PART I

Queer Politics in the Time of War and Shopping or Why Sex? Why Now?
In the decade of the 1990s, mainstream political discourse in the United States seemed utterly focused on sexuality. The major economic change of “welfare reform” was accomplished through a discourse focused on young, poor women and their sexuality; the President was impeached for lying about a sexual liaison; and issues like abortion and gay rights occupied the public imagination. In the first decade of the twenty-first century, however, supposedly more serious issues of economic globalization, “terrorism,” and war have moved to the fore, leaving those of us who study sexuality to once again come to terms with the question, “why sex?” Why does the study of sexuality matter now, in the twenty-first century?

We must remember that even with the advent of war as the central issue of the day, sexuality has not receded into the background. Sex remains at the center of public life because the politics of sexuality and the politics that drive issues like economics or war are fundamentally connected. The beginning of the new century has been marked by the repeated reappearance of sex as the key to national politics. Whether in the battle over gay marriage that was central to the 2004 election cycle and the emphatic assertion that the “values” Bush represents swung the election or in the Democrats’ attempts to reposition themselves for 2008 by shifting toward the right on the politics of abortion, sexuality has remained central to both electoral politics and US public discourse.

These two discursive moves – the dismissal of sexuality as irrelevant to issues of serious public importance and the persistent reappearance of sex at the center of public life – are part of a conjoint dynamic that makes up the politics of sexuality in American public life. As Lauren Berlant and Lisa Duggan have succinctly stated, US public discourse “simultaneously overvalues and devalues sex and sexuality.”

Take, for example, remarks made by The New York Times foreign affairs columnist, Thomas Friedman, when interviewed by Katie Couric on the first anniversary of the September 11 attacks. In a typical dismissal of sexuality he stated:

The nineties were a decade of real silliness. It was a decade preoccupied with Monica Lewinsky, O. J. Simpson, and ultimately Gary Condit on the eve of September 11. So, there is no question we took our eye off the ball as a country and as a society.
Friedman finds that since September 11, Americans, as a society have fortunately become more serious.

In the choice of his examples, however, Friedman displays more of the American ambivalence about sex than he might have intended. No doubt, for example, Gary Condit was an embarrassment of a US Representative, and no doubt the fact that the poor man’s sex life came to the attention of the nation was distasteful, but the issue which produced this attention was the all too serious disappearance and murder of a young woman, who had worked for him, Chandra Levy, just as the issue behind the infamous trial of O. J. Simpson was the murder of his wife, Nicole, along with her friend Ronald Goldman. Monica Lewinsky was apparently a frivolous person like Condit, and the country’s concern with her was equally frivolous. And yet, the issue that brought her to the public’s attention was important enough to impeach the President. Clinton was supposedly impeached for lying under oath, but presidents lie about all kinds of things. They have even been known to mislead the Congress. Yet these lies do not produce impeachment. Lying, it seems, matters most not when it is about serious issues of US policy, like war and peace, but when it is about sex.5

This ambivalence over sexuality has not been limited to the mainstream. Those committed to progressive and even radical politics often display a squeamishness about sex similar to Friedman’s. Progressives too often remain invested in single issue politics. For example, issues of gender and sexuality have barely been mentioned by the major organizations opposing the war in Iraq. Progressives often worry, along with Friedman, that sexuality is truly unimportant. Even in gatherings explicitly dedicated to the politics of sexuality, I have heard the question raised as to whether those of us with progressive political commitments need to turn our attention away from questions of sexual freedom and justice and toward the more important issues of war and economics. And yet, the dismissal of sex in progressive politics has often left progressive movements open to attack when sex and gender are used to contain progressive efforts on the supposedly “real” issues.6 Rather, than asking: can we afford to think about sex at the current historical moment? perhaps we should ask: can we afford not to do so?

If the politics of sex and the politics of war or economics are fundamentally connected, we certainly cannot afford to leave sexuality aside. We need to form social movements that can effectively connect these issues and draw together broad support. In other words, our failure to break out of single issue politics and form progressive alliances is not just because alliances are difficult in practice, but because we haven’t provided an adequate analysis of how various issues are connected. As a result we are caught in constantly trying to justify the importance of issues like sexuality in movements that are supposedly focused on more inclusive or more important concerns.

The politics of war and the politics of economics are mutually constituted in and through sexuality but, as critics and theorists, we have not shown fully how this mutual constitution works. Take the issue that is currently supposed to be paramount above all else: that of the “war on terrorism.” Nothing it seems could be further from the foreign policy issue of terrorism than the domestic and putatively private politics of sexuality. So, how are these issues connected?

The most common view of their connection is that the Republican Party uses sexuality as a wedge issue in electoral politics. The Republicans made opposition to “gay
“marriage” a central issue for the 2004 election, but then seemed to drop it until the next election cycle. It is difficult not to conclude from such behavior that Republican dedication to sex is deeply cynical and unconnected to their real agenda of pursuing the war and a particular set of economic policies. The Democrats seem to be equally Machiavellian when it comes to sex, willing, for example, to sacrifice the protection of women’s right to reproductive freedom, all in the name of protecting their real agenda. Although what the real agenda might be – beyond getting elected, that is – seems less clear.

As appealing as this analysis of the perfidy of political leaders in the United States might be, it does not go very far in explaining the role of sex in American politics. It does not explain, for example, why a significant number of American voters care enough about sex to wed them to a coalition between social and fiscal conservatives that enacts policies against their economic interests. Nor does it explain why this deep concern about sex always seems to run to the conservative side. Sexual liberals within the Republican Party, such as Republican Women for Choice, don’t value the issue enough to break with social conservatives within the party. Here we see how the dynamic between overvaluing and devaluing sex has produced such extreme conservatism on sexuality as an issue of public policy.

To intervene in this dynamic we need to explore the possibility that something more is going on than either political perfidy or confusion on the part of some social conservatives about their interests and on the part of some fiscal conservatives about their values. We need to explore the possibility that sexual politics is central to the overall program of the Bush Administration and to the policies of the Administration on issues like the “war on terrorism”; that, in fact, the war could not be conducted without the politics of sexuality. To put the case most strongly: the politics of sexuality has been crucial to the American self-understanding that created the initial support for the war and the politics of sexuality has been a factor in the conduct of the war as it has proceeded.

