of a different sex in their pasts. In talking about this, Herek stressed that this phenomenon is due to gay people not yet realizing their true natures:

We know that, in some cases, people have gotten married at a time in life when they really hadn’t quite understood their own sexuality, and it was only after being married some-time later that they realized that they themselves were gay or lesbian. In other cases, people might have known or at least had strong suspicions that they were gay or lesbian at the time that they married, but they married because they were subjected to intense social pressures to do so, because they hoped that, perhaps, by marrying this would change them, they would become heterosexual as a result; that this would somehow, you know, help them to not be gay anymore. (*Perry v. Schwarzenegger*, 2010: 2043)

In this conception of gay identity, it is assumed that gay people have been gay throughout their lives but just have not yet ‘understood’ or ‘realized’ it, or that they have realized it but are struggling to become straight. There is no acknowledgment that their prior relationships with someone of a different sex could have been right at the time but no longer reflect their current desires, needs, and preferences. While Herek does indicate that there are many reasons why a gay person has previously been married to someone of a different sex, it is notable that these are the examples he gives in his testimony.

In juxtaposition to this approach, pro-Prop 8 attorney Howard Neilson dove into a more fluid and social constructionist approach to sexuality during his cross-examination of Herek. Neilson first had Herek affirm that sexuality is ‘a complex, multi-faceted phenomenon’ (2010: 2060) and then focused on Alfred Kinsey’s idea of sexuality as a ‘continuum’ (2010: 2064). Neilson made sure to elicit from Herek the agreement that it can be helpful to think about sexuality as constituting a continuum before moving on to ask if it was true that sexual identity labels ‘represent an oversimplification, correct?’ (2010: 2068). Herek eventually agreed, stating that although it is most useful to use distinct labels because the majority of people think of themselves in terms of a coherent identity label, there are in fact some individuals whose identities, desires, and behaviors are less consistent.

The plaintiffs had argued throughout the trial up until this point, including with the expert testimony of George Chauncey, that there has historically been a core group of individuals who experience same-sex desire and romance and who have been systemically discriminated against and marginalized. The defendants, however, sought to undermine this argument through weakening the idea of gayness as coherent and enduring. Throughout the rest of day nine, Neilson presented documents from academics that included the rise in popularity of the term ‘queer’ with younger generations to describe more complex and fluid notions of sexuality; a paper by Letitia Anne Peplau (another of the plaintiffs’ expert witnesses) and Lisa Garnets about understanding women’s sexuality as more ‘varied, complex and

inconsistent' (2010: 2128); and Fritz Kline's sexual orientation grid charting the complexity and fluidity of sexuality. The connections among these various social constructionist frameworks and queer theory are considerable, which is why the appropriation of such ideas by a legal team arguing against equal treatment of same-sex couples is all the more striking.

In his dogged pursuit of constructionist theories, Neilson brought up Lisa Diamond's work more than once, confirming her fears that her work on women's sexual fluidity would be 'misinterpreted and misappropriated by antigay activists' (L Diamond, 2008: 248), as it was when the conversion therapy group National Association for Research and Therapy of Homosexuality cited her work on its website. In fact, Diamond repeats over and over in her work that experiencing one's sexuality as fluid is not equivalent with the idea of choice, an assertion that in itself points both to the power of the Christian Right's anti-gay discourse as well as to the experiences of the 100 women she interviewed over 10 years. Despite Diamond's own alliances with queer communities and queer rights, Neilson used her work on the sexual fluidity of women to imply that same-sex sexuality is not sufficiently immutable to warrant equal protection of the laws.

Herek's response to Neilson's use of Diamond focused on the fact that in Diamond's study, very few women who began the study identifying as lesbians ended up identifying as heterosexual. Herek's focus on Diamond's unchanging lesbians speaks again to the plaintiffs' desire to fight the notion that gay people can become straight. Since the homophobic Christian Right views sexuality as changeable, gay people must conform to compulsory heterosexuality or become accustomed to having no rights. In this framework, the Christian Right has the power to decide who should have rights, while opposition to their stance is always a defensive move, despite the status of the opposition as plaintiffs in the trial.

As if to confirm the unspoken idea that gay people should become heterosexual if they are able, Neilson asked Herek:

[N]o one in this case is suggesting that gay men and lesbians should be forced to change their sexual orientation or even attempt to do so. But is it your opinion that a gay man or lesbian who wishes to change his or her sexual orientation can never do so? (2010: 2252)

Neilson does not want to foreclose the possibility that a gay man or lesbian *can* change their sexuality to heterosexuality. Considering the fact that one would most likely want to become heterosexual because of homophobia, as well as Neilson's positioning as a lawyer on a federal court case to perpetuate the second-class status of same-sex couples, his hypothetical question about the possibility of changing one's same-sex desire cannot be seen as value-neutral. In fact, Neilson went on to introduce an article that claimed to have successfully changed 200 gay men and lesbians into heterosexuals using reparative therapy.

Overall, Neilson uses social constructionist arguments from numerous angles as ammunition in attacking the framework of biological immutability, the aim of

which is to argue that same-sex sexuality is subject to too much change and instability to be thought of as a coherent identity category worthy of legal protection. Notwithstanding his ultimate aim of denying same-sex couples legal protections, most other elements of his argument are perfectly in line with the frameworks of the contemporary sexualities scholars he draws upon. Before his cross-examination of Herek is over, he manages to touch upon political lesbianism; Nancy Cott's idea of behavior as 'infinitely malleable' (2010: 2273); Peplau's concept of women's 'erotic plasticity' (2010: 2281); and the idea that women attending women's colleges have a higher likelihood than other women of being in romantic and erotic relationships with other women.

The multi-pronged use of social constructionism to boost the defendants' anti-gay cause, paired with the larger overarching themes of gayness-as-sinful-choice propagated by the Christian Right, constructs choice-based arguments as something to be avoided when advocating for LGBTQ rights. Biological determinism, on the other hand, while pursued more mildly by the plaintiffs than in the popular media I will examine, is considered a safer approach to securing rights for queer people. The result is biological homonormativity that reifies same-sex sexuality as an inherent and lifelong experience despite the inconvenient minority of queer people whose experiences tell them otherwise.

### **'My root and how it prevented me from heterosexual loving': Exhibit IV**

'But I'm a Cheerleader!', produced in 2000, is a gay cult film that provides a satiric look at heterosexuality and heteronormativity, anti-gay politics, and the normative gender binary (Babbit, 2000). It charts the life of Megan, a high school cheerleader whose parents and friends suspect her of being a lesbian. They send Megan to True Directions, an ex-gay camp where she can 'learn' how to be a 'happy, healthy heterosexual.' Of course, the camp director, Mary, her assistant son, Rock, and the other camp leader, Mike, are all portrayed as closeted gay people. This provides for ironic social commentary on the prevalence of anti-gay political and religious figures in the USA eventually either being 'outed' or outing themselves as gay. It also reaffirms the idea that gayness cannot be changed, even for leaders of ex-gay camps who would most desire straight identities for both themselves and others.

Megan is portrayed as overtly affectionate with her female friends as well as averse to making out with her boyfriend Jared, who is also comically portrayed as a disgusting kisser. Together, Megan's friends, boyfriend, and parents collude behind her back to collect various artifacts from her personal belongings as evidence of her lesbian tendencies, which they present during the 'intervention' session at her house headed by True Directions counselor Mike (played by RuPaul Charles) in his 'straight is great' T-shirt. The evidence presented includes Megan's tofu from her vegetarian diet; a magazine photo of a bikini-clad female model from her locker as well as the observation that her locker contains no photos of men; her Melissa

Etheridge poster and Georgia O'Keefe-like, vulva-evoking flower pillow; and her boyfriend's confirmation that 'You don't even like to kiss me!'

Among these pieces of evidence, only one seems to directly connote innate physical desire or, in this case, lack thereof, which is Megan's disgust at kissing Jared. This disgust, however, is framed as dependent both on Jared's inability to be a good kisser as well as his vapid jock personality. While this setup is clearly a humorous poke at the assumption that heterosexuality is desirable while also engaging the common heterosexual trope that men and women do not relate to one another, the evidence for Megan's lesbian identity is also presented as primarily and stereotypically cultural and environmental.

The cultural and environmental origins of most of the evidence of Megan's lesbianism, beyond providing a humorous synopsis of lesbian stereotypes recognizable to lesbian audience members, also indicates how Megan's parents view her potential lesbian desire: as cultural and environmental. Megan's father first refers to the allegations against her by explaining at the intervention, '[L]ately we've become concerned about certain . . . behaviors. We're afraid you're being influenced by a certain way of thinking . . . uh, an unnatural . . . do you remember the woman on T.V.?' His use of the words 'behaviors' and 'way of thinking' index an understanding that he and Megan's mother, as conservative Christians, share the religious belief of True Directions that same-sex desire is something *caused* rather than inborn. He then follows the typical Christian Right discourse of gayness-as-sinful by referring to same-sex desire as 'unnatural'. Mike buttresses this perspective with an explanation that True Directions will help Megan 'learn to understand the *reasons* behind homosexual tendencies, and, and, how to *heal* them.' Thus, the filmmakers introduce the popular Christian Right discourse of gayness as environmental perversion that must be 'healed' or changed as the framework against which Megan must contend, a framework even better recognized by the intended queer audience.