The linchpin here is freedom. Freedom is, of course, the central legitimation for the wars in Afghanistan and Iraq and for the “war on terrorism” in general. Terrorists are supposedly at war with the US because “they hate freedom.” When the claim that Iraq held weapons of mass destruction was proved false, the idea that the US is bringing freedom to Iraq became the major justification for the initiation and continuation of the war. The idea that the United States is the exceptional home of freedom is also a crucial part of sexual politics in the United States. Americans understand ourselves to be a free people, and part of the proof of that freedom lies in the way we pursue our sexuality. It may seem strange to claim that sex provides the proof of American freedom given that the one place where the value of freedom is not applicable in American public discourse is in the arena of sexuality. There seems to be not a single politician in the United States who would invest any political capital in the idea of sexual freedom. But, if we explore further the meaning of freedom as it is used in mainstream American public discourse, we find that the dominant meaning is tied to the market-based freedom of capitalism. With the advent of neoliberalism, the tie between democratic freedom and market freedom has become virtually impossible to sever. And, as we learned long ago from Max Weber, the freedom of the market always entails its own forms of regulation. American freedom is not of the libertine sort. It is
a highly moral proposition, and the proof of that morality is the self-regulation that accompanies freedom in America. For reasons that I will explore below, sex is the primary site where this type of highly regulated freedom is embodied. Thus the regulation of sexuality is actually tied to American ideas of freedom.

Sexuality is not a side issue that allows the Republican Party to win elections and thus carry on the real work of waging war and controlling economics. Rather, the American national conception of sexuality is central to the idea of America as a free nation, as a nation that offers economic and political freedom to its citizens and that can similarly offer (at the point of a gun, if necessary) freedom to the rest of the world. To understand the relations between sex and war then, we need to understand the value of freedom, including the paradoxical relation between American ideals of freedom and the national commitment (regardless of what individuals do) to sexual regulation. And to understand this connection, it is important to think about the role that religion plays in American politics.

The Question of Freedom

In saying that we need to look at religion to understand how the regulation of gender and sexuality work in the American context, I am not saying anything new. However, my argument runs counter to the predominant myth about why religion matters to gender and sexuality in America. This predominant narrative is that religious repression, grounded in the religious heritage of the United States, is the root of sexual regulation in US public life. “Puritanical” is the name not just for the religious tradition on which US politics is founded; it is, at least in the popular imagination, also a synonym for sexual repression.8 While I agree in part with the idea that religion is at the base of sexual regulation in the United States, I think the traditional story misleads us about how this regulation works.9 For, if religious repression is the problem, then freedom from religion is the answer. This traditional view plays into the larger Enlightenment narrative in which freedom from religion and the development of secularism bring about human liberation. In contrast to this view, however, I will argue that our problem is as much secular freedom as it is religious regulation.

People care so passionately about sexual regulation in the US because sexual regulation is constitutive of American freedom. It is not that religious regulation and secular freedom are the same, but they are mutually constitutive. I make this argument because modern freedom, even the Enlightenment freedom that is first and foremost supposed to be liberated from religion, has religious roots. Those roots can be found in the Protestant Reformation, and they inform not just the “religious Right” but also the secularism that draws upon the Enlightenment (and its religious heritage). In other words, American secularism is a Christian, and specifically Protestant, secularism.

This idea of Christian secularism as the discursive framework for US politics is one that Ann Pellegrini and I elaborate in the Introduction to World Secularisms at the Millennium.10 Ann and I argue that secularisms are inflected by the religions over against which they are defined, and in the United States that inflection is specifically Christian. Christian secularism is a dominant mainstream cultural formation in the United States in which the values of Christianity are articulated as the secular...
values of the dominant society. Christian secularism is not Christianity in disguise; it is a separate social formation (as Talal Asad has made clear in his work on secularism). But, it is also a secularism that is specifically Christian. It is different than, for example, the Hindu secularism of Hindu nationalist politics in India or of the Muslim secularism of Turkish communism.

One of the things that has made the Republican Party so powerful in the last 20 years is its masterful conjoining of conservative Christianity with Christian secularism. Ronald Reagan was particularly eloquent in linking Christian religious values to secular political projects. Reagan allied with the religious Right, and in doing so connected that particular form of Christianity to the more general Christianity of American public life: he made explicit the Protestant ethic of the spirit of capitalism, directly linking ethical values with economic policies. This connection of ethical and economic has funded the alliance between fiscal and social conservatives in the Republican Party, two groups which otherwise have little in common. George Bush said the word “freedom” 27 times in his 21-minute 2005 inaugural address. “Freedom” is the key word that strengthens this connection between the capitalism that legitimizes the global spread of market forces and the morality that is supposedly the ground of American action in the world. It is once again important to investigate the idea of freedom in the Reformation, not just because George W. Bush is President (Clinton also subscribed to this connection between Christianity and capitalist freedom), but also because this form of freedom has enjoyed renewed dominance with the advent and expansion of neoliberal globalization.

As we know from Max Weber’s *The Protestant Ethic and the Spirit of Capitalism* (1930), the freedom that dominates life in the US is dependent on the regulated activity that makes the market possible, an activity that Weber names *worldly asceticism*. As Weber notes, this form of freedom requires both immense self-discipline – the disciplines that Foucault chronicles as indicative of modernity – and social regulation – what Weber documents as “earnest enforcement.” This market-based sense of freedom becomes dominant in modernity. Self-discipline and earnest enforcement regulate activity along particular lines; far from being repressive, self-discipline means freedom from priests and kings, and creates individuals and communities ready to participate in the free market.

While the disciplinary nature and even the religious roots of market-based freedom may be familiar, less commented upon is the fact that the Reformation also marked a major change in sexual relations, one that instituted a particular form of sexual freedom. This sexual freedom is intertwined with the market and is constituted through its own forms of regulated activity. Specifically, the Reformation ties the idea of individual freedom to the institution of marriage. The free individual is the individual whose sexual activity is regulated in marriage – a relation that is earnestly enforced, particularly over and against the option of religious celibacy, by the reformers. This connection between freedom and sexual regulation is maintained in the shift to a modernity that remains marked by the Protestant ethic. Regulation, then, is internal to the meaning of modern freedom, including the meaning of sexual freedom. Most importantly, in a United States dominated by Christian secularism, religion is not just responsible for our ideas of sexual repression; it has also crucially formed our understanding of sexual liberation.
One of the major changes instituted through the Reformation was a shift in the ethical ideal for sexual life. From the twelfth century onward, the sexual ideal for religious life in Catholicism was the celibate life of the clergy and those with religious vocations—monks and nuns. The Reformers, most notably Luther and Calvin, denounced celibacy as part of the Catholic perversion of the Gospel and encouraged marriage as the ideal. The fact that “family values” are now normative in the twenty-first century would not be possible without this major shift in Christian understandings of the ideal of sexual relations in the seventeenth. Both Luther and Calvin took the position that everyone should enter a married state, and Luther, who had himself been part of a religious order, was especially adamant that clergy should marry. Marriage, then, like the market, is part of a reformed world: freedom from the norms and values of the Church marks the beginning of modern sexual life.