When Megan unwillingly arrives with her parents at True Directions, she is greeted by Mary, who tells her, 'Looks like we got you just in time . . . Almost lost her to college! You know, it's so much harder once they've been through all that liberal arts *brainwashing*.' The mention of the horrors of a liberal arts education invokes dominant conservative political rhetoric in the USA, in which prominent conservative political pundits argue that colleges and universities are filled with dangerously progressive ideas and professors who infect America's youth with perverted, anti-American values. The power of a liberal arts education to forever convince Megan that staying a lesbian is okay is further testament to the film's portrayal of the Christian Right as positing that same-sex desire is a learned and deviant behavior rather than a natural, inborn trait. This theme is pursued throughout the film, including in one of the final 'tests' during camp, which is to write an essay titled 'My Root and How It Prevented Me From Heterosexual Loving'.

The concept of the 'root' is central to understanding one overarching theme of 'But I'm a Cheerleader!', which is that sexuality is not 'caused' by anything and

does not change, but is something that just *is* and should be accepted. The ‘root,’ in True Directions parlance, refers to the reason why a True Directions camper has become ‘homosexual.’ The True Directions campers must each discover their roots through group and family therapy in order to learn how to fix their same-sex desire and graduate from the program as a readjusted heterosexual member of society.

The filmmakers intentionally construct the idea of the ‘root’ as something preposterous, as evidenced by the comic, ludicrous, and at times quite Freudian list of characters’ roots presented to viewers in the scene depicting group therapy. In this scene, the campers discuss their roots, which include the following: Graham is a lesbian because her mother ‘got married in pants’; Dolph had ‘[t]oo many locker room showers with the varsity team’; Hilary attended an all-girls’ boarding school; Sinead was born in France; Clayton’s mother ‘let [him] play in her pumps’; and Joel had a traumatic bris, or Jewish circumcision ritual. While much can be said about these roots, I am most interested in both the obviously social nature of the roots as well as the inclusion of Hilary’s root with the other ‘preposterous’ explanations.

In this listing of roots, Hilary’s attendance at a girls’ boarding school is seen in the same comical light as circumcision and having one’s mother get married in pants. Perhaps the filmmakers did not anticipate the audience reactions of students and alumnae/i of single-sex institutions, but the implication that it is ridiculous to think single-sex environments affect sexual identity conflicts radically with my experience of shifting sexual identities, both my own and others’, after beginning school in the context of a queer-affirming women’s college and progressive geographic region that, indeed, could rival being *re*-‘born in France.’ Simply put, the film mocks the idea that sexuality can shift with environment and instead promotes an inborn view that is consistent with larger biologically homonormative discourses.

The premise that sexuality is a stable essence that cannot be chosen acts as an undercurrent throughout ‘But I’m a Cheerleader!’, even as the film turns gendered norms and certain sexual stereotypes on their head. As Susan Talburt argues, ‘[Megan’s] resistance to rehabilitation and her identification with queer cultural practices and signifiers position her as comprehensible within the terms of identity constructed by the gay and lesbian movement’s “gay is good” counterdiscourse to pathology’ (Talburt, 2004: 21). The dominant discourse of pathology that Talburt gestures to, and the resulting ‘gay is good’ counterdiscourse, are direct referents to biological homonormativity. Even while the film, as Susan Driver counters Talburt, ‘revolves around self-conscious performances of gender and sexual types, addressing how straight culture both imagines and misrecognizes queer subjects’ (Driver, 2007: 122), it nevertheless *participates* in the misrecognition of queer subjects as individuals who possess an ontological queerness by virtue of *being* ‘who they are’ rather than who they have become or are yet to become.

This is why, contrary to Driver’s claims that ‘But I’m a Cheerleader!’ ‘bel[ies] social pressures to categorize gay and lesbian subjects as stable, uniform, and knowable’ (2007: 118), the film perpetuates the unintelligibility of same-sex desire

and romance outside a biological model. While Talburt acknowledges that the film could be read in a queer fashion that ‘might construe many of its elements . . . as equally hyperbolic, and thus as parodies of struggles of over “truth”’ (2004: 36), the film is unequivocal in portraying environmental same-sex desire as a joke.