Like the discipline of the market, the elevation of marriage as the ideal—and free—organization of sexual life, also invokes disciplines. In particular, this change highlights what Foucault tells us is a new form of moral discourse in which the moral ideal and what we now call the statistical norm converge. When it comes to sex, marriage was long the norm in terms that we would now define statistically, but it was not the ideal of sexual morality within Christian societies. Foucault is so interested in this convergence because it sets up a particular type of moral problem. Normative discipline—rather than, for example, the cultivation of virtue—becomes the centerpiece of moral life.

The move toward ideal as norm/norm as ideal is also a move toward the particular understanding of individual freedom that reaches full flower in the Enlightenment, particularly in the Kantian understanding of the individual who gives the law to himself. For Foucault, this freedom as autonomy requires self-discipline in which—to put it schematically—the ideal of freedom induces us to produce ourselves through the norms of the human sciences. Those are the norms of autonomous individualism, including the discourse of sexuality. We become autonomous individuals by freeing ourselves from the imposition of the law, because we give the law to ourselves. Thus, self-discipline becomes the hallmark of the modern individual and, importantly, of modern freedom—including sexual freedom.

In Luther and Calvin we can see versions of freedom that stand in between juridical law and self-discipline. Luther, in the preface to his translation (into German) of Paul’s “Letter to the Romans,” states that the freedom from the law offered to Christians does not mean that Christians don’t follow the law: “Our freedom is not a crude, physical freedom by virtue of which we can do anything at all. Rather this freedom is a spiritual freedom; it supplies and furnishes what law lacks, namely willingness and love.” Christians follow the law, but they do so because they want to. For Luther, spiritual freedom is wanting to do the right thing. It is a discourse of desire.

The disciplines of this form of freedom become apparent in Luther’s next paragraph, which is a reading of an analogy in “Romans” between the position—and freedom—of a wife after the death of her husband and the position of Christians who have “died to the law.” “The point,” Luther writes, “is that [the wife] is quite at liberty for the first time to please herself about taking another husband.” Luther extends this point, arguing that, “the woman is not obliged, nor even merely permitted to take a husband” but rather she is at liberty to please herself. The Pauline author is
not at all concerned about the wife pleasing herself. The only concern that the biblical text expresses is that the wife would be called an adulteress if she lived with another man while her husband was alive and now she is free to marry again and live with a second man without fear of adultery. Luther, however, nowhere states whether the woman will or will not take another husband. And yet, in Luther's conclusion to the analogy, Christians are free to "really cling to Christ as a second husband and bring forth the fruit of life." The analogy only makes sense if it is obvious to Luther that in her freedom to please herself, the woman will choose not only the conjugal relation of matrimony for a second time, but that she will also procreate with this new husband, bringing forth the fruit of life.

In other words, Protestant freedom is an incitement to sexuality over against the celibacy of priestly and monastic life, and it is an incitement specifically to matrimonial and reproductive sexuality. Clergy and those with religious vocations are now free to marry, but it is important to note that there are losses in this freedom. There is a loss of alternatives to marriage, a loss that has particular implications for how women might please themselves. As a number of feminist historians have noted the Protestant destruction of monastic life meant an end to a major alternative to marriage for women. It is not that marriage is bad, that people, including women, in their freedom would never choose marriage, but that marriage becomes the only expression of sexual freedom. Calvin takes the further step of connecting this freedom to economic relations. Protestant marital life indicates that the individual will not be excessive in either his relation to God or to worldly goods. In enumerating his "considerations against ancient monasticism," Calvin makes clear that monasticism is a problem not because of its self-denial, but because it is spiritually and materially excessive. Calvin finds "ancient monastics" to be somewhat better than his contemporaries, whom he accuses of "superstition" in their way of life, meaning that they follow the ritual and edicts of the Church without appropriate reference to what the Gospel actually says. They follow the community, rather than reading the Gospel for themselves. The early monastics, those early Christians who practiced celibacy before the edifice of the Catholic Church was constructed cannot be accused of superstition:

Yet, I say that [ancient monastics] were not without immoderate affectation and perverse zeal. It was a beautiful thing to forsake all their possessions and be without earthly care. But God prefers devoted care in ruling a household, where the devout householder, clear and free of all greed, ambition, and other lusts of the flesh, keeps before him the purpose of serving God in a definite calling.

The ideal of the moderate householder is, of course, the connecting point between sexual life and economic life, showing the interdependence of the two. Marriage, devotion to a family and to a calling, allows this individual to be free – free from greed, ambition, and other lusts of the flesh. This ideal of the married householder condenses in the single individual the world of Reformed social relations, allowing Calvin to use his critique of the vow of chastity to stand in for a critique of all monastic vows. He chooses not to discuss his objections to the other two vows – of poverty and obedience – but, rather, finds such critique unnecessary after the error of celibacy has been demonstrated. Having completed his long critique of celibacy he concludes:
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I shall not stop to assail the two remaining vows. I say only this: besides being, as conditions are today, entangled with many superstitions, these vows seem to have been composed in order that those who have taken them may mock God and men. But lest we seem to criticize every little point too spitefully, we shall be content with the general refutation that has been given above.  

The claim – “lest we seem to criticize every little point too spitefully” – is made in a text that in its English translation is over 1,500 pages long. It is no accident that Calvin chooses this point on which to restrain himself. In the end he does not need to criticize the other two vows – of poverty and obedience – because sex comes to stand in for right relation to the material world and right relation between God and community. The Protestant can find prosperity in ruling a household rather than poverty in communal living, and the Protestant relation to God is defined by the individual freedom to marry rather than by obedience to the community.

Thus, sexual relations, and reproductive marriage in particular, come to epitomize the Protestant ordering of the world. Undisciplined sex replaces gluttony as the sin extraordinaire; undisciplined sex (which, remember, includes celibacy) is the sign of gluttony and dissolution. The marriage vows also replace the vows of poverty and obedience as the sign of right relation to both God and community. Sex becomes the premier site of morality.

The connection between freedom and the right kind of sex is a profound one. The idea of Protestant freedom relies heavily on the elevation of marriage to the normative ideal. Luther and Calvin do not encourage those with a religious vocation to leave the monastery and convent and live alone in their faith, as pure autonomous individuals. Luther and Calvin encourage them to get married, and this is because, as feminists have long pointed out, autonomous individuals do not actually exist autonomously. Rather they depend on the labor of others, and in what is now called the “traditional” family, they depend on the labor of wives and servants. The particular form of freedom dominant in American public discourse encourages sexual regulation. It specifically encourages the disciplines of marriage.

What difference does it make that sexual regulation is central to the Protestant concept of freedom? It has some important consequences for both feminist and lesbian and gay politics, and I have pursued those issues elsewhere. But, for my current concerns, this connection between freedom and regulation also has vital consequences for how we think about the “war on terrorism” and the politics that legitimate the war. The interest in sexual regulation displayed by the President, the Republican Party, and many of the voters who re-elected the President in 2004 is not simply a side issue to the war. When in his 2004 State of the Union address, President Bush mentioned opposition to “gay marriage” as the primary domestic issue in a speech that was mainly concerned with the war, he was not simply attempting to shore up his base so that he could win re-election and proceed with the war as an unrelated matter. Rather, if we take seriously that this war is to President Bush not just a war “on terrorism” but also a war “for freedom,” then we must also take seriously the idea that sexual regulation is a crucial part of that project. In particular, sexual regulation is a part of constructing the United States as the “land of the free.”

We need to determine the ways in which sexuality matters in the wars now being...
fought by the United States: the war on Afghanistan, the war on terror, and the “preemptive” war on Iraq. While relevant to all three wars, gender and sexuality are particularly important with regard to Iraq. Iraq is the more difficult war to justify and the one that has come to depend totally on the idea of freedom. The war against Afghanistan was undertaken in the extreme period after September 11 and was directed at the known site of the group – al Qaeda – that had perpetrated the attack. There were still problems: the US was not going to war directly against al Qaeda, but against a government that was charged with supporting this particular group of terrorists. To further justify the war, gender and sexuality were brought into play, as President Bush and the First Lady were, for a moment at least, deeply concerned with the oppression of women in Afghanistan. But, the case of the war in Iraq is much more difficult. Despite the Administration’s claims to the contrary, it is now widely acknowledged that there were no connections between Saddam Hussein’s government and al Qaeda. Moreover, the defensive justifications for the war – particularly the supposed existence of weapons of mass destruction – disappeared once the narrative that the US would be welcomed as liberators had gone horribly awry, and once the abuses of Iraqis by US soldiers in the Abu Ghraib prison had been widely exposed. The only substantive justification that remained was the Bush Administration’s position of the war as an effort to spread freedom around the world.

Why do so many Americans continue to see the United States as the purveyor of freedom, despite everything: the failure to find weapons of mass destruction, the abuses of Abu Ghraib, the protracted nature of the violence in Iraq? There are many answers to this complex problem. Here I argue that understanding how Americans connect sex, sexual ethics, and freedom are crucial to an understanding of our twenty-first-century wars.

The Scandal of Freedom

We know the United States to be a free country in part because of the ways in which we regulate sexuality as a nation. This myth of sex in America is a complex one; it is not simply sexual regulation, but the combination of regulation and freedom that matters. The Protestant ideal of sexual regulation in marriage is an ideal of freedom. Those who choose marriage and who discipline themselves accordingly, are more, not less free than those who do not. That “earnest enforcement” by the community enforces this discipline simply reinforces marriage as a norm, as what everyone should want. Neither discipline nor regulation per se make one unfree. Rather, the appropriate type of regulation is a sign of freedom itself.

This is the sense of freedom invoked to cast the “war on terrorism” as a war for freedom, particularly when this view is positioned over against the supposed oppressiveness of Islam, as Andrew Sullivan did in the pages of The New York Times Magazine in October 2001. The claim being made in arguments like Sullivan’s is that the type of freedom dominant in America, including its attendant disciplines, is a better freedom than anything that could be offered by what Sullivan terms “Islamic civilization.” In this configuration, sexual regulation can stand in metonymically for appropriately disciplined freedom tout court. The metonymic role of sex in US public
discourse is one of the reasons for the obsessive media focus on questions of sexual regulation in Islam, particularly the veiling of women, which shows Muslims to be sexually repressed. Although mentioned less often in the press, the specter of polygamy (Osama bin Ladin’s multiple wives are often mentioned in media accounts of his “private” life) shows Muslims to be inappropriately disciplined.

The results of the scandal surrounding prisoner abuse at Abu Ghraib exemplify this dynamic. Why didn’t the scandal have more of an effect on either the conduct of the war or on the 2004 Presidential elections? Sources ranging from PBS’ *Frontline* to *Vanity Fair* have claimed that various forms of prisoner abuse, including sexual humiliation, continue throughout Iraq and at Guantanamo Bay, but to little effect. Through a reading of the photographs from Abu Ghraib and of the response that they provoked, I will suggest that one of the reasons the scandal faded is because even those who were most critical of the military’s actions played into dominant ideas about the US as the site of freedom in relation to the oppression and constraint, particularly the sexual constraint, of Islam.

The usual way in which gender, sexuality, and religion are analyzed in terms of Abu Ghraib is by focusing on the victims. In a narrative that pretty much lines up with the claims of the US military, the public believes that because the victims of the torture are Muslims, they are particularly vulnerable to the forms of sexual humiliation to which they were subjected. As Seymour Hersch reported in *The New Yorker* (May 24, 2004), the overarching conceptual framework for the military in fighting this war is taken in part from Rafael Patai’s book *The Arab Mind*, which claims that Arabs are particularly susceptible to sexual humiliation. This narrative is problematic for a number of reasons, including the way that it positions all Iraqi prisoners in Abu Ghraib as first and foremost Muslims, a positioning that plays into the presumption that all Arabs are Muslims. This presumption further plays into the all too common conflation between Muslims and terrorists. The overarching narrative of Muslim sexual conservatism has rarely been challenged by critics of the photographs.