The filmmakers’ portrayal of Andre as one of the main champions of being ‘who you are’ points directly to the argument that the film, working as an influential piece of queer pop culture, reifies the assumption that same-sex desire is biologically deterministic and that to be pro-queer is to embrace this ‘truth’. Andre, who is portrayed as the most stereotypically and flamboyantly feminine of the male campers, is offered up as the quintessential gay person symbolic of the classic ‘gay experience’: throughout the film, he cannot discover his root, and when he attempts to find one (based in physical desire), his idea is shot down by Mary. He is the ‘unsolvable case’,<sup>8</sup> the character whose same-sex desire cannot be explained because it merely *is*, to the frustration of the homophobic True Directions staff, who would have it be constructed and thus susceptible to deconstruction. Because of the persistent and dichotomous connection between sexual changeability and homophobia that pervades American culture, the pro-gay argument is the biologically deterministic one. It is also an argument that resonates with many gay men’s lived experiences; however, the inscribing of many gay men’s experiences onto the exemplary ‘gay experience’ remains exclusionary.

Andre echoes Graham’s earlier statement, ‘You are who you are; the only trick is not getting caught’, when he is kicked out of camp for his overall failure to stop being a flamboyantly and unabashedly gay man. Mary tells the other remaining campers that they’ve passed the test and are ready for their final demonstration before letting Andre know he has failed and must leave. As Andre cries about how he ‘just wasn’t meant to be butch’, Joel, who has consistently been one of the most self-loathing campers – in one scene he said, ‘I can’t wait to be straight! I’ve always wanted to be’, – begins telling Andre how proud he should be of himself and hits on him. After reproaching Joel for his hypocrisy, Andre stands up to leave the camp and addresses everyone in a final flourish: ‘Congratulations – *liars!* You *know* who you are and you *know* who you want! Ain’t *nobody* gonna change that. *Shi-it.*’ Megan and Graham then look sadly and guiltily at one another as if they know how right Andre is, and in the next scene, Megan and Graham’s romance goes to the next level when the two women sneak outside to make love under the moon. In this light, Andre’s righteous rant may be seen as an exposé of the entire homophobic ex-gay enterprise and a successful call to embrace one’s inner, always already biologically determined ‘true’ self.

‘But I’m a Cheerleader!’, while often hilarious, sensitive, and considerably gay-affirming, as well as offering a positive ‘girl-gets-girl’ plot, nevertheless reifies dominant understandings in queer and allied communities that being gay is something innate and unchanging. While it is important to embrace who you ‘are’, it is also important to recognize that sexual identities can shift and change. Such shifting, changing identities are rendered unthinkable, or at least as something that cannot

possibly be taken seriously, in 'But I'm a Cheerleader!' This ultimately relates to the ways in which adults structure the possibilities for narratives of queer youth. Talburt invokes Foucault to explain the dangers that may occur:

Even as adults ostensibly seek to cultivate the creativity of queer youth, seemingly natural narratives with happy endings create a structuring of possibilities, in which 'the exercise of power consists in guiding the possibility of conduct and putting in order the possible outcome'. (Foucault, 1982: 221). (Talburt, 2004: 33–34)

In other words, as a gay cult film that serves as a veritable rite of passage for many queer youth – Driver calls it '[b]y far the most popular film amongst the girls I interviewed' (2007: 118) – narratives about what it means to be gay and how it is possible to *be* gay certainly have the potential to limit the possibilities for self-identification and understanding.

### **Conclusion: Allowing queer identities to proliferate**

The argument I have laid out is meant to be a contribution to understanding how essentialist assumptions about same-sex sexuality are deployed both within and outside queer communities in an effort to argue for pro-gay stances, while the idea of 'choice' or changeability is consistently paired with homophobic attempts to erase same-sex desire and sexual identity from society in favor of heterosexuality. While the latter is often true, especially as mobilized by the Christian Right, the perpetuation of this dichotomy only serves to further marginalize queer people whose experiences of same-sex sexuality do not fall inside the traditional narrative of what it means to have these experiences. This includes but is not limited to sexually fluid women; individuals who have experienced a change in sexual object choice while also resisting the assumption that their past was simply a result of 'confusion' or inauthenticity; and people who experience fluctuation in sexuality depending on environmental factors, such as some students at single-sex educational institutions or, as E Patrick Johnson explores in *Sweet Tea: Black Gay Men of the South*, members of the military, who may find themselves in a homosexual situation that seems to lend itself to same-sex desire (Johnson, 2008). The prevalence of (often queer) trans\*<sup>9</sup> men experiencing a change in sexual attraction as they transition (Devor, 1997; Dozier, 2005) is another notable example of individuals who rarely find their own narratives expressed in popular understandings of what it means to be gay or queer.

Vera Whisman, in her book *Queer by Choice: Lesbians, Gay Men, and the Politics of Identity*, interviews gay men and lesbians who identify as primarily innately, biologically gay, some who view their gayness as partially innate and partially socially constructed, and others who experience their identities as mostly or fully environmentally dependent. Interviewees who conceive of their identities as more environmentally and socially constructed discuss having

experienced shifts in their sexual identities such that at one point they identified as straight and now identify as gay, for example, yet without reconstructing their pasts to claim that they were always gay but had just repressed or hidden it. As one woman tells Whisman, 'I'm not going to spend a lot of time forgiving myself or forgiving anybody else because I started out straight, damn it. Okay? I say to people, "You're going to have to take me as I am. I am converted, if you wish, okay? I used to be straight, now I'm gay. I'm sorry if it would make you happy that I was born this way, but I wasn't"' (Whisman, 1996: 62). Voices such as this woman's highlight the ways in which biologically homonormative discourses reflect a collective 'us' that leaves out the voices and experiences of those queer people who do not fit into a model of sexual identification based solely or primarily on innate, biologically determined experiences, of which the discourses found on Google and in *Perry v. Schwarzenegger*, the *Etheridge v. Richardson* debate, and 'But I'm a Cheerleader!' are a part.

In destabilizing the assumption that same-sex sexuality is lifelong, innate, and unchanging, I hope to increase the possibilities for inclusion among queer communities to reflect the diverse array of experiences and identities that are clustered under broad terms like 'queer,' 'gay,' and 'lesbian'. As Whisman argues,

[A]llow them to proliferate. If homosexuality is a point around which we cluster, let the paths for reaching that point be visible. One person arrives there because of a deeply felt physical desire for others of the same sex, another for a desire that is more emotional than physical. One woman arrives there because she has chosen to explore feelings for women and extinguish those for men, because her feminist understanding tells her that is the best choice for her. Another woman has felt different all her life, more masculine than feminine. One man has always been sexually interested in both men and women, and finds queer worlds more to his liking than straight ones. There is no essential Gay Man, no timeless Lesbian, but instead gay men, lesbians, bisexuals, and others, who collectively and individually widen the range of possibilities. (1996: 125)

The creation of a discursive space for the proliferation of sexual identities and experiences outside of biological homonormativity is the aim of this piece, with the hope that this opening up of space will translate into increased comfort for currently marginalized members of queer communities and a greater awareness of sexual diversity.

It is also important to recognize that biological determinism, while undoubtedly useful in political strategizing and in navigating the homophobia of loved ones, is by no means the only route to political success and education about queer issues. The Iowa Supreme Court's April 2009 holding in *Varnum v. Brien*, which unanimously legalized marriage equality for same-sex Iowan couples, argued that regardless of *why* an individual experiences and identifies with same-sex desire, queer people's experiences are so central to their identities that denying them

access to the rights of heterosexuals unless they change their sexuality is unconstitutional. They wrote:

[C]ourts need not definitively resolve the nature-versus-nurture debate currently raging over the origin of sexual orientation in order to decide plaintiffs' equal protection claims. The constitutional relevance of the immutability factor is not reserved to those instances in which the trait defining the burdened class is absolutely impossible to change. . . . That is, we agree with those courts that have held the immutability 'prong of the suspectness inquiry surely is satisfied when . . . the identifying trait is "so central to a person's identity that it would be abhorrent for government to penalize a person for refusing to change [it]". (*Varnum v. Brien*, 2009: 43–44)

Jon Davidson, legal director of Lambda Legal, takes the same approach and likens sexuality to religion: 'It doesn't matter whether you were born that way, it came later, or you chose. . . . We don't think it's okay to discriminate against people based on their religion. We think people have a right to believe whatever they want. So why do we think that about religion and not about who we love?' (Greenberg, 2007) While freedom of religion is protected by the First Amendment and the protection of gay rights is far more tenuous, the point remains that freedom to pursue one's life within the framework of a fundamentally central identity axis has begun to be recognized in at least some aspects of state law.