In particular this narrative about the victims tells us very little about what should be a primary concern to Americans: the perpetrators of the abuse, their responsibility for these acts, and our broader social responsibility for actions undertaken in the name of the United States. Susan Sontag famously said of the photos from Abu Ghraib, “the photographs are us.” Placing the photos in broader historical contexts – both the tradition of wartime photography and the context of sexualized violence in war – allows us to read the photos in a way that brings the perpetrators as well as the victims into view. In so doing, we can also see ways to shift the commonly told narrative about the Iraqis.

There are a number of questions that we need to ask about what went on at Abu Ghraib. Why did this violence take place? Why was the violence sexualized? And why was it photographed? The photos are, of course, not unique in kind to the history of war. Rather, as *The New York Times* documented shortly after the photos were first published, there is a propensity, demonstrated across a range of twentieth-century wars, for captors to take their pictures with their prisoners and sometimes with their tortured prisoners. The Nazis photographed atrocities, ranging from their own development of instruments of death and torture to the destruction of Jews by Poles in the village of Jedwabne. Similarly, the *Times* displayed photos of Japanese
soldiers with their dehumanized prisoners. The purpose of such photos seems to be not just to humiliate the captive but to display the captor in his capacity as victor. We also know that the US military purposefully released pictures of shackled prisoners at Guantanamo Bay and was surprised at the negative worldwide response. We can only suppose, as Judith Butler has pointed out, that the military expected these pictures to show the United States in a positive light, to show the United States as a nation which was not vulnerable but had utterly vanquished its enemies. In other words, photos of tortured and humiliated enemies say something not about the enemy, but about those taking the photos. This reading, in which the photos are as much about celebrating the victory of the captors as displaying the defeat of the captives, explains why the victor so often appears in photos that might otherwise be seen as incriminating.

The idea that photographs of prisoners can be used to establish a particular relation between captor and captive is furthered by placing the photos in the broader context of how sexualized violence is used in wartime. I have been influenced by Darius Rejali’s synthetic analysis of sexual violence in wartime. Rejali has argued that it is possible to track when sexual violence is likely to be used in wartime. Sexual violence is not just one in a bag of effective tools that are pulled out randomly, depending on the predilections of the victors. Sexual violence is more commonly used in particular types of situations. Here Rejali pulls together the work of Cynthia Enloe and Julie Phillips on militarized rapes in Latin American contexts to argue that ethnicity can, along with gender, be a crucial component to sexualized violence in war zones. Drawing on an analysis by Phillips, who mapped the use of sexualized violence in long-running guerilla conflict in Peru, and then mapping the sites of rape camps in Bosnia, Rejali argues that the camps are most often located in areas where ethnic divisions between groups are “unranked” rather than “ranked.” Where ethnic divisions are “unranked” there is little segregation in housing or employment and inter-marriage among ethnic groups might be common. In such situations, sexualized violence is used to create enmity between groups that are not strongly divided by other means.

In other words, sexual violence is used to create particular types of subject positions between the victims and the perpetrators, and it is used to create positions that are not just sexualized, but are also racial and ethnic. Sexual violence not only creates racial and ethnic enmity, it creates a new type of racial and ethnic relation. Where once ethnicity did not fundamentally organize social relations and created neither intense segregation nor intense hierarchy, through the use of sexual violence ethnicity becomes paramount, intensive and radically hierarchical.

Rejali’s work is useful in thinking about sexual violence in Iraq because it opens the possibility that one of the effects of sexualized violence in Iraq was similarly to create subject positions by creating a particular understanding of the relations between the US military and the Iraqi captives. Rejali’s work is helpful because the common sense of American public discourse – where Iraqis are particularly vulnerable to sexual humiliation because they are Muslims – was not, in fact, the obvious context for thinking about members of the Ba'athist Party before the war. Iraq was a secular polity, not dominated by the kind of Islamism that the US associates with the Middle East in general and “terrorism” in particular. In other words, while the American
public has taken Islam as the overriding context for interpreting the meaning of the violence at Abu Ghraib, it may not have been the most salient for those who experienced the violence. Rather, just as sexual violence created particular types of ethnic subject positions in the Balkans, so in Iraq sexual violence created particular kinds of religious subject positions.

These subject positions needed to be created because, of course, the connections between the war in Iraq and the war against terrorism were tenuous at best at the start of the war. One of the biggest problems for the Bush Administration was that not only were there no weapons of mass destruction, there were no real connections (Vice President Cheney’s repeated assertions notwithstanding) between the Hussein regime and al Qaeda. This means that the subject position of Iraqis as terrorists had to be created – and that is one of the things that the war has done incredibly well. The war has shifted the Iraqi government from a predominantly secular framework to one dominated by Shiite Muslims. It has made it possible for Islamic law to be part of the Constitution. It has diminished women’s rights and even women’s ability to move safely about the streets, owing to both harassment and violence. And it has taken people who were arrested and placed in Abu Ghraib because they were part of the Ba’athist government or perhaps part of the Ba’athist resistance or perhaps for no reason at all, and made them into Muslims who could be humiliated in a particular way. It has used this religious identification to intensify the American racialized idea that Arab = Muslim. The sexual violence at Abu Ghraib embodied – it made real – this conflation, by, for example, treating Ba’athists, members of a secular political party, as if they believe in the particular sexual proscriptions of Islam (at least as Americans understand them).

The Bush Administration had to make claims counter to the facts of the situation in order to support the idea that Iraq was a crucial piece in a war against terrorism. It did so by playing on this racial idea Arab = Muslim and Muslim = terrorist. But this reality had to be created. It was not a description of the existing situation in Iraq.

One of the effects of the circulation of the photographs was to solidify a particular understanding of the relation between Americans and Iraqis in mainstream US public discourse. The fact that not only the US military, but also critics of the abuse, saw Muslims as particularly vulnerable to sexual humiliation positions Americans as less vulnerable. This conception is particularly powerful when connected with the fact that one of the few things the American public “knows” about Islam is that Muslims are supposed to be sexually conservative in comparison to Americans. Most Americans may not know when Ramadan is or what the Hajj means, but they are showered with press reports that obsessively focus on “veiling” in Afghanistan or similar issues for female members of the armed services in Saudi Arabia. All of this press interest contributes to a picture of all Islam as deeply conservative and of Americans as sexually liberated.

Obscured by this story are the facts that Americans are themselves deeply worried about sexual humiliation, and that the American military is a particular site for expressing these worries. From concern about the potential rape of female soldiers in combat, to the depth of concern over the homosexual gaze in the shower, American public debates about the military repeatedly return to fears of sexual humiliation. Fear of sexual humiliation is not unique to “the Arab mind,” and is a central feature
of the American imagination of the US military. But, as any number of social theorists have shown us, freedom is a concept that is developed in relation to those who are unfree, and one thing that the entire scenario of sexual abuse and its documentation through photographs did was position the Americans as those who were sexually liberated and the Iraqis as those who were unliberated and hence particularly vulnerable to the type of humiliation that they experienced. Press coverage of the Abu Ghraib photographs was deeply critical of the American soldiers and even of those higher up, but promulgating the pictures extended their underlying message about American freedom.

How can I argue that the sexual abuse and humiliation of “Muslims” in Abu Ghraib, clearly represented as scandalous, nonetheless advances the idea that Americans are free because American sexual activity is appropriately regulated? First it is important to note that there is another set of pictures taken at Abu Ghraib, pictures that have not circulated in the mainstream press, pictures that have in fact been suppressed by the US government. These are pictures of American service personnel having sex with each other, apparently in combinations other than those of mutually monogamous marriage. We know of the existence of these pictures because the Pentagon was forced to show the full range of pictures in a closed briefing to those members of Congress who chose to view them. The Pentagon was scheduled to release more Abu Ghraib photos over the summer of 2005 but fought against such a move on the argument that to do so would damage the efforts of the United States.41 Not only have the photos not circulated, but there has been very little discourse around them either. The only time these photos are mentioned in The New York Times, for example, is briefly within the article on the Congressional viewing.42 I would suggest that this group of photos does pose a particular problem, not just to the Pentagon, but also to the discourse around the photographs themselves. Why would this set of photos need to be kept from the American public? We know from the photos that have been released that the soldiers involved in the scandal at Abu Ghraib were out of control sexually, so why would it be particularly shocking that there is a group of photos that show only Americans engaged in sexual acts?

To answer this question, it is helpful to place the photos from Abu Ghraib in yet another historical context for photography, that of lynching photos. The connection between the Abu Ghraib photos and the photographic tradition of lynching photos has been suggested by Sontag and by academic critics like Hazel Carby and Luc Sante.43 Lynching photographs share with those from Abu Ghraib the fact that they often depict graphic sexuality – in particular the sexual torture and mutilation of the victims – in support of a sexually conservative dominant culture. The practice of lynching and the circulation of lynching photographs showed that the sexual order, in particular the chastity of white women that was supposedly threatened by black men, had been restored and was being protected. Rather than showing the perpetrators to be sexually perverted in some way, lynching photos were taken with the intention of showing that the perpetrators defended sexual conservatism and they were presumably read as such by their primary audiences. In other words, the sexual excess of lynching photos was a sign of sexual constraint and conservatism.

We can never fully know what purposes the photos taken at Abu Ghraib were intended to serve, although those purposes were probably multiple. Private Lynndie
England said that they were basically taken in fun. Whether they were also intended to intimidate prisoners into providing information we do not know, although England claimed that the soldiers were told that they were doing a “good job” and should continue. Captain Michael Drayton who took over as commander of the 870th MP unit after the scandal said that, “[the soldiers involved] put these pictures on disc and they were pretty proud of it . . .” The photos were also circulated through email or used as screen savers on soldiers’ computers. After the Congressional viewing, Senator John Cornyn, a Republican from Texas said, “I got the idea that they were sort of taken in the nature of souvenirs, because they were all taken from personal cameras. They didn’t appear to be organized.”

It is this sense that the photos served as “souvenirs” that leads Sante to connect them to the tradition of lynching photography. Just as the Abu Ghraib photos were put on disc and circulated in email, lynching photos were printed on postcards in the early twentieth century. In other words, the Abu Ghraib photos are similar in content and form to lynching photos, and thus we may read their effects as similar as well. Like lynching photos, one of the things that the photos taken at Abu Ghraib do is depict the American soldiers as defenders of the dominant sexual order. After all, in the photos that the world has seen, it is the Iraqis not the Americans who simulate sexual acts that are taboo in American culture. At one level it does not matter that they were made to do so by the US soldiers, just as the fact that white people performed the sexual torture of lynching did not simply redound back on them as perpetrators. As Jasbir Puar points out, the context for both the taking and the circulation of the photos was marked by the history of Orientalist discourses that already associated Arabs and Muslims with perversity. If this context makes it all the more likely that the photos will work to position Americans as defenders of the sexual order, then the photos of American GIs engaged only with each other present a problem, because they would undo the economy in which the photos position the American soldiers as defenders of American freedom by showing them to be participants in an unregulated, un-American form of freedom.

As we have seen through the wars of the twentieth century, propaganda that depicts one group of people as particularly perverse tends to dehumanize those depicted much more frequently than it dehumanizes those who make such perverse depictions. We might wish that it were otherwise, that the making of such depictions automatically undid the position of those who made them, but unfortunately, it is mainly with historical hindsight, and rarely in the moment, that such negative judgments are made. While condemnations were made of the Abu Ghraib photos in the moment, the scandal faded, and it had virtually no effect on the 2004 elections. As Michael Kimmelman noted in reporting on an art exhibit that included the photos just a month before the election: “The Abu Ghraib photographs have passed from the headlines to the art pages in half a year. One can only imagine how much further they may retreat in six more months.” The negative judgments initially elicited by the publication of the photos appear to have few lasting effects.
The Identity of Freedom

Why? While there was immediate outcry, why didn’t this scandal affect the course of the war or the outcome of the election? Why was the talk of resignation by Secretary of Defense Rumsfeld so brief that Rumsfeld would remain in the cabinet into the second term, while Alberto Gonzalez, who wrote one of the memos that seemed to pave the way for these abuses became Attorney General? Why did this scandal make little or no change in how Iraqi prisoners or other prisoners in the “war on terrorism” are treated? In the months and years following the release of the photos, abuse that entailed sexual humiliation was also reported at Guantanamo Bay.49