Further research and public dialogue in both political and popular culture on the types of non-deterministic queer identities I have gestured toward in this article is sorely needed, especially research and dialogue that include the direct voices of people who have for so long been ignored in favor of political expediency, discomfort, or both. The insights gained from a study of biological homonormativity may also prove useful in understanding the nuances of other identities that, while beyond the scope of this project, merit further attention. One example is certain transgender individuals' relationships to gender identity. As Dean Spade points out, the standard biological narrative of lifelong transgender feelings and experiences, including being 'trapped in the wrong body' and adherence to normative gender presentation of one's targeted gender, leaves out trans\* individuals who depart from such a narrative (Spade, 2000). Indeed, adherence to this particular medical model often determines whether trans individuals obtain access to the resources they need to pursue whatever level of transition is most appropriate.

Ultimately, until same-sex desire can be popularly understood in an expansive rather than restrictive way, the USA will remain a political landscape in which engaging in an open dialogue about what it means to experience and identify with same-sex desire will be continually interrupted by concerns within pro-queer communities about what is appropriate and inappropriate to say and what will give ammunition to those who hate or seek to discredit LGBTQ people. Online articles addressing any number of gay issues will inevitably devolve into debates among readers as to whether being gay is a choice (and thus morally wrong) or is innate (and thus legitimate), becoming a gay version of Godwin's Law (Godwin, 1994).<sup>10</sup>

'Coming out' narratives will continue to be shaped by limited options of expressing one's diffuse sexual and romantic experiences, and pity will continue to replace affirmations as to why same-sex sexuality is positive and perhaps preferable to heterosexuality for any given individual. Embracing the positive aspects of being queer, including living one's life in a way that will produce the most happiness, fulfillment, and personal freedom, may serve to combat homophobia and educate loved ones even more effectively than would holding onto exclusionary and heterosexist ideas that gayness is the helpless 'next best thing' to heterosexuality.

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### Notes

1. I use 'gay' rather than the more inclusive 'LGBTQ' or umbrella-term usage of 'queer' at various points in this article to denote the particularities of debates about same-sex desire.
2. I use the word 'homosexual' in accordance with the medical terminology of the time; however, I avoid usage of 'homosexual' and 'homosexuality' outside a sexological context precisely because of its origins in clinical, medicalized stigma and deviance.
3. See, for example, Bryant quoted in Fetner, 2001: "*I don't hate the homosexuals!* But as a mother, I must protect my children from their evil influence. . . *they want to recruit your children and teach them the virtues of becoming a homosexual.*" Emphases in original.
4. See 'Social Issues: Counseling for Unwanted Same-Sex Attractions' on the Focus on the Family website (n.d.).
5. The case is now known as *Perry v. Brown due to the 2010 election of Jerry Brown*, who succeeded Arnold Schwarzenegger as California governor.
6. This Google search was conducted 19 March 2010.
7. See the American Foundation for Equal Rights (n.d.) website.
8. I am extremely grateful to my colleague Jason Hopkins for his feedback and insight in using the phrase 'unsolvable case' to describe the character of Andre.
9. The asterisk signifies possibilities for variation in how a given trans\* person chooses to identify, whether as transgender, transsexual, transman, transwoman, trans, and so on.

10. Godwin's Law was created by Mike Godwin as a rhetorical device to point out the tendency of internet debates to eventually devolve into accusing a user's views of being something 'similar to the Nazis' or 'Hitler-like'. I use this analogy to point out the frequency with which the use of 'gays can't help it; they were born this way' is worked into internet discussions about anything gay-related.

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**Shannon Weber** is a PhD candidate in Feminist Studies at the University of California, Santa Barbara and a 2012–2013 Visiting Scholar in Women’s, Gender, and Sexuality Studies at Northeastern University. Her research interests include LGBTQ history, social movements, and politics; the study of marginalized and abject bodies; popular culture, visual culture, and new media; critical disability studies; and fat studies. Her dissertation explores the experiences of LGBTQ students at two Massachusetts women’s colleges and the potential of the campuses to act as sites of exploration for the cultivation and expression of new sexual and gender identities. She is also engaged in a project about LGBT protest after the passage of Proposition 8 in California as a challenge to queer theoretical critiques of same-sex marriage. She is the author of ‘What my women’s college taught me about being enthusiastically queer’, in Lori Horvitz’s edited collection *Queer Girls in Class: Lesbian Teachers and Students Tell Their Classroom Stories*, and she has prepared the supplemental materials for the 9th edition of *Feminist Frontiers* textbook published by McGraw-Hill.