I think there are a number of reasons why the scandal faded away, ranging from the effectiveness of the strategy of blaming the individuals involved and putting them on trial relatively quickly, to the fact that, while there is an extensive paper trail to show that this kind of treatment was condoned in a general sense, there is no direct paper trail to show that either the Secretary of Defense or the President knew about these specific activities. But, I think the deepest problem, and the one most relevant to the analysis I have offered is this: Americans fundamentally see themselves as promoters of freedom; so while the photographed sexual abuse is distasteful, even disgusting, the actions did not abrogate that fundamental value. On more than one occasion, President Bush stated that the photos and the acts they represent do not reflect the “nature of the American people.” President Bush apparently meant this claim as part of an apology.50 But in saying that the photos didn’t represent the true “nature” of America, he was also reiterating the idea that these actions could in no way impinge on American self-understanding.51

We need to get to the heart of why it is that many Americans accept the freedom narrative to begin with if we are to understand this apparent contradiction. The idea that America is the site of freedom and a beacon to the rest of the world as such is not dependent on particular actions of the nation, but is rather an expression of what the nation is, of whom the American people are, not what they do. Freedom is an expression of American identity, not action. Just as good works are not in themselves salvific for Calvin, but rather a potential sign for an already determined salvation, so also sexual regulation is not itself the act of making America free, but is a sign of an already determined freedom. The reason that it would be worth amending the Constitution in order to protect the “sacrament” of marriage, as Senate Majority Leader Bill Frist put it, is because marriage is so central to who the American people are.52

The enthusiasm for sexual regulation – specifically for the protection of marriage – demonstrated in the election emphasizes this American identity as the beacon of freedom. Given that the United States has chosen to engage in the violence of war as the means of protecting the nation, “the American people” need to know that they are a people worthy – morally worthy – of protection. And busily regulating the nation’s sexuality is one means of assuring that this is so. It is extremely important to note here that the point is to regulate the sexuality not of individuals, but of the nation, and now in the era of globalization, perhaps our mission is to project freedom-as-regulation on the world. This distinction between the regulation of our own sex practices and
that of the nation shows up in the way in which sexuality plays out in US politics. It is not just that some of the most vicious promoters of family values have themselves often had affairs, been divorced, and remarried. It’s a larger phenomenon. As Frank Rich has repeatedly pointed out, the culture of the Red states seems pretty much as sexually liberated, if not perverse, as the Blue states, even if the politics of the red states is deeply dedicated to sexual regulation. So, for example, various types of sexually provocative programming on the Fox network raises barely a ripple of dissent, or mail-order sex shops report that the volume of sales of sexually explicit videos and sex toys is virtually the same in Red and Blue states. How do we account for these disparities? One way of thinking about it, would be that for those dedicated to Red state politics, the issue is not so much about their personal sexual activities, but is rather a dedication to a particular idea of America – the land of the free and the home of the brave – and sexual regulation is crucial to this idea of America. In the Blue states, it is not so much that sexual liberation has taken greater hold as that this idea of America has less purchase than it does for those dedicated to Red state politics. The crucial divide is not over sexual practice but over the idea of sexual regulation as crucial to the American national project.

In the end, gender and sexuality are not frivolous concerns, but go to the heart of American national identity as a free people and of America’s right to use violence as it sees fit in defense of that freedom. This means not only that it is important to take gender and sexuality seriously as sites of analysis, but also as central to a wide range of political issues. For activists and scholars who wonder why sex matters in a time of unending war and intensifying globalization, we can answer that we ignore sex at our peril. We can point out the folly of a policy like an amorphous unending “war on terrorism,” but these arguments will have little effect if we do not directly challenge the worldview that makes such a war acceptable to American voters. Taking on sexual politics directly, integrating sex into anti-war activism for example, would at least allow us to address the underpinnings of policies that remain supportable despite the fact that they have proven ineffective and morally questionable. Building our politics at this level would also allow us to question what freedom means, to ask why a value like freedom must so often imply not just a disciplinary society, but one marked by coercion and violence. And to ask ourselves what vision we would offer instead. Sex can be a site for the construction of positive ethical values, because sex puts people in relation to each other. Sex is crucial to the critique required by effective multi-issue organizing, but sex can also be a key for new and alternative visions that might sustain such politics over the long-term.

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Notes

1 This question about the import of sex is recurrent in American politics. Gayle Rubin opens her now classic essay, “Thinking Sex,” first published in 1984 as follows: “The time has come to think about sex. To some, sexuality may seem to be an unimportant topic, a frivolous diversion from the more critical problems of poverty, war, disease, racism, famine or nuclear annihilation. But it is precisely at times such as these, when we live with the possibility of unthinkable destruction, that people are likely to become dangerously crazy about sexuality.” Gayle Rubin, “Thinking Sex: Notes for a Radical Theory of the Politics of Sexuality,” in Pleasure and Danger: Exploring Female Sexuality, ed. Carole S. Vance (New York: Pandora, 1992, first published in 1984 by Routledge and Kegan Paul (London)): 267. Rubin goes on to connect the urgency of thinking about sex in the 1980s to a series of social disputes that stretch back to the mid-nineteenth and twentieth centuries. Unfortunately, our entry into a new century has not disabled either what Rubin names the burdening of sex with an “excess of significance” (279) or the charge that concern with sex, at least in the public sphere, is frivolous.

2 We should note that the polls that supposedly showed “moral values” as the determining factor in the 2004 election were, if not distorted, then significantly misread. In fact, this poll had been taken in each of the last three election cycles and the percentage of people who listed “values” as the primary motivation for their vote had actually been declining from a high of near 40 percent in 1996 when Bill Clinton was re-elected to the approximately 20 percent who answered in this fashion in 2004. Moreover, The Times focus on gender and sexuality as fully representative of “moral values” was unsubstantiated and unsupported by the polls. Frank Rich, “The Great Indecency Hoax,” The New York Times, November 28, 2004, Section 2, 1. Twenty-two percent of voters said that “moral values” were their primary concern, but these numbers were actually down from 2000 (35 percent) and 1996 (40 percent). Nonetheless, these facts have not stopped either the Republican strategy of using sex, particularly homosexuality as a wedge issue – for the mid-term 2006 elections the Republican Party supported a number of ballot initiatives against “gay adoption.” Nor, have the facts stopped the Democrats scramble to try to reposition themselves on issues involving sex, including new support for candidates who do not support women’s reproductive rights and freedoms.


4 Today, NBC, interview with Katie Couric, September 11, 2002.

5 As Eli Zaretsky has pointed out, Representative Henry Hyde, the Chair of the House Judiciary Committee during the impeachment justified “Reagan’s lies in the Iran–Contra affair as intended ‘to serve the common good,’ whereas Clinton’s aimed at ‘personal pleasure’ (precisely why Reagan’s lies were relevant to impeachment and Clinton’s weren’t).” Eli Zaretsky, “The Culture Wars of the 1960s and the Assault on the Presidency,” in Our Monica, Ourselves: The Clinton Affair and the National Interest, eds. Lauren Berlant and Lisa Duggan (New York: New York University Press, 2001): 27–8.

6 Perhaps the premiere example here is the FBI’s investigation of Martin Luther King Jr’s sexual activities as a government attempt to discredit the civil rights movement.

Bounds, Pamela K. Brubaker, and Mary Hobgood (Cleveland, OH: The Pilgrim Press, 1999): 109–32. Whether or not the anti-gay ballot initiatives swung the presidential voting in 2004, the question remains as to why there is such strong opposition to “gay marriage” that voters are willing to take the serious step of amending the state constitution to prevent it. Such measures were passed in all 11 states where they were on the ballot in 2004: Sarah Kershaw, “Constitutional Bans on Same-Sex Marriage Gain Widespread Support in 10 States,” The New York Times, November 2, 2004, P9; Pam Belluck, “Maybe Same-Sex Marriage Didn’t Make the Difference,” The New York Times, November 7, 2004, WK5.

8 Historians have long resisted this popular stereotype when documenting the sexual practices of the Puritans. For example, John D’Emilio and Estelle Freedman in their history of sexuality in America state, “Even among the Puritans and their Yankee descendants, sexuality exhibited more complexity than modern assumptions about their repressiveness suggest” (15). And, in a point which is important for my later argument, they continue, “Early Americans did indeed pay close attention to the sexual behavior of individuals . . . They did so, however, not in order to squelch sexual expression, but rather to channel it into what they considered to be its proper setting and purpose: as a duty and a joy within marriage, and for the purpose of procreation” (16). John D’Emilio and Estelle Freedman, Intimate Matters: A History of Sexuality in America (New York: Harper and Row, 1988). Like “Puritanical,” “Victorian” has also been taken as synonymous with sexual repression, but Michel Foucault famously challenged the idea of the “repressive hypothesis” as a reading of Victorian culture in Michel Foucault, The History of Sexuality, Vol. 1: An Introduction, trans. Robert Hurley (New York: Vintage Books, 1980).


13 In this same speech, President Bush also used the term “liberty” 15 times. The entire text of the speech can be found at www.whitehouse.gov/new/releases/2005/01/20050120-3.html.


15 Ibid., 36.


17 Some would argue (although you wouldn’t know if from today’s Christian Right) that marriage is not a biblically based ideal. Jesus was not a family man and the Pauline epistles prefer celibacy to marriage. The Pauline author suggests marriage is merely necessary: most people cannot resist sex, and so marriage is the best alternative to fornication. The
Reformation’s intensified focus on the sinful nature of humans allows for a slippage in interpretation where everyone is now seen as best off in marriage.


19 This is the precursor to Kant’s good will (and we cannot forget that Kant is deeply influenced by German Pietism. He should not simply be read as a “secular” philosopher).

20 There is much that is strange about this analogy, including the fact that if Christians are in the position of the wife, the law would have died to them, not they to the law.

21 Dillenberger, Martin Luther, 30.

22 Biblical scholarship has shown that the canonical letters written under the name “Paul” were not all written by a single individual, see Elizabeth A. Castelli, Imitating Paul: A Discourse of Power (Louisville, KY: John Knox/Westminster Press, 1991).

23 Dillenberger, Martin Luther, 30.

24 Wiesner (1989) provides an account of how strictly the Reformers enforced the idea that marriage represents women’s calling. While some women voluntarily left their convents, became Protestants and married, others in areas controlled by Reformers fought to keep their religious communities together even when cut off from the Catholic Church. Wiesner also reports that the Counter-Reformation Church moved to restrict some of the freedoms that women in religious orders had experienced, thus further narrowing women’s possibilities.

25 Calvin elaborates a morality that runs counter to both the specific vows of the Catholic religious life and the process of taking vows itself. For him, the interior intention of the individual, rather than vows taken before the community, is the crucial indicator of morality. Calvin, for example, precedes Kant in arguing that the moral value of an action depends not on one’s relation to the community, but on intention: “For, because the Lord looks up on the heart, not the outward appearance, the same thing (as the purpose in mind changes) may sometimes please and be acceptable to him, sometimes strongly displease him” (Institutes 1258, IV, XII, 4).

26 Ibid.

27 Institutes 1274, 413, 19.

28 I am not arguing that sex is simply analogous to the commodity, but rather that sex, too, goes through the process of fetishization. It is important to note that in Marx fetishism is a process of which the commodity is the elementary form, but fetishism is not necessarily restricted to the commodity.


35 Jan T. Gross, Neighbors: The Destruction of the Jewish Community in Jedwabne, Poland
Janet R. Jakobsen


51 Sontag makes much of the fact that President Bush was unable to say he was sorry for the abuse without concluding his apology through the reiteration of “America” as fundamentally moral. Sontag writes, “Even when the president was finally compelled, as the damage to America’s reputation everywhere in the world widened and deepened, to use the “sorry” word, the focus of regret still seemed the damage to America’s claim to moral superiority.” Puar emphasizes the choice to use the word “nature” (instead of “identity,” for example) as part of a rhetoric that creates a contrast between that which is natural and that which is perverted, Puar, “On Torture,” 14.

52 Metropolitan Desk, “Frist Opposes Gay Marriage,” The New York Times, June 29, 2003, B8. President Bush also appealed to religion on this issue, citing Jesus’ Sermon on the
Mount to point out that the American people should “respect each individual . . . to be a welcoming country . . . On the other hand, that does not mean that somebody like me needs to compromise on issues such as marriage.” Neil A. Lewis, “Bush Backs Bid to Block Gays from Marrying,” *The New York Times*, July 31, 2003, A1.